



**ZIMBABWE**  
**COUNTRY REPORT**

**October 2004**

**COUNTRY INFORMATION AND POLICY UNIT  
IMMIGRATION AND NATIONALITY DIRECTORATE  
HOME OFFICE, UNITED KINGDOM**

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## **1. SCOPE OF THE DOCUMENT**

**1.1** This Country Report has been produced by Immigration and Nationality Directorate, Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. It includes information available up to 1 September 2004.

**1.2** The Country Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.

**1.3** The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

**1.4** The structure and format of the Country Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

**1.5** The information included in this Country Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented; rather that information regarding implementation has not been found.

**1.6** As noted above, the Country Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. Country Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text.

**1.7** The Country Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in documents that are more recent. All sources contain information considered relevant at the time this Report was issued.

**1.8** This Country Report and the accompanying source material are public documents. All Country Reports are published on the IND section of the Home Office website and the

great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.

**1.9** Country Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in Country Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country Information Bulletins, which are also published on the IND website. They also have constant access to an information request service for specific enquiries.

**1.10** In producing this Country Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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## 2. Geography

**2.1** Europa 2004 states that the official name of the state is the Republic of Zimbabwe. It is located in southern Africa and has an area of 390,757 sq. km. It is land-locked and is bordered to the northwest by Zambia, to the east by Mozambique, to the south by South Africa and to the west by Botswana. [1b p. 1222]

**2.2** According to Europa 2004, principal towns (those with a population over 100,000) are Harare (the capital), Bulawayo, Chitungwiza, Mutare and Gweru. “In recent years urban growth has proceeded rapidly. The urban poor, operating within the highly competitive ‘informal economy’, are now a large and increasing part of the urban social structure.” [1b p. 1239]

**2.3** According to the Economist Intelligence Unit Country Profile 2004:

“Recent UN estimates put Zimbabwe’s population at 13.1m in mid-2002. However, preliminary estimates of the 2002 census put the figure at 11.6m—about 1.5m below earlier projections—reflecting a combination of the HIV/AIDS pandemic, emigration, and overcounting related to manipulation of the electoral rolls. Nevertheless the urban population was estimated at 34.6% of the total in 1999; it grew at over 5% per year in the 1980s and 1990s, much faster than the level of overall population growth, indicating continued rural migration. Harare’s population, including its Chitungwiza township, is now probably well over 2m.

“The population density is about 30 per sq km. The majority of Zimbabweans are Shona, with the Shona outnumbering the Ndebele by about four to one. The Ndebele live mainly in the south and west. The number of whites in Zimbabwe has dropped from a peak of about 275,000 in the mid-1970s to an estimated 70,000—barely more than 0.5% of the population. The most widely spoken language is Shona and its dialects, although English, which is universally spoken in towns, is the official language.” [24a p. 13]

**2.4** According to Europa 2004 “There are, in addition, several minor ethnic groups such as the Tonga, Sena, Hlengwe, Venda and Sotho.” with English, Chishona and Sindebele being official languages. [1b p. 1222]

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### 3. Economy

#### 3.1 The Economist Intelligence Unit Country Profile 2004 stated that:

“With its well-developed manufacturing sector, relatively diversified commercial farms, productive peasant agriculture, varied mineral resources and tourism potential, Zimbabwe is a more diversified economy than any of its neighbours. Agriculture and mining determine the general health of the economy, because of their impact on export revenue and domestic consumption. Both were productive by African standards and relatively competitive internationally, but by the end of 2003 most were struggling to survive. The manufacturing sector remains important, although its relative significance has declined over the years and it now only accounts for around 18% of GDP. All sectors of the economy have come under tremendous pressure in recent years, owing to the political and economic crisis that has engulfed the country. It is likely that some of the factories and mines that have been temporarily closed, and the farms that have been invaded, will never restart operations.” [24a pp. 18-19]

“A substantial share of economic activity, particularly light industry, is concentrated around Harare, which benefits from its position as Zimbabwe’s capital and is centrally located in the higher rainfall areas of northern and eastern Mashonaland. The Bulawayo area in southern Matabeleland is the centre of most heavy industry, as well as servicing the railway network, several large mines and the cattle-ranching industry. In the Midlands, Kadoma, Kwekwe and Gweru are market centres with significant industry and on the main road and railway line between Bulawayo and Harare. The other two main centres are Mutare, close to the eastern border and on the railway line between Harare and the port of Beira in Mozambique, and Masvingo in the south. Mutare is a centre for wood-processing and important specialised agriculture, in particular, production of coffee and tea.” [24a p. 24]

#### 3.2 Inflation has been an enormous problem in Zimbabwe and although, according to Business Report in August 2004, consumer prices dropped 31.7% in July 2004 compared to June, they were still 362.9% higher year-on-year according to official statistics. The increase in the annual rate of inflation was largely due to hikes in the prices of beverages, bread, cereals, meat, fruits and vegetables. Business Report went on:

“The Zimbabwean economy began sliding some four years ago and only started showing signs of slight improvement in recent months following remedial steps taken by the central bank.

“Average annual inflation has been on a upward trend since 2000 when it stood at 55.9%, rising to 71% a year later and surpassing 600% two years later.

“Zimbabwe has in recent years faced political, economic and social instability, with high unemployment and rising disease rates.

“Local non-governmental organisations say up to 80% of Zimbabweans live under the poverty line and that between 60 and 80% of the employable population is without jobs.

“The country has also been plagued by severe food shortages, caused partly by drought as well as the controversial land redistribution programme dispossessing white farmers.” [36a]

**3.3** On 26 July 2004 Reuters carried a piece by Refugees International in which it stated that despite a statutory minimum wage of Z\$72,000 per month (approx. US\$13) many new settlers on farms were unable or unwilling to pay their workers more than Z\$15,000 (approx. US\$3). The report also claimed that some employers ban NGOs from providing food assistance to the workers who are working in 'slave labor' conditions. [70b]

**3.4** The continuing economic turmoil was reflected when the Zimbabwe dollar hit a new record low against the US dollar on 26 August 2004, sliding to Z\$5610.46, again according to 'Business Report' on 27 August 2004. [36b]

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## 4. History

**4.1** According to Europa Regional Surveys of the World: Africa South of the Sahara 2004 (Europa 2004), the country that is now Zimbabwe was established in 1923 as the British colony of Southern Rhodesia. In 1965, the white-dominated Rhodesia Front administration of Prime Minister Ian Smith made an illegal unilateral declaration of independence (UDI) for Rhodesia from the United Kingdom. The Republic of Zimbabwe achieved formal independence from the United Kingdom on 18 April 1980. [1b p. 1223]

**4.2** Europa 2004 also stated that, following UDI, black nationalists organised the fight for majority rule. The principal nationalist groups were the Ndebele-dominated Zimbabwe African People's Union (ZAPU), led by Joshua Nkomo, and the Shona-dominated Zimbabwe African National Union (ZANU), led initially by the Reverend Ndabaningi Sithole and later by Robert Mugabe. [1b p. 1223]

**4.3** ZAPU and ZANU merged their military efforts in 1976 in the uneasy Patriotic Front alliance. In 1979, according to Europa 2004, the UDI administration concluded an 'internal settlement' with some black nationalists, under which Bishop Abel Muzorewa became Rhodesia's first black Prime Minister. Later in 1979, all parties to the conflict participated in the Lancaster House Conference in London, which agreed an independence settlement. [1b p. 1223]

**4.4** According to a BBC country profile, updated on 31 July 2004, Robert Mugabe's ZANU won the independence election in 1980. Mugabe was named prime minister and included ZAPU leader Nkomo in his cabinet. [3a]

### Post-Independence

**4.5** Europa 2004 and the BBC country profile record that initially Robert Mugabe adopted a conciliatory stance, uniting the Rhodesian forces and the ZANU and ZAPU guerrilla armies into a single force. This didn't last and Mugabe was soon pressing the case for a one-party state, opposed by Joshua Nkomo. Mugabe demoted Nkomo in 1981 and, following the alleged discovery of large caches of arms on ZAPU-owned properties in Matabeleland, dismissed him in 1982 amid accusations that he was trying to overthrow the government. [1b p. 1223] [3a]

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### Matabeleland Insurgency 1983–87

**4.6** According to Europa Regional Surveys of the World: Africa South of the Sahara 2002 (Europa 2002), the alleged discovery of large caches of arms on ZAPU-owned properties in Matabeleland in 1982 led to Nkomo's dismissal from government office. Dissidents from Nkomo's former guerrilla force, ZIPRA, perpetrated indiscriminate acts of violence. The Government responded by sending the North Korean-trained Fifth Brigade to Matabeleland in early 1983 to quell dissent. The mainly Shona Fifth Brigade was accused of committing atrocities against civilians in its "pacification" campaign and it alienated support for the Government amongst Matabeleland's Ndebele population. It has been estimated that at least 2,000 and as many as 10,000, civilians died during the Fifth Brigade's campaign between 1983 and 1986. [1a]

### Political Developments

**4.7** Europa 2004 and the (UK) Independent on 19 October 1999, recorded that a unity agreement between ZANU-PF and ZAPU was reached in 1987. The merged party retained ZANU-PF's name and Nkomo became one of two vice-presidents and took a senior cabinet post. An amnesty in 1988 led to a rapid improvement in the security situation in Matabeleland. Constitutional changes in 1987 ended reserved seats for whites and created

an executive Presidency, replacing the ceremonial post of President formerly held by Canaan Banana and incorporating the post of Prime Minister. Mugabe became Zimbabwe's first executive President at the end of 1987. [1b pp. 1223-1224]

**4.8** In July 1999, according to the Independent on 19 October 1999, at Vice-President Joshua Nkomo's funeral, President Mugabe expressed his regret for the actions of the Fifth Brigade in Matabeleland during the 1980s. At a memorial service for Nkomo in October 1999, Mugabe announced the willingness of the Government to compensate the families of the thousands of people killed during the insurgency. [4g] Further promises of compensation projects were made in June 2002 by John Nkomo, the then Minister for Home Affairs, but according to the Zimbabwe Standard on 13 July 2003, this compensation had not been paid. [20f]

**4.9** According to the US State Department Report 2001, a shortened version of a 1997 report on atrocities committed during the campaign in Matabeleland called Breaking the Silence was released in 1999 by two Non Governmental Organisations (NGOs), the Catholic Commission for Justice and Peace and the Legal Resources Foundation (LRF). The report characterised the Government's campaign as an effort to impose a one-party state by eliminating support for ZAPU. The Government has not responded formally to the report. In 2000 the LRF and Zimbabwe Lawyers for Human Rights subpoenaed the Government to release the findings of two commissions that investigated the Matabeleland massacres, but the Attorney General claimed that the documents were missing. [2b p. 25]

## **Recent History**

**4.10** According to the Economist Intelligence Unit Country Profile 2004:

"A steady decline in living standards throughout the 1990s led to growing dissatisfaction with the government and galvanised civic groups and the country's trade union movement; the country was rocked by a series of nationwide strikes in the late 1990s. Buoyed by this success, sections of the union movement eventually formed an opposition political party, the Movement for Democratic Change (MDC) in September 1999. It led a successful campaign against Mr Mugabe's proposed amendment of the constitution (which included some controversial clauses on land reform), culminating in a "no" vote in a national referendum on the issue in February 2000 which was widely perceived as a vote of no confidence in the government." [24a p. 5]

**4.11** However, a BBC Country Profile reported that in February 2000, "Squatters seized hundreds of white-owned farms in an ongoing and violent campaign to reclaim what they saw was stolen by settlers..." [3a]. According to Europa 2004, despite losing the (February 2000) referendum the Government pushed through a constitutional amendment in April 2000 to allow the seizure of mainly white-owned farms. The constitutional amendment stated that white farmers dispossessed of their land would have to apply to the United Kingdom Government for compensation. [1b p. 1227]

## **Parliamentary Elections, June 2000**

**4.12** The Economist Intelligence Unit Country Profile 2004 continued:

"Stung by this rejection of his proposed reforms, Mr Mugabe set out to retain political power. He delayed the parliamentary election until June 2000 (it was initially scheduled for April) and unleashed a campaign of violent intimidation against the MDC and its supporters. He also reignited the land issue for electoral purposes—the policy appealed directly to voters in rural areas, where ZANU-PF support was

strongest. Despite the intimidation and violence in the run-up to the election, the vote proceeded relatively peacefully (although specific incidents of violence, intimidation and vote rigging led the MDC to challenge the results in 35 constituencies). ZANU-PF won 62 out of the 120 contested seats; the MDC won 57, its vote being concentrated in the main urban areas and the south of the country. The 30 seats that go to presidential appointees overwhelmingly vote with ZANU-PF and bolster ZANU-PF's narrow elected majority. The results of the election was a milestone in the development of democracy in Zimbabwe: for the first time since independence, ZANU-PF faced real political opposition. Subsequently, however, the MDC has found that because of the ZANU-PF majority in parliament, the considerable political powers vested in the president and the financial and logistical advantages enjoyed by the ruling party, there is little that it can do to influence day-to-day politics.” [24a p. 5]

**4.13** The BBC reported on 27 June 2000 that MDC leader, Morgan Tsvangirai, failed to win the seat he contested, Buhera North in ZANU-PF's rural heartland, by 2,534 votes. [3g] However, again according to the BBC on 26 April 2000, the MDC successfully challenged the result in the High Court and it was nullified in April 2001, which should have then led to a by-election. [3h] Meanwhile, according to the US State Department Report 2001, in October 2000 President Mugabe issued a decree granting a general amnesty for politically motivated crimes that occurred between 1 January and 31 July 2000. This effectively pardoned the majority of those responsible for the violence in the election campaign from prosecution. The amnesty did not cover the offences of murder, rape, sexual assault, robbery, theft and possession of arms, but did cover other serious offences such as common assault and assault with intent to cause grievous bodily harm. The amnesty permitted the immediate release of prisoners convicted of the latter two offences. This amnesty was used to clear government supporters of their crimes. For example, two War Veterans arrested in August 2000 for their part in the torture of MDC members in Bulawayo by ZANU-PF supporters had charges against them dropped in March 2000 as a result of the amnesty. [2b p. 11]

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## **Presidential Election, March 2002**

**4.14** The next major elections were the presidential elections in March 2002 when, according to the Economist Intelligence Unit Country Profile 2004:

“Concerned about the strength of the opposition, Mr Mugabe embarked on a strategy for securing re-election in March 2002. The centrepiece of this was a continuance of the campaign of violent land reform, now officially referred to as the “third chimurenga”, or revolution—the first was against settlers in 1896 and the second the war for independence in the 1970s. The strategy had other elements.

“Increased intimidation of any form of opposition to the government. This included intimidation of the press and judiciary, and creating a climate of fear, especially among opposition supporters. Campaigning by the MDC was severely restricted. The political repression was supported by the passage of various pieces of legislation, notably the Public Order and Security Act, which, among other things, makes it an offence to denigrate the president. The act can be used to break up innocuous public gatherings, and was used to prevent people suspected of supporting the MDC from registering as voters. Even when voters were able to start the registration process, it proved so complicated that many MDC supporters simply gave up.

“Disenfranchising urban voters, by reducing the number of urban polling stations and increasing the bureaucracy associated with voting. The aim of this was to ensure a

low turnout among urban voters, who the government assumed would overwhelmingly vote for the MDC.

“Providing an additional 664 polling stations in rural areas, while reducing the number of international and local independent electoral observers and monitors, with the aim of boosting the pro-Mugabe rural vote.

“The election was declared satisfactory by some observers, particularly from neighbouring African states, but the conduct and outcome of the poll was disputed by the MDC, the EU and the US government, among others. The most important international criticism came from the parliamentary forum of the Southern African Development Community (SADC) and the Commonwealth.”

#### **Presidential election, March 2002**

	<b>Votes</b>	<b>% Of vote</b>
Robert Mugabe (ZANU-PF)	1,685,212	53.8
Morgan Tsvangirai (MDC)	1,258,401	40.2
Others	187,300 a	6.0
Total	3,130,913 b	100.0

a Three other candidates contested the election: Shakespeare Maya for the National Alliance for Good Governance, and two independents, Wilson Kumbula and Paul Siwela.

b The total electorate was 5,647,812.

Source: Zimbabwe Electoral Commission. [24a p. 5-6]

**4.15** In the run-up to the presidential election, MDC leader and presidential candidate Morgan Tsvangirai was charged with treason according to the Daily Telegraph, 26 February 2002. Mr Tsvangirai was accused of plotting to assassinate President Mugabe in what, he claimed, was a contrived charge to damage him politically. According to the report, since the formation of the MDC two years previously Mr Tsvangirai had been subject to every form of harassment, including assassination attempts. [5b]

**4.16** As a result of the high levels of violence that marred the election campaign, according to the BBC country profile, in March 2002 Zimbabwe was suspended from Commonwealth Councils for a year. When in December 2003 the Commonwealth decided to extend the suspension indefinitely, Zimbabwe pulled out of the Commonwealth. [3a]

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#### **Land Reform**

**4.17** According to a Human Rights Watch report in 2002, “The need for land reform in Zimbabwe is generally acknowledged even by the representatives of the commercial farming sector....” The report continued, “Colonial policies of expropriation gave a few thousand white farmers ownership of huge tracts of arable land. About 4,500 large-scale commercial farmers still held 28% of the total land at the time the fast track programme was instituted; meanwhile, more than one million black families eke out an existence in overcrowded, arid ‘communal areas,’ the land allocated to Africans by the colonial regime.” [69b p.2]

**4.18** However, the Human Rights Watch report found that: “The ‘fast track’ land resettlement programme implemented by the government of Zimbabwe [since early 2000] has led to serious human rights violations....” going on to say:

“As has been widely reported, war veterans and associated ZANU-PF militia occupying commercial farms have intimidated, assaulted, and in at least seven cases killed white farm owners in the course of occupying commercial farms. A much larger number of victims have come from among farm workers on commercial farms; several tens of farm workers have been killed. In addition, Human Rights Watch collected numerous testimonies indicating that commercial farms are being used as bases for war veterans and ZANU-PF militia to intimidate alleged opposition supporters in neighboring communal areas. Our findings confirmed the reports of Zimbabwean and other international human rights organizations that the police have at best failed to take action against the alleged perpetrators of violent crimes, and in some cases have actively assisted illegal actions. The army, too, has played a role in organizing and facilitating the occupations, without providing any check on the violence.” [69b p.2]

**4.19** US State Department Report 2003 reported that:

“In 2001, President Mugabe amended the Land Act by decree to permit the immediate government seizure of all commercial farming land, and the ZANU-PF dominated Parliament formalized this decree. The law requires all farm owners who have received a Section 8, final compulsory acquisition, notice to halt farming activities within 45 days of receipt of the order and leave their homes within 90 days. In June 2002, the Government ordered all white commercial farmers who had received Section 8 notices to cease farming operations, despite widespread food shortages. By August 2002, approximately 97% of the 4,500 remaining commercial farmers had received Section 8 notices.

“In August 2002, the Government began arresting farmers en masse after the time period expired for the first batch of Section 8 notices. Most farmers who were arrested were detained for a few days and released on bail; some were allowed to return to their farms, and some ordered to abandon their standing crops and livestock. Many farmers filed legal challenges, arguing that the acquisition orders were not legitimate since they did not follow the Government’s own procedural laws. The new Section 8 orders issued in August superseded almost all of the legal challenges filed in 2002. At year’s end, nearly all of the remaining 400 commercial farms owned by whites were designated for compulsory acquisition and few of the original farmers remained on the properties.

“Even on farms that did not receive Section 8 orders or those that received reprieves from the High Court, farmers were evicted with as little as 2 hours notice. ‘Settlers’, war veterans, or government youth militia members enforced evictions often in full view of police who declined to intervene stating that it was a ‘political matter’. Hundreds had relocated themselves and their families to the soil-poor Dande area in the north and across the border into the neighboring Tete Province of Mozambique. Estimates were that more than 500,000 farm laborers and their families were left evicted or unemployed.

“Although the Government’s land reform program was supposed to have ended in 2002, the Government continued to designate farms and ranches for resettlement late in [2003]. There were numerous reports that government officials had acquired multiple farms and evicted previously resettled small-scale farmers from the land. The government-issued Utete Land Audit Report (the ‘Utete Report’) recommended remedying situations where multiple new farms had been acquired and some cases

were corrected; however, the Government continued taking additional land without regard to earlier commitments to allow farmers to keep one property.” [2d p.8]

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### **Sanctions and Commonwealth Suspension**

**4.20** At a meeting with the European Union (EU) in Brussels in January 2002, according to reports by the Zimbabwe Standard on 13 January 2002 and the Independent on 20 January 2002, Foreign Minister Stan Mudenge was warned that Zimbabwe faced a freeze on non-humanitarian aid and targeted EU sanctions over its deteriorating human rights record. According to information sourced from the Zimbabwe Standard of 13 January 2002, the EU gave Zimbabwe a week to agree to five demands: an end to political violence, “allowing international observers and news media personnel for the country’s presidential election”, freedom of the media, an independent judiciary and the end of illegal land occupations. [20d][4f] The Independent report stated that no reassurances on these points had been received from the Zimbabwean government a week later. [4f] The Independent and the Daily News reported in the early part of 2002 that the EU had subsequently imposed a travel ban against leading figures in the Zimbabwean Government, including Cabinet Ministers, senior ZANU-PF officials, army generals, heads of parastatal organisations, senior civil servants and businessmen connected with the Government. The persons were also the subjects of an US travel ban. [4e][9s]

**4.21** On 12 February 2003 the EU voted to roll over their sanctions against Zimbabwe for another 12 months. [3b] According to the BBC on 23 February 2004 these sanctions were renewed for a third year in February 2004, with 16 additions to the travel ban. [3bd] Additionally, according to allAfrica.com on 9 March 2003, the US imposed an assets freeze on Mugabe and 76 other ZANU-PF officials. This meant that US citizens were forbidden from doing business with the 77 listed officials. [20h]

**4.22** In March 2002, there were reports in the BBC and in the Daily News that Zimbabwe had been suspended from the Council of the Commonwealth for one year. A three-man team comprising the Nigerian and South African Presidents and the Australian Prime Minister accepted the findings of the Commonwealth election observer team that “the election was marred by a high level of politically-motivated violence and intimidation” and concluded that the presidential election “had not been free and fair”. [3ba][9n]

**4.23** On 17 March 2003, according to allAfrica.com, Don McKinnon the Commonwealth Secretary-General issued a statement that, after consulting with virtually all Commonwealth Heads of Government, it was decided to continue the suspension of Zimbabwe until the meeting of the Heads of Government in Nigeria in December of that year. [56] A report by Don McKinnon, written in March 2003 to facilitate the review of the suspension of Zimbabwe from its councils, was leaked to the media in mid-April. An IRIN article of 10 April reproduced extracts from the report. It condemned the Zimbabwean government, saying that it had made no attempts to address the concerns raised by the organisation, such as “systemic violence”, oppressive legislation and the lack of independence in the voting process. It continued, saying that the political, economic and social situation had deteriorated since March 2002. McKinnon stated that all attempts to engage with Mugabe, directly or indirectly, resulted in failure and all offers of assistance had been rejected. [10w]

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### **2002 Incidents of Political Violence and Intimidation**

**4.24** According to the Independent on 9 January 2002, hundreds of members of ZANU-PF youth militias sealed off the three towns of Bindura, Chinhoyi and Karoi in Mashonaland

West. The youths moved from door to door in Bindura ordering people to produce ZANU-PF membership cards. Failure to do so led to beatings. Many of the youths wore green military uniforms marked "Third Chimurenga". Similar events took place in Chinhoyi and Karoi where youths demanded that people who could not produce ZANU-PF membership cards bought them immediately. [4d]

**4.25** On 15 January 2002, News 24 reported that David Mpala, MDC MP for Lupane, Matabeleland was attacked in Lupane by ZANU-PF supporters who slit his abdomen with knives a few hours after abducting him from a shopping centre. A relative described his abductors as known War Veterans. [38a] According to a Financial Gazette Online report on 17 January 2002, Mpala's wife said that her husband's attackers were wearing T-shirts bearing the face of the late Border Gezi. [37a] News 24 stated that the police had confirmed the attempted murder of the MP but could not confirm whether anybody had been arrested in connection with the attack. [38a]

**4.26** The attack on David Mpala followed an axe attack by ZANU-PF supporters and War Veterans on seven MDC supporters in MDC offices in Murambinda, Manicaland, on 12 January 2002, according to a report in the Daily News on 14 January 2002. [39b] On 15 January 2002 News 24 reported Innocent Gonese, MDC MP for Mutare Central, as saying that instead of helping those attacked the police had apprehended 32 MDC supporters and detained them at a police station. [38a] On 14 January 2002 Associated Press carried a Daily News report that during the same weekend MDC offices in Kwekwe, Midlands province, were set fire to by ZANU-PF supporters and police disrupted an MDC rally in Masasa, Buhera district, Manicaland, firing tear gas at 5,000 MDC supporters. Roy Bennett, MDC MP for Chimanimani, who was to address the rally, said that police told him that opposition rallies were now illegal. [39]

**4.27** In January 2002 the Telegraph reported that commercial farmers in Karoi, Mashonaland, accused ZANU-PF militants of torturing their farm workers. They were forced to attend all-night ZANU-PF political indoctrination rallies known as 'pungwes' and had barbed wire raked across their feet. Farmers said that their workers were too frightened to report the incidents to the police. [5d]

**4.28** On 19 January 2002 according to CNN, 20 people were injured and thousands tear-gassed after police and ZANU-PF militants intervened to stop an MDC rally at a stadium in Bulawayo. Militants occupied the stadium and beat MDC supporters while police tear-gassed people waiting outside. The police claimed that they did not target MDC supporters but intervened to stop violence. [8a]

**4.29** In the run-up to and immediate aftermath of the presidential election in March 2002 there were many acts of violence, mainly perpetrated by Government supporters and war veterans against MDC activists and supporters. Between January and March 2002 the Zimbabwe Human Rights Forum recorded 48 deaths related to political violence, 16 in March alone, of whom 12 were known MDC supporters. The Forum also recorded during the same period 675 reports of torture, 196 kidnappings, 132 cases of intimidation or threats, 114 cases of unlawful detention, 26 disappearances and 5 reports of rape. The report continued, "In a statement at the weekend, the global human rights watchdog Amnesty International said it was 'particularly concerned' at the mounting reports of rape and sexual torture perpetrated by ZANU-PF militia." [37e]

**4.30** The BBC reported that in early February 2002, Abednico Bhebhe, MDC MP for Nkayi, Matabeleland South, was shot and seriously injured by unidentified attackers. [3bb] And

according to the Daily News on 25 March 2002, thousands of MDC supporters including two MPs fled their constituencies in Manicaland province in the wave of violence that affected the area after the election. Shortly before the election, Evelyn Masaiti, MP for Mutasa, was reportedly beaten by soldiers at a police station where she had gone to investigate a case in which ten MDC polling agents had been arrested. [9y]

**4.31** On 12 December 2002 the BBC reported that the bodies of four MDC activists and one ZANU-PF activist were found in a dip tank in Nkayi, Matabeleland. Villagers questioned the other ZANU-PF youths about the whereabouts of the dead ZANU-PF activist. After being beaten, the youths admitted to killing the activist and told them that his body was in the dip tank. The villagers contacted the police who mounted a search operation, which also uncovered the four MDC youths' bodies. The youths then confessed that war veterans killed the four MDC members. Two war veterans were arrested. [3b]

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## **2003 Incidents of Political Violence and Intimidation**

**4.32** As economic and political conditions in Zimbabwe continued to deteriorate into 2003, a Human Rights Watch briefing paper reported that:

“On March 18 and 19, 2003, Zimbabwe’s main opposition party, the Movement for Democratic Change (MDC) requested that its supporters stay away from their workplaces in protest against declining economic and political conditions in the country. It was the first time that the MDC had called for political action since the ruling party’s victory in the March 2002 presidential elections, which were marred by widespread irregularities and incidents of violence. The independent press and the opposition party described the stayaway as a success, reporting fairly credible national observation rates of over 60%. Yet it also triggered a severe government backlash against political activity in the country.

“State security forces arrested over 400 activists and other citizens, and many more were violently attacked both by security forces and by ruling party militia. The government deployed large numbers of military personnel to low-income suburbs of Harare and other urban areas. Further, in the run-up to two parliamentary by-elections held on March 29 and 30, the MDC was prevented from undertaking normal campaign activities, and known party activists were detained, beaten and harassed. The reaction of the government and the security forces during these weeks illustrated a clear and systematic repression of MDC activists, which amounted to a criminalization of political affiliation.

“In addition to this direct repression of political activity, legislation passed prior to the presidential elections has resulted in a progressive closure of political space over the past year. Public demonstrations and protests are effectively illegal under the 2002 Public Order and Security Act (POSA), which curtails citizens’ rights to freedom of expression. Serious restrictions on citizens’ rights to assembly and association have made it difficult for elected representatives to regularly meet with their constituents – meetings are either declared illegal or are otherwise disrupted. In addition, police and youth militia have dispersed public meetings that received police clearance, private organizational meetings, and meetings of organizations that are exempt from POSA. Staff of non-governmental organizations (NGOs) say that their operations have been increasingly constrained by POSA and other legal restrictions since the 2002 presidential elections.” [69c pp. 1-2]

**4.33** In late May 2003, according to the BBC on 26 May 2003, the MDC announced its intention to launch a “final push” against the government. The party announced a week-long stayaway to begin on 2 June, calling for people to forego work in order to attend demonstrations against the government. [3ac] On 2 June 2003 the BBC reported that a High Court banned the protests but Morgan Tsvangirai claimed the Court ruling was not binding. Tsvangirai was nonetheless arrested on 2 June. [3aa]

**4.34** The Crisis in Zimbabwe Coalition, in their report ‘Defiance vs. Repression; Critical Reflections on the Final Push’, reported that members of parliament, a mayor, councillors, pro-democracy activists, students and unfortunate passers by were all arrested in the week long protest. Security forces used dogs, teargas, armoured vehicles, water cannons, helicopters and live ammunition to disperse peaceful demonstrations in Harare and Bulawayo. In addition to the police presence, thousands of youths loyal to ZANU-PF gathered at the Harare ZANU-PF headquarters. On Friday 6 June many were deployed across the city at points where pro-democracy activists might have gathered. Police, Army and groups whom the Crisis in Zimbabwe Coalition call paramilitaries moved through high density suburbs, particularly in Harare and Bulawayo, intimidating individuals and locating MDC organisers homes. The Army also gave uniforms to ZANU-PF youths, who assaulted suspected MDC sympathisers. [52b pp. 9-10]

**4.35** The Crisis in Zimbabwe Coalition also reported that in Bulawayo those arrested included Milton Gwetu the MP for Mpopoma and the city’s Mayor, Japhet Ncube. The MDC MP Silas Mangono was arrested in Masvingo and Tendai Biti MP, Pearson Mungofa MP, Tichaona Munyanyi MP and Job Sikhala MP were arrested in Harare and Chitungwiza. Furthermore, after being arrested on the first day of the mass action, Morgan Tsvangirai was rearrested on Friday 6 June and charged with treason, relating to alleged statements made in May during the build up to the action. [52b pp. 9-10]

**4.36** Political violence continued throughout 2003. The Zimbabwe Human Rights NGO Forum December 2003 monthly report provided cumulative totals for the number of politically motivated incidents during the year. These included (but were not confined to) 10 murders and 10 attempted murders; 497 cases of torture; 388 assaults; 4 disappearances; 6 rapes; 579 cases of unlawful arrest and 168 of unlawful detention. [35d p. 4]

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## **2004 Incidents of Political Violence and Intimidation**

(For additional information on political violence see Section 6A – Political Activists)

**4.37** With parliamentary elections expected in March 2005, the first eight months of 2004 were characterised by pre-election manoeuvring and continuing political violence and manipulation. By May 2004, the latest month for which figures were available, the Zimbabwe Human Rights NGO Forum estimated that there had been 3 politically motivated murders; 7 attempted murders; 133 cases of torture; 220 assaults; 0 disappearances; and 2 rapes. The only area where there appeared to be a significant improvement over 2003 was in the number of unlawful arrests – 48, and the 15 unlawful detentions. [35f p. 4]

**4.38** On 25 January 2004 The Standard reported that police ransacked the offices of the MDC looking for what they described as subversive material. “More than 15 police officers, some in riot gear, descended on the MDC headquarters and confiscated several items that included copies of the in-house bulletin, ‘The Changing Times’ and staff telephone books. The police had a warrant citing POSA. [20a]

**4.39** The treason trial of Morgan Tsvangirai ended on 26 February 2004, as reported by the Daily Telegraph. Mr Tsvangirai denied accusations of plotting to kill Mr Mugabe and stage a military coup but faces the death penalty if convicted. [5e] A further Telegraph report on 30 July 2004 stated that the verdict in the trial, which was expected to be handed down on 29 July, was delayed after the two lay assessors in the trial insisted they be fully consulted. Mr Justice Paddington Garwe, who was the presiding judge in the trial, had wanted to find Mr Tsvangirai guilty but the lay assessors insisted on their right to be consulted on matters of fact. [5e] According to ZWNews.com in August 2004, the judgement has been postponed indefinitely. [67c]

**4.40** On 10 June 2004 newzimbabwe.com reported that:

“Zimbabwe’s opposition leader Morgan Tsvangirai has suffered a major court setback in his bid to reverse President Robert Mugabe’s March 2002 election victory.

“High Court judge Benjanmin [sic] Hlatshwayo threw out a total of three contentions by Tsvangirai’s lawyers – leaving the MDC leader’s case resting on his legal team’s ability to prove systematic torture and abuse of his supporters by President Mugabe’s shock troops.” [41a]

**4.41** The flawed implementation of the fast track land reform programme, combined with erratic weather patterns and a shortage of agricultural inputs, had resulted in acute food shortages in Zimbabwe since late 2001, according to a Human Rights Watch report published in August 2004. But whereas in previous years international donors provided food aid, in May 2004 the government of Zimbabwe informed donors that it expected a bumper harvest in 2004–05 and that food aid would not be needed. NGOs believed that the government had overestimated the year’s crop and there were fears that food would be used as a political tool in the 2005 parliamentary elections. The HRW report also suggested that the actions of international donors themselves had contributed to food insecurity:

“Although international donors maintain an active presence in the country, their reluctance to provide food aid and agricultural inputs (seeds, fertilizer, etc.) strictly on the basis of need in resettled areas, where black Zimbabweans have been given land under the fast track land reform program, has further compromised Zimbabweans’ access to adequate food.” [69d p. 1]

**4.42** On 2 July 2004 the BBC reported that Morgan Tsvangirai claimed to have been subject to an assassination attempt when axe-wielding assailants arrived in trucks at a meeting Mr Tsvangirai was addressing in Mvurwi, north of Harare. Mr Tsvangirai was unhurt but 11 MDC youths were injured as they fought off the attack. [3d]

**4.43** The by-election for the Buhera North seat that should have been held as a result of Morgan Tsvangirai’s successful challenge of the 2000 election result had not been held at the time of writing, and on 9 July 2004, the Zimbabwe Independent reported that Tsvangirai would not contest the next parliamentary elections in 2005 because he wanted to concentrate on national politics. [44a] On 23 June 2004 IRIN reported that “[The MDC] on [23 June 2004] accused the country’s judiciary of ‘deliberately sidelining’ electoral disputes.” According to the MDC, 14 out of 39 electoral challenges filed since 2000 had not been heard by the courts: “It has been four years since the last poll, but to date there remain several disputed seats still unresolved. The delay is no coincidence, but a clear indication that the work of the judiciary continues to be politically influenced,’ MDC information officer, Nkanyiso Maqueda, told IRIN.” IRIN went on to state, “Judicial authorities have attributed the delays to

a heavy backlog of both civil and criminal cases. The High Court is currently operating at half-strength because a number of judges have resigned in recent years.” [10a]

**4.44** On 20 July 2004 Zimbabwe Online published the executive summary of what it described as a damning African Union report on human rights in Zimbabwe. The report was based on a fact-finding mission to Zimbabwe on 24–28 June 2002. [49a] The Southern African Development Council responded by recommending that no action be taken against Zimbabwe but proposing that the region should be more active in ensuring the 2005 parliamentary elections are fair according to [allafrica.com](http://allafrica.com). The government of Zimbabwe refused to recognise the report. [50a]

**4.45** On 3 August 2004, IRIN reported that ZANU-PF had called on the MDC to support its proposals for electoral reforms:

“Among the key revisions proposed by the government would be the appointment of an independent electoral commission, combining the functions of four controversial electoral bodies, which would require a constitutional amendment. Under the plan, President Robert Mugabe would appoint the chairman of the commission, while its five commissioners would be appointed by parliament.

“Other reforms [the ZANU-PF secretary for information and publicity] said the government intended to introduce before the March 2005 poll include reducing the voting period to one day, the use of visible indelible ink, the counting of ballots at polling stations and more polling stations.

