



Zimbabwe – Researched and compiled by the Refugee Documentation Centre of Ireland on 12 May 2015

Any reports of farms being attacked by ZPF members & illegal gold mining on such farms. Any link to ethnicity for such attacks.

The 2013 US Department of State country report for Zimbabwe, in a section titled “Arbitrary Interference with Privacy, Family, Home, or Correspondence”, states:

“Land seizures remained a serious problem. A 2005 constitutional amendment transferred title of all land previously acquired for resettlement purposes to the government, prohibited court challenges to the acquisitions, and allowed the government to acquire any agricultural land for any purpose simply by publishing a notice of acquisition. The 2006 Gazetted Land (Consequential Provisions) Act requires all farmers whose land the government forcibly seized and who were not in possession of an official offer letter, permit, or lease to cease to occupy, hold, or use that land within 45 days and to vacate their homes within 90 days. Only a small number of farmers received an offer letter or lease. Failure to comply is a criminal offense punishable by a fine and a maximum prison sentence of up to two years. The act was primarily used to target the approximately 4,500 large-scale and primarily white-owned farms in the country for seizure and redistribution to black citizens, particularly ZANU-PF supporters.” (US Department of State (27 February 2014) *2013 Country Reports on Human Rights Practices*, p.17)

This section of the report also states:

“There were reports of farmers forced off their farms at gunpoint, despite being in possession of a court order allowing them to remain on the property, and denied the opportunity to collect their personal belongings. Black farm workers on white-owned farms were beaten, intimidated, or displaced. Police, in most cases, did not intervene while invaders and looters carried on their activities, nor did they enforce court judgments evicting squatters on illegally seized properties.” (*ibid*, p.19)

The Executive Summary of a report from the Zimbabwe Peace Project states:

“Property rights violations in terms of farm invasions, business grabbing by Zanu PF youths and war veterans continued to take place with high levels of impunity. Where authorities try to intervene, other political leaders condemn such actions by law enforcing agents alleging the grabs were in order citing that the grabbers were in need of jobs and decent livelihoods. War veterans’ leader Jabulani Sibanda moved in to defend youths from Bulawayo who had invaded farms on the outskirts of the city arguing that they were victims of the current poor economic situation.” (Zimbabwe Peace Project (17 October 2014) *Monthly Monitor: September 2014*, p.3)

The most recent report on human rights in Zimbabwe from the UK Foreign & Commonwealth Office states:

"However, farm invasions against black- and white-owned properties continued. In one recent high-profile case, a senior official in the Office of the President and Cabinet took over a commercial farm in Figtree, despite a High Court order barring him from doing so. Even within the last few months of the year, there continued to be allegations of the First Lady 'grabbing' land for personal gain. This highlighted the continued lack of respect for the rule of law regarding land and property by those in positions of authority." (UK Foreign & Commonwealth Office (12 March 2015) *Human Rights and Democracy: The 2014 Foreign & Commonwealth Office Report - Country of Concern: Zimbabwe*)

An article from Zimbabwean newspaper the Financial Gazette states:

"Numerous cases of land invasions were recorded last year, despite a directive issued by the former lands minister Herbert Murerwa in January last year that there was to be a freeze on occupation of land, especially those protected by foreign investment accords. Government has since been slapped with a US\$600 million lawsuit after a German national, Heinrich von Pezold took the State to court for disruptions to his farming business. Dutch farmers also followed suit and lodged a case with the International Centre for Settlement of Investment Disputes based in Washington. So why has the government been unable to slam the brakes on land invasions? A closer look at the issue indicates that the ruling party has been attempting a difficult juggling act of being both the referee and player in the land issue. In many cases, it has been its own top brass, that has defied the government's own directive, which in turn has given ammunition to the poor to go on an invasion spree with impunity." (Financial Gazette (10 June 2014) *14 years on, land invasions still rife*)

An article from South African newspaper the Mail & Guardian states:

