



Organised Violence & Torture Report

APRIL 2017

By the Zimbabwe Human Rights NGO Forum

ACRONYMS

CBD	Central Business District
CIO	Central Intelligence Organisation
GALZ	Gays and Lesbians of Zimbabwe
MDC-T	Movement for Democratic Change – Tsvangirai
MDP	Malicious Damage of Property
NAVUZ	National Vendors’ Union of Zimbabwe
NCA	National Constitutional Assembly
RDZ	Renewal Democrats of Zimbabwe
OVT	Organized Violence and Torture
UNCAT	UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
UPR	Universal Periodic Review
UYO	Unemployed Youth Organisation
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZimPF	Zimbabwe People First
ZRP	Zimbabwe Republic Police

Introduction

The political environment continued to be defined by lack of political tolerance among political parties. Political intolerance manifested in the form of assaults, harassment and intimidation, violation of freedom of association and withdrawal of food aid and agricultural inputs to perceived and real opposition members by ZANU-PF supporters. Cases of inter-party political violence involving ZANU-PF and MDC-T supporters topped the list of violations during the month.

In April, a National Assembly by-election was held in Mwenezi East Constituency. The by-election was held in accordance with Section 129(i) of the Constitution following the death of incumbent Member of Parliament Joshua Moyo on 22 December 2016. This is the 27th national by-election to be held since the 2013 harmonized elections. ZANU-PF candidates won in all the parliamentary by-elections. The pre- and post-election political environment was reportedly peaceful, however, the isolated cases of harassment and intimidation caused one of the electoral contestants Kudakwashe Bhasikiti to withdraw from the race in protest of his inability to campaign¹ and the harassment and intimidation of his supporters. Heal Zimbabwe Trust, the Election Resource Centre and the Zimbabwe Human Rights Association reported a total of 37 cases of electoral violence between 1 January and 7 April 2017. About 30 (82%) of these cases were of traditional leaders and war veterans threatening people with violence and withdrawal of food aid if they voted for opposition parties.²

Violations of economic, social and cultural rights were also prevalent during the month particularly the violation of the freedom from arbitrary eviction, protected in section 74 of the Constitution. Officials from the Ministry of Lands and Rural Resettlement and members of the Zimbabwe Republic Police (ZRP), continued with the violent eviction and displacement

¹ The Zimbabwe Republic Police selectively applied the provisions of the Public Order and Security Act by refusing to accept notifications for public meeting and rallies by the opposition while approving those of ZANU PF.

² See the Mwenezi East By-Election Preliminary Report by Heal Zimbabwe, ZimRights and Election Resource Centre, 11 April 2017

of villagers of the Manzou Farm in Mazowe, Mashonaland Central.³ Villagers had their homesteads and property set on fire. Children's rights, including the right to education and health were also violated in the process. The government frustrated the efforts of the Zimbabwe Human Rights Commission to investigate the violations in Manzou village. The villagers have since petitioned SADC to intervene in the land dispute.

Summary of Violations

In April 2017, **34** new victims of Organized Violence and Torture (OVT) were reported and documented from across the country. Of these cases, 52% were of MDC-T supporters attacked by ZANU-PF supporters. The victims were targeted because they were wearing opposition party regalia. The continued intimidation and harassment, particularly of opposition members, is likely to intensify as the nation approaches the 2018 harmonized elections. State agents continued to violate human rights without regard to protections in the Constitution, while impunity for rights violations remains.

Following the eviction and displacement of the Manzou inhabitants that intensified on the 7th of April, the Forum went on a verification mission to Manzou village, Arnold Farm, Mazowe and observed the following:

- The villagers were evicted in contempt of a court order barring the property demolitions and the evictions granted on 23rd March;⁴
- The villagers had their homesteads and property set on fire with no alternative accommodation offered;
- The villagers were threatened with unspecified action for failure to leave the farm;
- The villagers were subjected to police brutality; they were assaulted by the officers with axe handles, truss beams, fists and boots.