“The revisions would comply with standards set by the Southern African Development Community (SADC) parliamentary forum, and could help deflect some of the criticisms levelled at the management of previous elections in Zimbabwe....” [10b]

**4.46** IRIN reported that the MDC response was that far more needed to be done to make elections free and fair “Having all these reforms would be very good, but as long as the environment in which elections are held is not conducive to free and fair elections, then there would be no point in having the reforms,’ Ncube said.” To be effected the proposals require a two-thirds majority in parliament for which the support of four MDC MPs was required. [10b]

**4.47** On 26 August 2004 the (South African) Financial Gazette reported that the MDC had announced that they were boycotting all elections in Zimbabwe with immediate effect. The MDC also announced that it was withdrawing all its remaining councillors from Harare city council, again with immediate effect. The withdrawal would only be revoked if the government agreed to implement proposals for electoral reform agreed by the Southern African Development Community in August 2004. [37b] The government had proposed a number of electoral reforms, according to [CNN.com](http://CNN.com), but these had been seen primarily as an attempt to head off anticipated criticism by western governments of the conduct of the elections and were not enough to mollify the MDC. [51a]

**4.48** According to IRIN on 9 August 2004, the Secretary General of the Zimbabwe Congress of Trade Unions and three of his colleagues were released on bail having been arrested under the Public Order and Security Act. “According to the ZCTU, the four were initially accused of holding the [taxation and HIV/AIDS] workshop without clearance, but the charge was later altered to uttering public comments likely to cause despondency....” The

arrests were condemned by international labour organisations. The four were freed on bail and due to re-appear on 8 September 2004. [10c]

**4.49** According to BBC News reports of 28 November 2001 and 6 August 2004, Cain Nkala, a ZANU-PF official, was abducted and murdered in November 2001, after being charged with kidnapping and killing Patrick Nabanyama, the election agent for David Coltart, the MDC MP for Bulawayo North. Nkala's murder was blamed on the MDC and six MDC suspects were charged with his murder: Fletcher Dulini-Ncube, MDC MP for Lobhengula, Kethani Sibanda, Sonny Masera, Lobengula-Magwegwe, Army Zulu, Remember Moyo and Sazini Mpofu Sibanda. During the trial, state prosecutors sought to blame the MDC for political violence. However, it emerged during the trial that prosecution witnesses had been coerced into giving false evidence. In August 2004, all six were acquitted, the judge describing the prosecution evidence as "works of fiction". The MDC activists claimed to have been tortured in detention, and Dulini-Ncube had lost sight in one eye as a result of detention. [31][31]

**4.50** On 20 August 2004 the BBC reported that, in what was perceived to be an attempt to mute criticism of its human rights record, the Zimbabwean government published a bill to ban foreign human rights organisations and restrict the operation of many local charities. The proposed law would require NGOs to apply for a license but says that a license would not be granted to groups whose aim is to promote human rights. [3e]

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## **History of Local and By-elections**

### **By-elections in 2000**

#### **Marondera West**

**4.51** On 27 November 2000 the BBC reported that a by-election was held in the Marondera West constituency in November 2000 following the death of the ZANU-PF MP. Although a ZANU-PF stronghold, with a majority of more than 6,000 over the MDC in June 2000, the by-election campaign was nevertheless marred by acts of violence by ZANU-PF supporters and War Veterans against the MDC. One person died when ZANU-PF supporters fired on an opposition rally. Further opposition rallies had to be abandoned after armed ZANU-PF supporters dispersed another meeting. ZANU-PF won the by-election. [31]

#### **Bikita West**

**4.52** On 15 January 2001 the BBC reported that Amos Munyaradzi Mutongi, MDC MP for Bikita West in Masvingo province, died in November 2000. According to the electronic Telegraph on 12 January 2001, the MDC had won the seat in June 2000 by less than 300 votes. [30][5g] The BBC reported on 2 January 2001 that the subsequent by-election in January 2001 was marred by violence, perpetrated by both Government and MDC supporters. A ZANU-PF party member was killed during clashes at a political rally. Two MDC MPs, Renson Gasela and Willias Madzimure, were injured in the clashes. A motor convoy of MDC officials was petrol-bombed during the by-election campaign. [3n] The War Veterans' leader, and ZANU-PF MP, Chenjerai Hunzvi organised much of the intimidation in Bikita West according to an electronic Telegraph report on 12 January 2001. [5g] The 15 January BBC report stated that government supporters and War Veterans occupied many polling stations in the constituency. The ZANU-PF candidate, who took almost two-thirds of the vote, won the by-election, 12,993 votes against 7,001 for the MDC. [3o] Following the by-election, the Daily News reported on 23 January 2001 that ZANU-PF supporters and War Veterans embarked on a witch-hunt of MDC supporters in the constituency. War Veterans targeted

teachers, who they claimed had campaigned for the MDC. Three schoolteachers were reportedly tortured by suspected war criminals. [9a]

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### **Bulawayo Local Elections, September 2001**

**4.53** A BBC report on 12 September 2001 and a report by Amani Trust, a Zimbabwean human rights NGO, stated that elections were held in Bulawayo on 8 and 9 September 2001 for the post of Executive Mayor and seven vacant council seats. In the mayoral vote, the MDC won 60,988 (82% of the vote) against 12,785 for ZANU-PF (17%) and 390 for the Liberty Party candidate. Voter turnout was 20.5%, which, although low, was four times the turnout in the 1999 Bulawayo local elections. [3ak][33]

**4.54** The Amani Trust report reported in September 2001 that the MDC won all seven vacant seats with 79% of the total vote in the seven wards. Most of the remaining votes went to ZANU-PF with negligible votes to other parties, including ZAPU and the Liberty Party. The Amani Trust report concluded that the voting reflected the same pattern as that of the parliamentary elections in June 2000, essentially a two party race between ZANU-PF and the MDC, with the MDC having an overwhelming majority of support in urban areas. [33]

**4.55** The Amani Trust noted that the Bulawayo local elections had been the least violent elections to date in 2001, compared to parliamentary by-elections in Bikita West, Bindura and Makoni West. Nevertheless, the Trust detailed a number of violent incidents that took place during the election campaign, most of them directed at the MDC. These included a gun attack on four senior MDC members at the party's Bulawayo offices on the second day of voting. None of the four, who included party Vice-President Gibson Sibanda MP and Secretary-General Welshman Ncube MP, were injured. Other incidents included the beating by riot police of MDC supporters guarding the party's offices. [33]

**4.56** On 10 September 2001, by which time it was clear that the MDC had won all the seats contested in Bulawayo, a group of ZANU-PF youth supporters and War Veterans attacked people and passing cars at the Renkini Bus Station. The police did not intervene to stop the attacks, in which a war veteran stabbed one man who he thought was an MDC supporter. [33]

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## **By-elections in 2001**

### **Bindura**

**4.57** The BBC reported on 30 July 2001 that ZANU-PF won the Bindura by-election in July 2001. Border Gezi, a close aide to President Mugabe, won Bindura in June 2000, however, Gezi died in a car accident in April 2001. ZANU-PF's Elliot Manyika polled 15,864 against 9,456 for the MDC's Eliot Pfebve. In June 2000 the voting had been 13,329 for Gezi against 11,257 for Pfebve. Violence and tension marred the by-election campaign and Pfebve was detained and questioned by police over charges by the authorities of illegal campaigning, but released after several hours. Voter turnout, at 61%, was high despite the tension. [3ai]

### **Makoni West**

**4.58** A by-election was held in Makoni West in September 2001, according to the BBC on 12 September 2001. The election resulted from the death in a car accident in May 2001 of Defence Minister Moven Mohachi. Although ZANU-PF only narrowly beat the MDC in June 2000, in the by-election its margin of victory increased to 66%. However, in the Bulawayo mayoral elections held at the same time, the MDC won by a landslide with 80% of the votes cast, a similar margin to that achieved by the party in urban seats in the June 2000 parliamentary elections. [3ak]

## Chikomba

**4.59** A BBC report on 25 September 2001 stated that Chenjerai Hunzvi, MP for Chikomba and War Veterans' leader, died in June 2001. In the subsequent by-election in late September 2001, Chikomba was held by ZANU-PF, which increased its majority by 2,000 votes while the MDC lost 1,500, compared to the June 2000 result. Polling in the by-election was peaceful but human rights groups reported that murder and intimidation, including the death of the MDC's local organising secretary, marred the run-up to the vote. Analysts commented that the result confirmed Zimbabwe's rural-urban split with the MDC gaining most support in urban areas, such as in the Masvingo and Bulawayo mayoral elections, and ZANU-PF winning rural by-elections. [3aj]

## Rural Elections, September 2002

**4.60** Rural district council elections were held across Zimbabwe on 28 and 29 September 2002. On 2 September 2002 the Daily News had reported that the MDC had stated that 36 of its candidates in Midlands province had withdrawn from the elections in fear of their lives after threats of violence from ZANU-PF supporters. The MDC stated that the worst affected areas were Shurugwi, Chirumhanzu, Mberengwa West and Zvishavane. The MDC also stated that its remaining candidates found it difficult to campaign openly as rallies were often disrupted by ZANU-PF youth supporters and the police would not intervene against them. [9aa]

**4.61** The Financial Gazette Online reported on 5 September 2002 that Professor Welshman Ncube, the MDC's Secretary-General, accused ZANU-PF of increasing the level of its militia in rural areas to intimidate the MDC and deter it from campaigning for the rural elections. The MDC reported that in Matabeleland North the MDC MP for Tsholotsho, Mtoliki Sibanda, had been forced to leave the area by War Veterans and militia. It was also reported from Matabeleland North that 10 MDC candidates for the rural district elections had withdrawn from the elections following threats from War Veterans and the militia. [37g] In Mashonaland West, the Daily News reported on 6 September 2002 that in Chegutu the MDC MP for Mhondoro, Hilda Mafudze, was detained by 200 ZANU-PF supporters who laid siege to the rural district council offices. An MDC official was reportedly assaulted and eight of the party's 11 candidates were chased away. [9ab]

**4.62** Other problems, such as late delivery of ballot papers also marred the process in some areas, reported the Daily News on 30 September 2002. Ultimately, the MDC only fielded 646 candidates for 1,397 rural districts and 27 urban wards that were to be contested. This is because other candidates were prevented from contesting their wards due to acts of violence against its members. This meant that ZANU-PF won 700 seats uncontested. [9ac]

**4.63** The Electoral Supervisory Commission (ESC) received reports of violence in the run up to the elections according to a report in The Standard on 29 September 2002. Whilst some cases were corroborated by the police others were not. [20g] On 27 September 2002 a US State Department Press Release condemned the climate of fear and intimidation that surrounded the run up to the poll. They also made the observation that unfair registration criteria were placed on opposition candidates. [2c]

**4.64** An Amnesty International Press release on 1 October 2002 stated that the MDC protested against the arrest of two of its Members of Parliament. Roy Bennett MP for Chimanimani, his bodyguard and a South African accompanying them, were arrested after taking pictures of a polling booth. Bennett was also charged under Section 8 of the Land Acquisition Act, for allegedly failing to vacate his farm. All three were reportedly beaten.

[14c] Tichaona Munyanyi MP was arrested on 1 October 2002 in connection with the alleged murder of a ruling party supporter, according to an IRIN report on 2 October 2002. [10ak]

Business Briefing reported on 3 October 2002 that the outcome of the poll was:

Party	Wards
ZANU-PF	1,303
MDC	46
Independents	7
ZANU-Ndonga	0

[29b]

**4.65** According to Business Briefing on 10 October 2002, after the elections the MDC claimed that a campaign of violence and retribution had been launched by ZANU-PF supporters against the number of its victorious candidates. Although ZANU-PF disputed this claim, and the police stated that they had received no reports of this nature, the MDC claimed that a number of their candidates had had to flee their homes. [37i]

**4.66** In October 2002, according to reports by allAfrica.com and Amnesty International, the Human Rights Forum put the figure of politically motivated killings since 2000 at 151. Fifty-eight of these deaths had occurred in 2002. Prior to the March Presidential elections the death toll stood at 132, with the remaining 19 people dying in post election violence. In an open letter to the South African President, Thabo Mbeki, Amnesty International quoted the Zimbabwe Human Rights Forum's figure of 1,050 cases of torture that had been reported in the first ten months of 2002. [11e][14b] Between January and November 2002, according to the BBC on 20 February 2003, the MDC estimated that 1,060 activists had been tortured, 227 abducted and beaten, 58 were murdered, 111 unlawfully detained and 170 tortured and released without charge. [3m] The US State Department Report 2002 stated that according to the Amani Trust an estimated 70,000 MDC supporters were internally displaced from their homes during 2002. This compared to 10,000 in 2000. Some internally displaced people moved into urban areas, to live with family members, but some, particularly those in the rural regions, were without reliable access to food. [2e p. 21] According to the US State Department Report 2003, it is not known how many of these 70,000 people remained displaced at the end of 2003, although it reported that over 100 MDC supporters were displaced during 2003. [2d p. 13] Further evidence of violence and intimidation was apparent during the local council elections of 28–29 September 2002 and the Hurungwe West by-election according to The Standard on 29 September 2002 and the Amani Trust. [20g][33]

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## By-elections in 2002

### Hurungwe West

**4.67** Following the death of ZANU-PF MP Marko Madiro, on 29 September 2002 a by-election was held for the seat of Hurungwe West in Mashonaland according to a report by Africa News Service on 2 October 2002. Two candidates contested the seat, Phone Madiro for ZANU-PF, the brother of the former MP, and Justin Dandawa on behalf of the MDC. Out of the 54,206 registered voters, 19,064 cast their ballot. Madiro won, with 15,882 votes compared to Dandawa's 2,665. Dandawa stated that he intended to challenge the result in court, citing intimidation and violence in the run up to the election. [42a] The Standard reported on 29 September 2002 that, eight days prior to the election, a member of the MDC named Nikoniari Chabvamudeve was reportedly axed to death by suspected ZANU-PF supporters. Additionally, Dandawa was forced to flee his rural home. [20g]

## **Insiza**

**4.68** In August 2002, according to a Daily News report on 29 October 2002, Movement for Democratic Change (MDC) MP George Joe Ndlovu died. A by-election was held in the constituency of Insiza in Matebeleland South. It was held over the weekend of the 26–27 October 2002. Andrew Langa ran for the Zimbabwe African National Union – Patriotic Front (ZANU-PF) and Siyabonga Malandu Ncube stood for the MDC. [9bm] IRIN reported on 28 October 2002 that prior to the election allegations of intimidation and misappropriation of food relief were reported. The MDC allege that maize was being distributed by ZANU-PF officials at two polling stations and that campaigning was going on within 100 metres of the polling station, in contravention of electoral regulations.

Government officials denied the allegations, referring the issue to the Electoral Supervisory Commission (ESC) who in turn said that its people on the ground were counting ballots and were difficult to contact. [10s] According to IRIN on 10 October 2002, the World Food Programme (WFP) had suspended the delivery of food aid in two wards in Insiza earlier in the month after ZANU-PF officials intimidated its implementing partner, stole three tonnes of food aid and distributed it as part of its by-election campaign. [10m] A WFP report on 20 December 2002 stated that they had resumed their programme in Insiza in December 2002. [54a] According to the Daily News and IRIN reports, the MDC claimed that their candidate was prevented from entering the constituency and that in the week before the election he survived an assassination attempt. [10s][9bm] A BBC report on 28 October 2002 stated that according to the party, the MDC offices and vehicles were extensively damaged in Bulawayo during an attack by 100 stone-throwing youths wearing ZANU-PF uniforms. [3au] The 29 October 2002 Daily News report stated that turn out for this election was 42%, with 17,521 of the 45,000 registered voters casting their ballots. ZANU-PF won the seat with 12,115 votes to the MDC's 5,102. [9bm]

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## **Mayoral and Urban Council Elections, 30-31 August 2003**

**4.69** On 2 September 2003 the BBC reported that on 30–31 August elections for town councils and two parliamentary seats took place. At stake were seven mayoral seats, 234 council seats and 2 parliamentary seats. [3ad] The Daily News reported on 19 July and 5 August 2003 that in the run up to the elections the MDC accused the ruling ZANU-PF government of intimidation tactics. [9ay][9bb]

**4.70** The USSD 2003 reported that:

“Leading up to August [2003] mayoral and urban council elections in about 20 cities across the country, ruling party supporters set up make-shift roadblocks and otherwise prevented approximately 30 MDC candidates from registering their candidacies through threats, harassment, and intimidation. For example, on July 21, ruling party supporters used intimidation to prevent at least 20 potential MDC candidates from registering their candidacies at nomination courts. Ruling party supporters harassed and intimidated opposition candidates and in some cases attacked or burnt the houses of opposition officials. During the week of August 11, ruling party members beat approximately 50 MDC supporters, including council and mayoral candidates in Mutare. The opposition nonetheless won six of seven contested mayoral contests and a majority of the contested urban council seats....”  
[2d p. 14]

**4.71** On 14 May 2003 according to the Daily News on 16 May 2003, the police raided the offices of the MDC mayoral candidate for Mutare. [9bj] On 19 July 2003 the Daily News reported that on 18 July the MDC stated that it feared for the safety of its candidates for

the council elections in Rusape. The MDC claimed that suspected ZANU-PF youths threatened some of its candidates with death. [9ay]

**4.72** According to the Daily News on 22 July 2003 the MDC reported that it could not register its candidates in the Chegutu council elections because ZANU-PF youths had blocked all the roads to the Chegutu Town House, where candidates have to submit their papers. Ten ZANU-PF councillors won seats automatically, as there was no one to stand against them in upcoming elections. The MDC stated that one of its candidates, Albert Ndlou, suffered a broken neck after being attacked by ZANU-PF youths. A similar course of events lead to ZANU-PF's Martin Dinha being declared Mayor of Bindura, after the MDC's candidate, Fred Chimbiiri, failed to reach the nomination court as all roads leading to it were blocked by ZANU-PF youths. A further two candidates from the town of Karoi were rushed to hospital after being severely assaulted by suspected ZANU-PF youths. [9cj]

**4.73** The Zimbabwe Election Support Network issued a statement on 31 July 2003 in which it expressed its concern over the fact that not all wards and mayoral seats would be contested in the upcoming elections. ZESN noted that in Chegutu, Rusape and Bindura no other candidates stood for election, apart from those of the ruling party, ZANU-PF. Under the Urban Councils Act, if only one candidate has registered for the election by the end of the nomination day, that candidate is automatically elected. However, ZESN believed that this discounted the problems some candidates faced in registering, including threats, violence and intimidation. [53a]

**4.74** In early August 11 MDC party members petitioned the High Court to order the Registrar General, Tobaiwa Mudende, to consider their nominations for the council elections in Chegutu, according to a report by the Daily News on 2 August 2003. [9ba] A Daily News article reported that on 4 August the MDC accused ZANU-PF of clandestinely registering voters to boost its chances of winning the council elections. Welshman Ncube said that the MDC would challenge the illegal registration in court. [9bb]

**4.75** On 26 August 2003, allAfrica.com reported that the MDC had claimed that they had uncovered further evidence of improperly registered voters in the Harare Central constituency. They claimed that nearly 20,000 had been improperly registered, whilst another 1,700 had been taken off it. Among those whose names had been removed were Susan Tsvangirai, wife of the MDC leader Morgan Tsvangirai, Mike Auret, the former MDC MP whose resignation precipitated the by-election in Harare Central and Harare city councillors. Remus Makwaza, the MDC director of elections, claimed that its supporters had been taken off the register and replaced by ghost voters in order to increase the opposition's chances of winning the election. Makwaza continued stating that approximately 4,000 people had been improperly registered in Mutare, 3,000 in Gwanda, nearly 7,000 in Makonde and 6,000 in Gweru. [9bc] The MDC also, according to ZWNEWS.com on 30 August 2003, stated that on eve of the elections the Registrar-General had still not provided copies of the voters roll to MDC and independent candidates for the mayoral and council election in Mutare, Kariba, Kadoma and Victoria Falls. [9t]

**4.76** AllAfrica.com reported on 27 August 2003 that on 26 August the MDC alleged that six of its polling agents had been abducted by ruling party supporters in Kwekwe. The six were held for several hours but were released after intervention from the police. Several other candidates for the council elections in the Midlands province were visited by State Security agents. [9be]

**4.77** During the polling there were, according to News24 on 31 August 2003, reports of

violence and intimidation. In Norton, militants armed with stones iron bars and catapults blocked off the approaches to polling stations. Other militants beat tribal drums outside the polling stations themselves. [38d]

**4.78** IRIN reported on 2 September 2003 that the MDC won six out of the seven Mayoral contests, Gwanda, Gweru, Redcliff, Victoria Falls, Mutare and Kariba. [10ba] In Kariba according to allAfrica.com on 2 September 2003, the MDC's John Rolland Houghton became the country's first executive white mayor. [9u] The 2 September IRIN report stated that MDC also claimed 135 wards in the town councils, against ZANU-PF's total of 88. [10ba]

**4.79** Following the election results, ZANU-PF wrote to the Registrar General's Office threatening to take legal action to nullify the council election result in Masvingo because of alleged voter irregularity, according to a report by allAfrica.com on 2 September 2003. ZANU-PF claimed that some MDC supporters voted twice as they registered under different names. The Masvingo Provincial Registrar denied that the voters' roll was flawed, saying both the MDC and ZANU-PF inspected the roll prior to the vote and were satisfied with it. However, the MDC were also contesting the result of Ward Seven of Masvingo, where its candidate Berias Marlie lost to Naison Tsere by 12 votes. [9ah]

**4.80** On 25 August, according to the Daily News on 27 August 2003, the MDC held elections for the positions of deputy Mayor of Harare and executive committee members in a primary election held that week. As a result Elijah Manjeya was elected as deputy Mayor and five out of six council committee chairpersons were also voted out of office. Manjeya replaced Sekesayi Makwavarara, who had come under fire for backing directives by ZANU-PF's Minister for Local Government, Ignatius Chombo, against suspended Mayor of Harare, Elias Mudzuri. [9bd] The Daily News also reported on 10 September 2003 that following the council elections Alexio Musundire, the MDC Provincial Chairman for Chitungwiza was expelled from the party. He was found guilty of violating the party's rules and regulations. The newspaper quoted one unnamed source as saying Musundire undermined the MDC's structures and was creating factionalism. This comes a month after the MDC suspended its chairman for the Midlands North province. [9ak]

**4.81** On 11 August, ZWNews reported that on 9 August 2003 the MDC MP for Kadoma Central, Austin Mupandawana, had died in hospital. Mupandawana had not recovered his health since being detained in March 2003, over what the police termed "mysterious explosions". He was tortured during his incarceration and received no medical treatment. He was charged and bailed after one month. [67a]

**4.82** On 10 September 2003 the Daily News reported that nine MDC activists were arrested in Sakubva on allegations of public violence. When the newly elected MDC councillor for Ward 2 of Sakubva went to visit the nine, he too was arrested. The police claimed that they had stoned a house belonging to the former councillor, Cecilia Gambe, injuring her and causing approximately Z\$600,000 dollars worth of damage. [9v]

**4.83** On the same day the Daily News reported that Nehemia Charamba, from Chipinge, was suing Sergeant Nasho of the police for forcing him to drink Nasho's urine in order to secure his release from detention. Charamba claimed that he was detained and tortured after going to the police station to report the theft of six loaves of bread by police officers. However, the police then found an MDC card about Charamba's person and allegedly started beating him up. [9aj]

**4.84** According to state controlled The Herald on 29 October 2003 "ZANU-PF yesterday

[28 October 2003] retained uncontested, two Mayoral seats, 13 urban wards and seven rural district council by-elections around the country". However the report continues that while the rural wards of Marondera, Bindura, Shamva, Mangwe, Umzingwane and Mutoko were unopposed, Nkayi was contested between Musolina Mpofu for ZANU-PF and Sifiso Mpofu of MDC. Risipa Kapesa won the Chinhoyi mayoral seat and Ralph Chimanikire took the Marondera mayoral seat without opposition. [42b] The privately owned Standard reported on 2 November 2003 that the notorious ZANU-PF gang "Top Six" had assaulted some MDC officials preventing them from submitting their papers at the nomination courts. Employees of the Registrar-General's office were also assaulted after they had accepted nomination papers. The ZANU-PF supporters reportedly removed these papers. [20e] The Zimbabwe Human Rights Forum reported that "Given Makombe, an MDC supporter, died as a result of injuries he reportedly sustained when he was severely assaulted by members of the 'Top Six Gang' (ZANU-PF youths), during the final push on 3 June 2003." [35d]

**4.85** On 21 November 2003 the Zimbabwe Independent reported that the MDC filed a petition before the High Court seeking to annul ZANU-PF's Chinhoyi mayoral victory. Edeline Chivimbo Huchu, the MDC candidate, stated that her nomination papers had been filed but, were removed by criminal elements. Huchu also states that the ZANU-PF candidate did not possess the necessary qualifications as required by law, and cited acts of violence perpetrated by the ZANU-PF gang, "Top Six". [11e]

**4.86** The Herald reported on 13 July 2004, that an investigation committee had begun to look into events that led to the suspension on 1 June 2004 of 13 Harare city councillors after they defied a government directive stopping the holding of elections to choose a new deputy mayor and standing committees. The suspended councillors were: Christopher Mushonga, Peter Chikwati, Shingirirai Kondo, Last Maengahama, Betty Suka, Peter Karimakwenda, Tupfumaneyi Bangajena, Wendy Dehwa, Tichanzii Gandanga, Elijah Manjeya, Wellington Madzivanyika, Linus Paul Mushonga and Oswell Badza. [23c]

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## By-elections in 2003

### Kuwadzana

**4.87** On 22 October 2002 MDC MP for Kuwadzana and a leading party spokesman, Learnmore Jongwe, was found dead in his cell at Harare's Chikurubi Prison according to a report by the BBC on 22 October 2002. [36f] A Financial Gazette report on 22 October 2002 stated that, in the run up to the March 2003 by-election, the opposition MDC claimed that 10,000 voter's names had been added to the electoral role since the March 2002 Presidential election. The anomaly was discovered after the MDC carried out a physical check into the differences between the voters' roll from the March 2002 election and the new roll issued by the Registrar-General. The MDC stated that many of the "new voters" were not known at the addresses they allegedly lived at because some were residents from neighbouring areas, whilst others had long since been dead. The Registrar-General was accused of manipulating the list in favour of the ruling ZANU-PF party. [37p] The Financial Gazette report and an IRIN report of 27 March 2003 stated that on 29–30 March 2003 the by-election to fill the seat was held. Amid reports of violence and electoral malpractice [10t][37p] the MDC managed to retain their seat, with their candidate Nelson Chamisa winning 12,548 votes to ZANU-PF's David Mutasa's 5,022 according to IRIN on 31 March 2003. [10u]

## **Highfield**

**4.88** The 31 March 2003 IRIN report stated that Munyaradzi Gwisai, the MDC MP for Highfield constituency in Harare, was found guilty of six charges of misconduct under the MDC's constitution, and expelled from the organisation. The by-election for the seat took place on 29–30 March 2003, the same weekend as the Kuwudzana by-election. Again, in an atmosphere of intimidation the MDC's Pearson Mungofa emerged the victor garnering 8,759 votes against 4,844 for ZANU-PF's Joseph Chinotimba. [10u]

**4.89** The USSD 2003 reported that:

"In the weeks leading up to March [2003] by-elections in the Harare high-density suburbs of Kuwadzana and Highfield, ruling party supporters and youth militia members undertook an aggressive campaign of violence and intimidation by arresting, beating, and detaining opposition campaign officials, opposition members, and members of civil society. In addition, according to MDC claims, approximately 19,000 names were added to the voters' rolls. Police also denied permission to the MDC to hold campaign rallies, prevented rallies for which permission had been granted, or disrupted with tear-gas campaign rallies in progress. Despite these tactics, the MDC retained both of these constituencies in the polls." [2d p. 14]

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## **Makonde**

**4.90** Following the death of Swithun Mombeshora of ZANU-PF, the Makonde seat became vacant. The Zimbabwe Independent reported on 18 July 2003 that tensions rose in the ZANU-PF primary poll, the vote to decide who would represent the party in the by-election. Among those vying to represent ZANU-PF at the by-election were Leo Mugabe, Robert Mugabe's nephew, and Kindness Paradza. Tensions rose in the ZANU-PF primary poll when supporters of Leo Mugabe assaulted Virginia Katayamaedza, the campaign manager for Kindness Paradza. Ms Paradza went on to win the primary. One senior ZANU-PF official is reported as saying that the poll was one of the most fraudulent he had ever seen. [11g] The Financial Gazette reported on 4 September 2003, that in the by-elections Paradza polled 11,223 seats against 1,769 for the MDC's Japhet Kwemba, meaning that ZANU-PF retained the seat. [37k]

## **Harare Central**

**4.91** Due to ill health, Mike Auret MP for the MDC, resigned his seat of Harare Central. The Daily News reported on 26 August 2003 that the MDC had claimed that ZANU-PF were adding ghost voters to the electoral register, whilst removing others it suspected of supporting the MDC. Among those allegedly removed by ZANU-PF was Mike Auret, Susan Tsvangirai, wife of MDC President, Morgan Tsvangirai and a number of MDC councillors. [9bc] In what was seen as increasing voter apathy, the turnout for the by-election was significantly down on the June 2000 figure of 17,942. The Financial Gazette reported on 4 September 2003 that the MDC's Murisi Zwizwai won the seat with 2,707 votes to 1,034 for ZANU-PF's William Nhara. Mathias Guchutu Matambanadzo of the Multi-racial Open Party Christian Democrats polled 15 votes and Rumbidzai Hwicho of the National Alliance for Good Governance polled 10 votes. [37k] The turn out was 11%, according to the BBC on 2 September 2003. [3ad]

## **Kadoma Central**

**4.92** Following the death of Austin Mupandawana the MDC MP for Kadoma Central on 9 August 2003, a by-election was held in Kadoma on 29–30 November 2003, according to a report by News24 on 29 November 2003. [37c] State controlled The Herald, reported that

the ZANU-PF candidate, Ishmail Mutema, donated more than Z\$100,000,000 to the needy residents of the town and the council. [42d] Prior to the poll, on 14 November 2003 the Zimbabwe Independent reported MDC claims that other irregularities had occurred. The MDC claimed that five of its activists, Calistro Tsvangirai, Regis Kamuswe, Claudius Chagadama, Hubert Guvav and Daniel Dauya, were abducted, seriously assaulted, and abandoned at various points outside of Kadoma, in late October. The MDC also highlighted problems their election agent, Felix Zifunzi, encountered in trying to register the MDC's candidate at the nomination court. [11m] The 29 November News24 report stated that on the first day of polling, 29 November, shots were fired to scare off MDC supporters after ZANU-PF supporters and War Veterans sealed off the Kanyemba polling station. [37c] ZANU-PF's Ishmail Mutema won the seat with 9,282 votes to the MDC's Charles Mpandawana's 6,038 according to the Financial Gazette on 4 December 2003. [37r]

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## By-elections in 2004

### Gutu North By-election

**4.93** Following the death of vice-president Simon Muzenda in September 2003, the seat of Gutu North was vacant. The Zimbabwe Independent reported on 16 January 2004 that a by-election was set for 2–3 February 2004. Retired Air Marshall Josiah Tungamirai contested the seat for ZANU-PF and Casper Musoni ran for the MDC. Musoni accused ZANU-PF of intimidating opposition supporters ahead of the elections. [11n] The Zimbabwe Independent and The Standard carried MDC claims of assaults and abductions. [11n][20c] On 2 February the Daily News reported that the MDC had uncovered a plan to insert 7,000 voters from outside the constituency onto the electoral roll for Gutu North. [9az] However, the Daily News also reported on 4 February 2004 that “Police maintained a heavy presence [at polling stations] and removed all traditional leaders who had camped outside polling stations, allegedly on the instructions of the ruling party.” They continued, “The MDC vice-provincial chairman, Shacky Makate, said despite report of chiefs and headmen instructing their subjects to vote for the ruling party, polling was peaceful throughout the constituency”. [9ai] ZANU-PF's Josiah Tungamirai won the seat with 20,699 votes to Musoni's 7,291, according to the Daily News on 5 February 2004. Musoni accepted the results despite believing the run up to the poll was not free and fair. [9j]

### Zengeza By-election

**4.94** The seat of Zengeza, in Chitungwiza, fell open after the incumbent MP, Tafadzwa Musekiwa, left the country. IRIN reported that the MDC's Musekiwa won 14,814 votes to ZANU-PF's 5,330 in the June 2000 Parliamentary Elections. On 27/28 March 2004 a by-election was held to fill the vacant seat. The election was marred by violence, with one MDC youth, Francis Chinozvinya, reportedly shot dead in the home of the MDC candidate, James Makore. [10bg] The Financial Gazette reported on 4 January 2004 that the result was a victory for ZANU-PF's Christopher Chigumba, with 8,442 votes to Makore's 6,704. However, the MDC said that they would challenge the result, claiming that the violence in the run up to, and during the poll undermined the election. [37d]

### Lupane By-election

**4.95** On 19 May 2004, the Independent reported that the Lupane by-election held over the weekend of 15-16 May was ‘brazenly rigged’. The by-election resulted from the death of David Mpala, and MDC member whose health had deteriorated after he was tortured by ZANU-PF supporters in 2002. ZANU-PF won the by-election by 883 votes, 10,069 to the MDC's 9,186. This after ZANU-PF lost the Lupane seat in the 2000 parliamentary elections by about 10,000 votes. Independent Zimbabwean monitors alleged that Mugabe bussed

people in from neighbouring constituencies to vote and the MDC claimed opposition campaigners were abducted and tortured and villagers were told they would not be eligible for famine relief if they did not vote for ZANU-PF. The leader of the National Constitutional Assembly urged the MDC to boycott the elections saying that it made no sense to keep contesting elections then crying foul when they lost. [4b][10d]

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## 5. STATE STRUCTURES

### The Constitution

**5.1** According to Europa Regional Surveys of the World: Africa South of the Sahara 2004 (Europa 2004):

“The constitution of the Republic of Zimbabwe took effect at independence on 18 April 1980. Amendments to the Constitution must have the approval of two-thirds of the members of the House of Assembly .... Zimbabwe is a sovereign republic and the Constitution is the supreme law.... The declaration of rights guarantees the fundamental rights and freedoms of the individual, regardless of race, tribe, place of origin, political opinions, colour, creed or sex.” [1b p. 1243]

**5.2** However, this was not always the case in practice, and according to the US State Department Report on Human Rights Practices 2003:

“The Constitution provides that ‘every person in Zimbabwe’ cannot be deprived of fundamental rights, such as right to life, liberty, and security of person, based on his race, tribe, place of origin, political opinions, color, creed, or sex; however, the Constitution allows for discrimination, primarily against women, on the grounds of ‘customary law.’ Domestic violence and discrimination against women, abuse of children, and discrimination against persons with disabilities were problems. The Government and ruling party discriminated against the white minority in areas of due process, foreign travel, and property ownership.” [2d p. 16]

**5.3** The 2003 US State Department Report also records that:

“Although the Constitution allows for multiple parties, opposition parties and their supporters were subjected to significant intimidation and violence by the ruling party and security forces, especially after successful opposition sponsored general strikes....” [2d p. 1]

“The Constitution provides citizens with the right to change their government peacefully; however, in practice the political process continued to be tilted heavily in favor of President Mugabe and his ZANU-PF party, which have ruled continuously since independence in 1980. The Government manipulated the electoral process to effectively disenfranchise voters and to skew elections in favor of ruling party candidates.” [2d p. 14]

“The Constitution provides for freedom of expression; however, legislation limits this freedom in the ‘interest of defense, public safety, public order, state economic interests, public morality, and public health,’ and the Government restricted this right in practice.” [2d p. 8]

“The Constitution provides for freedom of assembly; however, the Government restricted this right in practice through laws such as the POSA. Many legal experts believed that the restrictions imposed by POSA on an individual’s right to freedom of assembly were unconstitutional....” [2d p. 11]

“The Constitution prohibits arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces arbitrarily arrested and detained persons repeatedly, including foreign diplomats.” [2d p. 5]

“The Constitution prohibits [torture and other cruel, inhuman, or degrading treatment or punishment]; however, security forces tortured, beat, and otherwise abused persons....” [2d p. 3]

“The Constitution provides for an independent judiciary; however, the Government installed judges sympathetic to government policies, sanctioned intimidation against sitting judges, and ignored or overturned judgments with which it did not agree.” [2d p. 1]

“.... The Constitution provides that [judges] may be removed from the bench only for gross misconduct, and that they cannot be discharged or transferred for political reasons; however, since 2002 the Government has arrested and coerced judges into resigning....” [2d p. 7]

“The Constitution provides for the right to a fair trial; however, this right was frequently not enforced due to political pressures.” [2d p. 7]

“The Constitution prohibits [arbitrary interference with privacy, family, home, or correspondence]; however, security forces searched homes and offices without warrants, and the Government was believed to monitor some private correspondence and telephones, particularly international communications.” [2d p. 8]

“The Constitution provides for [freedom of movement within the country, foreign travel, emigration, and repatriation]; however, the Government at times restricted them in practice.” [2d p. 13]

“The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions.” [2d p. 12]

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## Citizenship and Nationality

**5.4** The US State Department Report 2003 stated that:

“The Citizenship Act requires all citizens with a claim to dual citizenship to renounce their claim to foreign citizenship under the laws of the foreign country to retain their citizenship. Citizens who failed to abide by the regulations by January 7, 2002, would cease to be citizens, would be removed from the voter rolls, and would be unable to vote. The act also revokes the citizenship of persons who fail to return to the country in any 5-year period. Legal rights groups described the legislation and regulations as a government attempt to disenfranchise citizens, because of their perceived opposition leanings, as well as the country’s more than 500,000 commercial farm workers, many of whom have origins in neighboring countries, and the approximately 30,000 mostly white dual nationals. Many persons with dual citizenship experienced difficulty complying with the regulations because many other countries do not provide procedures for repudiating citizenship. Conceding to regional pressure, during the year, Parliament amended the law to remove this requirement from citizens with origins in SADC countries [Angola, Botswana, Democratic Republic of Congo,

Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe].” [2d p. 13]

## Political System

### 5.5 According to Europa 2004:

“Executive power is vested in the President, who acts on the advice of the Cabinet. The President is Head of State and Commander-in-Chief of the Defence Forces. The President appoints two Vice-Presidents and other Ministers and Deputy Ministers, to be members of the Cabinet. The President holds office for six years and is eligible for re-election. Each candidate for the Presidency shall be nominated by not fewer than 10 members of the House of Assembly; if only one candidate is nominated, that candidate shall be declared to be elected without the necessity of a ballot. Otherwise, a ballot shall be held within an electoral college consisting of the members of the House of Assembly.