"Fresh anxiety has gripped Zimbabwe's agricultural sector. More than 40 farms have been threatened with invasion since December last year and eight commercial -farmers have been forced off their properties since January. The invasions have resulted in disruptions to farming activity at a crucial time in the summer cropping season. Zimbabwe Congress of Trade Unions secretary general Japhet Moyo said the land invasions had resulted in 890 farmworkers losing their jobs, contributing to the 9 617 job losses recorded since January 1. Perhaps what is most concerning for old and new farmers alike is that, 14 years after the invasions began, Zanu-PF and the government are still unwilling to put a date to the end of the land reform programme. When asked what the policy time frame is concerning this programme, Zanu-PF spokesperson Rugare Gumbo referred the Mail & Guardian to Minister of Lands Douglas Mombeshora, who could not be reached for comment. The situation could worsen for farmers, as Zanu-PF youths are also demanding land. They have told President Robert Mugabe of their intention to acquire land, saying they were left out of the land reform programme." (Mail & Guardian (28 February 2014) *Land grabs rattle Zim farmers*)

A report from UK-based SW Radio Africa states:

"A former farm worker, who is among a group trying to resist their forced eviction from a farm in Goromonzi, was attacked by two ZANU PF youths on Monday evening. The attack on Weru Phiri is the latest in an unrelenting campaign to evict the former Dunstan Farm workers, who maintain that they have a right to remain on the property. "Two people came to my house around 7pm on Monday and they started attacking me with sticks and one of them was holding an axe. I tried to fight them off but I was struck in the head with an axe," Phiri explained on Wednesday. He was treated in hospital for injuries to his head, including damage to his right ear." (SW Radio Africa (4 June 2014) *Former farm worker attacked by ZANU PF in eviction saga*)

An article from Zimbabwean newspaper News Day states:

"An indigenous farmer is reportedly battling for life at Masvingo General Hospital after he was struck with an axe on the head by suspected war veterans at the weekend in a new wave of farm invasions targeting black farm owners. A second farmer's car and house were torched in skirmishes that have left the Masvingo farming community shell shocked. Mufaro Mukaro was initially admitted at Ndanga District Hospital on Sunday, but was later transferred to Masvingo General Hospital yesterday as his condition deteriorated. He was reportedly rushed to the hospital with the axe still stuck in his head. So critical is Mukaro's condition that even his relatives are not being allowed to visit him except his wife. Masvingo provincial police spokesperson Inspector Charity Mazula could not be reached for comment as her phone went unanswered. Sources said the 10 war veterans linked to the violent acts were arrested. The case was reported under police case number RRB 2098509. Tsaurai Lawrence Stemere (76), who owns Sundowns Farm, said he survived the brutal attack on Saturday, but his Nissan Twin Cab vehicle was reduced to a shell and his house was set ablaze by the marauding war veterans. Stemere lost property worth thousands of dollars, including his clothing and was only left with what he was wearing." (News Day (22 July 2014) *Farmer axed in new wave of farm invasions*)

An article from Zimbabwean newspaper Daily News states:

"Makazu is part of 400 families who were evicted from the farm which had not only been their home, but was a source of their livelihood. The stout labourer, who looks more like a 50-year-old man, is among millions of farm workers who have been displaced since the start of the government land reform programme spearheaded by war veterans and Zanu PF activists with the blessing of government." (Daily News (4 May 2014) *Land seizures leave farm workers destitute*)

A Zimbabwe Herald article states:

"A long running battle to control Eskbank Farm located along Mazowe Road between the farm owner and gold panners turned violent yesterday after three farm workers were seriously injured when they were attacked by the rowdy panners. The injured farm workers were taken to Marlborough Police Station where the matter was reported, before being ferried to Parirenyatwa Hospital. The workers said they were attacked by the gold panners while they were ploughing the field which the panners consider to be their area of operation. The gold panners have in the past clashed with the farm workers, resulting in

the farm owner at one time obtaining a peace and eviction order.” (Zimbabwe Herald (1 November 2014) *Zimbabwe: Gold Panners Attack Farmers*)

A 2010 News Day article on illegal gold panners invading farms states:

“Hordes of illegal gold panners have descended on Kadoma and have caused mayhem in the farming community, damaging infrastructure, including blowing up a bridge in the Battlefields area in search of the precious stone. The gold diggers are so determined that nothing, even bridges, schools, nor police and guns, will stop them from getting to wherever the gold belt takes them. Farmers in the area said last week that they were now living in fear because despite repeated police reports, nothing had been done to the gold panners who operated as a co-operative. A farmer, Ottilia Sandamu told NewsDay that her farm had literally been invaded by the gold panners and infrastructure was being destroyed, disrupting farming activities. ‘My farm is located in an area where there are gold claims owned by Falcon Gold,’ Sandamu said. ‘Falcon Gold used to mine gold in the area years ago but they closed their mine in 1996. Since then, a group of illegal gold panners has settled in the area, instilling fear and terror on farmers and disrupting farming activities.’” (News Day (6 October 2010) *Illegal gold panners swoop on Kadoma*)