The Forum continues to receive reports of police and army brutality from the Chiadzwa diamond fields. The victims are ordinary villagers from the surrounding areas who are accused of illegally mining diamonds in the area. The police and army officers stationed at

³ The Manzou villagers were evicted to clear space for the expansion of the First Family's business in Mazowe

⁴ An earlier High Court Order barring the demolitions was granted in 2014 when the evictions began

the diamond base regularly conduct raids, searches in homesteads, arrests and detentions. They severely assault any community member with an ID number, which does not bear a suffix for Mutare District that is-75. Further, the community members cannot move freely in and out of their places of residence due to the curfew imposed by the police and army officers. This is a clear violation of the freedom of movement and residence protected in section 66 of the Constitution.

The table below summarises cases of OVT for April.

NB: The following notes should be put into consideration when reading these cases:

- *Human rights violations contained in this report are derived from statements made to the Forum's Public Interest Unit, its member and partner organisations.*
- *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 reprisals.*
- *The Report cannot 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 Forum directly or through its members is meticulously documented and included in the report.*

TABLE 1: Reported Incidents of OVT April 2017

Date	Violation	Violation Narration	Number of victims	Perpetrator
01 April	Violation of freedom of movement	A middle-aged man sustained injuries whilst being chased by members of the police, who accused him of illegally mining for diamonds in Chiadzwa.	1	ZRP
02 April	Forced consumption	An MDC-T supporter was waylaid and manhandled by four suspected ZANU-PF supporters during the evening in Epworth. The assailants forced him to drink an unknown substance. He had to be admitted to hospital because of stomach pains."	1	ZANU-PF supporters
02 April	Assault & violation of freedom of association	Three (3) ZANU-PF supporters in Mufakose assaulted a female MDC-T youth and three other fellow supporters. They accused them of wearing MDC-T party regalia.	4	ZANU-PF supporters

03 April	Assault & violation of freedom of association	A male Renewal Democrats of Zimbabwe (RDZ) party supporter was attacked by ZANU-PF youths at a shopping Centre in Makoni district. The perpetrators ordered the victim to remove the party t-shirt he was wearing and he refused. They then assaulted him with fists and open hands. One of the youths struck him with a stone in the face, inflicting a serious wound around the mouth.	1	ZANU-PF supporters
04 April	Assault & violation of freedom of association	An MDC-T ward official was assaulted by ZANU-PF supporters at a meeting he had been forced to attend. The perpetrators asked him to chant a ZANU-PF slogan and he refused. They then accused of being a sell-out and assaulted him.	1	ZANU-PF supporters
07 April	Torture & destruction of property	Following the eviction and forced displacement of villagers at Manzou farm, sixteen (16) cases of police brutality, torture and arson were documented. The victims were severely assaulted by armed police officers with hoe and axe handles, fists, and boots by armed policemen, who destroyed and set their huts on fire. Three (3) of the victims were accused of influencing other people to refuse to move from the farm.	16	ZRP
07 April	Assault	Unknown assailants in Chitungwiza attacked an MDC-T official during the night. The victim was driving a car displaying party posters advertising a rally that was going to be held the following day. He was struck in the head with a hard object. He did not manage to identify the assailant.	1	Unknown
08 April	Violation of freedom of movement	Two (2) people, one of them a nine-year-old boy, sustained serious injuries after police dogs were set on them in Chiadzwa diamond fields.	2	ZRP
15 April	Harassment & intimidation	A female MDC-T supporter was severely intimidated by a group of ZANU-PF supporters at a home in Mhondoro. The perpetrators visited all known MDC-T supporters in the village threatening them.	1	ZANU-PF supporters
17 April	Assault & violation of freedom of association	Samson Nerwande an MDC-T youth was assaulted by unknown men for wearing his party t-shirt in the CBD in Harare. He was so severely injured that he had to be admitted to hospital.	1	Unknown
17 April	Assault & violation of freedom of association	Emma Efelemu was attacked whilst on her way to Mufakose to attend a funeral of the MDC-T Chairwoman. Emma was wearing the MDC-T regalia and had a misunderstanding with a conductor over	1	