“Legislative power is vested in a unicameral Parliament, consisting of a House of Assembly. The House of Assembly comprises 150 members, of whom 120 are directly elected by universal adult suffrage, 12 are nominated by the President, 10 are traditional Chiefs [who are appointed by the President and who then elect 10 members from among themselves] and eight are Provincial Governors [who are again appointed by the President]. The life of the House of Assembly is ordinarily to be six years.” [1b pp. 1243-1244]

### 5.6 A BBC country profile of Zimbabwe updated to 21 July 2004 reported that:

“Robert Mugabe played a key role in ending white rule in Rhodesia and he and his ZANU-PF party have dominated Zimbabwe’s politics since independence in 1980. He has only recently faced any serious challenge to his authority, in the form of popular protest and substantial gains for the opposition Movement for Democratic Change (MDC). The MDC has refused to recognise Mr Mugabe as head of state.

“Mr Mugabe was declared winner of the 2002 presidential elections, considered seriously flawed by the opposition and foreign observers. Ideologically, he belongs to the African liberationist tradition of the 1960s – strong and ruthless leadership, anti-Western, suspicious of capitalism and deeply intolerant of dissent and opposition. His economic policies are widely seen as being geared to short-term political expediency and the maintenance of power for himself.” [3a]

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## Parliament

### 5.7 The last parliamentary elections were held in 2000. According to a BBC report on 16 June 2000 only ZANU-PF and the MDC fielded candidates in all 120 constituencies. A number of small parties and independents fielded candidates in various constituencies. The United Parties, led by Bishop Muzorewa, put forward 59 candidates, mainly in northern and eastern areas. A party calling itself ZAPU, after the late Joshua Nkomo’s party that merged with ZANU-PF in 1987, fielded 23 candidates mainly in Matabeleland, advocating a federal state to counteract Shona dominance of the Ndebele. The Zimbabwe Union of Democrats (ZUD), led by Margaret Dongo, outgoing MP for Harare South, put forward 16 candidates in Harare and the east. Reverend Sithole’s small ZANU-Ndonga party, which held two seats in the outgoing parliament, also contested seats. [3c]

**5.8** The US State Department Report on Human Rights Practices 2003 reported that:

“General parliamentary elections were held in 2000 amid widespread voter intimidation and violence by the Government and ZANU-PF supporters with reports of vote-rigging and other irregularities. Although the election day generally was peaceful, the process leading up to it was neither free nor fair. The MDC won 57 out of the 120 popularly elected seats. Thirty additional seats were reserved for presidential and tribal chief appointees, who were ZANU-PF supporters, which gave ZANU-PF a total of 92 seats; this total increased to 93 in 2001 after the ruling party won a parliamentary by-election for a seat previously held by the MDC.” [2d p. 15]

**5.9** The Daily Telegraph reported on 28 June 2000 that, amid allegations of irregularities, ZANU-PF won 62 of the 120 seats with just over 49% of the vote and the MDC won 57 seats with just under 48% of the vote. ZANU-Ndonga won one seat. The results highlighted regional divisions. The MDC won all 19 seats in Harare, all 8 in Bulawayo and took 13 of the 15 seats in Matabeleland. ZANU-PF took every seat in the farming province of Mashonaland Central. [5]

**5.10** According to the USSD 2003 “All major ethnic groups were represented in Parliament and in the Government. Most members of the Government and the Parliament, as well as most ZANU-PF officials, belong to the Shona ethnic group, which composed 82% of the population.”. [2d p. 15]

**5.11** The USSD 2003 also stated that:

“There were 17 women in the 150-seat Parliament, including the Deputy Speaker of Parliament, and there were 4 female ministers and 1 female deputy minister in the Cabinet. In addition, there was one woman governor. Women participated in politics without legal restriction; however, according to local women’s groups, husbands, particularly in rural areas, commonly directed their wives to vote for the husband’s preferred candidates. The ZANU-PF congress allotted women 1 out of every 3 party positions and reserved 50 positions for women on the party’s 180-member Central Committee, which was one of the party’s most powerful organs.” [2d p. 15]

**5.12** Financial Gazette Online reported on 12 February 2004 that Robert Mugabe had reshuffled his Cabinet. The Cabinet expanded, accommodating new posts, including the Minister of Special Affairs in the President’s Office in charge of Anti-Corruption and Anti-Monopolies. This post was filled by Didymus Mutasa. Retired Air Marshall Josiah Tungamirai was recalled as the new Minister of State for Indigenisation and Empowerment. [37]

**5.13** The Zimbabwe Independent reported on 28 May 2004 that civil rights groups were planning to protest against proposed changes to the electoral law that would deny many Zimbabweans the right to vote in the 2005 parliamentary elections:

“Under proposals contained in the Electoral Amendment Bill to be tabled in parliament soon, urban dwellers will be required to produce proof of residence. Without the proof, expected to come in the form of a receipt or demand for payment rates in terms of the Urban Councils Act, they would have to produce a sworn statement from their employer confirming their place of residence or bring documents such as bank statements or hospital bills.

“In rural areas, voters would be required to bring sworn oral or written statements

from their chiefs, who are now part and parcel of ZANU-PF's electoral machinery.” [11b]

**5.14** In addition:

“Section 116A of the Bill criminalises placing bills, placards, circulars or any other documents and writing or painting with the object of supporting or opposing any political party, political cause, or candidate. The offence carries a maximum jail term of six months.” [11b]

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## **Judiciary**

**5.15** The US State Department Report on Human Rights Practices 2003 reported that “The Constitution provides for an independent judiciary; however, since 2001 the judiciary has been under intense pressure to conform to government policies, and the Government repeatedly refused to abide by judicial decisions. In a July 2002 speech, President Mugabe said, ‘if judges are not objective, don’t blame us when we defy them’”.

**5.16** The report continued, “The law provides for a unitary court system, consisting of headmen’s courts, chiefs’ courts, magistrates’ courts, the High Court and the Supreme Court. Civil and customary law cases may be heard at all levels of the judiciary, including the Supreme Court.” The US Report also noted that “Magistrates, who are civil servants rather than members of the judiciary, hear the majority of cases and continued to come under intense political pressure after some of their decisions were interpreted as running counter to government interests”. [2d, pp. 6-7]

**5.17** The Report continued, “The Constitution provides that [judges] may be removed from the bench only for gross misconduct, and that they cannot be discharged or transferred for political reasons; however, since 2002 the Government has arrested and coerced judges into resigning. For example, in February, Justice Benjamin Paradza was arrested after making an unfavorable ruling against the Government.” [2d, pp. 6 and 7]

**5.18** On 12 February 2003 The Daily News reported that Justice Moses Chinhengo had called on the police to stop harassing and torturing suspects and to only detain them when there is sufficient evidence to do so. Speaking during the opening of the legal year in February 2003, Justice Chinhengo’s comments came soon after the detention and torture of MDC MP Job Sikhala. [9br]

**5.19** According to a Daily News report on 18 February 2003, police arrested Justice Benjamin Paradza in his chambers at the High Court. The State alleged that Paradza interfered with the course of justice by asking another judge, Justice Cheda, about a passport of a French national which was being held as part of bail conditions. Paradza’s arrest attracted criticism. Sternford Moyo, the President of the Law society believed that this was an abuse of power on behalf of the State. Moyo said that the charges could have been dealt with by a board of enquiry, under the terms of the Constitution. It was the first time in Zimbabwe’s history that a sitting judge has been arrested. In January 2003, a month before his arrest, Judge Paradza ordered the police to bring Elias Mudzuri, the MDC Mayor of Harare, to court or release him. Mudzuri was subsequently released, a move criticised by the police’ spokesman Wayne Bvudzizena. [9bs]

**5.20** Allafrica.com reported on 19 February 2003 that the UN Special Rapporteur on the independence of judges and lawyers, Dato Param Cumaraswamy, described the manner of the arrest of Paradza as tantamount to intimidation of the gravest kind, leaving a chilling

effect on the independence of the judiciary. [57] IRIN reported that, comparing the arrest to that of Justice Blackie in the previous year, Cumaraswamy believed that this incident would bring judge against judge, those seen as independents against those seen as compliants. He continued saying that this was the latest in a series of attacks on the judiciary over the past two years which had left the Rule of Law in Zimbabwe in tatters. [10x] However, according to the BBC, the police denied the charges were politically motivated. Paradza was released the following day on bail of Z\$30,000 and was told to surrender his passport. [3as]

**5.21** On 11 April 2003 the Daily News reported that Zimbabwe Lawyers for Human Rights (ZLHR) called for an investigation into reports of assaults and harassment of lawyers, judges, magistrates and prosecutors, and the prosecution of those responsible. ZLHR believed the upsurge in these types of offences made it increasingly difficult for judicial officers to do their jobs. ZLHR cited the example of Gabriel Shumba, a human rights lawyer who was arrested and tortured with Job Sikhala in January 2003. Shumba subsequently fled the country. [9bt]

**5.22** The ZLHR reinforced their concerns about harassment of lawyers at a symposium in Johannesburg in late August 2003, according to ZWNews on 31 August 2003. The ZHHR cited intimidation by police officers, police not informing lawyers of the whereabouts of their clients, and police officers professing ignorance of arrests are all problems. Nokuthula Moyo, chairman of the ZLHR, said that the courts themselves could also hinder the filing of applications for relief. Sometimes the court registrar could not be located. Once a lawyer obtained the necessary papers it had been known for state agents to ignore court orders, and some police officers evaded lawyers to avoid being served with court orders in the first place. [63]

**5.23** The World Economic Forum, a Swiss based organisation, investigated corruption and rule of law in 21 African countries. On 11 June 2003 they published their finding that Zimbabwe was judged to have the least independent judiciary out of the 21, and came in at 16<sup>th</sup> place overall. [62]

**5.24** In mid-May 2003, according to a report in the Daily News, the African NGO, 'Human Rights Forum', raised their concerns about the attacks on the judiciary on Zimbabwe. They highlighted credible reports of attacks on the judiciary and the due process of law, including assaults, intimidation, harassment, obstruction and torture of lawyers, public prosecutors, magistrates and judges. The Forum also urged the government to repeal the Access to Information and Privacy Act, which is widely perceived to undermine fundamental freedoms. [9ao]

**5.25** On 25 June 2003 IRIN reported that 10 magistrates resigned from their posts over low pay. The Zimbabwe Lawyers for Human Rights (ZLHR) expressed concern about how low staffing levels and low morale had led to disturbing delays in remanding accused persons, and in the delivery of judgements in general. ZLHR also noted delays in the passing of judgements deemed to be political. [10as]

**5.26** The Zimbabwe Independent reported on 2 January 2004 that Zimbabwe Lawyers for Human Rights' (ZLHR) executive director criticised the Zimbabwe State executive for continuing to undermine the judiciary, stating that for democracy to function it is necessary for an effective separation of powers between the judiciary, the executive and the legislator. [11v] Later that month, the Zimbabwe Independent reported ZLHR as saying "Defiance of court orders now has become endemic in Zimbabwe and it is an issue that the Chief Justice of the Supreme Court Godfrey Chidyausiku, Judge President of the High Court Paddington Gawre, and the Minister of Justice, Legal and Parliamentary Affairs

Patrick Chinamasa must do something about if the integrity of the courts and the justice system is to be protected” [11d]

**5.27** However, on 6 August 2004 the BBC reported that “A Zimbabwean judge has acquitted six opposition activists, saying police evidence was ‘manifestly unreliable’. The six, including an MP from the Movement for Democratic Change (MDC), were accused of murdering an official from the ruling ZANU-PF party.”. The six claimed to have been tortured by police resulting in the MP, Fletcher Dulini-Ncube, losing the sight in one eye. The judge described police evidence as ‘works of fiction’. [3f]

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### Legal Rights/Detention

**5.28** According to the US State Department Report 2003:

“The Constitution prohibits arbitrary arrest and detention but some laws effectively weaken this prohibition and security forces arbitrarily arrest and detain people repeatedly, including foreign diplomats. The law requires that police inform an arrested person of the charges before being taken into custody. Warrants of arrest issued by the courts were required except in cases of serious crimes or where there was the risk of evidence disappearing. Although a preliminary hearing before a magistrate is required within 48 hours of an arrest (or 96 hours over a weekend), the law often was disregarded if a person did not have legal representation. Police typically arrested individuals accused of political crimes on Fridays, presumably so that they could detain them legally until Monday. In several cases, police claimed not to know where they were holding a detained individual, which delayed a hearing on bail release.” [2d, p. 6]

**5.29** The US Report also stated that:

“Detainees often were not allowed prompt or regular access to their lawyers. Authorities often informed lawyers who attempted to visit their clients that detainees were ‘not available.’ Family members generally were denied access unless accompanied by an attorney. Detainees, particularly those from rural areas without legal representation, routinely were held incommunicado. Family members and attorneys often were not able to verify that a person had been detained until the detainee appeared in court.” [2d p. 5]

And:

“The Criminal Procedures and Evidence Act substantially reduced the power of magistrates to grant bail without the consent of the Attorney General or his agents; however, in practice a circular issued by the Attorney General giving a general authority to grant bail lessened the negative effect of the law. High Court judges granted bail independently.” [2d p. 5]

**5.30** The Constitution also provides for the right to a fair trial according to the USSD 2003; however, this right was frequently not enforced due to political pressures. Every defendant has the right to a lawyer of his choosing; however, well over 90% of defendants in magistrates’ courts did not have legal representation”. The same source continues: “Several attorneys were denied access to their clients during [2003]”. Again, the US State Department report stated, “In criminal cases, an indigent defendant may apply to have the Government provide an attorney, but this was rarely granted. However, in capital cases,

the Government provided an attorney for all defendants unable to afford one. Litigants in civil cases can request legal assistance from the NGO Legal Resources Foundation. All litigants were represented in the High Court.” The report continues: “The right to appeal exists in all cases and is automatic in cases in which the death penalty is imposed. Trials were open to the public except in certain security cases.” [2d pp. 7-8]

**5.31** On 21 July 2002 Learnmore Jongwe, the MDC spokesperson and Secretary for Information and Publicity was arrested and charged with the murder of his wife, Rutendo, according to a report in the Daily News on 22 July. The incident appeared to have been motivated by personal reasons and did not appear to have had any political connotations. [9ad] On 22 October 2002, the BBC reported that Mr Jongwe was found dead in his cell at Chikurubi Prison. [3bf] The police autopsy revealed Jongwe died of chloroquine poisoning, a drug used to treat malaria, according to the Zimbabwe Standard report on 14 December 2002. An independent pathologist, hired by the MDC to carry out a separate autopsy, concurred with the original reports findings. How such a large quantity of chloroquine got into Jongwe is not known. [20j]

**5.32** On 3 October 2003 the Zimbabwe Independent carried a report that a Zimbabwean police officer, who had served in Kosovo as part of the United Nations Interim Administration Mission in Kosovo (UNMIK), was alleged to have participated in torture whilst working in the Criminal Investigation Department (Law and Order Section) at Harare Central Police Station. Redress, a group that helps seek justice for torture victims, made the allegation against Chief Inspector Henry Dowa and raised their concerns with the United Nations. The UN subsequently asked the Zimbabwean government to withdraw Dowa from service in Kosovo, and to investigate the claims laid against him. [11j] It was reported that Dowa remained on active service in Zimbabwe, and was involved in the arrests of NCA activists in October 2003. [11j]

**5.33** On 25 June 2004 IRIN reported “New anti-corruption legislation, effective from this week, which formalises regulations allowing Zimbabwean police to hold suspects accused of economic crimes for up to four weeks without bail is ‘unconstitutional’, human rights activists alleged on Friday.” [10f]

**5.34** The IRIN report also stated that:

“The amendment enables the police to detain people suspected of committing economic crimes, including corruption, money laundering and illegal dealing in foreign exchange and gold, for up to a week. The police can also hold suspects for a further 21 days if *prima facie* evidence of their involvement is produced, without giving them the option of applying for bail or paying a fine.” [10f]

**5.35** According to USSD 2003 the Constitution prohibits arbitrary interference with privacy and the home, however, in practice, security forces searched homes and offices without warrants. Additionally, the police conducted periodic house-to-house searches in the suburbs of Harare and Bulawayo in 2003. [2d p. 8]

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## Death Penalty

**5.36** Zimbabwe retains the death penalty and there have been approximately 90 executions since 1980 according to a Daily News article on 25 February 2002. [9h] Amnesty International reported that following an appeal by Pope John Paul II, during a visit to Zimbabwe in 1988, for the abolition of the death penalty no executions were carried out

between 1988 and 1995. In October 2000 three men, convicted of five murders, were executed. [9h][14d] According to a 5 June 2002 report in the Gulf Today, in May 2002 three men were hanged. They had been convicted on separate murder charges and one of the men was also convicted of rape. [40] There are 26 prisoners on "death row" at Chikurubi Maximum Security Prison. Since 1993, the NGO Zimbabwe Association of Crime Prevention and Rehabilitation (ZACRO) have campaigned for the abolition of the death penalty. [9n] There is an automatic right of appeal in cases where the death penalty is imposed. [2d]

## **Internal Security**

**5.37** According to the US State Department Report on Human Rights 2003, the Zimbabwe Republic Police (ZRP) force is responsible for maintaining law and order. The ZRP is officially under the control of the Ministry of Home Affairs but in practice some missions and roles were controlled by the President's Office. [2d, p. 1] The report continued, "The police are centrally controlled, with the command center in Harare. The police are further divided with provincial headquarters overseeing two to three district headquarters, each of which supervise up to seven stations. Police effectiveness was reduced over the year because of an increase in crime and a decrease in resources, both human and material. It has also become more difficult for police to remain impartial due to increased politicization within the force's upper echelons. Corruption, particularly within the traffic branch, has increased due, in part, to low salaries.". [2d, p. 6] USSD 2003 also reported that "Members of the security forces and youth militias committed numerous, serious human rights abuses.". [2d, p. 1] "There were reports of political killings by security forces during the year. Security forces and pro-government militias committed several extrajudicial killings, and in numerous other cases, army and police units participated or provided transportation and other logistical support to perpetrators of political violence and knowingly permitted their activities." [2d, p. 2] "The Government generally has not pursued actively past allegations of torture and has not prosecuted CIO or ZRP officers for such abuses. The 2000 amnesty protects nearly all the agents of the political violence campaign and effectively prevents any criminal prosecutions against them." [2d p. 5]

**5.38** Once noted for its professionalism, ZRP are being increasingly seen as a partisan tool that fulfils the political will of the ZANU-PF government according to the Daily News on 9 June 2003. [9b] The Guardian on 4 July 2003 carried reports from former officers of how they were ordered to target suspected MDC supporters. This would include planting evidence on suspects and the use of violence. Police officers were also ordered to ignore crimes committed against MDC supporters. [34c] Additionally, low salaries for police officers coupled with the economic problems that Zimbabwe is experiencing has contributed, to a large extent, to rising levels of corruption according to IRIN on 23 July 2003. [10ay]

**5.39** The Central Intelligence Organisation (CIO), according to the US State Department Report on Human Rights 2003, is controlled by the Minister of State for National Security in the President's Office, and is responsible for internal and external security. The CIO has powers of arrest. [2d, p. 1]

**5.40** ZimOnline reported on 22 July 2004 that:

"Several officers from the country's spy agency, the Central Intelligence Agency (CIO), have been arrested, suspended or dismissed from the organisation after extorting money from individuals, companies and institutions suspected of having externalised foreign currency. The officers, mostly in the junior and middle ranks, were moving around Harare and other cities in the country collecting ransom and promising their

victims that they would not be touched under the government's financial sector clean-up campaign." [49b]

**5.41** According to an anonymous official at the ministry, cases of extortion and corruption in the CIO are 'rampant'. Minister of State Security, Nicholas Goche, said those who were convicted would be dismissed automatically. The anonymous official said a number of officers had been dismissed and others were appearing in the courts. [49b]

**5.42** According to USSD 2003, police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Defendants in police courts have the right of appeal to the Supreme Court. [2d p. 7]

**5.43** The Crisis in Zimbabwe Coalition reported in March and June 2003 that increasingly there were reports concerning the deployment of the Zimbabwe National Army (ZNA) as a means of the state to undermine the MDC. [52a][52b] Following the mass action of March 2003, in which the army was used to target people suspected of supporting the MDC, the army was used in the repression of the mass action of June 2003. [52b] According to the (South African) Mail and Guardian, Mugabe himself praised the role of the armed forces for their part in suppressing the anti-government protests. [6b]

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### **Prisons and Prison Conditions**

**5.44** According to the National Constitutional Assembly of Zimbabwe in April 2002, prisons are administered by the Zimbabwe Prison Service, under the command of the Commissioner of Prisons, who is appointed by the President. A Prison Service Commission of not less than two and a maximum of seven members is appointed by the President. One member of the Commission must have held the rank of Superintendent or a more senior rank in the Prison Service for a period of at least five years. [31]

**5.45** The US State Department Report 2003 states that the Government permits international human rights monitors to visit Zimbabwean prisons, although in practice Government regulations and procedures make such visits very difficult to arrange. Permission to make a visit is required from the Commissioner of Prisons and the Minister of Justice, which sometimes takes a month or longer to obtain or may not be granted at all. A local NGO that deals with prison issues was granted access on a number of occasions during 2002. [2d p. 5]

**5.46** The USSD 2003 noted that "prison conditions remained harsh and life threatening". The Government's 42 prisons were designed for a capacity of 16,000 prisoners; however, they held approximately 20,000 at year's end. Overcrowding continued to be a problem, and shortages of clothing and poor sanitary conditions persisted, which aggravated outbreaks of cholera, diarrhoea, and HIV/AIDS-related illnesses. Researchers reported that the HIV prevalence rate among prisoners is estimated to be 60% and that exposure to HIV/AIDS was a major cause of deaths in detention. [2d, p. 5]

**5.47** USSD 2003 also reported that:

"In January [2003], overcrowding was alleviated slightly when President Mugabe issued an amnesty and released about 5,000 prisoners. The amnesty covered females sentenced before 1985; prisoners with unweaned children; women convicted of infanticide, abortion, or concealment of birth; and prisoners aged 60 and above with 1 year or less left of their sentence. Prisoners medically certified to

be terminally ill or have physical disabilities who have 1 year or less to serve also qualified. Habitual criminals serving extended sentences, those awaiting death sentences, those serving sentences imposed by a court martial and escapees were among those who did not qualify. Unlike in previous years, there were no reports that prisoners were denied medication, although some detainees were denied medical attention.” [2d, p. 5]

**5.48** However, IRIN reported on 5 February 2004 that overcrowding was once again a problem for Zimbabwe’s prisons. This was exacerbated by magistrates leaving their poorly paid posts, causing a backlog of unheard cases, leaving inmates on remand for up to four years before their case came to court. In the IRIN report, the Justice Minister, Patrick Chinamasa, admitted that overcrowding was a problem, and stated that his Ministry intended to build seven more prisons. [10e]

**5.49** The Zimbabwe Association for Crime Prevention and Rehabilitation of Offenders (ZARCO) urged the government to expand the open prison system, thought only to be in operation at Connemara Prison in Gweru, according to a report by the Daily News on 29 May 2003. ZARCO also believe that incidences of sodomy, and thus the spread of HIV/AIDS in prisons, could be reduced if conjugal rights of prisoners were recognised. [9bk] The Daily News also reported on 4 October 2002 that overcrowding was thought to be the cause of the deaths of two prisoners in Rusape Prison, Manicaland in early October 2002. Reports claim that 325 prisoners were being detained in the facility, which has a capacity of 100. Further reports claim at least 30 prisoners were immediately transferred to Mutare Prison and a Rusape Magistrate released a further 20 prisoners held for petty crimes. [9ag]

**5.50** Female prisoners are held in separate cellblocks from male prisoners according to USSD 2003. [2d] There was an increase in the number of women imprisoned in 2002, many for crimes of prostitution, fraud, petty theft and abandonment of children. Many women prisoners have to raise their children in prison if they have nobody outside to care for them according to USSD 2002. [2e p. 5]

**5.51** USSD 2003 recorded that although juveniles are generally held separate from the adult prison population, some juveniles, particularly those between the ages of 16-18, were held with adult prisoners for brief periods of time. [2d p. 5]

**5.52** The Daily News also carried a report on 7 August 2003 that food supplies are becoming a problem in Zimbabwean jails, due to severely stretched budgets and a high prison population. One former remand prisoner said that inmates often only received one meal a day. One senior prison official stated that their budgets allow for \$10,000 for food, per prisoner, per month. But with the rising cost of food, this is hardly enough. The official continued, saying that inmates received porridge in the morning and after that it was sadza and boiled vegetables. [9p]

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## **Military Service**

**5.53** The Constitution does not mention conscription and leaves it to Parliament to fix the conditions of service in the armed forces, according to the Zimbabwe Independent on 23 January 2004. According to a government statement in 1997, Zimbabwe does not have compulsory military service. The 1979 National Service Act provides for the introduction of conscription, if considered necessary. [21]

**5.54** Reports by the BBC, Financial Gazette Online and The Guardian, in the run-up to the

presidential election in March 2002, stated that the commander of Zimbabwe's defence forces, General Vitalis Zvinavashe, along with other military and Intelligence officers of senior rank, stated that the military would only obey a political leader who had participated in the 1970s guerrilla war for independence. Zvinavashe's statement was seen as significant as MDC leader Morgan Tsvangirai did not participate in the liberation movement. His statement contradicted earlier statements by the army's public relations directorate rejecting charges that the army was partisan and vowing to serve any elected leader. [3av][34a][37c]

**5.55** According to USSD 2003 "On January 6 and August 27 [2003], a military court charged four army officers with participating in politics. The officers were represented by local attorneys during the proceedings. Two of these officers, Colonel Peter Shoko and Private Biggie Chikanya, were discharged from the army reportedly because they were judged politically unsuitable." [2d p. 7]

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## Medical Services

### General

**5.56** According to a World Bank report on 29 January 1999, the improved health status achieved by Zimbabwe in the immediate years following independence had already begun to deteriorate. Strong government and donor financial support for the health sector in the 1980s led to rapid improvements in health, fertility and nutrition. Emphasis was placed on prevention, primary health care, family planning and child survival interventions. However, by the 1990s health indicators, although high relative to other sub-Saharan African countries, had stagnated or declined. Much of this deterioration can be attributed to HIV/AIDS. Also, economic difficulties resulted in a reduction in real terms in health spending and the pay of health workers in the 1990s. [22]

**5.57** The Economist Intelligence Unit Country Profile 2004 appeared to confirm this view under the heading 'The healthcare system is collapsing':

"The provision of health services improved greatly after independence, although services remained skewed to urban areas. Zimbabwe was named the best health service provider by the World Health Organisation (WHO) in 1985 because of its efficient health delivery system. However, the country's healthcare system collapsed in the 1990s as the government starved the sector of funds. Although the government still provides free healthcare to low-income earners, patients are required to pay for medication, the costs of which have risen quickly in recent years. Much of the equipment in major hospitals is broken or not operating owing to a lack of spare parts, and many drugs are not available now that the Ministry of Health is required to make payments in advance for most products. The service is also seriously undermanned: many doctors and nurses have sought employment abroad as wages have tumbled and conditions deteriorated. In 2000 the WHO ranked the overall efficiency of Zimbabwe's healthcare system as 157th out of the 191 countries covered." [24a p. 27]

**5.58** The World Bank also reported that while HIV/AIDS had had a major negative impact on health indicators, some indices, such as those associated with women's preventative practices, were still impressive. Since 1988, the percentage of women giving birth in a medical facility and the percentage of children fully immunised had remained consistent at 69 % and 68% respectively. Antenatal care coverage had remained constant at over 90%. [22]

**5.59** Heavy increases in the cost of some life-saving drugs were reported in early 2001

according to a report in the Herald. The increases were blamed on the falling value of the Zimbabwean dollar and general inflation in local costs. The price increases, coupled with recent increases in hospital fees, have further pushed the price of health care beyond the reach of many Zimbabweans. [23a]

**5.60** IRIN reported on 23 September 2003 that on 16 September 2003, Bulawayo's major state hospitals announced that they were suspending medical operations for non-life threatening ailments. Officials cited the National Pharmaceutical Company's (NatPharm) inability to provide sufficient drugs, as NatPharm didn't have the foreign currency to import some drugs. [10bo] The following month, again according to IRIN, drug suppliers and pharmacies increased their prices by 1,000%. This put drugs beyond the reach of most Zimbabweans. [10bi]

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## People with Disabilities

**5.61** According to the US State Department Report 2003 the law specifically prohibited discrimination against persons with disabilities in employment, admission to public places, or provision of services; however, in practice the lack of resources for training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulated that government buildings should be accessible to persons with disabilities; however, implementation of this policy had been slow. [2d, p. 21]

**5.62** The Report continued "People with disabilities face particularly harsh customary discrimination. According to traditional belief, people with disabilities are considered bewitched. Children with disabilities are often hidden from sight when visitors arrive. NGOs continue to lobby for albinos to be defined as 'disabled' under the law." [2d, p. 21]

**5.63** The US State Department Report 2001 stated that the Sexual Offences Act, which came into law in August 2001, expanded the definition of sexual offences to include an immoral or indecent act with a person with mental difficulties. [2b p. 22]

**5.64** In March 2004 IRIN reported the chair of the National Disability Board (NDB), Joshua Malinga, as stating, "We were allocated Zim \$5 billion for disability programmes. Zim \$300 million (US\$71,000) will go to advocacy campaigns whose main thrust is to inject a disability dimension in both government thinking and planning – this is to make sure we are included in all government plans and programmes". [10bc]

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## HIV/AIDS

**5.65** According to ZWNews.com on 25 June 2004:

".... Aids is cutting a swathe through southern Africa, but the economic crisis in Zimbabwe is placing the country in a terrible position. Officially around a third of the adult population is HIV positive, but in reality that figure is probably a lot higher. 'The pandemic is really affecting so many people in our country – hundreds are dying in the hospitals on a weekly basis,' said one Zimbabwean aid worker who did not want to be named. 'There's no comparison to the other countries in southern Africa. I think we are way, way, way behind. In fact there are no drugs and there's nothing in place for Aids victims like there are in other African countries.' The anti-retroviral drugs are not available and you have to pay for testing. Where do people get money? There's very little education – and not enough being done for HIV/Aids...." [67d]

**5.66** The ZWNews.com report concluded:

“The economic crisis across Zimbabwe is compounding the problem. This country was once proud of its health system – but doctors and nurses are leaving to live and work abroad. There are anti-retroviral drugs, but they are still far too expensive for all but the elite to afford. Cost means there is no way Zimbabwe can contemplate the kind of drug treatment programme that South Africa is embarking upon. One woman I spoke to found out she was HIV positive a year ago, but still has not told her family. ‘There is so much stigma about the virus here – when I tested positive it was a shock and I cannot tell people,’ she said. Stigma is a problem throughout southern Africa, but in a country where state repression of independent media and any voices of opposition is endemic, it makes things even worse. The situation will improve in Zimbabwe, but this country’s political and economic turmoil will leave a legacy for future generations – at the heart of that legacy will be the damage and the pain caused by the HIV/Aids epidemic.” [67d]

**5.67** An IRIN report on 25 August 2004 states that:

“Official figures indicate that AIDS-related illnesses claim more than 2,500 lives every week. Faced with empty coffers, a fast-crumbling health delivery system, isolation from the international community and shortages of foreign currency to buy drugs, Zimbabwe is grappling with the epidemic that has reduced life expectancy to 35 years. The population of children orphaned by AIDS is estimated to be hovering at above one million.” [10g]

**5.68** The IRIN reports estimates that while almost 25% of the population are HIV positive only 5,000 are on antiretrovirals, with many in rural areas relying on traditional herbal remedies. It also stated that:

“Because of the desperate situation unfolding in rural areas, some NGOs have stepped in with medical assistance: Medecins Sans Frontieres (MSF) intends rolling out ARVs to rural people in Matabeleland in the southwest of the country.”

“At the moment we are setting up an HIV/AIDS project in rural Tsholotsho. Basically, our intention is to start running opportunistic infection clinics, together with the staff from the Ministry of Health and Child Welfare. When that has been done, we will then provide ARVs just to those in need,” said MSF spokesperson, Monique Van de Kar.

“ARVs would initially be available at the Tsholotsho hospital, with three other health centers in the Matabeleland North province – Sipepa, Mkhunzi and Pumula – following suit.” [10g]

**5.69** On 31 March 2003 according to the Foreign and Commonwealth Office ARV drugs were not available through the public health care system. Branded ARVs were available in private pharmacies in the cities but most could not afford them. Access to ARVs depended entirely on ability to pay – some people sold their houses to pay for treatment but even then could only afford a few months supply. Drugs to treat opportunistic infections were generally available but there were sometimes shortages due to lack of foreign currency to pay for them. [13b]

**5.70** On 17 June 2004 IRIN reported that Zimbabwe’s efforts to prevent the transmission of HIV from mothers to their children is being undermined by a limited response to the initiative:

“The government rolled out the first phase of its prevention of mother-to-child transmission (PMTCT) programme in 2002. Currently, out of the 53 district hospitals in the country, 43 have started administering free single doses of the drug Neveripane – which can reduce transmission of the virus by more than half – to HIV-positive expectant mothers.” [10h]

**5.71** The IRIN report continued stating that take-up was disappointing – 35% in 2002, increasing to 56% in 2003, but the number of children coming forward for follow up treatment was only 29%. “The limited response by HIV-positive expectant mothers appears to be rooted in the fear of stigma and discrimination.” [10h]

**5.72** Another IRIN report on 24 June 2004 noted that, “The recently released 2003 Zimbabwean Human Development Report claimed that HIV prevalence in the armed forces far exceeded the general population infection rate of 24.6% in the general population, and three-quarters of soldiers died of AIDS within a year of leaving the army.” [10i]

**5.73** Nearly 80% of all HIV infections in the 15-24 age group were among young women according to an IRIN report on 6 August 2004. The report stated that too much attention was being paid to helping women cope with caring for others at the expense of strategies to prevent they themselves becoming HIV positive. [10k]

**5.74** A 12 August 2004 IRIN report found that little had been done to address the needs of disabled people with regard to HIV/AIDS: “More than 1.2 million people in Zimbabwe are disabled, of which 300,000 are HIV positive. The instructions for the use of condoms have never been distributed in braille for people with visual impairments and no attempts have been made to advertise condoms in sign language for those with hearing difficulties, according to Farai Gasa Mukuta, president of the National Association of Societies for the Care of the Handicapped (NASCOH).” [10o]

**5.75** An FCO communiqué of 14 July 2003 stated that in July 2003 generic ARVs cost approximately Z\$100,000 per month, and patented drugs were between Z\$250,000 and Z\$300,000 per month in the private sector. This made private sector drugs unobtainable to most Zimbabweans. [13a]

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## **Educational System**

**5.76** US State Department 2003 reported that “There was no compulsory education and schooling was not free; because of increased school fees in urban schools and rural secondary schools, enrollment has declined. School fees have risen sharply due to high inflation, resulting in the inability of many families to afford to send all of their children to school. According to the 2002 census data and age-specific population distributions, roughly 72% of school-age children attended school. The highest level achieved by most students was primary level education. The Government established a program of social welfare grants for needy children, including funds to assist them with their education; however, it was underfunded and corruption undermined the beneficiary selection process. The members of selection committees in some communities gave grants to their relatives and friends and denied them to the children of opposition supporters.” [2d, p. 20]

**5.77** According to the Economist Intelligence Unit Country Profile 2004/5:

“The newly independent government invested heavily in education in Zimbabwe in the 1980s and, with the introduction of free primary school education, by 1990 it was

broadly agreed that Zimbabwe had achieved universal primary education. However, even though the country's education system is still widely regarded as among the best in southern Africa and the population is one of the most well-educated in the region, the quality of the education system has come under serious threat recently. This mainly reflects the government's budgetary crisis, the erosion of real incomes and the departure of the best teaching staff to employment both within the region and in the US and Europe (teachers have also been subject to intimidation by the current regime, notably by spells of re-education). While most schools are run by the state, standards have remained best in the private schools, many of which are run by church organisations. In order to ease its financial problems, the government reintroduced fees in the early 1990s and, although these have not kept pace with inflation, the spiralling cost of schooling has hit the poor in that they have had to contribute to books and uniforms. According to the Ministry of Education, despite the introduction of fees the net enrolment rate at primary schools has risen from 82% in 1994 to 92.5% in 2000; according to World Bank data this figure had fallen to 80% in 2001. Up-to-date data on secondary school enrolment rates are much harder to obtain, but the UN Educational, Scientific and Cultural Organisation (UNESCO) estimates that the 1999 enrolment rate was 67% for males and 63% for females. However, with the rapid deterioration of the economy in the last three years, drop-out rates have soared." [24a p. 26]

**5.78** The US State Department Report on Human Rights Practices 2003 recorded that, in most areas, fewer girls than boys attend secondary schools. If a family is unable to pay school fees it is most often girls who have to leave school. The literacy rate for women and girls over the age of 15 is 80%, whereas the male rate is approximately 90%. [2d, p. 20]

**5.79** In March 2004, the Zimbabwe Independent reported that: "In what is seen as a bid by government to advance its political agenda, the Ministry of Education has introduced "National and Strategic Studies" as a subject in institutions of higher learning." The course, an apparent spin off from the National Youth Service training, has been ordered to be compulsory in polytechnics, colleges and universities. Reportedly, a question in 2004's examinations was "Which political party in Zimbabwe represents the interests of imperialists and how must it be viewed by Zimbabweans?". [11f]

**5.80** Kubatana.net carried an article from the Herald on 4 May 2004, which claimed that police officers were used to close 45 schools amid allegations that they had failed to obey an order not to increase fees. About 30,000 children were affected. [55a] The BBC reported on 6 May 2004 that, following the closure of the schools, several head teachers were detained in overnight raids across the country including Harare and Bulawayo. [3jj] By 10 May 2004 IRIN was reporting that 43 of the 45 schools closed were cleared to reopen having reached an accommodation with the education ministry over fees; discussions about the other two were continuing. [10p]

**5.81** On 12 August 2004 IRIN reported that, "President Robert Mugabe on Monday said the government wanted Zimbabwe's universities and tertiary colleges to produce 'graduates that are patriotic and loyal' rather than enemies of the state". The report later quoted Mugabe as saying: "We have noticed in the past that our institutions have produced graduates – should I say graduates? – who have become enemies of the state. We have to reshape and reorientate these 'graduates' to cherish the African personality which Kwame Nkrumah talked about...". The MDC said Mugabe's intention to create loyal graduates would fail. [10q]

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# 6. Human Rights

## 6.A Human Rights Issues

### General

6.1 The US State Department Report 2003 (USSD 2003) reported that:

“The Government’s human rights record remained very poor, and it continued to commit numerous, serious abuses. President Mugabe and his ZANU-PF party used intimidation and violence to maintain political power. A systematic government-sanctioned campaign of violence targeting supporters and potential supporters of the opposition continued during the year. Security forces committed extrajudicial killings. Ruling party supporters and war veterans (an extralegal militia), with material support from the Government, expanded their occupation of commercial farms, and in some cases killed, abducted, tortured, beat, abused, raped, and threatened farm owners, their workers, opposition party members, and other persons believed to be sympathetic to the opposition. There were reports of politically motivated disappearances. Security forces and government youth militias tortured, beat, raped, and otherwise abused persons; some persons died from their injuries. Prison conditions remained harsh and life threatening. Official impunity for ruling party supporters who committed abuses was a problem. Arbitrary arrest and detention and lengthy pre-trial detention remained problems. Infringements on citizens’ privacy continued. The Government continued its far-reaching ‘fast-track’ resettlement program under which nearly all large-scale commercial farms owned by whites were designated for seizure without fair compensation.

“The Government continued to restrict freedom of speech and of the press; closed down the only independent daily newspaper; beat, intimidated, arrested, and prosecuted journalists who published antigovernment articles. Many journalists also practiced self-censorship. The Government continued to restrict academic freedom. The Government restricted freedom of assembly and used force on numerous occasions to disperse nonviolent public meetings and demonstrations. The Government restricted the right of association for political organizations. The Government at times restricted freedom of movement. Hundreds of thousands of farm workers were displaced internally due to the ongoing land resettlement policies, and opposition supporters were displaced by threats of violence. The Government’s Grain Marketing Board (GMB) routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. The Government attacked and arrested members of civil society and human rights nongovernmental organizations (NGOs) and accused the NGOs of sponsoring opposition political activity. Societal violence against women remained widespread, and discrimination against women and persons with disabilities, abuse of children, and child prostitution remained problems. The President and his Government promoted widespread resentment against the white minority. The Government violated worker rights. Child labor, and impressment into the National Youth Service were problems. There were occasional reports of trafficking in persons.” [2d pp. 1-2]

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### Freedom of Speech and the Media

**6.2** The Committee to Protect Journalists in their report Attacks on the Press 2003 stated that:

“Despite widespread international criticism of Zimbabwe’s appalling human rights record, President Robert Mugabe and his ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) continued to silence voices of dissent in 2003. During the last four years, the government has pursued a relentless crackdown on the private press through harassment, censorship, and restrictive legislation. 2003 saw the most significant blow to press freedom yet, with authorities shutting the Daily News, Zimbabwe’s only independent daily and one of the most persistent critics of the Mugabe regime.” [30a]

**6.3** This view was echoed by the US State Department Report 2003:

“The Constitution provides for freedom of expression; however, legislation limits this freedom in the ‘interest of defense, public safety, public order, state economic interests, public morality, and public health,’ and the Government restricted this right in practice. The Media and Information Commission (MIC) closed the only independent daily newspaper, the Daily News. Police, CIO agents, and ruling party supporters harassed, intimidated, and beat journalists. Security forces arbitrarily detained journalists and refused to investigate or punish security force members who tortured journalists. Journalists practiced self-censorship.

“The Government was increasingly intolerant, especially of reports perceived to be critical of the security forces. Clause 15 of POSA, enacted in January 2002 makes it an offense to publish or communicate false statements prejudicial to the state. Legal experts have criticized this section saying that it imposes limits on freedom of expression beyond those permitted by the Constitution. Clause 16 of POSA also makes it an offense to make statements that will engender feelings of hostility towards the President. An extremely broad Official Secrets Act makes it a crime to divulge any information acquired in the course of official duties. In addition, anti-defamation laws criminalize libel of both public and private persons.” [2d p. 8]

**6.4** USSD 2003 also went on to report that the Access to Information and Protection of Privacy Act (AIPPA) had been heavily criticised, “Section 81 of the Act also makes it an offense for journalists to submit a story that already was published by another mass media service without the permission of the owner of that service. Journalists also were prohibited from falsifying or fabricating information, publishing rumors or falsehoods, and collecting and disseminating information for another person without the permission of their employer. Under the AIPPA, mass media companies must pay prohibitively expensive application fees.” [2d p. 8]

**6.5** It was under AIPPA that, according to the Committee to Protect Journalists (CPJ) report Attacks on the Press 2003, “On September 11, Zimbabwe’s Supreme Court declared that the Daily News was violating provisions of the repressive Access to Information and Protection of Privacy Act (AIPPA)....” AIPPA requires all media companies to register with the Media and Information Commission (MIC) and individual journalists to be accredited by it. The Daily News’s owners, Associated Newspapers of Zimbabwe did not do so and mounted a legal challenge against the constitutionality of the legislation. [30a]

**6.6** The CPJ report continued:

"In a peculiar turn of legal reasoning, the court said that because ANZ had not registered with the commission, it was 'operating outside the law,' and that the court would only hear the company's constitutional challenge once it had registered.

"On September 12, police raided the newspaper's offices and ordered all journalists to leave the building, using the Supreme Court's declaration as a pretext. On September 15, the Daily News filed an application to register with the MIC. The following day, security agents raided the newspaper's offices again, confiscating computers and equipment. The agents did not have a warrant, and the Daily News legal adviser said the police were acting illegally since the newspaper had not been convicted of any offense. The High Court ruled on September 18 that the newspaper could resume publishing, and staff began work on a new edition. Nevertheless, police closed the paper's offices the same day.

"The following months saw frenetic legal manoeuvring by both the government and the ANZ, but authorities demonstrated a singular determination to keep the paper off the market. Though Administrative Court judges twice ordered the MIC to register the Daily News and allow the paper to reopen, as soon as journalists went back to work, police closed the offices. Meanwhile, authorities arrested ANZ's directors in September and October and charged them with publishing a newspaper without a license. Police also began charging Daily News journalists for practicing journalism without accreditation. The journalists had applied for accreditation earlier in the year but were denied on the basis that they were working for an unregistered publication. Throughout 2003, Daily News reporters were denied access to Parliament and State House press briefings. At year's end, 16 journalists had been charged, and their cases were pending." [30a]

**6.7** The BBC reported on 9 January 2004 that following another court ruling on 24 October 2003 stating that the Daily News should be licensed, the paper was back on the streets the following day. However, it was immediately shut down and later, on the 19 December 2003, police occupied the Daily News' offices again. A further court order on 21 January 2004 forced the police out, and on 22 January 2004 the paper was back on sale. [3k] However, on 6 February 2004, the BBC reported that the Supreme Court upheld the government's right to stop journalists who are not accredited to MIC from working. This meant that the Daily News was once again unable to publish. [3x]

**6.8** On 9 June 2004, ZWNews.com reported that the publisher and three news directors of the Daily News had pleaded not guilty to charges of publishing without a license. The charges related to the decision to resume publication of the Daily News in October 2003 after it had been shut down. The four were Samuel Nkomo, Rachel Kupara, Michael Mattinson and Brian Mutsau. [67e]

**6.9** The Daily News reported on 19 July 2004 that an ex-judge had claimed that he had been offered a farm by a businessman with strong links to the government if he upheld the decision to close down Associated Newspapers of Zimbabwe (ANZ), publishers of the Daily News and Daily News on Sunday. Michael Majuru claimed that he was pressurised by Justice Minister Patrick Chinamasa to delay the case and throw it out. The judge, now in self-imposed exile, ruled in favour of ANZ on 24 October 2003: Majuru had to withdraw from the case when he was accused by government controlled media of telling a member of the public he intended to find in favour of ANZ. [58a]

**6.10** The Tribune newspaper was suspended from publishing for one year in June 2004

for not reporting ownership changes as required by AIPPA, according to an IRIN report on 21 July 2004. An application to have the ban overturned was rejected by the courts on 21 July 2004. [10r]

**6.11** The US State Department Report 2003 reported that

“Several major daily newspapers and one local-language tabloid belonged to the Mass Media Trust (MMT), a holding company heavily influenced by the ZANU-PF. The Government, through the MMT, controlled two daily newspapers, the Chronicle and the Herald. The news coverage in these newspapers generally focused on the activities of government officials, neglected opposition parties and other antigovernment groups, and also downplayed events or information that reflected adversely on the Government. The government-controlled media always portrayed President Mugabe and the Government favorably. The Minister for Information and Publicity controlled the Zimbabwe Inter-Africa News Agency wire service.

“In addition to the Daily News, which had the nation’s largest circulation until its Government closing, there were three independent major weeklies (the Financial Gazette, the Independent, and the Standard), and three monthlies that continued to operate despite threats and pressure from the Government. The major independent newspapers continued to monitor government policies and publish opposition critics, but most of them also continued to exercise self-censorship in reporting due to growing government intimidation and the continuing prospect of prosecution under criminal libel and security laws.” [2d p. 10]

**6.12** According to the US State Department Report 2003

“Radio remained the most important medium of public communication, particularly for the majority of the population living in rural areas. The Government continued to control all domestic radio broadcasting stations through the state-owned Zimbabwe Broadcasting Corporation (ZBC), supervised by the Minister for Information and Publicity in the President’s Office. There were credible reports that the Minister routinely reviewed ZBC news and repeatedly excised reports on the activities of groups and organizations opposed to or critical of the Government. There were only two independent short wave radio broadcasts in the country during the year; however, it was unclear how many citizens could actually listen to short wave broadcasts. Voice of America (VOA) broadcast a 1-hour program five times a week on short wave and AM featuring interviews with local opinion makers on a range of topics in English, Shona, and Ndebele. Short Wave Radio Africa broadcast daily from the United Kingdom, using local sources and reporters.” [2d p. 10]

**6.13** USSD 2003 also reported that international television broadcasts are freely available through private cable and satellite firms, though few people had the foreign currency needed to pay for them. [2d p. 10]

**6.14** According to USSD 2003:

“The 2001 Broadcasting Services Act – passed despite the fact that Parliament’s legal committee found the bill to be unconstitutional – gives the Minister of Information final authority in issuing and revoking broadcasting licenses. The Act allows for one independent radio broadcaster and one independent television broadcaster but requires them to broadcast with a government-controlled signal carrier. Legal rights

groups criticized the Act for limiting free speech.” [2d p. 10]

**6.15** The Daily News reported on 1 April 2003 that Radio Dialogue, a community based station, was denied a licence by the Information Minister, Jonathan Moyo, before it even applied for one. The station held a workshop in Bulawayo in late March 2003 to explore ways to successfully lobby for a licence. Zimbabwe is one of the few countries in Africa that does not have a community radio station. [9ca]

**6.16** According to USSD 2003:

“The Government did not restrict access to the Internet, and there were many privately owned domestic Internet service providers (ISPs); however, the law permits the Government to monitor all international e-mail messages entering and leaving the country. The 2002 arrests of journalist Andrew Meldrum and human rights activist Frances Lovemore were because of articles published on the Internet.” [2d p. 10]

**6.17** According to the BBC on 21 November 2003, the State owned Herald newspaper reported that 14 people were arrested in November 2003 for “circulating an e-mail calling for protests to oust President Robert Mugabe”. The Herald reported that the e-mails allegedly urged people to participate in “violent demonstrations and strikes to push Robert Mugabe out of office”. It is not known how the police learned of the e-mails. The BBC reported that “a senior official from a Zimbabwean Internet service provider told BBC News Online that he did not believe that the security services had obtained the cyber-monitoring equipment they have been seeking”, and that “the e-mail had probably been forwarded to someone who sent it to the authorities”. [3bg]

**6.18** However, in March 2004, the Zimbabwean paper, The Daily Mirror, reported that the Supreme Court had declared that powers to eavesdrop, intercept mail, phone calls and e-mail were unconstitutional. Lawyers for the Law Society of Zimbabwe argued that the Posts and Telecommunications (PTC) Act violated Section 20 of the constitution. Section 20 safeguards the freedom of speech and expression. [69a]

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## Journalists

**6.19** According to USSD 2003:

“The Constitution provides for freedom of expression; however, legislation limits this freedom in the ‘interest of defense, public safety, public order, state economic interests, public morality, and public health,’ and the Government restricted this right in practice. The Media and Information Commission (MIC) closed the only independent daily newspaper, the Daily News. Police, CIO agents, and ruling party supporters harassed, intimidated, and beat journalists. Security forces arbitrarily detained journalists and refused to investigate or punish security force members who tortured journalists. Journalists practiced self-censorship.” [2d p. 8]

**6.20** On 20 and 24 March 2003 the Daily News reported that Gugulethu Moyo, Corporate Affairs director of Associated newspapers of Zimbabwe (ANZ), was detained on 18 March 2003 after going to the Glen View Police station with lawyer Alec Muchadehama to secure the release of Philemon Bulawayo, a Daily News photographer. According to Moyo, after witnessing acts of police brutality, she was verbally abused and physically assaulted by Joyce Chiwenga, wife of the Commander of the Zimbabwean Army. Despite being a civilian,

Chiwenga ordered soldiers to assault Moyo. Chiwenga and at least one other soldier boasted about how they could kill Moyo with impunity. After searching Moyo's bag Chiwenga found a library card, for the British Council's facility. This appeared to be evidence enough for Chiwenga that Moyo wasn't a member of a library, but in fact a British spy. [9bw][9bx]

**6.21** The Daily News reported on 25 March 2003 that its reporter Lloyd Mudiwa and former editor Geoffrey Nyarota were arrested and charged under Section 80 of the AIPPA. [9by] According to the Financial Gazette 7 May 2003, Section 80 criminalises the publication of any story deemed false. [37n] However, in late March 2003 Mudiwa was made a free man following Magistrate Sandra Nhau's conclusion that this piece of legislation is unlikely to survive a constitutional challenge in the Supreme Court according to the Daily News on 25 March 2003. Nhau refused to place Mudiwa under further remand as the Information Minister, Jonathan Moyo had also said that Section 80 is in conflict with the constitution and is to be amended. [9by]

**6.22** Daily News on Sunday editor, Bill Saidi, was arrested on 24 June 2003 for a story that appeared in the Daily News last year, whilst he was an assistant editor. Saidi was charged under the POSA legislation for allegedly publishing a false story, a charge which he denies. Saidi stated that the police officers were reasonably friendly and did not harass him at all. [9av]

**6.23** According to the Daily News, Flata Kavinga was admitted to Kwekwe general hospital for two days in August 2003 after being attacked by suspected ZANU-PF youths. The youths accused the paper Kavinga worked for, the Midlands Observer, as being anti-ZANU-PF. Kavinga was attacked with logs and iron bars. [9bq]

**6.24** Whilst covering the NCA demonstrations in mid-October 2003, Blessing Zulu of the Zimbabwe Independent was arrested with three other newspaper employees. However, according to the Zimbabwe Independent on 24 October 2003, two of the three were from the state owned paper, The Herald, and police quickly arranged for their release. The paper also stated that Zulu was beaten with a baton by the police. [11k] Similarly, allAfrica.com reported on 20 November 2003 that, whilst covering the ZCTU demonstrations in Harare a month later, Shadreck Pongo – a photojournalist with The Standard, was apprehended, put into the back of a police vehicle and was severely assaulted. The police reportedly dumped Pongo at the city's outskirts, leaving him in need of medical treatment. Pongo also had his camera destroyed. [17b]

**6.25** According to the Media Institute of Southern Africa (MISA); "On 30 November, Bright Chibvuri, the news editor of The Worker newspaper, was kidnapped by alleged Zimbabwe African National Union Patriotic Front (ZANU-PF) youths and state security agents in Kadoma – approximately 292 kilometres from the capital Harare – while covering a parliamentary by-election." Chibvuri claimed he was beaten by the youths in the presence of police officers, and was detained over night in a bakery, seemingly owned by one of the youth leaders. Although Chibvuri was told by the youth leader that the CIO had his equipment, the CIO denied this. [17c]

**6.26** Reporters Sans Frontiers claimed that the media crackdown in Zimbabwe is getting worse. On 10 June 2003, they released a statement condemning the arrest and subsequent assault by War Veterans and ZANU-PF youths of Shorai Katiwa and Martin Chimenya of the Voice of the People (VOP) radio station. The two were seized by the War Vets and youths on 2 June 2003, interrogated and robbed of their mobile phones and tape recorders before being handed over to the police. After further questioning and the confiscation of some VOP property, the journalists were released and the property

returned. [44a]

**6.27** On 8 December 2003, Voice of the People (VOP) journalist Martin Chimanya, was detained by CIO agents at his home. Chimanya was later charged under Section 79 (1) of the AIPPA, and bailed the next day. According to the MISA report, Chimanya said that he “was not harassed or beaten”. [17d]

**6.28** The Zimbabwe Human Rights NGO reported in its Monthly Political Violence Report for January 2004 that:

“On 10 January 2004, the editor, Iden Wetherall, editor, Vincent Kahiya and chief reporter Dumisani Muleya of the Zimbabwe Independent, a weekly newspaper, were arrested and detained for two nights by the Zimbabwe Republic Police. The three subsequently appeared before a Harare magistrate charged with criminal defamation for reporting that the President had commandeered a plane from the national airline to travel to the Far East on personal business. The fact that the plane had carried the President to the Far East was not disputed, however, the trio were arrested for having used the word “commandeered” in their story. They were released on ZW\$20 000 bail each. These arrests exemplify the limitations to freedom of expression that prevail in Zimbabwe today.” [35a]

**6.29** In January 2004, three journalists from the Zimbabwe Independent were arrested under common law after reporting that Mugabe commandeered an Air Zimbabwe aircraft, leaving the scheduled passengers stranded. A BBC report stated “Editor Iden Wetherell, news editor Vincent Kahiya and reporter Dumisani Muleya were detained on Saturday, after the weekly newspaper had published a story headlined, ‘Mugabe grabs plane for Far East holiday’. They are accused of criminally defaming Robert Mugabe”. The report also stated that, ‘The editor and two reporters from the Zimbabwe Independent were granted bail of \$25 at the official rate or \$4 at the parallel rate.’ [3at]

**6.30** IRIN reported on 12 July 2004, that former employees of the Daily News, the Daily News on Sunday and The Tribune, all of which were closed down under AIPPA, are living in near destitution. Many were suffering from stress related illnesses but because they were unemployed were unable to afford treatment. [10v]

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## **Freedom of Religion**

**6.31** According to the US State Department Report 2003:

“The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions.” [2d p. 12]

**6.32** USSD Religious Freedom Report 2003 published in September 2004 stated that:

“There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Government and the religious communities historically have had good relations; however, as in previous years, the Government was critical of and harassed religious leaders who spoke out against the Government’s ongoing

campaign of violent intimidation against opposition supporters. Church leaders and members who criticized the Government faced arrest and detention.” [2a p. 1]

**6.33** USSD 2003 gave a number of examples:

On February 13 the prevention by police of a public meeting at the Northside Community Church in Harare. The president of the Evangelical Fellowship of Zimbabwe (EFZ), Bishop Trevor Manhanga, and seven other people were arrested and detained for several hours.

On February 28, 21 pastors were arrested and detained attempting to deliver a petition against the misuse of police power.

Anonymous death threats and intimidating visits by suspected officers from the CIO against Archbishop Pius Ncube of Bulawayo. [2d pp. 12-13]

**6.34** According to USSD 2003, the Government does not require religious institutions to be registered; however, religious organizations that run schools or medical facilities must register those specific institutions with the appropriate ministry involved in regulating those areas. [2d pp. 12-13]

**6.35** USSD 2003 also reported that:

“There was some tension between the Government and some of the indigenous African churches, and between mainstream Christian churches and practitioners of traditional indigenous religions, because of the latters’ preference for prayer over medical practices that resulted in the reduction of avoidable childhood diseases and deaths. Some members of the indigenous churches believed in healing through prayer only and refused to have their children vaccinated or treated. Human rights activists also criticized these indigenous churches for their sanctioning of marriages for underage girls.” [2d pp. 12-13]

**6.36** And that:

“Muslims complained of discrimination by private employers who refuse to allow them sufficient time to worship at their mosques on Fridays.” [2d pp. 12-13]

**6.37** The US State Department Religious Freedom Report 2003 stated that, “The government permits religious education in private schools. There are Islamic and Hebrew primary and secondary schools in the major urban areas, particularly Harare and Bulawayo”. [2a p. 2] However, in early August 2003 the Daily News reported that a local Muslim group, the Islamic Convent of the Strict Observance (ICSO) of Harare, sent an ultimatum to the government demanding the amendment of the current Christian biased curriculum. If this did not happen within 60 days, the organisation would lodge an application with the Supreme Court seeking a declaration that teaching Christian subjects and reciting the Lord’s Prayer are unconstitutional. Non-Christian students are exempt from attending lessons concerning Christianity. However, at Grade 7, students are expected to sit examinations relating to Christianity. [90]

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## **Religious Groups**

**6.38** According to the US State Department Religious Freedom Report 2003, estimates of

the percentage of the population that is Christian vary between 60% to 70%. Of these, 17 to 27% identify themselves as Roman Catholics. There is a small Muslim population, estimated at less than 1% of the population and comprising mainly Asian Zimbabweans. “There are 18 mosques in Harare and 8 in Bulawayo”. Most major urban areas have a mosque and there are some in the rural areas also. In recent years Muslims had begun proselytising among the black population with some success. Mugabe had expressed scepticism about the increasing membership of evangelical and indigenous churches and had indicated that he believes that they could be subversive. According to press reports, Mugabe had refused to meet with bishops from indigenous churches since 1997. [2a p. 1]

**6.39** There were continuing reports in 2003 of tensions between mainstream Christian churches and practitioners of traditional indigenous religions according to the US State Department Religious Freedom Report. Gordon Chavanduka, chairman of ZINATHA (an organisation that represents traditional indigenous churches), was reported as stating that black-market demand for human body parts used in making potions had increased greatly in recent years. The Government actively enforces the law against ritual murders but there were no reports of murders of children for body parts during the year. [2a p. 5]

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### **Freedom of Association and Assembly**

**6.40** According to the US State Department Report 2003:

“The Constitution provides for freedom of assembly; however, the Government restricted this right in practice through laws such as the POSA. Many legal experts believed that the restrictions imposed by POSA on an individual’s right to freedom of assembly were unconstitutional. The police repeatedly used force to break up non violent demonstrations by its critics and erect roadblocks in urban areas to prevent public gatherings from taking place. Although permits were not required for meetings or processions, the POSA requires organizers to notify the police of their intentions to hold a public gathering 7 days in advance. Failure to do so would result in criminal prosecution as well as civil liability. Although most groups that conducted meetings did not seek permits, some groups informed the police of their planned events and were denied permission, or their requests went unanswered. Police insisted that their permission was required to hold public gatherings, and they disrupted many events whether or not permission had been sought. Police frequently refused to permit campaign rallies and meetings by the MDC during the periods preceding local and parliamentary by-elections, and during MDC-led work stoppages.” [2d p. 12]

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### **Public Order and Security Act**

**6.41** The Human Rights NGO Forum and the Daily News reported in May 2002 that on the 22 January 2002 the Public Order and Security Act (POSA) was to replace the Law and Order Maintenance Act (LOMA) which was introduced in 1960 by the colonial regime as a tool to thwart Black Nationalist movements. [35] Despite this, according to a report in Africa News on 22 November 2001, POSA takes much of its content from the discredited LOMA. [55] According to The Human Rights NGO Forum and Africa News, POSA was seen as an attempt to prevent the MDC holding political gatherings ahead of the March 2002 Presidential election. [55][35] Human Rights NGO Forum also reported that it hindered the training and deployment of MDC election monitors. [35]

**6.42** The Zimbabwe Human Rights NGO Forum report Human Rights and Zimbabwe's Presidential Election outlined the major points of POSA:

- "(i) Prohibited public statements or behaviour causing people to hate, ridicule, be hostile to or contemptuous of the person or Office of (acting) State President. Penalty – Z\$20 000 and/or one year imprisonment.
- (ii) Prohibited abusive, indecent, obscene and/or false public statements causing people to be hostile to or contemptuous or disrespectful of the police. Penalty – Z\$20 000 and/or two years imprisonment.
- (iii) Prohibited untrue statements which the author realised might incite or encourage public disorder or violence, negatively affect Zimbabwe's defence or economy, undermine public confidence in the police, prisons or defence force, or interfere with specified essential services.  
Penalty – Z\$100 000 fine and/or five years imprisonment.
- (iv) Prohibited planned or spontaneous public association likely to disturb the peace by force, obscenity, abuse, threat or insult; together with public statements likely to make anyone hate or despise any section of Zimbabwean society because of their race, tribe, religion or gender.  
Penalty – Z\$50 000 and/or imprisonment for 10 years.
- (v) Required four days advance notice to (not permission of) the police for any public gathering.  
Penalty – Z\$10 000 and/or six months imprisonment, plus personal liability to compensate for any personal injury and/or damage to private property.
- (vi) Gave the police power to prohibit any public gathering they reasonably believe would result in public violence (even though police permission is not required to hold any gathering); to disperse such a gathering; and to cordon and search any area at any time.  
Penalty for entering or leaving a cordoned area without written police permission– Z\$10 000 and/or six months imprisonment.
- (vii) Gave the police power to demand from anyone in public space their identity document.  
Penalty – seven days to produce identity documents at the nearest police station, or detention by the police until identity is proved." [35i p. 2]

**6.43** According to the same source, by May 2002 the Act had been used to ban or disrupt 83 MDC rallies, in addition to Morgan Tsvangirai's briefing with Harare diplomats and foreign observers. Also some training sessions for polling agents were disrupted by the police who classified them as political rather than educational meetings. In what is described as a clear act of partisan policing, a National Constitutional Assembly (NCA) march in February 2002 was dispersed and a violent ZANU-PF march in the same month was given an escort by riot police. [35i p. 2]

**6.44** A Daily News report stated that on 14 February 2003 the High Court barred the MDC from holding a rally at the White City stadium in Bulawayo. Morgan Tsvangirai the MDC leader, Gibson Sibanda, the vice-president and Welshman Ncube the secretary-general were

all billed to speak. The police blocked the move under the POSA legislation, saying that they did not have enough manpower to police the rally due to commitments for the Cricket World Cup. [9cd]

**6.45** A Daily News report of 20 February stated that on 17 February 2003, three student leaders from the Great Zimbabwe University, who were arrested under the POSA legislation on 22 November 2002 for causing disturbances, were acquitted. The state alleged that the three, Emmanuel Saurombe, Trevor Jakachira and Brian Gwinji organised a demonstration of about 150 students who subsequently caused Z\$463,749 of damage to the campus. [9cg]

**6.46** By 13 March 2003, according to the Daily News on 14 March 2003, with the strike still unresolved and the University of Zimbabwe closed indefinitely. 700 lecturers remain on strike and there is no solution in sight. Students were given until 6pm of 14 March to vacate the University. [9cf]

**6.47** The Daily News reported on 29 May 2003, that during a meeting at the Workington power plant, 70 striking Zimbabwe Electricity Supply Authority (ZESA) workers were seriously assaulted by riot police. The incident, which occurred on 28 May 2003, was a response to the strike which had been declared illegal a week earlier by the Labour Court. However, the workers claim that their grievances had still not been dealt with and were waiting to be addressed by management when the police attacked. [9q]

**6.48** A Daily News report on 6 June 2003 stated that police in Chinhoyi prevented the MDC from holding a rally scheduled for 7 June 2003 in Chinhoyi stadium, citing security concerns. The rally had initially been given the go-ahead by police, but the decision was reversed on 4 June. Morgan Tsvangirai the President of the MDC, Gibson Sibanda his deputy, and Welshman Ncube, the party's Secretary General, were due to address the rally. [9bi]

**6.49** According to the Daily News, 7 June 2003, numerous demonstrations were prevented from happening by state security forces and ZANU-PF youths on 6 June. The demonstrations were due to take place as a conclusion to the five day long mass action initiated in 2 June. [9bu]

**6.50** A Daily News report stated on 4 July 2003, that the National Constitutional Assembly (NCA) were barred from holding its regional convention on 5 July 20003 in Masvingo, as Robert Mugabe was holding a rally in Chivi, 70 kilometres away. The NCA said that they would press ahead with their convention irrespective of the police order. [9ax]

**6.51** IRIN reported on 16 February 2004, that police prevented a demonstration by the Women of Zimbabwe Arise (WOZA) group. No arrests or beatings occurred. The same demonstration the previous year resulted in 70 members of WOZA being arrested. [10be]

**6.52** On 6 August 2004 the BBC reported a Morgan Tsvangirai spokesman as saying, "In the past 10 days, the Zimbabwe Republic Police have barred Morgan Tsvangirai from addressing 11 meetings convened for grassroots officials". The MDC claim that the police were interpreting new security laws to mean that their permission was needed if more than three people meet, even in the house of a party official. [3f]

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## Political Activists

**6.53** USSD 2003 reported that:

“The Constitution provides for freedom of association for political and nonpolitical organizations, including a broad spectrum of economic, social, and professional groups; however, the Government restricted this right in practice for political organizations. Organizations generally were free of governmental interference as long as their activities were viewed as nonpolitical. ZANU-PF supporters, supplied with government vehicles and money, killed, tortured, beat, and otherwise abused persons perceived to be associated with the opposition....” [2d p. 12]

**6.54** USSD 2003 also stated that human rights groups reported systematic mass physical and psychological torture by government supporters throughout the country and that pro-ZANU-PF supporters set up torture chambers in government-funded buildings. USSD 2003 also stated that: “Many persons perceived as supporting the opposition, including teachers, civil servants, health workers, and laborers, were singled out for assault or intimidation by ruling party supporters.” [2d p. 4] However, “Unlike in the previous year, there were no reports that war veterans and other ZANU-PF supporters conducted “pungwes” (forced nightly political gatherings) in rural areas.” [2d p. 5]

**6.55** The report also stated that:

“According to the human rights NGOs, over 100 MDC supporters were displaced internally during the year; however, the number of unreported cases likely was higher. It was unknown how many of the approximately 70,000 displaced during the 2002 presidential elections remained displaced at year’s end. Sometimes war veterans in local government positions applied pressure on local chiefs to order the expulsions of certain individuals” [2d p. 15]

**6.56** A BBC report on 20 February 2003 stated that the MDC claimed that 227 of their activists had been abducted and beaten during 2002. [3m] During 2003, the Zimbabwe Human Rights Forum recorded 52 abduction/kidnapping, 388 assaults, 10 attempted murders, 80 death threats, 10 murders, 4 disappearances, 208 displacements, 809 infringements of freedoms of expression/association/movement, 6 rapes, 497 counts of torture, 579 unlawful arrests and 168 unlawful detentions. All of these crime were believed to be politically motivated. [35d]

**6.57** On 17 May 2004 the Independent reported that two opposition activists, who had subsequently been released, had claimed to have been detained by police when trying to file a complaint that they had been abducted by ZANU-PF militants in the Lupane constituency in the run-up to the Lupane by-election. Morgan Tsvangirai claimed the two had been held and tortured by self-styled war of independence guerillas. [3c]

**6.58** According to a report by Zimbabwe Online on 31 July, “A parliamentarian of the Zimbabwe opposition Movement for Democratic change (MDC), Roy Bennett, is facing a one year jail sentence, following a recommendation by the parliamentary privileges committee.” The sentence results from a scuffle in parliament in which Bennett retaliated against insults by Justice, Legal and Parliamentary Affairs Minister, Patrick Chinamasa. The views of the committee’s four ZANU-PF members prevailed against those of the two MDC members. Bennett faces losing his seat if he is sentenced to more than six months. [49c]

**6.59** A BBC report on 10 August 2004 stated that, “A British-based lobby group has

accused Zimbabwe's government of carrying out a systematic campaign of violence and torture against its opponents...." The report refers to documented examples compiled by local human rights groups of nearly 9,000 violations in Zimbabwe from the year 2001 to 2003. "It covers incidents such as torture, abduction and murder." [3p]

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### **Reports of Incidents of Political Violence in 2004**

**6.60** The following reports are extracts from the Monthly Political Violence reports of the Zimbabwe Human Rights NGO Forum. The Forum has been monitoring political violence in Zimbabwe since the June 2000 parliamentary elections and full details of reported incidents can be found at:

[http://www.hrforumzim.com/frames/inside\\_frame\\_monthly.htm](http://www.hrforumzim.com/frames/inside_frame_monthly.htm)

#### **6.61 January 2004**

"Victimisation and intimidation on the basis of one's political affiliation continue to be commonplace in Zimbabwe. Leaders of political parties and high level Government officials have failed to encourage tolerance amongst their supporters. Instead, statements have been made that overtly foster prejudices and violate the right to freedom of association. In Gutu North (MASVINGO PROVINCE), Vice President, Joseph Msika was reported as having labelled MDC supporters as "sell-outs, sponsored stooges and anti-revolutionaries" addressed villagers at Zvavahera Business Centre. Ngoni Mudzamiri asserts that he was abducted from Matizha Shopping Centre in Gutu North by ZANU PF youths in a truck. He was reportedly hauled into the back of the truck, driven around the constituency and beaten all over the body along the way. He alleges that the assailants later took him to Mupandawana where he was beaten until he fell unconscious. He was apparently attacked because he was wearing a MDC t-shirt. HK, MDC Murehwa South District Coordinator, and his brother AK, allege that they were attacked at home by ZANU PF youths on the basis of their political affiliation with the MDC. The youths were reportedly moving about in a truck with the inscription "ZANU PF MASHONALAND EAST".

"Violence broke out in Shamva constituency (MASHONALAND CENTRAL PROVINCE) where several MDC supporters were reportedly beaten by ZANU PF youths for being supporters of the MDC. Some were seriously injured while Alexander Chigega reportedly died of the injuries he sustained in an assault on 4 January 2004. Chigega was reportedly attacked by a gang of about 30 ZANU PF supporters while he was at home in Chief Mutumba's Village, Madziva. The youths, who are alleged to have been on a rampage against MDC supporters in the area, arrived at the victim's house, called him out and threatened to burn the house. His wife asserts that the youths attacked Chigega with stones, dragged him out of the house, and then beaten him on the back with logs. When she tried to shield him, she claims she was also beaten by the youths and she fell to the ground. Chigega died on the way to the hospital as he was being ferried there by a relative. Chigega's wife identified Ogi Munetsi, Milton Kande, Harrison Zuze, Munyaradzi Chigega, Never Chigega and Mrs. Mishamiviri, all from their village, as being amongst the perpetrators. There have reportedly been no arrests to date. Two of the perpetrators, Never Chigega and Mrs Mishamiviri, were also named as perpetrators in incidents of political violence in the run up to the Presidential Elections of March 2002. They appear to continue to be involved in incidents of political violence without consequence...."