		bus fare change. The argument later turned into a brawl when the conductor insulted Emma for wearing the MDC-T t-shirt. The unidentified conductor then pulled out Emma's dreadlocks and picked up a bottle from the grass, which he used to strike Emma on her nose, front teeth and knee. The matter was reported at Marimba Police Station.		
18 April	Torture & unlawful detention	Members of the army took a male youth from a local shopping Centre in Chiyadzwa diamond fields because his National ID number did not bear the suffix -75 for Mutare District. He was asked to pay USD1 for his release, which he did not have. He was then taken to Mbada Diamond base, where they assaulted him. He was detained for two (2) days.	1	ZNA
20 April	Assault & violation of freedom of assembly	ZANU-PF supporters at Alaska mine in Makonde district assaulted an MDC-T ward official. He was accused of convening an MDC-T meeting in the area.	1	ZANU-PF supporters
23 April	Assault	An MDC-T supporter, who was carrying out a door-to-door campaign for his party, was assaulted by five ZANU-PF youths in Epworth. He sustained injuries in the face.	1	ZANU-PF supporters
25 April	Assault	An MDC-T ward welfare officer responsible for documenting victims of violence at Alaska mine was assaulted by an unknown man whose case he had documented. The reason for the attack is not known.	1	Unknown

Nature of violations

Violations during April were mostly in the form of torture, assault, violation of freedom from arbitrary eviction, theft and malicious destruction of property (MDP). The nature of the violations, the victims and the perpetrator category are shown in Table 2 below.

TABLE 2: Cumulative Nature of violations January – April 2017

Nature of violation	No of victims	Perpetrator category
Torture	49	ZRP
Assault	46	Municipal police, ZANU-PF

		supporters, and unknown
Arbitrary arrest & detention	5	ZRP
Harassment & intimidation	2	ZANU-PF Supporters
Violation of the right to equality and non-discrimination	1	Unknown
Theft	3	ZANU-PF supporters
MDP	16	ZRP
Forced consumption	1	Unknown
Violation of freedom of assembly & association	9	ZANU-PF supporters
Violation of freedom from arbitrary eviction	16	ZRP
Violation of freedom of movement & residence	3	ZRP, ZNA

The nature of violations is illustrated diagrammatically below:

FIGURE 1: Cumulative Nature of violations January – April 2017

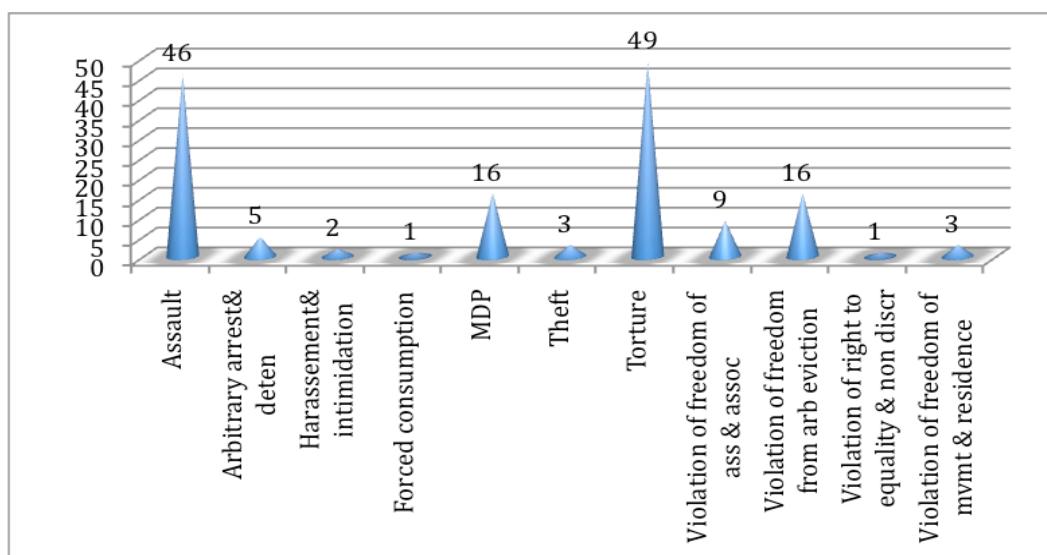
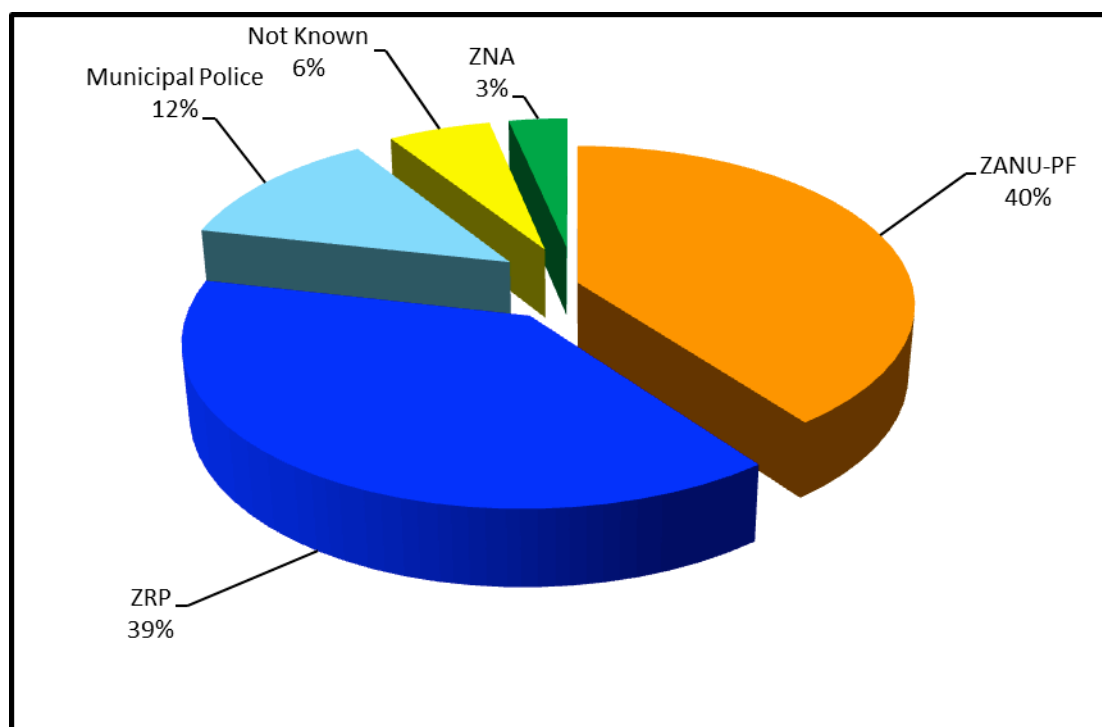


FIGURE 2: Distribution of Perpetrators by Violator Institution 1 January to 31 April 2017



ZANU-PF were the main perpetrators of violence, accounting for 40% of the violence, followed by ZRP, which accounted for 39% of the violence, the Harare Municipal police 12%, ZNA 3%, and unknown accounted 6%.

Conclusion

ZANU-PF, as the ruling party, must cultivate a culture of tolerance of other political parties amongst its supporters, both in words and actions. Political tolerance is a key principle of democracy that must be embraced by any democratic country. The government must find a lasting solution to the long -running human rights violations in Chiadzwa.