“In Gutu North, Crispa Musoni, the MDC candidate for the constituency, alleged that he was unable to conduct a campaign without hindrance. Musoni was reportedly denied police clearance to hold rallies and alleged that those who were associated with his campaign were subsequently tracked down for purposes of retribution. The Human Rights Forum notes with concern the failure by the responsible authorities to ensure an environment in which the opposition would be able to campaign meaningfully. In contrast the ruling party, ZANU PF, candidate was reportedly able to campaign without interference throughout Gutu North.” [35a]

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#### **6.62 February 2004**

“National Constitutional Assembly (NCA) held a demonstration to call for a new constitution outside Parliament on 4 February 2004. The police stopped the demonstration and the demonstrators were arrested and subjected to varying forms of torture. NCA Chairperson, Lovemore Madhuku and 8 other members of the NCA, were reportedly abducted by ZRP officers from outside Parliament where they were had been rounded up. The victims were taken away in a police Defender truck and were dropped off in different areas in and around town. The police reportedly proceeded with Madhuku alone. He claims that the police severely assaulted him with baton sticks and clenched fists before they dumped him at a rubbish dump site near the National Sports Stadium on the outskirts of the city centre. Madhuku reportedly had difficulties breathing after the assault. Madhuku claims that the police called him stubborn and said that he had to be eliminated.

“The police continue to prevent members of the NCA from exercising their rights to freedom of association, assembly and expression by routinely arresting them and assaulting them whenever they attempt to hold a peaceful demonstration. The police reportedly assaulted sixty-six other NCA demonstrators with baton sticks while some had dogs set upon them at the time of their arrest. Setting dogs upon the demonstrators is cruel and inhuman and must be strongly condemned. DG, NM, JM, TM and other demonstrators had dogs set upon them. TM was reportedly bitten by one of them on her left arm. JM alleges that a dog was instructed to bite her on the right hand and that the dog only let go of her when it was ordered to do so. EP, who reportedly fell face down and was bitten by a police dog on her right arm as she was lying on the ground....”

“Violence continues to be commonplace on Charleswood Estate, which belongs to Roy Bennet (MDC MP for Chimanimani – MANICALAND PROVINCE). Farm workers at Charleswood have been consistently victimised on the basis that they work for an MDC MP. Shemi Chimbarara, a farm worker at Charleswood Estate, reportedly died when he was shot by a soldier settled at the farm. JK, also a farm worker at Charleswood, was reportedly shot in the knee as he was running away from the soldier. JK was taken to SASU Hospital in Mutare for treatment the following morning, while the body of the deceased Shemi Chimbarara was taken to Chimanimani Hospital Mortuary by the police. Chamunorwa Muusha, a war veteran settled at Charleswood reportedly raped a farm worker from the farm on 6 February 2004. MC, VN and SC were reportedly abducted by ZANU PF supporters and taken to Muusha’s homestead. The three were allegedly subjected to assaults and were forced to run around in circles then bound to a tree with a leather rope by their necks. The rope around their necks was then untied and they were further assaulted with a rubber whip all over their bodies for about 3 hours. VN was

reportedly assaulted on the back and buttocks, and was ordered to stop working for Roy Bennet and work for Chamunorwa Muusha instead. SC was reportedly severely beaten on her head, back, buttocks and thighs. VN alleges that she was later taken to Chamunorwa's bedroom for sweeping as she had been ordered to, and that Chamunorwa fondled her as well. She alleges that Chamunorwa slapped her in the face when she declined his advances. VN claims that she fell down and Chamunorwa raped her twice, at around 21:00 hours and then again at about 02:00 hours.” [3]

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#### **6.63 March 2004**

“Inter-party violence prevailed throughout the campaign period or the Zengeza by-election held from 27–28 March 2004. Seventy-five percent of the politically motivated assaults that were perpetrated in March 2004 occurred in Zengeza constituency during the campaign period. There are allegations that Christopher Chigumba (ZANU PF candidate, Zengeza by-election) was involved in intimidation of MDC supporters. CT, the MDC Chairperson, Ward 20, in Zengeza was reportedly visited at his home by ZANU PF supporters who had earlier attacked his home in the company of two senior officials from the ruling party, ZANU PF, and Christopher Chigumba. There were also several reports of attacks on the home of James Makore (MDC candidate, Zengeza by-election)....”

“PT and approximately ten other women, were distributing fliers for the MDC in Zengeza prior to the by-election when a mob of ZANU PF reportedly started throwing missiles and stones at them. The women who were accompanied by MDC youths, retaliated by attacking the ZANU PF supporters. The police came and stopped the skirmishes but then started to beat up the MDC women using baton sticks. They also threw teargas canisters at the women. PT, who was nine months pregnant at the time, had her lips injured and four teeth broken during the assault.

“Widely reported incidents of violence in Zengeza eliminated prospects for a peaceful electoral environment in the constituency prior to the election. The murder of Francis Chonozvina on the morning of the second day of polling also undoubtedly had an effect on the voting process and most likely induced a climate of fear amongst the electorate. The events that transpired in Zengeza in March raise serious doubts regarding the possibility of free, fair and violence-free elections in the Parliamentary Elections planned for March 2005.” [35c]

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#### **6.64 April 2004**

“Inter-party violence continued to prevail throughout April 2004 and in addition disturbing incidents of intra-party political violence were also recorded in St Mary’s. Incidents of political violence also continue to be reported in areas and at times when there are no elections or by-elections being held or immediately pending. In Shurugwi (MIDLANDS PROVINCE) IM, a MDC supporter, reported that Daniel Nyevera and other ZANU PF supporters closed down her shop because she previously contested for the position of Councillor on a MDC ticket. They are said to be visiting her home, threatening her and her children with death. MM claims that ZANU PF supporters displaced him from Shurugwi on allegations of being a MDC activist. He alleges that he was also ordered to join the National Youth Service Training program and was threatened with death when he refused to do so. An environment prevails in Zimbabwe in which political violence has seemingly become a ‘normal’ way of life.

“In a display of unwarranted excessive use of force, LTC, a former General Secretary of the Zimbabwe National Students Union (ZINASU) and a human rights activist was reportedly arrested and severely assaulted by police officers at Mt Pleasant Hall in Harare Central (HARARE PROVINCE), where he had gone to give a speech at the Education Rights Forum. LTC was reportedly struck in the face with open palms and clenched fists, and kicked in the back. The police officers are then said to have forced LTC into the Hall where other officers and security guards were waiting. For about 10 to 15 minutes they reportedly took turns to beat him before making him lie on his back and assaulting him with a broomstick as well as kicking him with booted feet. He was then ordered to kneel and was further assaulted on the ribs. He asserts that at Marlborough Police Station, to which he was subsequently taken, he was verbally abused, threatened with electrocution, kicked with booted feet in the face and on the mouth, and then accused of being drunk as he could not hold a steady posture as a result of the beatings....”

“Post-election retribution, a well-established phenomenon associated with elections in Zimbabwe and documented by the Human Rights Forum since the June 2000 Parliamentary elections, was recorded following the holding of the Zengeza by-election on 27 and 28 March 2004. EG and AK, MDC supporters, purport that they were assaulted by Muzambi and other ZNA officers because they participated in the Parliamentary by-election campaign in Zengeza. JR’s home was also allegedly stoned by ZANU PF youths for his participation in the Zengeza by-election campaign on behalf of the MDC. MM, a MDC activist, claims that ZANU PF supporters assaulted him because he campaigned for the MDC before the Zengeza Parliamentary by-election....”

“Evelyn Masaiti, MDC MP – Mutasa (MANICALAND PROVINCE), Henry Chimbiire, Stanford Bote and Zvamaida Nyaruwata were arrested on 17 April 2004 by police officers manning a roadblock in Mabvuku at about 12:00 hours. The group was travelling back to Harare from Mutasa where they had attended the memorial service for Ben Mwamuka, MDC Chairman for Mutasa District. Masaiti purports that they were accused of having brought MDC youths to Harare to cause chaos and of organising football matches in Mabvuku for MDC youths who later destroyed and looted property from a shop belonging to Sekesai Makwavarara, former MDC member and the Acting Executive Mayor for Harare. Masaiti asserts that she had no knowledge of the planned football matches which MDC youths in the area were holding.

“Takesure Mushavire was reportedly arrested while having a drink at Mazodza Bottle Store around 12 midnight and assaulted him with clenched fists during the effecting of his arrest. He claims that the police beat him with fists and kicked him with booted feet all over the body, drove him around Mabvuku for about an hour, and then took him to Mabvuku Police Station, whereupon they further beat him with baton sticks. He alleges that he was forced to admit that he belonged to the MDC and that he was an accomplice of Masaiti in organising the soccer match in Mabvuku and in the looting of Makwavarara’s shop. Mushavire, who claims to be apolitical, denies the allegations as he and Masaiti had been arrested at different times and under different circumstances.

“Oscar Pemhiwa, MDC Harare City Councillor for Mabvuku, was reportedly later arrested while relaxing with friends at Matongo Shopping Centre in Mabvuku, but

was grouped together with Masaiti and accused of committing the same offence. The group was reportedly beaten by police at Mabvuku Police Station on accusations of inciting violence amongst the MDC youths who had gathered in Mabvuku that afternoon. It is reported that Detective Inspectors Dhowa and Dhliwayo took them to Harare Central Police Station the following day, 18 April 2004, where they spent the night. Statements were taken from the group the following morning (19/04/2004). The group was only taken to court on 21 April 2004, 5 days after their arrest, and they were charged under the Public Order and Security Act (POSA) for inciting public violence. They claim that during their stay in holding cells they were assaulted, given no food and forced to sleep in filthy cells. It is reported that Masaiti is taking legal action against the Minister of Home Affairs, Kembo Mohadi for unlawful detention.” [35e]

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#### **6.65 May 2004**

“The group of ZANU PF youths from Mbare (HARARE Province) who are known as Chipangano have been consistently reported as perpetrating organised violence and torture since April 2003. However no arrests or prosecution of the members of this group are on record as having taking place. The Zimbabwe Human Rights NGO Forum regards the climate of impunity that has been created for this notorious grouping with great concern. Chipangano is alleged to have been involved in several incidents of political violence, including intimidation, assault, forced displacement and property damage, in May 2004. The Chipangano group allegedly invaded the venue for an MDC rally in Mbare East constituency (Harare PROVINCE) on 16 May 2004 and attacked the MDC supporters who had gathered for the rally. The group is alleged to have also carried out attacks after the rally against those that had attended it. TCM alleges that Amos Nyakudya, Makuwatsine, Gonzo and other ZANU PF youths belonging to the Chipangano group beat him at his house on allegations of being an MDC supporter. EM claims that her property was destroyed and he was displaced by ZANU PF supporters because he had attended the MDC rally. NM and other MDC supporters were allegedly beaten by ZANU PF youths belonging to Chipangano because they were seen putting up posters calling for the MDC meeting in Mbare East constituency. The Chipangano youths allegedly followed them to their homes later at night, destroyed their property, and then forced them to leave, saying that Mbare was not a place for MDC supporters.

“Zimbabwean citizens continue to have their rights to political participation violated, including the ‘right to assemble freely and associate with other persons and in particular to form or belong to political parties’ and the ‘right not to be compelled to belong to an association.’ Victimisation of persons for attending rallies held by the opposition is a worrying development ahead of the March 2005 Parliamentary Elections as this inevitably affects the ability of opposition political parties to campaign freely....”

“Members of the Chipangano group and other ZANU PF supporters reportedly victimised MDC supporters and civilians in Mbare East constituency (Harare PROVINCE), on allegations of having attended an MDC rally in the area on 16 May 2004. In Mbare West (Harare PROVINCE), TG of Tagarika Flats in Mbare claims that her husband was also attacked by ZANU PF supporters on allegations that he had attended an MDC rally in the area. When TG’s husband fled, the ZANU PF activists purportedly returned to the home, assaulted TG, and stole some of her

household property. AP claims that Constables Chikadza and Njani and other police officers arrested him, detained him at Harare Central Police Station and severely assaulted him during his period of detention because he had also attended the MDC rally.

“MDC supporters that attended a rally in Chendambuya, Makoni North constituency (MANICALAND Province) were also reportedly victimized on this basis. TAM, MDC chairperson in the area, claims that at around 12 midnight ZANU PF youths went to her house and accused her of attending the MDC rally. They went on to burn her granary, which had maize stored in it, and then assaulted her. BM alleges that Thomas, Khumalo and other ZANU PF supporters abducted him and severely assaulted him because he attended the rally at Chendambuya. DC of Kasimu village and MM purport that they were also abducted by the ZANU PF supporters on allegations of having attended the MDC rally in Chendambuya. DC claims that the youths set his house on fire and then took him to Makombe Business Centre where other MDC activists who had been abducted were being kept. They were released the following morning having been assaulted through the night. They reported the matter to Headlands Police Station.” [35f]

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#### **6.66 June 2004**

“Members of Women of Zimbabwe Arise (WOZA), who have frequently been arrested in the past for holding peaceful demonstrations in support of various causes, were again arrested while engaging in a peaceful demonstration in Zimbabwe. On 16 June 2004, 43 WOZA women were detained at Matshobana Hall by CIO agents and ZRP officers in Mpopoma constituency (BULAWAYO Province) where they were scheduled to have a community meeting. Jenni Williams, leader of WOZA, claims that two plain-clothes policemen interrupted the opening session of the meeting wherein the facilitators were discussing project formulation. The officers stopped the meeting and informed the women that they would be charged under POSA. Williams reports that the women were locked up in Mathsobana Hall for about 15 minutes. A group of fully geared anti-riot police then reportedly arrived at the scene and ordered the women to get into a police Santana vehicle parked outside the hall. The women were taken to Western Commonage Police Station in the Santana in several loads.

“At the Police Station, the 43 women were locked up in what the police called the yard. A count was done – 43 women and 7 babies were recorded and they were told to wait for officers from the Law and Order Maintenance section. One female and six male officers from the Bulawayo Central Police Station’s Law and Order Maintenance section reportedly arrived and began to shout obscenities at the women. The officers were identified as Detective Inspectors Sango and Ngwenya, Detective Sergeants Mlothswa, Hlongwane, and Detective Constables, Mathazi and Ndlovu. Four of the arrested women were detained for the night whilst the rest of them and the 7 babies were released. The four were taken to court the following day but the prosecutor allegedly declined to prosecute and the women were subsequently released.

“On 19 June 2004 WOZA women’s freedom of association and assembly was further curtailed. 73 WOZA women who had gathered at the Bulawayo Main Post Office to commemorate the United Nations World Refugee Day were arrested by uniformed police officers. By noon, the WOZA leadership who had remained out of

the reach of the police gathered more women together and marched to Bulawayo Central Police Station in solidarity with their colleagues who had been arrested. Whilst marching along Fife Street, the road on which the police station is located, a police Defender truck arrived and uniformed officers alighted from their vehicle and descended upon the women. The WOZA women who were singing a religious song, quickly sat down to avoid assault. Eleven women were reportedly arrested by the police and detained in custody for 3 days and nights at Donnington Police Station. These 11 women were eventually taken to Court on the 4th day and were initially to be charged under POSA, however, they were eventually charged under Section 7 of the Miscellaneous Offences Act. The WOZA women were remanded to 13 August 2004 on free bail. The 73 women that had been arrested on the morning of 19 June were released later that same day having paid \$25 000 Admission of Guilt fines.

“Attacks on MDC supporters attending a rally at Mukandabhutsu in Msasa Park, Hatfield constituency, (HARARE Province) on 6 June 2004 makes evident the climate of intolerance by ZANU PF supporters to those people who want to associate with other political parties. WM was reportedly assaulted by two ZANU PF youths while guarding the area designated for the MDC rally at Mukandabhutsu Ground in Msasa Park Harare. The victim alleges that he was hit with a beer bottle on the head and sustained a cut on the left ear. GG, also an MDC supporter, claims that at around 15:30 hours, when he was at Mukandabhutsu Bottle Store in Msasa Park, arranging for transport to carry chairs and other equipment which had been used during the MDC rally in Msasa Park that afternoon, a group of about 15 ZANU PF youths wearing white T-Shirts written ‘Zimbabwe 24’ and chanting ZANU PF slogans beat him with a wooden log and fists on the hand and legs while demanding to know who had given the MDC permission to hold the rally. Several other incidents of assault and political victimisation surrounded the Mukandabhutsu rally.” [35g]

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#### **6.67 July 2004**

“Zimbabwean citizens’ rights to assemble and associate freely with other persons and in particular to form or belong to political parties of their choice continues to be violated. Throughout July, victimisation of leaders and members of the opposition party persisted with politically motivated human rights violations during the month mainly related to campaigns being undertaken in preparation for the 2005 General Election. Events that occurred in Mvurwi (MAZOWE WEST constituency) and incidents reported in other parts of the country demonstrated the absence of a level electoral playing-field within the country eight months ahead of the March 2005 election.

“Movement for Democratic Change President, Morgan Tsvangirai; MDC National Chairperson, Isaac Matongo; MDC Deputy Secretary General, Gift Chimanikire; MDC National Women’s Organising Secretary, Emma Chimanikire; MP for Chitungwiza, Fidelis Mhashu; MP Mhashu’s driver, Samuel Mapingure and MDC Vice Chairperson for Mashonaland Central, Henry Chimbiiri claim that about 200 ZANU PF youths wielding sticks, iron bars, stones, bricks, knobkerries and guns attacked and indiscriminately assaulted them and other party members at an MDC Mashonaland Central Provincial Assembly Meeting. In Mvurwi on 2 July 2004, Mhashu’s driver, Samuel Mapingure was allegedly seriously hurt in the incident. After the MDC executive from Harare had left the ZANU PF youths are alleged to have severely

beaten up Biggie Chigonera, MDC Chairperson for Mashonaland Central province, before burning down his house and two vehicles – a Kombi and a Landcruiser.

“Persons were also victimised in various ways for belonging to or supporting the MDC. GC attended the MDC Mashonaland Central Provincial Assembly meeting at Mvurwi Centre on 2 July 2004 and returned home to Guruve after the meeting. He claims that he was chased away from his home in Guruve by ZANU PF youths for having attended the meeting and has since fled to Harare. MM was allegedly assaulted by 3 ZANU PF youths in Hwedza (MASHONALAND EAST province) because she did not have a ZANU PF membership card. She was reportedly abducted and taken to a ZANU PF base in the area where she was further assaulted on allegations of supporting the MDC. In Guruve North (MASHONALAND CENTRAL province) ME purports that two truckloads of ZANU PF youths arrived at an undisclosed venue where she and other MDC members were having a meeting in preparation for the 2005 Parliamentary elections. The ZANU PF youths started chanting slogans singing revolutionary songs and threw stones at the victim and other MDC members attending the meeting. Two teargas canisters were allegedly fired into their midst. The victim reportedly fell trying to escape and sprained her right ankle.

“Theresa Makoni, the aspiring MDC candidate for Hwedza constituency (MASHONALAND EAST province) for the 2005 Parliamentary elections, was arrested and charged under POSA together with Francis Chikadaya, and Ewet Mukova, the NCA’s former regional deputy chairperson for Mashonaland East. It is alleged that the three organised and went on to hold a public meeting at Sanganai Business Centre in Hwedza without notifying the police as required under S24 (1) of POSA. The state alleges that Makoni promised the gathering of over 100 people that she and not the ZANU PF government was going to source food for them if there was any need to do so. Makoni reportedly denied the allegations, stating that she only attended the meeting because she had been invited by the NCA leadership. She also denied ever campaigning or delivering any speech at the meeting.

“AGM, a teacher at Nyambiri School, Seke Constituency (MASHONALAND EAST province) was reportedly assaulted by ZANU PF supporters led by the ZANU PF District Chairman. He was also allegedly threatened with death and accused of supporting the MDC. The ZANU PF District Chairman reportedly assaulted AGM in the stomach and told him that he was no longer welcome in the area. The beatings allegedly lasted for approximately 30 minutes during which time the victim lost consciousness. AGM has since fled the area out of fear.

“The Human Rights Forum condemns violence perpetrated against teachers in rural communities, particularly ahead of the March 2005 Parliamentary Election. Such incidents have been documented in isolation and with increasingly frequency in association with election campaigns. Teachers have subsequently fled from their schools seeking refuge in urban centres.” [35h]

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## Employment Rights

**6.68** The US State Department Report 2003 states that:

“The new Labor Relations Amendment Act (LRAA), passed in December 2002, and brought into effect on March 7, provides private sector workers with freedom of association and the right to elect their own representatives, publish newsletters, set

programs and policies that reflect the interests of labor, and form or join unions without prior authorization, and workers exercised these rights. There were serious objections to some of the bill's language from labor unions, and the parliamentary legal committee called many of its provisions unconstitutional. The LRAA allows for the existence of multiple unions per industry, provided that each is registered with the Ministry of Public Service, Labor, and Social Welfare (MPSLSW). While the Government can deregister individual unions, the High Court has ruled that the Minister does not have the authority to suspend or deregister the national umbrella labor confederation, the ZCTU.

"At the end of 2002, approximately 25% of the formal sector work force (approximately 400,000 workers) belonged to the 31 unions that form the ZCTU; however, labor unions have suffered dramatic losses in membership due to the contraction of the economy over the past 3 years. During the year, approximately 65% of industries were unionized. ZCTU officers were elected by delegates of affiliated trade unions at congresses held every 5 years; the ZCTU elected a new leadership at its congress in 2001. According to the ZCTU leadership, approximately 30% of the ZCTU's constituency retains loyalty to ZANU-PF. Many MDC leaders began their public careers with the ZCTU and the Government and the ZCTU regularly clashed sharply over economic policy. The Government often did not consult either the ZCTU or employers before implementing policy decisions that affected the workplace, which disrupted labor relations.

"The LRAA allows members of the Public Service, as well as other government employees (with the exception of members of the Disciplined Services) to form and join unions; however, the new Act also retains the prohibition of strikes by disciplined and "essential services...." [2d p. 19]

**6.69** As reported by the US State Department Report 2002, approximately 400,000 workers, around 25% of the formal sector workforce, belong to the 31 unions that form the Zimbabwe Congress of Trade Unions (ZCTU). Although the Government originally established the ZCTU, anticipating that it would form a labour arm of ZANU-PF, the ruling party no longer controls the organisation. MDC leader Morgan Tsvangirai was the former leader of the ZCTU and many senior MDC figures come from the ZCTU. Although civil servants constitutionally are barred from forming unions, the Public Service Association and its affiliated associations had become members of the ZCTU. The ZCTU is affiliated with the ICFTU. The ZCTU's Secretary General, Wellington Chibebe, was arrested in July 2001 and questioned about a strike that the ZCTU had sponsored earlier that month and the ZCTU's association with foreign labour organisations. He was released later the same day. [2d p. 27]

**6.70** In June 2001 a second umbrella labour organisation, the Zimbabwe Federation of Trade Unions (ZFTU) began to function after a long period of inactivity. USSD 2003 stated that:

"The Zimbabwe Federation of Trade Unions (ZFTU) continued to disrupt relations between workers and their union leadership. However, unlike in the previous year, its leader and vice president, Joseph Chinotimba, kept a much lower profile after his defeat in the parliamentary elections. Overall ZFTU greatly toned down its pro-ZANU-PF and anti-ZCTU tactics during the year and used less coercive measures to enforce membership. The ZFTU continued to work closely with ZANU-PF...." [2d p. 20]

**6.71** According to IRIN, in June 2003 the ACTU criticised the government for the sections of the Labour Relations Amendment Act (LRAA) which allowed the government to ban strikes in areas of industry which they considered essential. The LRAA allowed the Minister for Labour to decide at short notice what could constitute an essential service. Lovemore Maduku of the National Constitutional Assembly feared that once a particular sector that was not on the list wanted to strike, the Minister could issue a declaration including it on the banned from striking list. However, Maduku, a constitutional lawyer, stated that the Labour laws do not cover stayaways as these are a political act, rather than a strike which is a dispute between employer and employee. Current sectors on the banned from striking list are Zimbabwe Broadcasting Corporation, Zimbabwe National Railways and Zimbabwe Electricity Supply Company. However, the list no longer automatically includes all civil servants. Teachers, for example are absent from the list. [10a]

**6.72** On 18 June 2003, according to a Daily News report on 19 June 2003, armed riot police dispersed striking members of the Zimbabwe Electricity Supply Authority (ZESA) at the Workington offices in Harare. None of the striking workers were injured. It is reported that management refused to address workers grievances as under the LRAA; ZESA provides an essential service and therefore strikes are illegal. [9aw]

**6.73** The Daily News reported that in April 2002 eight workers at a gold mine at Shamva were reportedly forced to resign their jobs because of their support for the MDC. The men had acted as polling agents for the MDC in the March 2002 presidential election. They claimed that active ZANU-PF members in the mine victimised suspected MDC supporters. [9m]

(See also Section 6B – Teachers)

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## People Trafficking

**6.74** According to the US State Department Report 2003:

“No laws specifically address trafficking in persons, and there continued to be infrequent reports that persons were trafficked, particularly women and children, from and through the country to South Africa for prostitution and forced labor. Common law prohibits abduction and forced labor, and the Sexual Offenses Act (SOA) makes it a crime to transport persons across the border for sex (see Section 5). Traffickers also can be prosecuted under other legislation, such as immigration and abduction laws. The primary government authority to combat trafficking was the ZRP; however, they relied on NGOs to alert them to any cases.

“No NGO or law enforcement agency had any direct evidence of or statistics on either trafficking or child prostitution by year’s end. A few NGOs, including South Africa-based Molo Songololo, Harare-based Save the Children Norway, and Connect had some reports of both trafficking and child prostitution. An international NGO compiled a qualitative report on the commercial sex industry in the country, and news reports suggested that minors were engaged in commercial sex work; however, no specific cases were identified and no report suggested the scope of the problem. After an initial investigation, the International Organization of Migration (IOM) cancelled a planned report on trafficking in Zimbabwe reportedly due to a lack of case evidence.

“In February [2003], an international NGO compiled approximately 20 reports, most of which were of Zimbabwean female teenagers whose families, in the economic

decline, had accepted some form of payment in exchange for allowing them to work in brothels, notably in the border town of Beitbridge. Molo Songololo claimed that Zimbabwe was a transit point for children being trafficked from countries such as those in Asia and Malawi to South Africa; however, they could provide no specific examples or numbers of cases.

“While it commonly was known that many Zimbabwean women worked in the hotel industry in South Africa, sometimes a euphemism for commercial sex work, and many Zimbabweans were low-wage agricultural workers in South Africa, there was no evidence of coercion or force in these areas.

“A trafficked person had the option to take his or her case before the victim-friendly courts; however, no cases were filed during the year.” [2d pp. 23-24]

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### **Freedom of Movement**

**6.75** Although the Constitution provides for the freedom of movement and travel within and outside Zimbabwe, the Government restricts these rights in practice. The US State Department Report 2003 stated that:

“During the year, police routinely erected armed roadblocks in and around cities and rural districts during election periods, and before opposition-planned work stoppages. Police claimed that they were looking for criminals and illegal weapons, but legal rights groups asserted that it was a measure designed to discourage or limit opposition organizing. In November [2003] and again in December, police and the Zimbabwe Revenue Authority (ZIMRA) established roadblocks along the main highways from South Africa and Botswana to search for foreign currency. Police used the POSA to erect roadblocks in urban areas to prevent public gatherings from taking place. Several individuals who were perceived to be opposition supporters had difficulty obtaining passports or were visited and questioned by immigration officials during the year....” [2d p. 15]

## 6.B Human Rights – Specific Groups

### Ethnic Groups

**6.76** The US State Department Report 2003 stated that “According to government statistics, the Shona ethnic group makes up 82% of the population, Ndebele 15%, whites less than 1%, and other ethnic groups 2%.” [2d p. 19]

### Shona

**6.77** According to the US State Department Report 2003 “Most members of the Government and the Parliament, as well as most ZANU-PF officials, belong to the Shona ethnic group, which composed 82% of the population....” [2d p. 15]

### Ndebele

**6.78** The Ndebele made up 14% of Zimbabwe’s population and were concentrated largely in the Matabeleland province of south-western Zimbabwe, according to the World Directory of Minorities. When taking into account the related Kalanga group the estimated Ndebele population rose to 18%. [16][27] The US State Department Report 2001 noted that during the 1980s Robert Mugabe’s Shona-dominated Government suppressed “a brief Ndebele insurgency in Matabeleland with a 5-year pacification campaign”. This was led by the mainly Shona North Korean-trained Fifth Brigade, that killed an estimated 10,000 to 20,000 Ndebele civilians. One legacy is the “disproportionate number of Shona-speaking teachers in Matabeleland schools”. This remains “a sensitive issue”, and the Ndebele continue to criticise the Government for “unequal distribution of natural resources and its failure to compensate victims” of the Matabeleland killings in the 1980s. [2b p. 25] A BBC report of 2 July 2000 just after the Parliamentary elections which saw ZANU-PF win only 2 out of 23 seats in Matabeleland and Bulawayo made reference to President Mugabe describing the atrocities in Matabeleland as an “act of madness”, saying that both sides were to blame. [31]

**6.79** In 1999 two NGOs, the Legal Resources Foundation and the Catholic Commission for Justice and Peace, issued a summary of their 1997 report *Breaking The Silence, Building True Peace*, about atrocities committed in Matabeleland during the Government’s *Gukuruhundi* campaign in the 1980s. USSD 2001 reported that it was the first major report to document human rights violations committed during the insurgency. [2b] A 2000 Amnesty International report stated that vice-president Nkomo’s death in 1999 re-opened the public debate on the atrocities. [14a] A news item by the South African Mail and Guardian newspaper of 2 May 1997 entitled “The untold story of Mugabe’s death squads”, stated that the report detailed atrocities committed by the Fifth Brigade in two districts of Matabeleland. Moreover, it was based on the testimony of over 1,000 people over a five-year period. [6a]

**6.80** On 10 June 2004 newzimbabwe.com reported that:

“Paul Siwela, the leader of the fringe opposition Zimbabwe African People’s Union (ZAPU) appeared in court Wednesday facing charges of inciting the minority Ndebele tribe to arise against Robert Mugabe, SW Radio Africa reported.” [41b]

**6.81** Siwela was jointly charged with George Mwanza. He was alleged also to have incited Ndebele in Matabeleland to drive members of the Shona tribe out of the region. He was remanded in custody. A spokesman for Imbavane Yamahlabezulu, of which George Mwanza was leader, claimed that the charges were intended to thwart Ndebele nationalism. [41b]

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## Whites

### 6.82 According to the US State Department Report 2003:

“Racial tensions have subsided since independence and remained relatively low despite the Government’s ongoing attempts to blame whites for the country’s economic and political problems. On many occasions, President Mugabe, members of his Government, and the state-controlled media attempted to reignite resentment of the white minority. President Mugabe accused the white minority of having too close ties to their ancestral countries. The Government’s far-reaching fast-track resettlement program designated 97% of large-scale, white-owned commercial farms for seizure with no clear means for providing compensation, and government supporters and war veterans assaulted commercial farmers in their homes and forced hundreds from their property.... Ruling party supporters seldom were arrested or charged for infringing upon minority rights.” [2d p. 19]

**6.83** USSD 2003 also states that the Constitution provides that “every person in Zimbabwe” cannot be deprived of fundamental rights, such as right to life, liberty, and security of person, based on his race, tribe, place of origin, political opinions, color, creed, or sex. However, “The Government and ruling party discriminated against the white minority in areas of due process, foreign travel, and property ownership.” [2d p. 16] In addition, “The President and his Government promoted widespread resentment against the white minority.”. [2d p. 2]

**6.84** Revisions to the Citizenship Act in 2001, requiring dual nationals to renounce their foreign nationality in order to retain their Zimbabwean citizenship, were criticised by legal groups for targeting the approximately 30,000 mostly white dual nationals. [2b p. 18] [See also Section 5.4]

## Asians

**6.85** According to WorldTribune.com on 9 May 2002, there were some 12,000 people of Asian origin in Zimbabwe. [48] Although they were a smaller group than Zimbabwean whites, the UK Independent newspaper of 10 April 2000 concluded that, in many towns, they were more visible than whites because they ran shops and factories rather than farms. During the violence of the campaign for the June 2000 elections, there were reports that racial intimidation was spreading beyond the white-owned farms to include the Asian business community. Pamphlets were reportedly circulated in Bulawayo threatening Indians. [4a]

**6.86** In April 2002, Andrew Ndlovu, leader of the Liberation War Veterans’ Association, warned Zimbabwean Asians that their businesses and lands could be seized. In a report in the State-owned Herald newspaper, it was claimed that Asians had exploited black Zimbabweans. The Herald reported that Ndlovu had told Asian traders and small business owners to reduce rents, stop trading in currency on the black market, bank their money in Zimbabwe and raise wages. [5a] In May 2002, Ndlovu was arrested and charged with extortion and breaching the Public Order and Security Act. The local newspaper, Daily News, claimed that he allegedly printed a document entitled “Operation Liberation – Indians Watch Out”, accusing the Indian community of sabotaging the economy through illegal currency dealing and ordering Indians to surrender parts of their properties to the Government. He was released on bail of Z\$100,000. [9z] Incarcerated as a result of the corruption charge, Ndlovu went on trial in May 2003 for threatening the Asian community in Mutare. [9ci]

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## Farm Workers of Malawian, Zambian and Mozambican Origin

**6.87** There were between 350,000 and 400,000 farm workers in Zimbabwe, who numbered up to two million with their families. Most of these people were third generation Zimbabweans whose grandparents came to Zimbabwe from Mozambique, Malawi and Zambia during the colonial era. Many had “lost contact with their countries of origin” and had “lived on white-owned farms throughout their lives”. ‘War Veterans’ targeted these farm workers in their campaign against white ownership of commercial farms. Hundreds of thousands of farm workers were reportedly displaced along with the white owners of commercial farms when squatters occupied the farms. Commentators like the BBC and The Zimbabwe Independent newspaper called it “ethnic cleansing”. [3af][11c]

**6.88** According to the US State Department Report 2003, revisions to the Citizenship Act in 2001 which required dual nationals to renounce their foreign nationality in order to retain their Zimbabwean citizenship were criticised by legal rights groups for targeting, among others, the many farm workers with origins outside Zimbabwe. [2d p. 13] On 4 April 2003 IRIN reported that the Government had decided to extend citizenship to all Southern African Development Community (SADC) citizens who were resident at the time of Zimbabwe’s independence, in April 1980. A communiqué stated that the Government would “promulgate the Citizenship Amendment Act for the farm workers mainly of Malawian, Mozambican and Zambian origin”. The Farm Community Trust of Zimbabwe (FCTZ) welcomed the move, saying that it would help up to two million farm workers and their families gain access to social services and, as citizenship is tied to land, be in a better position to benefit from “land distribution programmes”. It also allowed farm workers to gain birth certificates for their children, which affected their right to progress beyond primary school. [10y] The USSD Report 2003 confirmed that parliament amended the law during 2003. [2d p. 13]

**6.89** The international NGO Refugees International was reported by IRIN on 10 October 2003 to have highlighted their concerns about the vulnerability of displaced farm workers. Reported to make up over half of the estimate 100,000 displaced persons in Zimbabwe, farm workers faced continual harassment. According to RI, “Many of them have been expelled from communities in which they have attempted to resettle. They are often, according to relief workers, excluded from lists of beneficiaries for food and other international assistance. Others have been re-employed by new owners of commercial farms, but farm wages have fallen”. [10bj]

**6.90** According to USSD 2003 there were no reports that farm workers were killed in political violence during 2003, unlike in previous years. [2d p. 3] However, on 10 February 2004 ZWNews reported an MDC claim that Shemi Chimbarara, a farm worker on MDC MP Roy Bennet’s farm, was shot and killed by soldiers on 8 February 2004. A group of ZANU-PF supporters, lead by Chamunorwa Muusha and Charles Chigamba, a former police officer known as Nasho, burned the house and car of another farm worker. This incident comes days after one woman was reportedly raped by Muusha and another woman and a girl were sexually abused by Chigamba. [67b] USSD 2003 did report that government supporters continued to beat and torture farm labourers during 2003 and some people died from torture during the year. [2d p. 3]

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### **Mixed Race**

**6.91** On 18 March 2001 according to a Daily News report on 28 September 2002, in Arcadia, a group of mixed race people, or “coloureds” as they refer to themselves, formed an organisation to campaign for the empowerment of mixed race people and to protect their interests. The result was the National Association for the Advancement of Coloureds

(NAAC). [9ce] On 8 August 2001 the Dispatch reported that it was first chaired by Danny Bismarck. Bismarck did not believe that mixed race people were benefiting from the Government, particularly when it came to the Government land reform programme. Mixed raced people did not believe that they were accepted by either the black or white community. There has not been a mixed race cabinet minister since 1985, and there are currently no mixed race MPs. [59]

**6.92** In a feature which appeared in the local Daily News on 28 September 2002, it was noted that former High Court Judges James Devittie, Terrence Hussein and Joseph James were examples of mixed race individuals who succeeded in progressing in the legal fraternity. NAAC now has chapters in Harare, Bulawayo, Mutare, Kwekwe and Gweru. [9ce]

### **Albinos**

**6.93** A BBC report entitled “Albinos hit by Zimbabwe’s race divide”, claimed in January 2003 that there are 15,000 black albinos in Zimbabwe, all of who face increasing levels of discrimination. Felicity Mwamuka, the welfare officer of the Zimbabwe Albino Association said albinos are “shunned” by the wider community, have difficulty in finding jobs and albino women have problems finding husbands as people believe that albino women will have albino children. Because of this many albinos have difficulties affording sun creams and sunglasses needed to protect their sensitive skins, rendering them more prone to skin cancers. Another worrying development is the increase in the numbers of rapes against albino women by HIV/AIDS positive men, who mistakenly believe that sex with an albino will cure them of the disease. [3ce]

### **Other Ethnic Minorities**

**6.94** According to the World Directory of Minorities, the Shangaan, Venda and Tonga peoples make up about 2% of the population. The Shangaan and Venda live mainly in the far south of Zimbabwe. In 1985–86 the Government introduced teaching in primary schools in these groups’ own languages. In 1995 the national radio station began broadcasting programmes in the three minority languages. [16][27]

**6.95** The Tonga live in north-western Zimbabwe, again according to the World Directory of Minorities. In the 1950s about two-thirds of their population, some 57,000 people (in both Zimbabwe and Zambia) were moved from their ancestral lands to make way for the Kariba Dam. Tonga leaders claimed that central government investment and relief, including “cultural support such as primary school instruction in the Tonga language”, was “inadequate”. [16][27]

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### **Women**

**6.96** According to the US State Department Report 2003:

“Domestic violence against women, especially wife beating, continued to be a serious problem and crossed all racial, ethnic, and economic lines. It occurred throughout the country and sometimes resulted in death. SOA makes non-consensual sex among married partners a crime. The Act provides penalties for up to 10 years in prison for sexual crimes. It also defines sexual offenses as rape, sodomy, incest, indecent assault, or an immoral or indecent act with a child or person with mental disabilities. There was no legislation that specifically addresses domestic abuse.

“The Musasa Project, a leading women’s rights organization, reported that the number of incidents of domestic violence increased during the year due to the deteriorating

economy and higher unemployment among men. The organization counselled 1,823 cases during the year. In 2002, Musasa reported that 54% of the women counselled for domestic violence had sexually transmitted diseases, and 29% had HIV/AIDS. Musasa Project and the Women's Coalition reported that wife killings remained a problem during the year.

"There continued to be reports of rape, incest, and sexual abuse of women. Musasa handled 41 cases of rape or incest during the year; many cases were not reported because of the social stigma attached to the crime and wives' fear that husbands may disown them. Approximately 1,100 rapes were reported in Harare in 2002. Although the Government refused to supply figures for the year, the rate reportedly was higher than in 2002. Musasa and Amani Trust reported 6 cases of politically motivated rape during the year; human rights groups estimated that the actual number of politically motivated rapes may be much higher. As reported by the Solidarity Peace Trust, growing evidence suggests the existence of systematic rape at National Youth Service Camps, where an estimated 1,000 women were interned as sexual servants for cadets and instructors. Musasa Project ran a shelter and a support group for abused women.

"Women faced many obstacles in filing reports of rape; for example, many police stations were not prepared to properly handle the investigation of such cases. When cases go to court, lengthy sentences for rape and wife beating generally were imposed; however, a "binding over" order (an order to appear in court to respond to an accusation of violent behavior) was issued based only on actual physical abuse and not on threats of violence. Courts also did not have the power to oust an abusive spouse from a couple's home. Systemic problems and lack of education often meant that police did not respond to women's reports or requests for assistance.

"There were reports of sexual abuse of female refugees.

"Unlike in previous years, there were no reports that female genital mutilation (FGM) was performed in the country.

"There were occasional reports of the trafficking of women.

"There are laws aimed at enhancing women's rights and countering certain traditional practices that discriminate against women; however, women remained disadvantaged in society. Illiteracy, economic dependency, and prevailing social norms prevented rural women in particular from combating societal discrimination. Despite legal prohibitions, women still were vulnerable to entrenched customary practices, including the practice of pledging a young woman to marriage with a partner not of her choosing and the custom of forcing a widow to marry her late husband's brother.

"The law recognizes women's right to own property independently of their husbands or fathers. Although unmarried women may own property in their own names, women married under customary law were not allowed to own property jointly with their husbands. The Administration of Estates Amendment Act makes inheritance laws more favorable to widows; however, the Constitution allows discrimination against women under customary law and provides that a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family. For example, in the event of a man's death, the brother's claim to the inheritance takes precedence over the deceased's wife. Divorce and maintenance

laws were favorable to women, but women generally lacked awareness of their rights under the law.

“Although labor legislation prohibits sexual harassment and discrimination in employment on the basis of gender, women were concentrated in the lower echelons of the work force and commonly faced sexual harassment in the workplace.” [2d pp. 16-17]

**6.97** According to an article in the *Guardian Unlimited* 18 March, there were reports of women being held in militia camps, and being raped or even forced to be concubines for the militiamen. These women are also at increased risk of HIV and AIDS. [34b] The Zimbabwe Women Lawyers Association estimated that some 1,000 women were held in militia camps in 2002, according to a UNOCHA statement in April 2003. [10aa]

**6.98** UNOCHA revealed that during 2000 and 2001, human rights groups documented widespread torture of opposition supporters, and approximately 40% of these were women. Although assaults, being stripped naked and humiliated were common forms of abuse, few were raped or sexually abused. After June 2001 however, rape and sexual abuse became more commonplace. Rapes often occur in front of neighbours or family members as a form of punishment, leaving an impact on a wider group of people than just the individual concerned. Tony Reeler, a human rights activist, described this as one individual’s physical torture becoming a psychological torture for the wider community. He continues, stating that there are three types of rape in Zimbabwe. Firstly political rape to punish individuals, families or communities for holding different political views. Secondly, opportunistic rape when state agents act with impunity when they can take advantage of the population. Thirdly, forced concubinage: the kidnapping of girls and women to cook, clean, porter and have sex with soldiers/militiamen. [10aa]

**6.99** USSD 2003 stated that:

“There were 17 women in the 150-seat Parliament, including the Deputy Speaker of Parliament, and there were four female ministers and one female deputy minister in the Cabinet. In addition, there was one woman governor. Women participated in politics without legal restriction; however, according to local women’s groups, husbands, particularly in rural areas, commonly directed their wives to vote for the husband’s preferred candidates. The ZANU-PF congress allotted women 1 out of every 3 party positions and reserved 50 positions for women on the party’s 180-member Central Committee, which was one of the party’s most powerful organs.” [2d p. 17]

**6.100** IRIN reported on 15 August 2003, that ahead of the 30–31 August 2003 council elections, women called for an increase in the number of female candidates. Whilst constituting 54% of the population, women only comprised just over 10% of urban councillors prior to the polls. In 1997, all SADC countries pledged that women would make up 30% of their political bodies. Little has been done in Zimbabwe to achieve this. [10ax]

**6.101** In March 2004 the National Gender Policy was launched, IRIN news reported. Women’s Coalition Chairperson, Janah Ncube, welcomed the government’s efforts to improve equality, but cited the complete absence of funds for implementation as an undermining factor for the policy. [10bf]

**6.102** On 21 June 2004 IRIN reported that “Police in Bulawayo arrested 78 women activists

at the weekend as they attempted to stage a demonstration to mark World Refugee Day and draw attention to the plight of Zimbabweans 'living like refugees', an official of the NGO, Women of Zimbabwe (WOZA) told IRIN on Monday." A police spokesman confirmed women had been arrested, but not numbers, and said all had been released after admitting staging an illegal demonstration but that two women were still to appear in court. [10z]

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## Children

**6.103** The US State Department Report 2003 stated that:

"The Government's commitment to children's rights and welfare continued to deteriorate during [2003]. The Government focused primarily on political issues, to the detriment of pressing social needs, and the deteriorating economic situation eroded financial allocations to programs affecting children. Consequently, children, especially those in the rural areas, but also an increasing number of urban dwellers, suffered greatly. Although legislation was in place to protect children's rights, it was difficult to administer and enforce." [2d p. 17]

**6.104** There were no reports of FGM in 2003, according to USSD 2003. [2d p. 17] However, USSD 2002 reported that initiation rites practised by the small Remba ethnic group in Midlands province include infibulation, the most extreme form of FGM. [2e p. 23]

**6.105** The U.S. State Department Religious Freedom Report 2003 noted that indigenous churches that combine elements of established Christian belief with some beliefs based on traditional culture and religion generally accept polygyny and the marriage of girls at young ages. [2a p. 5] The Summary Record of the 9<sup>th</sup> meeting of the United Nations, Economic and Social Council held on 2 May 1997 confirms that from a wider societal aspect, where adolescent girls are forced into marriage, laws on the age of majority and rape can be invoked. [15]

**6.106** USSD 2003 reported that:

"Child abuse, including incest (long a taboo), infanticide, child abandonment, and rape continued to be problems during [2003]. The Parents and Family Support Network, a local NGO, reported that one in three children in the country was at risk of physical or emotional abuse. There was a large volume of rape cases in the Harare victim-friendly courts, which consisted of individual magistrates designated to try family cases. These courts were understaffed because many magistrates sought more lucrative employment outside the country. The large volume led to calls by children's rights' advocates to establish additional courts in surrounding areas. The criminal justice system has special provisions for dealing with juvenile offenders." [2d p. 18]

**6.107** A UNOCHA statement reported on 24 April 2003 by IRIN confirmed that as the economic situation deteriorated, there had been a rise in the number of reported cases of child abuse. In an attempt to counter this, UNICEF supported a national campaign on "Zero Tolerance Against Child Abuse". Participants in this campaign included the police, teachers, NGO's and government officials. Victim Friendly Courts in which victims could give evidence via a video link were operational in each province. However, lack of funds meant that equipment could break down, leading to cases being held-up, sometimes for years. [10ai]

**6.108** According to USSD 2003, the traditional practice of offering a young girl as

compensatory payment in inter-family disputes continues. [2d p. 18]

**6.109** According to the Daily News on 2 May 2003, following a landmark court ruling, a mother whose child is born out of wedlock can now obtain a birth certificate or passport for her child, without the father's consent. [9k]

**6.110** USSD 2003 reported that:

"Child labor was common [in 2003]. Under the amended LRAA, a child between the ages of 13 and 15 can work as an apprentice or if the work is an integral part of (or in conjunction with) "a course of training or technical or vocational education." The law further states that no person under 18 shall perform any work "likely to jeopardize that person's health, safety or morals." The status of children between 15 and 18 years of age is not directly addressed, but 15 years of age is still the minimum for light work, work other than apprenticeship, or work associated with vocational education." [2d p. 22]

**6.111** In June 2004 the government announced that it is to launch a national plan of action for orphans and vulnerable children according to an IRIN report on 18 June 2004. The plan aims to ensure that laws for the protection of children are enforced. The main areas of focus are to be education, support to child-headed households and issues around foster care. [10ab]

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### **Childcare Arrangements**

**6.112** According to allAfrica.com 26 February 2001, orphanages do exist in Zimbabwe, but are struggling to cope with the number of children that require their care. The AIDS virus claims thousands of lives a week and this, compounded by the economic crisis, had resulted in an increase in the number of orphans. [29a] According to the Epidemiological Fact Sheets on HIV/AIDS and Sexually Transmitted Infections 2002 approximately 780,000 orphans under 15 at the end of 2001 had lost their mother or both parents to AIDS. [25] AllAfrica.com reported that the state runs eight orphanages and a further 38 are operated by children's charities. [29a] Another orphanage opened in Mhondoro, in January 2003. The Kwari AIDS orphan care centre houses 20 children, according to a report by the Daily News on 27 February 2003. [9ch] According to the Standard 13 July 2003 while demand for orphanages and their services had increased, their resources remained limited. The Department for Social Welfare routinely referred children to private orphanages. Each orphan received approximately Z\$500 a month from the state, far short of the funds required for that time. Orphanages were so full that they referred children back to the Department for Social Welfare, which itself appeared to be "heavily under funded". Private businesses, which used to contribute to children's homes, had recently cut back their assistance in light of the declining economic condition. [20f]

**6.113** According to the Standard 13 July 2003, new projects had been started by NGOs who continued to work with orphans. Schemes to assist with housing, feeding and training were on going but organisations were well aware that the number of orphans continues to rise in the face of the HIV/AIDS pandemic. [9ch] According to an IRIN Report of 25 April 2003 UNOCHA estimated that soon the number of orphans in Zimbabwe would reach 1 million. [10ai]

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### **Homosexuals**

**6.114** Sex between men is illegal in Zimbabwe, although the law makes no mention of sexual acts between women. Zimbabwean law recognises three classes of 'unnatural offence': sodomy, bestiality, and a group of proscribed acts referred to generally as an

‘unnatural offence’. The International Lesbian and Gay Association reported that, according to a 1999 World Legal Survey, High Court cases in Zimbabwe suggested that sexual behaviour between men should no longer be punished by custodial sentences, however, magistrate’s courts continued to serve “harsh custodial sentences”. [18a] According to Gay Zimbabwe there have been no reports of the authorities bringing cases on the grounds of sexual acts between females. [28a]

**6.115** Societal discrimination against homosexuality is rife in Zimbabwe. Gays and lesbians often hide their sexuality from their families, leading some to be forced into marriages. According to one gay man, he was evicted from his lodgings by his landlord. The same report questioned a lesbian, who stated that her partner had had stones thrown at her. Some have suffered “verbal abuse and assault”. [20i]

**6.116** In his New Year address on 1 January 2000, President Mugabe criticised homosexuality, describing homosexual relations as an abomination and decadence. In the mid-1990s, when gay rights group GALZ applied to take part in Harare’s prestigious international book fair, President Mugabe described homosexuals in a speech as “worse than pigs and dogs”. BBC reported on 12 August 1998 that he called homosexuals “a scourge planted by the white man on a pure continent”. Although GALZ had participated in the book fair in 1995, the following year their stand had been attacked and destroyed. [3v][18a]

**6.117** More recently, in September 2003, GALZ stated in the Zimbabwe Standard that homosexuality issues slid down the government’s agenda as they faced serious economic and political problems. Keith Goddard, the director of GALZ, believed that the government’s stance on homosexuals was just political rhetoric and that it was using the gay and lesbian community as scapegoats. [20i] In 2003, GALZ applied to have its own stand at the Zimbabwe International Book Fair. According to GALZ, the application was “accepted without hesitation”. This was the first time GALZ had a stand of its own since 1996. From 1997 to 2002, GALZ displayed its literature on the general Human Rights stand at the fair. [66] One gay man, interviewed by the Zimbabwe Standard, agreed that conditions for gays and lesbians in Zimbabwe has improved over the last few years. He stated that it wasn’t the authorities that posed the real threat, but traditional culture, particularly in the townships and rural areas. [20i]

**6.118** However, on 10 August 2004 ‘Behind the Mask’ reported various Zimbabwean newspapers’ claims that GALZ members were beaten and chased from the GALZ stand at the Zimbabwe International Book Fair the previous week. This led to the resignation of Midlands provincial governor Cephas Msipa from his post as honorary trustee of the Fair. Book Fair officials said they had received no complaint from GALZ, nor had they heard of the incident being reported to the police. [60a]

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### **Conscientious Objectors and Deserters**

**6.119** According to a World Survey of Conscription and Conscientious Objection to Military Service conducted by War Resisters International in 1998, “conscientious objection is legally recognised” in Zimbabwe. Section 24 of the 1979 National Service Act provides for exemption from military service on conscientious grounds, such as religious beliefs, if conscription were to be introduced. It is not clear whether this exemption “applies to professional serving members of the armed forces”. [21]

**6.120** According to USSD 2003, military courts dealt with courts-martial disciplinary proceedings for military personnel and defendants have the right to appeal to the Supreme

Court. [2d p. 7] However, whereas USSD 2002 stated that trials in military courts generally meet internationally accepted standards for fair trials [2e p. 10] USSD 2003 did not record such a finding.

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## Teachers

**6.121** In their 2003 Report the US State Department stated that: “Unlike in the previous year, there were no reports that schools were shut down as a result of the torture of teachers who supported the MDC. Unlike in the previous year, there were no reports that schools were used as torture centers.” [2d p. 20] However, the report also stated that “Many persons perceived as supporting the opposition, including teachers, civil servants, health workers, and laborers, were singled out for assault or intimidation by ruling party supporters.” [2d p. 4]

**6.122** Government supporters and War Veterans targeted teachers in the political violence that has taken place in Zimbabwe since the 2000 parliamentary elections according to the US State Department Report 2001. In June 2000, there were 200 reported attacks on schools. “Teachers were dragged from classrooms, beaten and stripped naked in front of their students. Health care workers were also targeted and nurses were raped.” No action was taken against the perpetrators of these attacks. [2b p. 18, p. 27] After the June 2000 parliamentary elections, the local Daily News claimed that Government supporters continued to target teachers who they suspected of supporting the opposition, although there were fewer attacks in 2001 than in 2000. [9i] It appeared that this trend continued in 2002 according to USSD 2002, with an increase in attacks on teachers suspected of supporting the MDC, by ruling party supporters. [2e p. 6]

**6.123** According to USSD 2001, in January of 2001 approximately 100 War Veterans forced striking civil servants in Masvingo, the majority of them teachers, to return to work. Having warned the teachers that they would lose their jobs if they did not return to work the War Veterans performed citizens’ arrests on three of the teachers and took them to a police station but the police quickly released them. Most of the striking teachers resumed work after the threats. In May 2001, ZANU-PF supporters reportedly chased teachers and civil servants from their jobs in Matabeleland North because they were suspected of supporting the MDC. [2b p. 27]

**6.124** On 25 April 2002 it was reported in the Zimbabwe Daily News that at least 50 school teachers in the Makoni North and Chimanimani districts, suspected by local ZANU-PF and War Veteran officials of being MDC members, had been advised “not to report for duty”. ZANU-PF officials had written to school headmasters instructing them to expel certain teachers. [9i] It was also reported in April 2002 by the same newspaper, that more than 500 teachers and MDC polling agents had been forced to flee the Zaka and Gutu districts of Masvingo province as ZANU-PF youth activists had embarked on a witch-hunt against suspected MDC supporters. Some teachers in schools in Zaka had been told “not to return to their schools next term”. [9w] A Daily News report of 10 May 2002 claimed that approximately 30 teachers were assaulted and forced from their workplace in Buhera. [9ai]

**6.125** On this same date, 10 May 2002, AfricaOnline reported the Progressive Teachers Union of Zimbabwe (PTUZ) as saying that it had recorded over “107,000 cases of extortion, 20 incidents of murder and 190 cases of rape” between February 2001 and April 2002. The number of cases of extortion was high as the same teachers were targeted several times”. This, they claimed, was because teachers were perceived to be supporters of the MDC. [47]

**6.126** The secretary-general of the PTUZ, Raymond Majongwe, gave himself up to police on

9 October 2002, after hearing that they were looking for him. His union had been on strike since 8 October 2002, demanding a 100% pay rise. Mr Majongwe was prosecuted under the new controversial Public Order and Security Act (POSA), making it an offence for "any person who, acting in concert with one or more other persons, forcibly invades the rights of other people". A BBC report of 10 October 2002 claimed that Mr Majongwe's lawyer, Tererayi Gunje, had levelled the accusation that on the night of 9 October, Mr Majongwe had been "seriously injured", after being beaten. Mr Gunje also said Majongwe could not sit on his own. He was released on Z\$15,000 bail on 11 October 2002. [3bn][3bo]

**6.127** On 15 October 2002 IRIN reported, that on 14 October 2002 the Government dismissed 627 teachers belonging to the PTUZ from their posts. [10n] According to an IRIN news report, another 230 teachers were suspended on 29 October 2002 as the impasse between the Government and the PTUZ remained. The suspension lasted three months during which time the teachers were not paid and were "not allowed to leave the country without the permission of the department for education and could not seek other employment while under suspension". [10ac] However, the State owned Herald newspaper reported that on 20 December 2002 the High Court ordered the Public Service Commission to pay all teachers that were suspended for participating in the October strike "a third of their gross monthly salaries". [42c]

**6.128** The comments of the Commonwealth Observer Group that observed the March 2002 presidential election and which were reported in the Zimbabwe Daily News, noted incidents in which teachers had been attacked, including one in Mashonaland East in which a school principal was dragged from his school and clubbed to death because of his association with the MDC. [9n]

**6.129** The Zimbabwean Human Rights Forum noted that by October 2002, violence against teachers occurred in eight out of ten provinces, the exceptions being Bulawayo and Harare. The Forum also documented 238 individual cases of abuses against teachers by ZANU-PF militias and since January 2001 such violence, combined with other forms of abuses such as "abduction, unlawful arrest and detention" resulted in "the closure of 30 schools" according to a report in Zimbabwe's Independent newspaper. [11e]

**6.130** In December 2002, the local Standard newspaper stated that 120 head teachers and teachers from Masvingo Province had entered Mushagashe Training Centre to begin National Service Training. The training was the same as that of Youth Service, but the leader of the Zimbabwe Federation of Trade Unions (ZFTU) Joseph Chinotimba said that the older teachers would not have to "toyi-toyi like the youths", although they still required drilling in the theories of National Service. (Chinotimba later ran for ZANU-PF in the Highfield by-election on 29–30 March 2003). The training was due to be completed on 13 January 2003. [20i]

**6.131** The Daily News reported that in early February 2003, Harare teachers who had been suspended since the previous year were ordered to report for duty immediately. The Government appeared to have bowed to pressure from parents, the children of whom have gone as long as four months without lessons. [9cc]

**6.132** The local Daily News reported on 28 February 2003, that student teachers in rural areas were forced to register with ZANU-PF wards and partake in their activities in order to access food. The teachers claimed that they feared Green Bombers (members of the National Youth Service) and so-called War Vets if they did not comply. The PTUZ had reports of similar incidents in Hedza, Mtoko, Buhera, Rushinga, Mudzi, Murehwa and Mberengwa. [9cb]

**6.133** On 29 April 2003 the same newspaper claimed that 32 teachers were dismissed the previous day from the Zimbabwe Distance Education College. The teachers demanded an immediate pay rise of 500% and issued an ultimatum to the college. After the deadline passed, the teachers went on strike. Subsequently the teachers were fired. The managing-director of the college was Dr Sikhanyiso Ndlou, a member of the ZANU-PF politburo. [9aq]

**6.134** On 8 May 2003, the Zimbabwe Teachers Association (ZIMTA) initiated a strike to demand better salaries, as outlined in the “government initiated job evaluation exercise”. The strike initially took hold in Harare before slowly spreading to other parts of the country. [9ar] By the time talks were underway on 14 May, Bulawayo, Mutare, Chegutu, Chinhoyi, Glendale and Mount Darwin were all affected by the strike. The Daily News confirmed on 15 May 2003, that the talks became deadlocked after ZIMTA demanded Z\$268,000 starting wage for teachers, “four times what teachers earn on average at the moment”. [9as]

**6.135** On 19 May 2003 the Labour Court ruled that the strike was illegal, and ordered all the strikers to report back to work within 48 hours. According to a report in the Daily News entitled “Teachers ordered to go back to work” which appeared the next day, the Court ruled that the matter should be referred to the National Joint Negotiating Council for determination within 21 days. The ZIMTA national executive urged their members to comply with the courts ruling. [9au] Daily News reported that the Progressive Teachers Union of Zimbabwe stated that they would maintain a “go-slow” during the 21 days. [9r]

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### **National Youth Service – ZANU-PF Youth Militia**

**6.136** According to a report in the Financial Gazette on 24 November 2001, in 2001 the Government established the Border Gezi National Youth Training Centre in Mount Darwin, Mashonland. Named after the former Minister for Youth, the training centre was the first in the country. National Youth Service (NYS) was reported to last for three months and entail self-defence, patriotism and entrepreneurial skills, amongst others. [43] However, reports in the Financial Gazette of 6 June 2002 claimed that youths had been used to terrorise the political opposition. These same youths had since admitted that they only received military training. In this respect, claims have been made that the NYS scheme was only a ploy, its real purpose was as a front to mobilise ZANU-PF youths to campaign for the party. [37h]

### **Compulsory Service**

**6.137** The Financial gazette reported on 6 June 2002, that the Government had stated that NYS would be compulsory for those who sought to enter tertiary training and, as of February 2002, enter college or university. [37h] In July 2002, the government announced that National Youth Service would be compulsory for all school leavers. In an IRIN News press release of 19 December 2002, Samuel Mumbengegwi, the Minister for Higher Education and Technology, further announced that no student would be given their ‘O’ or ‘A’ level certificates until they had completed six months of NYS. Tertiary education centres were told in November 2002 not to send letters of admission to ordinary applicants until the institution had received a list of militia, who would be given priority. The Minister admitted that this would result in many tertiary places remaining unfilled as students went through the militia training before going to tertiary institutions. NYS was already a prerequisite for entry into the civil service, including teaching, nursing, police and the army. [9bz][65] In July 2003, the Defence Minister, Sidney Sekeramayi, announced that military training would become a formal module of the training. [65]

**6.138** The Solidarity Peace Trust, comprising of church leaders from Zimbabwe and South Africa, released a report entitled “National Youth Service training – shaping youths in a truly

Zimbabwean manner" on 5 September 2003. It claimed that during the last months of 2001 the NYS training was intensified and, by January 2002, had spread to all provinces. At the end of 2002, there were an estimated 9,000 youths who had "passed through formal militia training" with an estimated 10–20,000 more trained in "informal, often very primitive camps" at district level. By the end of 2003 it was anticipated that there would be 20,000 formal graduates. Before the Presidential election in March 2002, there were 146 militia camps throughout the country, in close proximity to, or sometimes actually at, polling stations. [65]

**6.139** However, the report found that claims about compulsory service were not accurate. The number of NYS places was estimated at 20,000 per year and therefore not all of the 300,000 school leavers could be allocated a place. The Solidarity Peace Trust asserted that the scheme was designed to favour those prepared to go through the indoctrination, and excluded non-ZANU-PF children and families from all chances of progressing to tertiary education. [65]

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## Recruitment

**6.140** The Solidarity Peace Trust report also stated that many of the youths joined the militia voluntarily. Some came from families who were "stauch ZANU-PF supporters". The Trust maintained that others joined because of the skills that were supposedly taught during training. With limited prospects and the economy in decline many may have joined, as it was the only avenue for progression in the fields of employment and education. But it appeared that a sizeable number were coerced into joining the militia. Of those who were coerced, some were kidnapped into the service, whilst others were threatened that their families would suffer consequences if they did not. [65]

## Treatment of Recruits in the NYS Scheme

**6.141** The camps at district and village level appeared to have suffered from a lack of resources. Defecting militia stated that they were sent home to eat, then ordered to return after one hour. Examples of gross cruelty were reported at these smaller camps. [65]

**6.142** Female militia have been raped on a systematic scale in some camps. According to the Solidarity Trust, former female militia reported that male militias would come into the female dormitories and take turns in raping various women. Often the women were told not to report this to the camp leaders, as to do so would indicate their support for the opposition MDC, and could result in their punishment. Camp instructors have been implicated in these rapes. As a result, militias may be infected with HIV/AIDS and other sexually transmitted infections. Although the Government has not explicitly acknowledged this problem, in June 2003 the first all girls training camp was established in Manicaland. It is not known if all the staff are female too. [65]

**6.143** Whilst certain militia are satisfied with the training they received, others fled the camps, and some left Zimbabwe, in order to escape. Some were reported to suffer from psychological conditions as a result of what they had seen and what they had done. [65]

**6.144** On 21 September 2002, The Herald, a pro-government paper, reported that 1,870 graduates of the programme had secured employment, mainly with state bodies, such as the armed forces, the Prison Service and the state Grain Marketing Board. [23b]

**6.145** Reports of abuse of youths participating in the National Youth Service camps, including the rape of female trainees, were repeated in a BBC article in February 2004. The report uncovered evidence that children as young as 11 years old were in the camps,

and claimed that at least one 11-year-old girl was repeatedly raped. One alleged victim told the BBC that she could not complain, as rape was part of the training. [3bh]

**6.146** The report also claims that youths are beaten until they succumb to orders. “They [the youths] are taught that it is their job to keep President Mugabe in power. Panorama has also learned that some of the recruits are taught to torture their opponents”. [3bh]

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### **Actions of the Youth Militia**

**6.147** ZANU-PF’s youth militia, known as “Green Bombers” have earned a reputation for robbery and violence. Under the guise of enforcing Government price control policies, the green uniformed youths confiscated goods including food, and sold it on for an inflated price, or kept it themselves. It was reported by the Daily News on 18 December 2002 that the police did not interfere with the activities of the youth militia. [9bz] However, according to the Solidarity Peace Trust, there were a few cases on record of youth militias having attacked police and the army, and being attacked or arrested in return. The courts on occasion, had criticised and passed judgement against the militia. [65] The Daily News stated that the Green Bombers had become an increasingly common sight, “particularly in Harare, Chitungwiza and Bulawayo” – all opposition strongholds. The youth militias were used to intimidate and attack those who the Government perceived as opposition members or supporters. [9bz]

**6.148** In a Daily News report dated 23 January 2003, the Zimbabwe Human Rights organisation (ZimRights) accused the Green Bombers of stealing maize meal for themselves in Gwanda. Youths accompanied trucks of maize from the millers to the shops and set aside a quota for themselves. [9cm] Former farmer and author Cathy Buckle watched as 30 Green Bombers intimidated a crowd of 3,000 people in a bread queue in Marondera. Ms Buckle described, in a BBC write up of 20 February 2003, how they used fear to control the crowd, pushed to the front of the queue to steal bread, then hide it away only to later return. “Thirty youths controlling 3,000 people.”[3m]

**6.149** The Zimbabwe National Liberation War Veteran Association (ZNLWA) has been in decline since the death of its former leader, Chenjerai Hunzvi. An IRIN report noted on 21 January 2003 that this decline, coming at a time when the youth militias were expanding, generated reports that the War Veterans were being replaced by the Green Bombers as ZANU-PF’s tool to terrorise opposition party supporters. [10ad]

**6.150** In Kamativi, the Green Bombers numbered over 1,000. They were drawn from one of the four militia camps in Tsholotsho district and had already ousted MDC officials, including councillors from the town. Residents of the former mining town had to have passes to move in and out of the compound. The BBC confirmed on 24 April 2004, in an article entitled “Zimbabwe militia occupy town” that the militias had replaced the police as the law in Kamativi, beating up police officers who had arrested ZANU-PF supporters. [3y]

**6.151** The Solidarity Peace Trust report stated that since January 2002 the Youth Militia had become one of the most commonly reported “perpetrators of human rights violations”. It added that the militia were a tool used by the ruling ZANU-PF and had been given impunity and implicit powers to mount roadblocks, disrupt rallies and intimidate voters. There have also been documented reports of youth militia being involved in influencing the distribution of food aid through the GMB, of restricting access to health care and of destroying independent newspapers. [65]

**6.152** In Mashonaland province according to USSD 2003, unlike previous years, there

were in 2003 no reports that the militias abducted MDC supporters and took them to sites in the region, and nor were there reports that torture camps at Kitsiyatota, Chiveso, Muremba, Mupandira, Maizeland, Foothill Farms, and Nyawa in Bindura were used during the year. [2d p. 5]

### **Impunity**

**6.153** It was widely reported, including by the Solidarity Peace Trust, that the youth militia operated with impunity. However, there were occasions when the militias were checked. In February 2002, a group of militia attacked a number of off-duty soldiers in Nyaki district, mistaking them for MDC supporters. Some of the soldiers required hospital treatment. The following weekend the soldiers retaliated and “beat up scores of green-uniformed ZANU-PF youth”. Additionally, there were occasions when police arrested members of the militia and the courts pursued these cases. In January 2003, 20 youth militia appeared in court accused of looting and attacking shop vendors in Epworth, Harare. The magistrate warned the 20, who were remanded on bail, that if they were found guilty they faced no less than three years’ imprisonment. However, attackers of ordinary citizens were given de facto impunity by the authorities in the vast majority of cases. [65]

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## 6.C Human Rights – Other Issues

### Treatment of Human Rights Organisations

**6.154** According to the US State Department Report 2003 a number of domestic and international human rights groups operated in the country with government restrictions, investigating and publishing their findings on human rights cases. Unlike in the previous year, problems encountered by international donors and NGOs in food distribution were corrected expeditiously. [2d, p. 18] The Zimbabwe Human Rights NGO Forum had taken the lead in co-ordinating reports on human rights violations and abuses in the period prior to and following the 2000 parliamentary elections, according to the US State Department Report 2002. [2e p. 24]

**6.155** USSD 2003 reported that, “During the year, suspected CIO officers targeted employees of ZimRights, a local NGO that investigates human rights abuses. In March, armed men searched and ransacked the home of one employee. In March and April, suspected CIO officers followed, threatened, and attempted to break into the home of another employee in Mutare. Fearing for his safety, he camped out for a few months without electricity or running water outside of town.” [2d, p. 18]

**6.156** “On September 13 [2002], the Government signaled its intention to step-up its oversight of NGOs, many of which they accused of supporting opposition political activity. It published a notice saying it would begin enforcing the 1995 Private Voluntary Organizations (PVO) Act requiring all PVOs to apply for registration with the Ministry of Social Welfare. Most PVOs had ignored the 1995 Act and expressed concern that enforcement of it would give the Government excessive control over their activities. Government ordered all non-registered PVOs to cease operations until they registered, a process that generally takes approximately eight months”, according to USSD 2002. [2e p. 25]

**6.157** At the State opening of Parliament in July 2003, Robert Mugabe announced a Non-Governmental Organisations Bill. Civil rights groups fear that this is an attempt by the government to curtail their activities. In 2002, many NGO’s avoided registering under the Private Voluntary Organisations Act by stating that they were trusts. The proposed bill will widen the definition of NGO’s to include trusts. [10am]

**6.158** On 20 August 2004 the BBC reported that the government had published a proposed law to ban foreign human rights organisations and restrict local charities. “The bill requires non-governmental organisations to apply for a license, but says none will be granted if the group’s aim is to promote human rights.” The bill was expected to become law later in 2004. [3e]

**6.159** According to Mail and Guardian Online on 2 August 2004:

“The bill forbids local organisations from receiving foreign funding and requires them to register with the government, which can ban them. The bill also prevents foreign organisations from operating if they intend to work in the areas of governance and human rights.

“Amnesty International said: ‘The government will use this new bill to silence critical voices and further restrict the right to freedom of expression. It is a clear attempt to suppress dissenting views as parliamentary elections draw closer.’” [6c]

**6.160** A  August 2004 IRIN report stated that “The Zimbabwean government this week

defended a proposed ban on foreign human rights groups and restrictions on local rights organisations, describing them as 'a threat to national security". The IRIN report went on to say "The government statement on Sunday said some NGOs were 'deviant and others dabble in politics... This legislation should not come as a surprise... to patient adversaries of government. It was long overdue'. It added the bill was aimed at helping other NGOs to work without being pressured into being anti-government." [10ah]

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## Land Reform

**6.161** According to information sourced from a BBC report of 26 April 2000 and a UNHCR report from July of the same year, during the colonial era, white settlers forced many black Zimbabweans off their ancestral lands. Although independence and majority rule were the major cause of the guerrilla war, the issue of land ownership was also a significant contributing factor. Government figures indicated that "some 4,400 white Zimbabweans owned 32% of agricultural land, around 10 million hectares". One million black Zimbabwean "peasant families farmed around 16 million hectares". Many of the farms owned by whites were purchased after 1980 with certificates of no interest from the Government; these farms were therefore not seized from the original African occupants. [3ab][32]

**6.162** The BBC report states that whites own much of the highly productive land in "fertile areas with better rainfall" whereas black-owned land is "often in drought-prone regions". While it is the case that whites own a disproportionate share of the better agricultural land, there are concerns that redistributing land from the efficient, mainly white-owned, commercial farming sector to people without adequate planning and management will be disastrous for Zimbabwe's economy. [3ab]

**6.163** Following independence in 1980 a programme of land reform was begun, based on the 'willing seller, willing buyer' principle. The United Kingdom has provided £44 million since 1980 for land reform. However, the BBC report pointed out, and local media like the Daily Telegraph concurred, that in the 1990's "much of the redistributed land ended up in the hands of cabinet ministers and other government officials" rather than the landless peasants who were supposed to benefit from the reform programme. The British Government and other international donors have therefore refused to support further land reform unless the process becomes more transparent. [3ab][5i]

**6.164** In 1997 President Mugabe promised to seize 1,500 mainly white-owned farms without compensation. The International Monetary Fund forced him to withdraw his threats in 1998 and abide by the constitutional requirement to pay compensation for acquired land. In 1999 the Government bought only 50 farms. [3ab][5i]

**6.165** The Daily Telegraph of 28 April 2000 stated that a "land conference" was held in 1998 and "a 10-year programme of land redistribution" was agreed between farmers, the Zimbabwean and British governments and other donor countries. However, according to the UNHCR report entitled "Zimbabwe – A Strategy of Tension", the Zimbabwean Government broke the agreement later in 1998 when it published a list of 800 farms for compulsory acquisition. Farmers were able to appeal against the proposed seizures and the programme was halted. Frustrated by this, President Mugabe pushed through a constitutional amendment in February 2000 that removed farmers' rights to compensation. [5i][32]

**6.166** Mugabe tried to exploit the unresolved land issue in an attempt to restore his falling popularity. In a pattern of electoral violence, a campaign of farm occupations began in February 2000. Squatters, claiming to be War Veterans, occupied hundreds of white-owned

farms and the BBC reported on 1 June 2000 that five white farmers were murdered in the violent run-up to the parliamentary elections. [3f] The War Veterans also attacked many black farm workers. Europa's Africa South of the Sahara 2002, noted that the police did little to apprehend the perpetrators of the violence. [1b p. 1227]

**6.167** In February 2003, two separate NGOs issued reports highlighting the difficulties that the farm workers experienced in light of the land reform process. Famine Early Warning Systems Network (FEWS NET) warned that the number of farm workers affected had increased to 1 million. An IRIN news report of 13 February 2003 highlighted their plight. It stated that according to the UN Relief and Recovery Unit (RRU) farm workers had not been included in the "main assistance programming" of "vulnerability assessments". Most farm workers were from foreign ethnic backgrounds. Once they lost their jobs, they lost their homes. They could not return to their country of origin and were far from their families. [10ae] In a subsequent IRIN report of 4 April 2003 it was learnt that following the amendments to the Citizenship Act announced in April 2003, many farm workers in this position could claim Zimbabwean citizenship meaning that they could profit from land reform and gain access to social welfare. [10y]

**6.168** On 26 and 27 March 2003 approximately 1000 farm workers, including women and children were forced off Roy Bennet's Charleswood Estate farm. Mr Bennet is an MDC MP. [9bf] However, on 8 April, the High Court directed that the workers should be allowed back on to Charleswood immediately. A Daily News report released the following day, stated that those who the Court ordered to stop intervening in the affairs of Charleswood were the Minister of Defence Sydney Sekeramayi, the Minister of Lands, Joseph Made, Augustine Chihuri the Police Commissioner, and Constantine Chiwenga the Commander of the Army. [9bg]

**6.169** Reports emerged in IRIN and the BBC in November 2002 that the redistribution process was not fulfilling the goals set by the Zimbabwean Government. People were not being moved from the "densely populated communal areas to newly acquired farmland", despite only 400 commercial farmers remaining out of a total of 4000 in 2000. In Mashonaland Central, known for its fertile soils, out of a population of 1 million, only 15,000 had been resettled by November 2002. [10af][3z] The Zimbabwe Standard voiced its concern on 14 July 2003. It claimed that other documents from the 10 provincial governors, leaked to the MDC, revealed that only 129,000 farmers had been resettled under the A1 land reform (for villagers and small scale farmers) since 2000, not 300,000 as the Zimbabwean government claimed. [20k]

**6.170** A leaked audit carried out by Vice President Msika's office received coverage in a BBC report of 21 February 2003. It accused Ministers and senior officials of "grabbing land" meant for landless Zimbabweans. Those named in the report included the Information Minister, Jonathan Moyo, Mugabe's sister Sabina, and the head of the air force, Perence Shiri. Shiri is reported to own three farms, one of which is three times larger than the maximum allotted size. He was also allegedly trying to evict 96 landless families from his farms. Some officials have responded by claiming that that their "reputations were being deliberately tarnished by rival factions" within ZANU-PF. [3aq] This allegation seems to be substantiated by a document that the Daily News claims was leaked to it in April 2003. The Daily News claimed that it was an "addendum to the land audit" conducted by Flora Buka, the Minister of Land Reform in the Vice President's office. [9eq]

**6.171** An IRIN press release of 15 May 2003 reported that, in order to verify the findings of the land reform audit submitted to the cabinet in May, Mugabe established the Land Review Committee (LRC). The establishment of the LRC came after allegations that senior ZANU-PF

officials had flouted the “one man one farm policy”. [10au] An interim report released by the LRC supported the evidence of the original audit. As a result, Mugabe ordered ZANU-PF officials to relinquish all bar one of their farms within two weeks. [10av] However, this order appears to have been largely ignored. [64]

**6.172** In their Country Profile, updated in July 2003, Global IDP Database stated that since the start of the government’s “fast track” land reform programme, approximately 240,000 farm workers have lost their jobs and 500,000 have been forced to leave their homes. Coping mechanisms for the displaced range from diversifying into gold panning, selling firewood, or family assets and, in some cases, commercial sex. Those who are particularly vulnerable are the elderly, female headed households, orphans, and those of ill health, for example, HIV/AIDS sufferers. However, whilst in the past the ZANU-PF youth militia and the War Veterans concentrated much of their attention on rural areas, since 2002 Harare and the major cities have become the focus for the ruling parties campaign to suppress the opposition. [68]

**6.173** Although the land acquisition process was officially declared completed in August 2002, the Government continued serving Section 8 notices (compulsory acquisition orders) in late February 2003. The Zimbabwe Independent estimated that 98% of all commercial farm land had been acquired by March 2003. [11f]

**6.174** “Farmers dissatisfied with compensation offers” was the headline of an IRIN report released on 9 April 2003. It noted that some 290 white farmers had been “offered compensation for improvements to their land, but not for the seized land itself”. However, Colin Cloete of the Commercial Farmers Union (CFU) stated that the sums offered by the government were insufficient. Cloete gave the example where one farm had been independently valued at Zim \$250 million, but the government offered a “mere Zim \$20 million”. [10at]

**6.175** A farmer was held hostage inside his home by ZANU-PF militia in Mashonaland West, near Kadoma according to a story in the Daily News of 27 May 2003. The farmer, Piet Rorke, was prevented from “harvesting his maize and wheat crops and was ordered to vacate his property”. The ZANU-PF militia subsequently harvested the crops themselves. The police reportedly ignored distress calls from the farm and the Mashonaland West provincial governor, who visited the farm, failed to break the impasse after the militia turned violent. Mr Rorke’s farm was one of the 56 in Mashonaland West not listed for acquisition by the government. [9c] The CFU warned, in an IRIN report of 25 June 2003 that the courts were hopelessly clogged with a backlog of contested cases concerning the governments land reform programme. [10az] The state owned Zimbabwe Broadcasting Corporation reported that the ownership of only 245 out of 6,001 gazetted farms had been legally transferred by the end of May 2003. [2e][10az]

**6.176** Those resettled on land acquired under the government land reform programme were also subject to eviction themselves. More than 180 farmers resettled under the A1 scheme on six farms in Goromonzi district of Mashonaland East faced eviction because the government wanted to reallocate the land under the A2 model. The A2 model is designed for larger, black, commercial farmers. [9d] On 26 August 2003, the Daily News claimed that police torched 1,000 homes belonging to resettled farmers at Windcrest Farm near Masvingo city the previous day. The settlers were officially allocated the land in August 2001. The land was bought by a Mr Mukumba, a Foreign Affairs employee based at Zimbabwe’s High Commission in London. [9e]

**6.177** Settlers who illegally invaded the Little England Farm near Zvimba, Mashonaland West, in 2000, encouraged by ZANU-PF officials at the time, were ordered off the farm to make way for Winnie Mugabe, the wife of Robert Mugabe's nephew, and 68 others. The settlers were angered by this order, and, according to the Daily News of 3 September 2003, severely assaulted Winnie Mugabe and her two sons. Subsequently, a ZANU-PF official, Phillip Chiyangwa, branded the settlers as "lawless people" and "savages". [9f]

**6.178** Furthermore, as a result of a lack of infrastructure, some families who settled on land acquired under the government's reform programme, returned to their original communal areas. IRIN posted an article on 4 September 2003 which suggested that the lack of health and educational services along with poor transportation links effectively created push factors for the settlers to leave the new lands, which were not always suitable for the types of agriculture the settlers were used to. [10aw]

**6.179** In early September 2003 the Daily News expressed the view that the pressures the CFU was under had become apparent when the Matabeleland Chapter of the Union separated from the main body. The move was in protest against the leadership of the CFU, which changed hands since Colin Cloete stepped down as leader in August. The new leadership, under Doug Taylor-Freeme, is seen as moderate, preferring to negotiate with the government over the land issue. Taylor-Freeme claimed that there are those in the Matabeleland chapter who wish to see the CFU "adopt a political position", which he said "would not happen". [9g]

**6.180** In October 2003, a report published by Charles Utete, a close ally of Robert Mugabe, noted that less than half of the supposed beneficiaries had been resettled under the land reform programme. According to the BBC on 17 October 2003, the Utete report stated that 127,192 people had been resettled, contrasting with the 300,000 the government previously claimed to have resettled. Utete noted that 8.6 million hectares of land had been seized and 1,323 white farmers remained. [3be] Clifford Mpande, the provincial manager of the Mashonaland East Farm Community Trust claimed that 2% of the acquired 11 million hectares had been allocated to former commercial farm workers, according to a report in the Zimbabwe Independent. [11i]

**6.181** On 28 January 2004, IRIN reported that the Zimbabwean Parliament had passed amendments to the Land Acquisition Bill. According to state media, the amendments allow the government to compulsory acquisition land, after publishing its intention in a government gazette. This replaces the former requirement of serving notice to the landowner in person. [10bk] Additionally, the Daily News reported that this legislation removes the option of the landowner to offer other parts of his/her land as substitute for that which has been designated for redistribution. [9at]

**6.182** On 6 February 2004 IRIN reported that over 300,000 workers formerly employed on commercial farms had been displaced by the land redistribution programme. The problems were most pronounced in Mashonaland West, Mashonaland East and Mashonaland Central. Many ex-farm workers had set up squatter camps on the outskirts of the farms they used to work on. Conditions and sanitation were poor with occupants living in pole and mud huts and using improvised pit latrines or going into the bush. Very few had land to cultivate and lacked basic health and education facilities. [10bi]

**6.183** On 31 July 2004 Zim Online reported that "The Zimbabwean government is blocking humanitarian aid to farm workers evicted from farms during its controversial land reform process, Refugees International (RI) said in a report. Washington-based RI said

investigations by the organisation had revealed that the government had barred several Non-Governmental Organisations (NGOs) from providing health and food aid to these displaced people resulting in the worsening of a hidden but severe humanitarian crisis. Most of the former farm labourers, some of Malawian and Mozambiquan origin, were leading destitute lives after being displaced from their former working places, the report noted.” [49d]

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## **Food Shortages**

**6.184** As a result of a drought combined with the Government’s attempts at land reform, 6.7 million people, over half of Zimbabwe’s population, were at risk of starvation and required food aid by December 2002 according to a BBC report which appeared in October.

International organisations responded to this crisis by providing grain to Zimbabwe. However, Government interference in the distribution of food aid forced the World Food Programme (WFP) to suspend distribution in the Insiza district. WFP stated that activists from the ruling ZANU-PF party had been distributing food in an unauthorised manner and would not tolerate the handing out of aid on a partisan basis. [3ay]

**6.185** In Chimanimani, eastern Zimbabwe, at the polling stations during the local council elections, ZANU-PF were seen to be handing out maize to people who had just voted for them. The MP for Chimanimani, the MDC’s Roy Bennett, came to the polling station and photographed the scene. It was then, claimed the Daily News on 3 October 2002, that Mr Bennett was arrested. [9af]

**6.186** A Guardian news report of 17 October 2002 drew attention to the fact that the Zimbabwean Government had ordered Save the Children and Oxfam to stop distributing food provided by WFP and, in Save the Children’s case, their own food. The latter group was told to stop distributing aid in Binga, the only rural area that was won by the MDC in the September 2002 local elections, and in Chimanimani. [34d][10m] By late November, after a five-week suspension, an IRIN announced in that the Zimbabwean authorities had allowed Save the Children to resume their activities, including those in Binga. [10an]

**6.187** In addition to Insiza, there were numerous accounts of food being distributed only to those who supported the ruling party. In October and November of 2002, in Harare and Chitungwiza there were reports in the Daily News of hundreds of card holding ZANU-PF members being able to buy maize-meal. “Perceived MDC supporters and fence-sitters were turned away”. [9bh][9bi]

**6.188** In early November 2002 the BBC commented that this selective distribution of food aid was condemned by the European Union (EU). Prior to the EU’s statement, the United States warned Zimbabwe that it was prepared to take what it called “intrusive” action to ensure that food aid was distributed properly. [3ap] UK charities, according to a BBC news report in February 2003, were said to have deliberately maintained a low profile in Zimbabwe to avoid antagonising the Zimbabwean Government, which is known to politicise food aid. [3ah] There were reports of food riots in Chitungwiza near Harare in early January. Four police officers who were controlling food queues were injured in the fray. In Bulawayo, Zimbabwe’s second city, 39 people appeared in court on 6 January 2003 following food riots three days earlier. [3ag]

**6.189** In February 2003, an IRIN report advised that there were indications that the March/April harvest would fall short of required levels, meaning that the aid effort would have to continue for at least several more months after the harvest. The Famine Early Warning Systems Network (FEWS NET) put the deficit at 1.093 million tonnes for the 2003/2004 consumption year. FEWS NET also warned that “NGOs needed to start planning for

continued food aid, non food aid and food imports" for the 2003/2004 consumption year. [10ag]

**6.190** According to a BBC report, in late February 2003 the United Nations World Food Programme (WFP) blamed the Zimbabwean Government for the current humanitarian crisis there. James Morris, the head of the WFP said that the situation was "almost beyond comprehension" and could easily have been avoided. Morris said that thousands of farms, which were usually productive were largely idle. He continued, saying that along with the monopoly on food imports, and restrictions on private sector food marketing, the land reform scheme had turned a manageable drought into a humanitarian nightmare. [3ae]

**6.191** In late April 2003 IRIN clarified that the Grain Marketing Board (GMB) had relaxed the rules governing trade in grain, to allow individuals to sell grain. Previously, the GMB had sole rights to buy and sell grain in Zimbabwe. Now, up to 150 kg of grain could be sold throughout the country, without the need for a permit. Grain supplies from between 150kg and 10 metric tonnes could be sold with a permit from the GMB. The Commercial Farmers Union said the change in the rules would benefit small-scale farmers, but did not help larger commercial growers. [10ao]

**6.192** On 30 June 2003 the World Food Programme (WFP) stated that it was scaling down its operations in Zimbabwe. The cereal and maize crop in 2003 was significantly up on 2002, though still below the 2001 output. The WFP stated that 4.4 million rural, and 1.1 million urban dwellers would require food aid. [9am] This figure is down from 6.7 million people requiring food aid last year. [3ay]

**6.193** Despite this, a Daily News story of 3 July 2003 included the Bulawayo city council's announcement that 43 people had died of malnutrition in April 2003. The city's Director of Health Services reported that most of the deaths occurred in the younger (5–14 age bracket) and in the old (50+ age bracket). [9an] "Malnutrition also accelerates the rate at which HIV becomes full-blown AIDS". In July, a World Food Programme report indicated that the WFP were operating in 14 clinics throughout Bulawayo. [54b]

**6.194** Following the statement by the GMB that the price that it sold maize and wheat to millers was to rise, the Zimbabwe Bakers Association defied government price controls and "doubled the price of a loaf of bread to Z\$1,000". [54b] The government took action against those who broke its price control, fining four leading bakers a total of Z\$20,000,000. [3u]

**6.195** On 14 August 2003, the government announced a new policy guideline. An IRIN news release of 25 August confirmed that it had altered its memorandum of understanding with the WFP, which would allow the WFP to send food to distribution points, but the government would oversee the distribution of food aid to the population through local structures and village leaders. This change in operations attracted criticism, with concerns being raised about the "politicisation of WFP-delivered food". However, an IRIN report the following month stated that the WFP had subsequently gained assurances from the government that they, the WFP, would remain in control of the distribution of aid, and that there would be no operational changes on the ground. [10ap][10ar] The UN Humanitarian Co-ordinator in Harare, J Victor Angelo, stated that relief would be distributed solely on the basis of the needs of "the most vulnerable". [10ar]

**6.196** Shortly after this, the government requested the United Nations Relief and Recovery Unit (UN RRU) to close all of its provincial offices. The government claimed that not all of "the procedures for the establishment of this field presence had been properly

followed". IRIN reported that all RRU staff were subsequently recalled to Harare. Staff were still able to deploy into the field from Harare. [10aq] However, these offices were not involved in the food aid programme and WFP food aid operations, with offices in Bulawayo, Harare, Masvingo and Mutare, were unaffected. [54c]

**6.197** In their October 2003 report "Not Eligible: The Politicization of Food in Zimbabwe", Human Rights Watch claimed that the government controlled Grain Marketing Board (GMB) and the Food Committee were heavily influenced by representatives of the Central Intelligence Organisations, the police and the military. [69a pp. 34-35] To access the food provided by the GMB, millers and shop owners would need to be sufficiently pro-ZANU-PF. [69a pp. 40-41] The report also claimed that international relief efforts were also politicised. However, compared to other similar relief situations, less international relief food aid was being diverted or distributed unfairly. [69a p. 28]

**6.198** However, the US State Department Report 2003 stated that the government owned GMB was distributing food on a political basis. "During the year, the Government's GMB routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. A common ZANU-PF tactic was to announce the distribution of food in the vicinity of, and at the precise time of, an MDC rally. Persons chose to attend the food distribution event rather than the rally, but were often turned away empty-handed. In many instances, GMB sold food only to those who produced ZANU-PF membership cards." [2d p. 16]

**6.199** In January 2004, IRIN reported that: "The number of people forecast to be in need of food aid in Zimbabwe over the next few months had risen dramatically to 7.5 million, up from an earlier estimate of 5.5 million". [10bm] It is thought that the number of urban dwellers in need of food aid has risen from 1.1 million to 2.5 million. [10bn]

**6.200** A UNHCR report on 8 August 2004 carried a news story that at least 125 people, children among them, had died of malnutrition in Bulawayo since March 2004, casting doubt on President Mugabe's assurances that Zimbabwe was in food surplus. The World Food Program was planning to lay-off some of its workforce despite warning that the grain harvest could be half the 2 million tons needed. Archbishop Ncube claimed the government planned to use food as a weapon in the parliamentary elections. [61a]

**6.201** On 19 August 2004 IRIN reported that "Four in five Zimbabweans went without food at least once last year, according to a new survey". The Afrobarometer survey found that this figure was much higher than in any of the other 15 African countries surveyed. [10aj]

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## **Witchcraft**

**6.202** Belief in witchcraft is strong and witch-hunting is a thriving business in rural communities. A number of ritual murders, seen as a form of witchcraft, have come before the courts. [20b]

**6.203** The 1890 Witchcraft Suppression Act, dating from the early colonial era, "criminalises purporting to practise witchcraft" and "penalties include imprisonment for up to 7 years"; anyone accusing another of witchcraft is subject to a fine or three years' imprisonment and a witch hunter may face seven years in gaol. According to the US Department of State 2001 Country Report, the law reportedly defined witchcraft as the practice of sorcery without reference to the consequences intended by the practitioner. It is also an offence to brand another person a witch. Since 1997 the Zimbabwe National African Traditional Healers'

Association has proposed amendments to the 1890 Act that would redefine witchcraft in terms of “intent to cause harm including illness, injury or death”. Mainstream Christian churches have, however, opposed any such change to the legislation and human rights groups have also generally supported the existing witchcraft laws. These laws have been used particularly to protect people, primarily women, accused of causing harm to people or crops in rural areas where traditional religious practices are strong. [2b][20b][2d]

**6.204** There is some tension between the Government and indigenous churches because of the churches’ opposition to Western medical practices that result in the reduction of avoidable childhood diseases and deaths. Some members of indigenous churches believe in healing through prayer alone and refuse to have their children vaccinated. [2b][2d]

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## **ANNEX A**

### **Chronology of Events**

#### **1890**

British Colony of Southern Rhodesia established; subsequent influx of white settlers, mainly from United Kingdom and South Africa

#### **1953**

Southern Rhodesia united with Northern Rhodesia and Nyasaland, also British territories, to form the Central African Federation (CAF)

#### **1962**

White voters in Southern Rhodesia vote into power the Rhodesia Front party, committed to maintaining white rule and achieving independence from UK

#### **1963**

UK dissolves CAF; Northern Rhodesia and Nyasaland granted independence by UK under majority rule administrations, as Zambia and Malawi respectively

#### **1963**

Black nationalist opposition splits and Zimbabwe African National Union (ZANU) led by Reverend Ndabaningi Sithole breaks away from Joshua Nkomo's Zimbabwe African People's Union (ZAPU)

#### **1965**

Rhodesia Front Prime Minister Ian Smith makes illegal unilateral declaration of independence (UDI) for Southern Rhodesia from UK, renaming the territory Rhodesia

#### **1976**

ZAPU and ZANU combine their military efforts in the Patriotic Front (PF) alliance

#### **1979**

Ian Smith's administration concludes an 'internal settlement' with some black nationalists; Bishop Abel Muzorewa becomes first black Prime Minister of 'Zimbabwe-Rhodesia'

#### **Dec 1979**

Lancaster House constitutional conference in London, attended by all parties including the PF produces independence settlement for Rhodesia; whites to be guaranteed 20 seats in new 100-seat parliament

#### **Feb 1980**

Robert Mugabe's ZANU-PF party wins 57 out of 80 'common roll' seats and Nkomo's PF (ZAPU) wins 20 seats; Bishop Muzorewa's UANC party wins only 3 seats and Rhodesia Front wins all 20 seats reserved for whites

#### **April 1980**

Independence of Zimbabwe – Robert Mugabe of ZANU-PF becomes Prime Minister and Reverend Canaan Banana becomes President, with ceremonial duties only

#### **1982-87**

Insurgency in Matabeleland; Government sends mainly Shona Fifth Brigade to quell dissent – thousands killed during *Gukuruhundi* pacification campaign, causing resentment of Government by the Ndebele

**1987**

Reconciliation between ZANU-PF and ZAPU ends Matabeleland conflict; ZANU-PF and ZAPU merge, keeping ZANU-PF name; reserved seats for whites abolished; Prime Minister Mugabe becomes executive President

**1988**

Amnesty proclaimed in Matabeleland, leading to rapid improvement in security; Edgar Tekere expelled from ZANU-PF for persistent denunciation of party leadership and policies

**1989**

Edgar Tekere founds Zimbabwe Unity Movement (ZUM) in opposition to ZANU-PF

**March 1990**

Mugabe wins Presidential election, polling 2.03 million votes against ZUM's Edgar Tekere's 413,840; ZANU-PF wins 117 of the 120 contested seats in parliamentary elections, with ZUM taking 20% of the vote and two seats

**Aug 1990**

Joshua Nkomo becomes Vice-President, in addition to existing Vice-President Simon Muzenda

**1994**

ZUM merges with Bishop Muzorewa's UANC; Muzorewa forms United Parties grouping later in year

**April 1995**

ZANU-PF wins decisive victory in general elections, although eight opposition parties boycott polls – ZANU-PF takes 118 seats and Sithole's ZANU-Ndonga two

**Oct 1995**

Sithole charged with conspiracy to assassinate Mugabe

**March 1996**

Mugabe wins Presidential elections with nearly 93% of the vote, but turnout less than 32%

**July 1997**

Criminal charges brought against former President Canaan Banana for alleged sexual assault against a former male employee

**Dec 1997**

Sithole found guilty of plotting to kill Mugabe and sentenced to two years' imprisonment, but released on bail pending appeal

**Nov 1998**

Banana convicted on 11 charges of sexual assault, sentenced to ten years' imprisonment in 1/1999 – most of the sentence suspended but Banana to serve a minimum one-year in prison

**July 1999**

Vice-President Joshua Nkomo dies

**Sept 1999**

Movement for Democratic Change formed.

**2000**

Reverend Ndabaningi Sithole, leader of ZANU-Ndonga, dies

**May 2000** – Former President Canaan Banana ordered to serve a year in prison for sexually assaulting a male bodyguard

**June 2000**

MDC wins 57 of 120 directly-elected seats in parliamentary elections marred by a violent campaign, perpetrated mainly by Government supporters against the opposition MDC and white farmers that leaves 37 people dead

**Nov 2000**

ZANU-PF holds Marondera West in by-election

**Jan 2001**

ZANU-PF wins Bikita West in by-election from MDC; campaign marred by violence

**Jan 2001**

Canaan Banana reportedly released from prison

**April 2001**

June 2000 election results in Buhera North, in which ZANU-PF's candidate was declared the winner over MDC leader Morgan Tsvangirai, and in Hurungwe East nullified by High Court; by-elections pending

**July 2001**

ZANU-PF holds Bindura in by-election with increased majority; violent campaign and MDC candidate detained by police

**Sept 2001**

MDC wins Bulawayo mayoral elections with landslide majority; ZANU-PF holds Makoni West and Chikombwa parliamentary seats in by-elections with increased majority – results emphasise rural-urban political divide

**March 2002**

President Mugabe re-elected President for six-year term in controversial election following a violent campaign; EU and USA apply selected sanctions against the Zimbabwean Government and officials

Zimbabwe suspended from Commonwealth for one year because of election fraud and violence

Introduction of the Access to Information and Protection of Privacy Act.

**Sept 2002**

Local council elections. Won by ZANU-PF after a campaign condemned by rights groups.

ZANU-PF are also victorious in the Hurungwe West by-election, but similar criticisms are levelled at the ruling party.

**Oct 2002**

Learnmore Jongwe, MDC MP and spokesperson dies in Harare prison.

**Oct 2002**

Last of Zimbabwe's troops are withdrawn from DRC.

**Feb 2003**

The trial of Tsvangirai, Ncube and Gasela starts. They are charged with plotting to assassinate Mugabe.

**March 2003**

Commonwealth continue sanctions until a reassessment takes place in December 2003.

National stayaway organised by the MDC. Deemed a success, which brought violent reprisals from the state and its agents.

By-elections in Kuwadzana and Highfields. Both won by the MDC.

**April 2003**

ZCTU strike over massive rises in the price of fuel.

**June 2003**

Mass action organised by the MDC. The stayaway from work was widely observed, though no evidence of the mass demonstrations that were planned. Again, this resulted in a swift and violent response from the state and its agents.

Tsvangirai charged with treason. This means Tsvangirai has two charges of treason outstanding against him.

**Aug 2003**

Council and Mayoral elections throughout much of Zimbabwe. Also, by-elections in Makonde and Harare Central. ZANU-PF hold rural Makonde, and MDC hold the urban seat of Harare Central.

**Sept 2003**

Simon Muzenda, one of Zimbabwe's two vice presidents, dies.

**Nov 2003**

Kadoma by-election. ZANU-PF win the seat from the MDC.

**Jan 2004**

Tsvangirai takes the stand at his treason trial.

**Feb 2004**

ZANU-PF retain the seat of former Vice-President Muzenda in the Gutu North by-election.

Cabinet reshuffle.

**March 2004**

ZANU-PF win the Kadoma by-election.

**May 2004**

ZANU-PF win Lupane by-election by 883 votes amid evidence that election was rigged.

Government announce expecting bumper harvest and therefore food aid will not be required. Widely perceived to be untrue and that government planned to use food as a political weapon in 2005 parliamentary elections.

**July 2004**

Verdict in Tsvangirai trial postponed indefinitely when two lay assessors insisted they be fully consulted by trial judge.

Tsvangirai subject of assassination attempt.

Executive summary of Southern Africa Development Council report on human rights in Zimbabwe published.

**Aug 2004**

MDC announce boycotting all elections until electoral reforms in place.

Government published bill to restrict operation of human rights NGOs.

## ANNEX B

### PROMINENT ORGANISATIONS

#### **ZANU-PF**

According to the Economist Intelligence Unit Country Profile 2004:

“At independence, ZANU-PF’s ideology was initially Marxist-Leninist, and its leaders—Mr Mugabe in particular—were committed to socialism. However, from the late 1980s, with the fall of communism in eastern Europe and the break-up of the Soviet Union, the president did allow a move towards market oriented economic policies although he has always been an extremely reluctant convert to market economics and multiparty democracy. As the political crisis in Zimbabwe has intensified in recent years, Mr Mugabe, has reverted to more revolutionary language, notably the need to complete the chimurenga (the revolution by which he came to power) [chimurenga is a Shona word which means to fight or struggle] through the redistribution of land. He has also called for the nationalisation of mines and industries at various times. With the rapid collapse of the economy and international isolation of the regime from 2001 onwards, there have been frequent reports of attempts within ZANU-PF to force Mr Mugabe to retire from office. There have also been a series of rumours about his health. However, by all accounts he remains remarkably fit for an 80-year-old and has continued to play off party factions against each other while surrounding himself by hardline members of the party. It is probably broadly accepted that the parliamentary speaker, Emmerson Mnangagwa, would be his chosen successor, although other factions within the party contest this.” [24a]

#### **Movement for Democratic Change (MDC)**

According to the Economist Intelligence Unit Country Profile 2004:

“The MDC is the main opposition party. Although most of its support is in urban areas, it is also popular in Matabeleland in the south and Manicaland in the east. Despite its success in the 2000 parliamentary election, the party faces a huge political challenge as the government makes a concerted effort to undermine its parliamentary representatives: many are facing harassment and have been periodically arrested on spurious charges, while three senior leaders are being tried for treason. It now only holds 53 seats in parliament, having lost a number of bitterly contested by-elections in the last few years. Unable to organise mass demonstrations against the government, as these will be put down ruthlessly by the police and security forces, it has increasingly accepted that its main option is to enter direct negotiations to end the political crisis. As a result, it has worked on building its international profile. However, the leadership is aware that the ongoing pressure from ZANU-PF and the security forces, coupled with its general inability to organise effective protest, could cause the party to fracture. There are already divisions within the party over whether it should contest the March 2005 poll if there are no agreed changes to the electoral laws. Meanwhile, in mid-2003 several more radical groups apparently emerged in Zimbabwe claiming that they would use military means to overthrow the government.” [24a]

#### **ZANU-Ndonga**

The late Reverend Ndabaningi Sithole, who led ZANU before Robert Mugabe, set up ZANU-Ndonga. The party held two seats in Parliament prior to the elections in June 2000. The party

won a single seat in June 2000; Tarugarira Wilson Khumbula, ZANU-Ndonga MP for Chipinge South in Manicaland province, is the only MP in the current Parliament who does not belong to either ZANU-PF or the MDC.

### **Liberty Party/Liberty Party Of Zimbabwe**

The Liberty Party of Zimbabwe (LPZ), and a breakaway faction styling itself simply the Liberty Party (LP), is a minor party that contested a handful of seats in Matabeleland in the June 2000 elections. The leader of the LPZ is Canaan Zinothi Moyo. The LPZ contested 13 seats (including one seat, Umzingwane, where two candidates stood as LPZ) and the LP 8.

The highest vote achieved by the LPZ in any seat in June 2000 was in the Bubi-Mguza constituency in Matabeleland North, where the LPZ candidate received 889 votes. However, the small ZAPU party received 1,272 votes and the seat was won by the MDC with nearly 13,000 votes. The only party receiving fewer votes than the LPZ in Bubi-Mguza was the breakaway LP, which polled 223 votes. The LPZ polled a total of 2,997 votes in the 13 seats that it contested, and the LP polled 791 votes in total in the eight seats that it contested.

LPZ leader Canaan Z Moyo contested the Pelandaba constituency in Bulawayo and he received 54 votes. The seat was won by the MDC with over 16,000 votes. The ZAPU candidate received 270 votes in Pelandaba and the UP candidate received 57 votes. The candidate of the breakaway LP was the only candidate to receive fewer votes than Moyo, with 35 votes.

A Liberty Party candidate in the election for executive Mayor of Bulawayo in September 2001 polled just 390 votes, compared to nearly 61,000 for the MDC candidate and nearly 13,000 for ZANU-PF. Liberty Party candidates for seven vacant council seats in Bulawayo, also contested in September 2001, received very few votes.

### **Zimbabwe Union of Democrats [ZUD]**

The ZUD leader, Margaret Dongo, was the MP for Harare South prior to the June 2000 elections. She failed to come to an agreement with the MDC for the June 2000 elections and the seat was won convincingly by the MDC, with Dongo coming third with only 951 votes, behind the ZANU-PF candidate. ZUD fielded 16 candidates in the 2000 elections but did not win any seats.

### **ZAPU [ZAPU 2000]**

ZAPU, or ZAPU 2000, was formed as a resurgent group of the former ZAPU party of the late Joshua Nkomo in 1999. The party advocates a federal system for Zimbabwe, with considerable powers devolved to Matabeleland. The party was unable to agree an electoral alliance for the June 2000 elections with the MDC, as the latter does not support a federal structure. ZAPU candidates stood in most constituencies in Matabeleland and Bulawayo in June 2000 but failed to win any seats.

In early January 2002, ZAPU leader Agrippa Madlela announced that he would not contest the March 2002 presidential election so as to avoid splitting the opposition vote in Matabeleland and backed MDC leader Morgan Tsvangirai for the presidency. Madlela alleged that ZANU-PF was targeting him for 'elimination' ahead of the election. His decision split ZAPU into two factions. Paul Siwela, leader of a splinter group, announced his candidature for the presidency, standing for ZAPU.

### **United Parties [UP]**

The United Parties (UP) grouping was established by Bishop Muzorewa, leader of the UANC,

in 1994 after UANC's merger with the Zimbabwe Unity Movement (ZUM). UP boycotted the 1995 general elections. In the Presidential elections in 1996, Bishop Muzorewa was denied permission to withdraw his candidacy prior to the ballot and received 4.7% of the vote. UP failed to win any of the 59 seats it contested in the June 2000 elections.

### **Conservative Alliance of Zimbabwe**

Successor to the Rhodesia Front, supported by sections of the white population

**National Alliance for Good Governance [NAGG]** – their leader, Shakespeare Maya, contested the March 2002 Presidential election. The party also contested the Kuwadzana and Highfields constituency by-elections in March 2003.

## **CIVIC**

**National Constitutional Assembly (NCA)** – an umbrella group of civic organisations seeking democracy for all via a new constitution. Member organisations include the MDC, ZCTU, CCPJ, Red Cross Society and ZIMRIGHTS among many others. Formally launched on 31 January 1998.

**Women of Zimbabwe Arise (WOZA)** – consists of women who work to raise awareness of the problems faced by women in Zimbabwean society.

### **Crisis In Zimbabwe Coalition (CZC)**

**Centre for the Rehabilitation of Torture Victims (Ceretov)** – founded in Chitungwiza in 2003. Board Chairman – Job Sikhala MP.

## **LABOUR**

### **Zimbabwe Congress of Trade Unions (ZCTU)**

## ANNEX C

### PROMINENT PEOPLE

- **Robert Gabriel Mugabe** – Shona, first Prime Minister of independent Zimbabwe 1980–87, first executive President 1987 to present, leader of governing ZANU-PF party
- **Morgan Tsvangirai** – Shona, President of opposition MDC, previously Secretary-General of Zimbabwe Conference of Trade Unions (ZCTU) and onetime ZANU-PF party official
- **Gibson Sibanda MP** – Vice-President of MDC and leader of MDC MPs in Parliament
- **Simon Vengayi Muzenda** – ZANU-PF, former Vice-President of Zimbabwe. Died September 2003.
- **Joseph Msika** – ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Joshua Nkomo after his death in 1999
- **Professor Jonathan Moyo MP** – Ndebele, ZANU-PF Minister of State for Information and Publicity
- **Professor Welshman Ncube MP** – Ndebele, Secretary-General of MDC, MP for Bulawayo North and Secretary-General of the party
- **David Coltart MP** – white Zimbabwean, prominent human rights lawyer, MDC MP for Bulawayo South and Shadow Justice Minister
- **Chenjerai ‘Hitler’ Hunzvi MP** – leader of war veterans in farm occupations, elected as ZANU-PF MP for Chikomba in 6/2000; died in 6/2001
- **Ian Douglas Smith** – Prime Minister of colonial Southern Rhodesia in 1960s, illegally declared independence (UDI) of Rhodesia from UK in 1965, PM until 1979
- **Joshua Nkomo** – Ndebele, leader of ZAPU until party’s merger with ZANU-PF in 1987, Vice-President of Zimbabwe 1990 until his death in 1999
- **Reverend Canaan Banana** – first, non-executive, President of Zimbabwe 1980–1987; sentenced to a year in prison in 2000 for sexually assaulting a male employee, Released from prison January 2001
- **Bishop Abel Muzorewa** – Prime Minister of “Zimbabwe-Rhodesia” under power-sharing ‘internal settlement’ in 1979, former leader of UANC, leader of United Parties since 1994, United Methodist Church’s Bishop of Zimbabwe
- **Reverend Ndabaningi Sithole** – former leader of ZANU, latterly leader of small ZANU-Ndonga party, died 2000
- **Margaret Dongo** – leader of Zimbabwe Union of Democrats (ZUD), MP for Harare South until lost seat in 6/2000 elections

- **Edgar Tekere** – former ZANU-PF Secretary-General, expelled from party 1988 for denouncing plans for one-party state, founded opposition Zimbabwe Unity Movement 1989 and unsuccessfully challenged Mugabe for Presidency in 1990
- **Tarugarira Wilson Khumbula MP** – ZANU-Ndonga MP for Chipinge South, the only MP not from ZANU-PF or MDC elected in 6/2000
- **Border Gezi** – Former ZANU-PF Minister for Youth, Gender and Employment Creation. Initiated the National Youth Service programme. The members/graduates of which are sometimes called Border Gezi's, or Green Bombers or Taliban.
- **Constantine Guveya Chiwenga (General)** – Commander of Zimbabwe Defence Forces (since 1 January 2004).
- **Vitalis Zvinavashe (General)** – Commander of Zimbabwe Defence Forces, 1994– 2003.

## ANNEX D

### PARLIAMENTARY ELECTION RESULTS JUNE 2000

[AVAILABLE IN HARD COPY ONLY – see source document [7a]]

**Note:**

- Marondera West was held by ZANU-PF in a by-election in November 2000
- Bikita West was won by ZANU-PF from the MDC in a by-election in January 2001
- Bindura was held by ZANU-PF in a by-election in July 2001
- Makoni West was held by ZANU-PF in a by-election in September 2001
- Chikomba was held by ZANU-PF in a by-election in September 2001
- In April 2001, the High Court overturned the results in Buhera North and Hurungwe East, both declared ZANU-PF victories in June 2001; by-elections are pending in both constituencies
- In January 2002, the High Court overturned the result in Seke, which was declared an MDC victory in June 2000.
- Hurungwe West was held by ZANU-PF in September 2002.
- Insiza was won by ZANU-PF in October 2002
- Kuwadzana was held by the MDC in March 2003
- Highfield was held by the MDC in March 2003
- Makonde was held by ZANU-PF in August 2003
- Harare Central was held by the MDC in August 2003
- Kadoma Central was won by ZANU-PF in November 2003
- Gutu North was held by ZANU-PF in February 2004
- Zengeza was won by ZANU-PF in March 2004
- Other seats that have been nullified by the High Court as of 21 January 2003 are:
  - Mutoko South
  - Chiredzi North
  - Gokwe North
  - Gokwe South

## ANNEX E

### MDC CANDIDATES AND MPs, JUNE 2000 AND MDC LEADERSHIP AND SHADOW CABINET

#### MDC CANDIDATES AND MPs, JUNE 2000

57 seats were won by the MDC in the June 2000 parliamentary elections. All MDC candidates are listed below in order of constituency, with those elected MPs underlined. A list of all MDC MPs, in alphabetical order of surname, follows.

#### MDC candidates June 2000 by constituency:

##### HARARE

BUDIRIRO	<u>Gilbert MUTIMUTEMA</u>
CHITUNGWIZA	<u>Fidelis MHASHU</u>
DZIIVARASEKWA	<u>Edwin MUSHORIWA</u>
GLEN NORAH	<u>Priscilla MISIHAIRAMBWI</u>
GLEN VIEW	<u>Paul MADZORERE</u>
HARARE EAST	<u>Tendai Laxton BITI</u>
HARARE CENTRAL	<u>Michael Theodore Hayes AURET</u>
HARARE NORTH	<u>Getrude Bavier Lottie STEVENSON</u>
HARARE SOUTH	<u>Gabriel CHAIBVA</u>
HATFIELD	<u>Tapiwa MASHAKADA</u>
HIGHFIELD	<u>Munyaradzi GWISAI</u>
KAMBUZUMA	<u>Willias MADZIMURE</u>
KUWADZANA	<u>Learnmore Judah JONGWE</u>
MABVUKU	<u>Justin MUTENDADZAMERA</u>
MBARE EAST	<u>Tichaona Jephtha MUNYANYI</u>
MBARE WEST	<u>Donemore Sasi MAKUVAZA</u>
MUFAKOSE	<u>Paulina MPARIWA</u>
ST MARY'S	<u>Job SIKHALA</u>
ZENGEZA	<u>Tafadzwa Basilo MUSEKIWA</u>

##### BULAWAYO

BULAWAYO N.E.	<u>Welshman NCUBE</u>
BULAWAYO SOUTH	<u>David COLTART</u>
LOBENGULA	<u>Fletcher DULINI</u>
MAKOKOBA	<u>Thokozani KHUPHE</u>
MPOPOMA	<u>Milton GWETU</u>
NKULUMANE	<u>Gibson SIBANDA</u>
PELANDABA	<u>Jeffrey KHUMALO</u>
PUMULA-LUVEVE	<u>Esafu MDHLONGWA</u>

##### MANICALAND PROVINCE

BUHERA NORTH	<u>Morgan TSVANGIRAI</u>
BUHERA SOUTH	<u>Stephen Seven MAAMBIRE</u>
CHIMANIMANI	<u>Roy Leslie BENNETT</u>

CHIPINGE NORTH  
CHIPINGE SOUTH  
MAKONI EAST  
MAKONI NORTH  
MAKONI WEST  
MUTARE CENTRAL  
MUTARE NORTH  
MUTARE SOUTH  
MUTARE WEST  
MUTASA  
NYANGA

Messias MATEWU  
Elijah MAGAA  
Nicholas MUDZENGERERE  
Valentine Tinodyanavo ZISWA  
Elisha Remus MAKUWAZA  
Innocent Tinashe GONESE  
Giles MUTSEKWA  
Sydney MUKWECHENI  
Tambaoga NYAZIKA  
Evelyn MASAITI  
Leonard Ringisai CHIREWAMANGU

## MASHONALAND CENTRAL PROVINCE

BINDURA  
GURUVE NORTH  
GURUVE SOUTH  
MAZOWE EAST  
MAZOWE WEST  
MOUNT DARWIN NORTH  
MOUNT DARWIN SOUTH  
MUZARABANI  
RUSHINGA  
SHAMVA

Elliot PFEBVE  
Allan McCORMICK  
Gift CHIMANIKIRE  
Shepherd Leonard MUSHONGA  
Biggie Township CHIGONERO  
Ephraim Hondo PFEBVE  
Godfrey Donnie MUMBAMARWO  
Timoth MUKWENGWE  
Joel MUGARIRI  
Joseph MASHINYA

## MASHONALAND EAST PROVINCE

CHIKOMBA  
GOROMONZI  
HWEDZA  
MARONDERA EAST  
MARONDERA WEST  
MUDZI  
MUREHWA NORTH  
MUREHWA SOUTH  
MUTOKO NORTH  
MUTOKO SOUTH  
SEKE  
UZUMBA MARAMBA PFUNGWE Bonomali MARERE

Peter KAUNDA  
Leonard Chiutsi MAPURANGA  
Pearson TACHIVEYI  
Didymus MUNENZVA  
Shadreck CHIPANGURA.  
Israel KARONGA  
Musarurwa MUDZINGWA  
Ward NEZI  
Gents CHINOMONA  
Derek MUZIRA  
Tumbare MUTASA  
UZUMBA MARAMBA PFUNGWE Bonomali MARERE

## MASHONALAND WEST PROVINCE

CHEGUTU  
CHINHOYI  
HURUNGWE EAST  
HURUNGWE WEST  
KADOMA CENTRAL  
KADOMA EAST  
KADOMA WEST  
KARIBA  
MAKONDE  
MHONDORO

Philemon THAMBATSHIRA  
Silas MATAMISA  
Richard CHAZA  
Tsvangwa KANHEMA  
Austin Wilson MUPANDAWANA  
Richard Emmanuel MOYO  
Edward NGOMA  
Lucas Gombe SIGOBOLE  
Robert RUZIVO  
Hilda MAFUDZE

ZVIMBA NORTH Hamilton GOMBA  
ZVIMBA SOUTH Titus NHEYA (murdered December 2001 – see Section 3.43)

## MASVINGO PROVINCE

BIKITA EAST	Edmore MARIMA
BIKITA WEST	<u>Amos Munyaradzi MUTONGI</u> (died November 2000 – seat won by ZANU-PF in subsequent by-election)
CHIREDZI NORTH	Moses MARE
CHIREDZI SOUTH	Patrick Tsumele alias MAPENGO
CHIVI NORTH	Bennard CHIONDENGWA
CHIVI SOUTH	Alex Elias MASHAMHANDA
GUTU NORTH	Chrispen Zvouno MUSONI
GUTU SOUTH	Rensom MAKAMURE
MASVINGO CENTRAL	<u>Silas Joseph MAN'ONO</u>
MASVINGO NORTH	Joseph MUTEMA
MASVINGO SOUTH	Zachariah Isaac RIOGA
MWENEZI	Luciah MASEKESA
ZAKA EAST	Ratidzo Richard MUGWAGWA
ZAKA WEST	Charles MUSIMIKI

## MATABELELAND NORTH PROVINCE

BINGA	<u>Joel GABHUZA</u>
BUBI-MGUZA	<u>Jacob Thabani MATSHAZI</u>
HWANGE EAST	<u>Cephas NYONI</u>
HWANGE WEST	<u>Jealous SANSOLE</u>
LUPANE	<u>David MPALA</u>

## MATABELELAND SOUTH PROVINCE

BEITBRIDGE	Seyiso MOYO
BULILIMA-MANGWE N.	<u>Moses Mzila NDLOVU</u>
BULILIMA-MANGWE S.	<u>Edward Tshotsha Moyo MKHOSI</u>
GWANDA NORTH	<u>Paul Temba NYATHI</u>
GWANDA SOUTH	Paulos Matjaka NARE
INSIZA	<u>George Joe NDLOVU</u>
MATOBO	<u>Lovemore MOYO</u>
NKAYI	<u>Abednico BHEBHE</u>
TSHOLOTSHO	<u>Mtoliki SIBANDA</u>
UMZINGWANE	<u>Nomalanga Mzilikazi KHUMALO</u>

## MIDLANDS PROVINCE

CHIRUMANZU	Gideon MAKUMBE
GOKWE CENTRAL	Edson NYATHI
GOKWE EAST	Timothy MADZORI
GOKWE NORTH	Sibangani MALANDU
GOKWE SOUTH	Lameck MUYAMBI
GOKWE WEST	Edgar SITHOLE
GWERU RURAL	<u>Renson GASELA</u>

GWERU URBAN	<u>Timothy Lancaster MUKAHLERA</u>
KWEKWE	<u>Blessing CHEBUNDO</u>
MBERENGWA EAST	Sekai HOLLAND
MBERENGWA WEST	Mufandaedza HOVE
MKOBA	<u>Stanley Bethel MAKWEMBERE</u>
SHURUGWI	Lucia Gladys MATINENGA
SILOBELA	<u>Abednico Mathe MALINGA</u>
ZHOMBE	Anna MTISI
	Farai MARUZANE

### **MDC MPs as at June 2000 [in alphabetical order of surname]:**

AURET Michael Theodore Hayes	Harare Central [Resigned 2003]
BENNETT Roy Leslie	Chimanimani
BHEBHE Abednico	Nkayi
BITI Tendai Laxton	Harare East
CHAIBVA Gabriel	Harare South
CHEBUNDO Blessing	Kwekwe
CHIREWAMANGU Leonard Ringisai	Nyanga
COLTART David	Bulawayo South
DULINI Fletcher	Lobengula
GABHUZA Joel	Binga
GASELA Renson	Gweru Rural
GONESE Innocent Tinashe	Mutare Central
GWETU Milton	Mpopoma
GWISAI Munyaradzi	Highfield [Expelled by MDC, lost seat]
JONGWE Learnmore Judah	Kuwadzana [Died Oct 2002]
KHUMALO Jeffrey	Pelandaba
KHUMALO Nomalanga Mzilikazi	Umzingwane
KHUPHE Thokozani	Makokoba
MADZIMURE Willias	Kambuzuma
MADZORERE Paul	Glen View
MAFUDZE Hilda	Mhondoro
MAKUVAZA Donemore Sasi	Mbare West
MAKWEMBERE Stanley Bethel	Mkoba
MALINGA Abednico Mathe	Silobela
MAN'ONO Silas Joseph	Masvingo Central
MASAITI Evelyn	Mutasa
MASHAKADA Tapiwa	Hatfield
MATEWU Messias	Chipinge North
MATSHAZI Jacob Thabani	Bubi-Mguza
MDHLONGWA Esafu	Pumula-Luveve
MHASHU Fidelis	Chitungwiza
MISIHAIRAMBWI Priscilla	Glen Norah
MKHOSI Edward Tshotsha Moyo	Bulilima-Mangwe South
MOYO Lovemore	Matobo
MPALA David	Lupane [Died]
MPARIWA Paulina	Mufakose
MUKAHLERA Timothy Lancaster	Gweru Urban
MUKWECHENI Sydney	Mutare South
MUNYANYI Tichaona Jephta	Mbare East

MUPANDAWANA Austin Wilson	Kadoma Central [Died Aug 03]
MUSEKIWA Tafadzwa Basilo	Zengeza [Fled country 2004]
MUSHORIWA Edwin	Dzivarasekwa
MUTASA Tumbare	Seke (result overturned by High Court January 2002)
MUTENDADZAMERA Justin	Mabvuku
MUTIMUTEMA Gilbert	Budiroro
MUTONGI Amos Munyaradzi	Bikita West [died November 2000]
MUTSEKWA Giles	Mutare North
NCUBE Welshman	Bulawayo North East
NDLOVU George Joe	Insiza [died Oct 2002]
NDLOVU Moses Mzila	Bulilima-Mangwe North
NYATHI Paul Temba	Gwanda North
NYONI Cephas	Hwange East
SANSOLE Jealous	Hwange West
SIBANDA Gibson	Nkulumane
SIBANDA Mtoliki	Tsholotsho
SIKHALA Job	St Mary's
STEVENSON Gertrude (Trudy) Bavier Lottie	Harare North

[source – Government of Zimbabwe: official Website – see source document [7a]]

## MDC LEADERSHIP AND SHADOW CABINET

### Leadership of the MDC:

President	Morgan Tsvangirai
Vice-President	Gibson Sibanda MP
Secretary-General	Welshman Ncube MP
Deputy Secretary-General	Gift Chimanikire
Chairman	Isaac Matongo
Treasurer	Fletcher Dhulini

### Shadow Cabinet:

The MDC announced a 16-member Shadow Cabinet in September 2002. The Shadow Cabinet Ministers are:

Industry and Commerce	Milton Milford Gwetu
Lands, Agriculture and Natural Affairs	Renson Gasela
Legal and Constitutional Affairs	David Coltart
Education and Sport	Fidelis George Mhashu
Public Service, Labour and Social security	Pauline Mpariwa
Foreign Affairs	Moses Mzila Ndlovu
Health and Child welfare	Blessing Chebundo
Budget, Finance and Economic planning	Tapiwa Mashakada
Security and Defence	Giles Mutsekwa
Home Affairs	Tendai Biti

Local Government and National Affairs	Gabriel Chaibva
Transport	Hilda Mafudze Suka
Mines and Tourism	Joel Gabhuza
Environment and Tourism	Edwin Mushoriwa
Gender Youth and Culture	Evelyn Masaiti
Energy transport and Communication	Silas Mangono

[13d]

Committee of Secretaries,

Secretary General	Welshman Ncube
Economics	Tendai Biti
Youth Assembly	Nelson Chamisa
Information and Publicity	Paul Themba Nyathi
Labour and Social Security	Pauline Mpariwa
Security/Defence	Dr A.T. Mudzingwa
International Relations	Sekai Holland
Policy and Research	Trudy Stevenson
Finance	Fletcher Dulini Ncube
Lands, agriculture and natural resources	Nicholas Mudzengerere
Organising	Esaph Mdlongwa
Election Directorate	Remus Makwaza
Education	Fidelis George Mhashu
Health	Blessing Cheboundo
National Integration and Reconciliation	Gladman Mhlambeni
Transport, logistics and Welfare	Thokozani Khupe
Discipline	Gibson Sibanda
Women's desk	Lucia Matibenga

[13d]

## **ANNEX F**

### **MDC PARTY SYMBOLS AND SLOGANS**

The MDC's symbol is an open hand, palm outstretched. The party's slogan during the June 2000 parliamentary election campaign was "Chinja Maitiro, Maitiro Chinja" in Shona and "Guqula Izenzo, Izenzo Guqula" in Ndebele. The closest English translation is "Now is the time, fight for change, support the Movement".

(See source document [12b] for an illustration of the symbol – hard copy only)

See source [12a] for details of the RESTART policies.

## **ANNEX G**

### **CABINET LIST, FEBRUARY 2004**

President: Robert Gabriel Mugabe

Vice-President: Joseph Msika

Vice-President: Vacant. Simon Muzenda died in September 2003. As yet, he has not been replaced.

#### **Ministers and Ministers of State:**

Special Affairs in the President's Office:	John Nkomo
Lands, Agriculture and Rural Resettlement:	Dr Joseph Made
Defence:	Dr Sydney Sekeramayi
Environment and Tourism:	Francis Nhema
Justice, Legal and Parliamentary Affairs:	Patrick Chinamasa
Transport and Communications:	Christopher Mushohwe
Local Government, Public Works and National Housing:	Ignatius Chombo
Finance and Economic Development:	Chris Kuruneri
Health and Child Welfare:	David Parirenyatwa
Home Affairs:	Kembo Mohadi
Foreign Affairs:	Stan Mudenge
Public Service, Labour and Social Welfare:	Paul Mangwana
Higher and Tertiary Education:	Herbert Murerwa
Education, Sports and Culture:	Aeneas Chigwedere
Energy and Power Development:	July Moyo
Mines and Mining Development:	Amos Midzi
Rural Resources and Water Development:	Joyce Mujuru
Youth Development, Gender and Employment Creation:	Ambrose Mutinhiri
Industry and International Trade:	Samuel Mumbengegwi

State Enterprises and Parastatals:	Paul Mangwana
Information and Publicity:	Prof. Jonathan Moyo
Small and Medium Enterprises Development:	Sithembiso Nyoni
Science and Technology Development:	Olivia Muchena
Land Reform Programme:	Flora Bhuka
National Security:	Nicholas Goche
Indigenisation and Empowerment:	Josiah Tungamirai
Special Affairs in the President's Office in charge of Anti-Corruption and Anti-Monopolies:	Didymus Mutasa

[1b][37I][10g]

## **ANNEX H**

### **REFERENCES TO SOURCE MATERIAL**

**1 Europa Publications Ltd**

**1a** Africa South of the Sahara 2002, 31st Edition, London September 2001

**1b** Africa South of the Sahara 2004, 33rd Edition, London September 2003

**2 United States Department of State**

<http://www.state.gov>

**2a** Annual Report on International Religious Freedom: Zimbabwe, September 2003

**2b** 2001 Country Reports on Human Rights Practices, Zimbabwe, March 2002

**2c** Press statement. Zimbabwe: Nationwide Local Elections, 27 September 2002.

**2d** 2003 Country Reports on Human Rights Practices, Zimbabwe, February 2004

**2e** 2002 Country Reports on Human Rights Practices, Zimbabwe, March 2003.

**3 British Broadcasting Corporation (BBC), BBC News Online**

<http://www.bbc.co.uk/>

**3a** Country Profile: Zimbabwe – 21/07/04

**3b** Bodies found in Zimbabwe – 12/12/02

**3c** Zimbabwe parties: who's who? – 16/6/00

**3d** Attempt to kill Mugabe rival – 2/7/04

**3e** Zimbabwe moves to restrict NGOs – 20/8/04

**3f** Zimbabwe judge slams police – 6/8/04

**3g** Winners and losers – 27/6/00

**3h** Zimbabwe court boosts opposition – 26/4/00

**3i** Nkala murder trial to begin – 11/7/02

**3j** Zimbabwe School heads arrested – 6/5/04

**3k** Police 'must quit' Zimbabwe newspaper – 9/1/04

**3l** Zimbabwe opposition by-election defeat – 27/11/00

**3m** Opposition despair in Zimbabwe – 20/2/02

**3n** Tight security ahead of Zimbabwe poll – 2/1/01

**3o** By-election boost for Mugabe – 15/1/01

**3p** Zimbabwe election torture warning – 10/8/04

**3q** Zimbabwe's top judge told to go – 27/2/01

**3r** Mugabe man named top judge – 9/3/01

**3s** Zimbabwe rejects lawyers' criticism – 23/4/01

**3t** Mugabe: Madness of Matabele deaths 2/7/00

**3u** Zimbabwe bakers fined for hikes, 18 July 2003

**3v** Homosexual and hated in Zimbabwe – 12/8/98

**3w** Price of AIDS drugs cut by half, 28 April 2003

**3x** Zimbabwe paper off the streets – 6/2/04

**3y** Zimbabwe militia occupy town, 24 April 2003

**3z** Black Zimbabweans suffer in land reform – 7/11/02

**3aa** Zimbabwe opposition leader arrested – 2/6/03

**3ab** Who owns the land – 26/4/04

**3ac** Zimbabwe action next week – 26/5/03

**3ad** Poll shows Zimbabwe divisions – 2/9/03

**3ae** UN blames Mugabe for crisis – 26/2/03

**3af** 'Thousands of blacks' evicted in Zimbabwe – 30/8/01

**3ag** Zimbabwe food riots spread – 6/1/03

- 3ah** UK charities' hidden aid to Zimbabwe – 4/2/03
- 3ai** Mugabe's party wins key Zimbabwe poll – 30/7/01
- 3aj** Mugabe's opponents threaten boycott – 25/9/01
- 3ak** Zimbabwe's political divide deepens – 12/9/01
- 3al** Text of Zimbabwe agreement 7/9/01
- 3am** ZANU-PF approves land deal – 18/9/01
- 3an** Delegation divided over Zimbabwe – 27/10/01
- 3ao** Commonwealth team visit farms – 26/10/01
- 3ap** Zimbabwe 'diverts food aid' – 7/11/02
- 3aq** Mugabe cronies 'get farms' – 21/2/03
- 3ar** Zimbabwe camp commander speaks – 29/2/04 via ZWNews.com
- 3as** Zimbabwe judge free on bail – 18/2/03
- 3at** Zimbabwe reporters freed on bail – 12/1/04
- 3au** Mugabe wins key by-election – 28/10/02
- 3av** How loyal is Zimbabwe's army? – 10/1/02
- 3aw** Zimbabwe's angry white farmers – 13/11/01
- 3ax** Mugabe supporters get land – 4/1/02
- 3ay** Food aid halted in Zimbabwe district – 18/10/02
- 3az** Retired judge held in Zimbabwe – 13/9/02
- 3ba** Zimbabwe offered carrot and stick – 20/3/02
- 3bb** Zimbabwe opposition MP shot – 8/2/02
- 3bc** 'War cabinet' for Zimbabwe – 26/8/02
- 3bd** Zimbabwe sanctions extended by EU – 23/2/04
- 3be** Zimbabwe admits land chaos – 17/10/03
- 3bf** Zimbabwe MP dead in prison – 22/10/02
- 3bg** Arrests over anti-Mugabe e-mails – 21/11/03
- 3bh** Zimbabwe's torture training camps – 27/2/04
- 3bi** EU backs French invitation to Mugabe – 13/2/03

#### **4 The Independent newspaper (UK)**

<http://www.independent.co.uk/>

- 4a** Zimbabwe Asians are next to face race threats – 10/4/00
- 4b** Opposition urged to boycott polls after Mugabe rigs election – 19/5/04
- 4c** Zimbabwe election marred by violence – 17/5/04
- 4d** Mugabe militias seal town for 'recruiting drive' – 8/1/02
- 4e** Zimbabwe promises to allow election observers – 12/1/02
- 4f** Nation on the brink – 20/1/02
- 4g** Mugabe offers compensation for 25,000 civil war killings – 19/10/99

#### **5 The Daily Telegraph newspaper (UK)**

<http://www.telegraph.co.uk>

- 5a** Mugabe prepares to turn on Asian traders – 25/4/02
- 5b** Tsvangirai charged with treason – 26/2/02
- 5c** Lay assessors block judge's guilty verdict on Tsvangirai – 30/7/04
- 5d** ZANU-PF opens campaign with barbed wire torture – 15/1/02
- 5e** Tsvangirai treason trial ends – 27/2/04
- 5f** Map of results – 28/6/00
- 5g** MDC turns to terror in Zimbabwe – 12/1/01
- 5h** Zimbabwe attack on white judges, 6 June 2000
- 5i** Dispute has dogged the country since arrival of Rhodes's' pioneers – 28/4/00

#### **6 Mail and Guardian newspaper (South Africa)**

<http://www.mg.co.za/>

- 6a** The untold story of Mugabe's death squads – 2/5/97
- 6b** Mugabe praises army for crushing protests – 12/8/03
- 6c** Mugabe law will curb church and charities – 2/8/04

**7 Government of Zimbabwe official website**

<http://www.zim.gov.zw/>

- 7a** Election 2000 Results

**8 Cable News Network (CNN)**

<http://www.cnn.com/>

- 8a** Violence erupts at Zimbabwe rally – 20/1/02

**9 Daily News newspaper (Zimbabwe)**

- 9a** Post poll violence grips Bikita West – 23/1/01
- 9b** ZANU-PF goes on the rampage – 14/1/02
- 9c** Farmer held hostage – 27/5/03
- 9d** Karimanzira clashes with resettled farmers – 26/7/03
- 9e** Police torch 1,000 homes – 26/8/03
- 9f** Mugabe's assaulted – 3/9/03
- 9g** Matabeleland farmers ditch CFU – 9/9/03
- 9h** Any takers for the hangman's job? – 26/2/02
- 9i** ZANU-PF orders expulsion of 50 teachers – 25/4/02
- 9j** ZANU-PF trounces MDC in Gutu North – 5/2/04 via [allafrica.com](http://www.allafrica.com)
- 9k** Landmark ruling on children's documents – 2/5/03
- 9l** Increased political violence worsens HIV/AIDS pandemic – 16/4/02
- 9m** MDC members sacked from Shamva mine – 27/4/02
- 9n** C'wealth observers denounce ZANU-PF violence – 27/3/02
- 9o** Muslim's petition State over Christian teachings – 6/8/03
- 9p** Severe hunger stalks Zimbabwe's prisons – 7/8/03
- 9q** Armed police run riot in Harare – 29/5/03
- 9r** PTUZ urges members to maintain go-slow – 21/5/03
- 9s** US places Anglican bishop on blacklist – 29/3/02
- 9t** Opposition denied voters roll – 30/8/03 via [ZWNews.com](http://www.ZWNews.com)
- 9u** Houghton is the countries first executive white mayor – 2/9/03
- 9v** Councillor, MDC activists arrested – 4/9/03 via [allafrica.com](http://www.allafrica.com).
- 9w** 1,000 flee ZANU-PF terror in Zaka, Gutu – 2/4/02
- 9x** Nyarota arrested – 16/4/02
- 9y** MDC MPs flee Manicaland – 25/3/02
- 9z** War vets leader granted bail in extortion hearing – 20/5/02
- 9aa** 36 MDC candidates pull out of poll after threats – 2/9/02
- 9ab** ZANU-PF supporters detain MP – 6/9/02
- 9ac** Chaos, threats mar rural council elections – 29/9/02
- 9ad** Jongwe arrested – 22/7/02
- 9ae** Chinamasa, Moyo not the nation – 22/7/02
- 9af** Food-for-vote – 3/10/02
- 9ag** Two inmates die in overcrowded prison – 4/10/02 via [allafrica.com](http://www.allafrica.com)
- 9ah** ZANU-PF seeks to nullify poll – 8/9/03
- 9ai** Teachers assaulted in Buhera – 10/5/02
- 9aj** Man forced to drink officers urine – 10/9/03
- 9ak** MDC expels Chitungwiza Provincial chairman – 10/9/03
- 9al** Chiefs removed from Gutu polling stations – 4/2/04

**9am** WFP to scale down Zimbabwe food aid – 3/7/03

**9an** Bulawayo witnesses 43 deaths from malnutrition – 3/7/03

**9ao** Activists call for judicial independence – 30/5/03

**9ap** Blackie's acquittal welcomed – 3/7/03

**9aq** Ndlouv fires 43 teachers for striking – 29/4/03

**9ar** Teachers strike on – 10/5/03

**9as** Teachers strike deadlock – 15/5/03

**9at** ZANU-PF MP's must be ashamed – 29/1/04 via [allafrica.com](http://allafrica.com)

**9au** Teachers ordered to go back to work – 20/5/03

**9av** Editor charged under POSA – 25/6/03

**9aw** Armed police disperse striking ZESA workers – 19/6/03

**9ax** NCA to defy police over Mugabe rally – 4/7/03

**9ay** MDC fears for safety of Rusape candidates – 19/7/03

**9az** Plot to rig Gutu poll – 2/2/04

**9ba** MDC seeks overturn of ZANU-PF victory – 2/8/03

**9bb** Elections fraud on: MDC – 5/8/03

**9bc** 20,000 voters improperly registered, alleges MDC – 26/8/03

**9bd** MDC votes Mwakavararara out of deputy mayorship – 27/8/03 via [allafrica.com](http://allafrica.com)

**9be** Intimidation rife, says MDC – 27/8/03

**9bf** Bennet's workers brutally assaulted – 28/3/03

**9bg** Evicted workers win court order – 9/4/03

**9bh** ZANU-PF card a must for maize-meal seekers – 28/10/02

**9bi** No ZANU-PF card, no maize-meal in Mufakose – 5/11/02

**9bj** Police raid MDC's Mutare mayoral candidate's offices – 16/5/03

**9bk** State urged to introduce conjugal rights – 29/5/03

**9bl** MDC rally cancelled – 6/6/03

**9bm** ZANU-PF wins Insiza – 29/10/02

**9bn** Gwisai ouster hailed – 25/11/02

**9bo** Chamisa faces LOMA charge – 2/8/02

**9bp** Mudebe fiddled poll – 10/3/03

**9bq** Midlands Observer journalist attacked – 12/8/03

**9br** Judge orders police to stop torturing suspects – 12/2/03

**9bs** Judge arrested – 18/2/03

**9bt** Lawyers demand protection for judiciary – 11/4/03

**9bu** ZANU-PF youths, police thwart protestors – 7/6/03

**9bv** ZRP now an enemy of the people – 9/6/03

**9bw** Whereabouts of arrested ANZ staffers not known – 20/3/03

**9bx** Three days of hell at the hands of the police – 24/3/03

**9by** Daily News reporter Mudiwa set free – 25/3/03

**9bz** Backlash against ZANU-PF youth militia – 18/12/02

**9ca** Radio Dialogue still battling for a licence – 1/4/03

**9cb** Teachers forced to join ZANU-PF to obtain food – 28/2/03

**9cc** Suspended teachers told to report for duty – 6/2/03

**9cd** High Court bars MDC rally – 17/2/03

**9ce** Coloureds – stuck in the middle of nowhere – 28/9/02

**9cf** UZ closed indefinitely – 14/3/03

**9cg** Student leaders acquitted – 20/2/03

**9ch** Help for orphans – 27/2/03

**9ci** Ndlouv faces trial for threat to Asians – 1/4/03

**9cj** Violence breaks out during nominations – 22/7/03

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<http://www.irinnews.org>

**10a** Opposition cries foul over legal delays to electoral disputes – 23/6/04  
**10b** Talk of dialogue over electoral reforms – 3/8/04  
**10c** Union leaders freed – 9/8/04  
**10d** MDC disputes Lupane election result – 18/5/04  
**10e** Overcrowding leads to prison crisis – 5/2/04  
**10f** New anti-corruption legislation ‘unconstitutional’ 25/6/04  
**10g** With ARVs beyond reach, rural folk resort to herbs – 25/8/04  
**10h** Limited response to PMTC programme – 17/6/04  
**10i** Alarm over HIV prevalence in armed forces – 24/6/04  
**10j** Government defends HIV/AIDS programme – 2/10/02  
**10k** Action against gender inequality needed to defeat AIDS – 6/8/04  
**10l** Amendment to land reform law closes loophole – 24/10/02.  
**10m** WFP suspends food aid in Insiza district – 10/10/02  
**10n** Teachers fired for striking – 15/10/02  
**10o** Disabled, highly vulnerable to HIV – 12/8/04  
**10p** Private schools reopen – 10/5/04  
**10q** Mugabe calls for ‘patriotic’ students – 12/8/04  
**10r** Court dismisses newspaper appeal – 21/7/04  
**10s** By-election marred by foul play – 28/10/02  
**10t** Tensions ahead of critical by-election – 27/3/03  
**10u** MDC wins two by-elections, police step-up security – 31/3/03  
**10v** Journalists suffer in the wake of newspaper shutdowns – 12/7/04  
**10w** No progress on Commonwealth concerns – 10/4/03  
**10x** Rule of law “in tatters”, says UN Special Rapporteur – 19/2/03  
**10y** Citizenship laws to include foreign workers – 4/4/03  
**10z** Women activists arrested – 21/6/04  
**10aa** Focus on rape as a political weapon – 8/4/03  
**10ab** Action plan set to help orphans – 18/6/04  
**10ac** More teachers suspend for striking – 29/10/02  
**10ad** War Veterans threaten to be overshadowed by youth militia – 21/1/03  
**10ae** Displaced farm workers urgently need aid – 13/2/03  
**10af** Goals not achieved in fast-track land reform – 4/11/02  
**10ag** Focus on anticipated huge cereal deficit – 12/2/03  
**10ah** Govt defends controversial NGO bill – 23/8/04  
**10ai** Sexual abuse rises as humanitarian crisis worsens – 24/4/03  
**10aj** Economic gloom deepens despair – 19/8/04  
**10ak** MDC protests clampdown – 2/10/02  
**10al** Concerns over government strike ban – 17/6/03  
**10am** NGO’s fear clampdown – 24/7/03  
**10an** British charity resumes feeding operation – 26/11/02  
**10ao** GMB eases restrictions on grain sales – 28/4/03  
**10ap** WFP retains control of food distribution – 25/8/03  
**10aq** UN forced to close provincial field offices – 2/9/03  
**10ar** Aid distribution done on a basis of need only – 11/9/03  
**10as** Judicial system under strain – 23/6/03  
**10at** Farmers dissatisfied with compensation offers – 9/4/03  
**10au** Mugabe establishes Land Review Committee – 15/5/03  
**10av** Officials forced to implement “one man, one farm” – 31/7/03  
**10aw** Resettled farmers returning to communal areas – 4/9/03

- 10ax** Women call for greater political role – 15/8/03
- 10ay** A policeman's tale – 30/6/03
- 10az** Delays in finalising farm acquisitions – 25/6/03
- 10ba** MDC makes gains despite low turnout – 2/9/03
- 10bb** Continued support for national strike, 24 April 2003
- 10bc** Govt boosts spending on disabled – 2/3/04
- 10bd** Supreme Court rejects appeal against media law – 5/2/04
- 10be** Valentine's Day march stopped – 16/2/04
- 10bf** New gender policy no good without enforcement – 11/3/04
- 10bg** Ruling party wins crucial by-election – 29/3/04
- 10bh** Free ARV's available from next month – 17/2/04
- 10bi** Rising costs medical drugs impacts on poor – 7/10/04
- 10bj** Plight of displaced farm workers highlighted – 17/10/03
- 10bk** New land bill slammed by the CFU – 29/1/04
- 10bl** The plight of ex-commercial farm workers – 6/2/04
- 10bm** Numbers in need increase dramatically – 28/1/04
- 10bn** Urban food insecurity rising – new assessment – 8/3/04
- 10bo** Health sector suffers from shortages – 22/9/04

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- 11a** Tsvangirai not in Buhera election race – 9/7/04
- 11b** Rights group mull protests over election law – 28/5/04
- 11c** Disaster strikes on farms – ethnic cleansing – mass displacements – 31/8/01
- 11d** Govt defiance of court orders now "endemic" – 23/1/04
- 11e** Politically related deaths now over 150 – 4/10/02
- 11f** Ministry forces students to take political course, 26 March 2004
- 11g** Leo Mugabe's supporters in post-poll assault – 18/7/03
- 11h** State's handling of judiciary a blow to democracy – lawyers – 2/1/04
- 11i** Only 2% land given to ex-farm workers – 5/3/04
- 11j** Govt asked to probe torturer Dowa – 3/10/03
- 11k** Journalist arrested – 24/10/03
- 11l** Human Rights violators still on loose – 7/11/03
- 11m** Violence erupts ahead of Kadoma by-election – 14/11/03
- 11n** Opposition sees terror ahead of Gutu North poll – 16/1/04
- 11o** MDC seeks to nullify Chinhoyi mayoral election – 21/11/03

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- 12b** Symbol and slogan (undated)

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- 13b** Information on HIV/AIDS – 11/3/03

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20c ZANU-PF thugs mount terror campaign in Gutu North – 18/1/04

20d EU gives Zimbabwe one week – 13/1/02

20e MDC candidates assaulted by ZANU-PF vigilantes – 2/11/03

20f Hardships saddle children's home – 13/7/03

20g Electoral commission confirms run-up to poll "marred by violence" – 29/9/02

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**34c** Exiled officer tells how Mugabe's thugs took over police force – 4/7/03  
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**37c** 10,000 soldiers deployed to campaign for Mugabe – 17/1/02  
**37d** MDC challenge ZANU-PF win – 1/4/04  
**37e** Political violence kills 16 in March – 11/4/02  
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**37p** 10,000 voters added to Kuwadzana voters' role – 9/1/03  
**37q** Tsvangirai reshuffles national executive – 26/9/02  
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