See also 2010 IRIN News report which states:

“As more and more illegal miners crowd the river banks, people have begun spreading onto farms near the rivers; sometimes they find consenting land owners, who often collude in the illicit enterprise. Undocumented miners cannot dig openly so they sneak onto the farms at night and use wheelbarrows and sacks to cart away the rocks - which they hope will be gold-bearing - to millers who crush the ore and extract the gold. ‘This is a new wave of land invasions and we have nicknamed it the Fourth Chimurenga,’ said Derick Gatsi, 24, an illegal miner or ‘makorokoza’ who made the 300km journey from rural Wedza in Mashonaland East Province, in northeastern Zimbabwe, about a year ago. ‘There are now too many makorokoza on the rivers and alluvial gold is becoming scarce; on the other hand, the farms that lie close to the rivers are rich in gold and that is why we have turned to them.’ He said some of his colleagues had relocated to the Shamva district in neighbouring Mashonaland Central Province, about 260km away, where ‘the farms are also rich in gold.’ Miners trespassing on farms were sometimes caught up in violent running battles with the farm owners and their workers, or were arrested when the police swooped on them, but Gatsi said they were never prosecuted because the police readily accepted bribes.” (IRIN News (1 October 2010) *Zimbabwe: A Fourth Chimurenga, for gold*)

A Transparency International Zimbabwe report on corruption in the mining industry states:

“The study also established that certain areas where there is illegal gold or diamond mining are not raided by the police; because of they are protected by influential politicians. One such area is in Kwekwe, in an area known as Sherwood, popularly known by the locals as Kuhasha. In this area senior politicians have formed syndicates with police officers and the illegal gold panners to engage in an organized and complex chain of hidden corruption. The gold that is mined at Sherwood is not sold directly to the Reserve of

Zimbabwe as required by the law but finds its way out of the country through murky transactions. The Sherwood gold belt is not raided often giving credence to the widely held claim that the area is protected by senior politicians who directly benefit from the illegal gold mining activities taking place there. Whenever there are impending raids the illegal gold miners seem to be well informed of the raids, their timing and how they will be carried out. This clearly shows that the politicians in cohort with the police as well as the illegal miners are working to deprive the country of gold and attendant revenues which should contribute to the national fiscus. From the in-depth interviews high ranking officials from the Zimbabwe African National Union-Patriotic Front (ZANU-PF) were identified by the respondents interviewed as the main politicians who were corruptly promoting and protecting illegal mining and trade of gold as well as diamonds in Zimbabwe." (Transparency International Zimbabwe (2013) *Research paper on the power dimension to mineral related corruption*, p.8)

In a section headed "The Police and bureaucratic corruption" this report states:

"Evidence from the study clearly point out that the police are involved in corrupt activities in gold mining mainly. There is strong evidence to suggest that the police are acting corruptly by receiving bribes. In Gwanda and Kwekwe it emerged that the police were receiving bribes from people illegally involved in gold mining. As a result of this, it was noted that senior police officers were living lavish lifestyles. Some of those who were allegedly fingered to be engaging in corrupt activities are amassing wealth at a rate that defies their salary scales. The police officers have become an emergent business class owning taxis, shops and commuter omnibuses. It is most likely that they are getting all this money to start businesses through bribes from those with the financial muscle and politicians to forcefully remove people with legally acquired claims by applying the law in a selective and biased manner. The study established that those with money are approaching the police and offering irresistible amounts of cash to secure gold claims that have been allocated to certain individuals who cannot match the bribe money offered by their rivals. The police upon receiving the bribes embark on eviction operations which lead to the dispossession of gold mine claims from those who had legal rights. Overnight those with legal claims find themselves destitute of the right to legally mine gold and the bribe payers became the new claim owners." (ibid, pp.9-10)

A report published by Minority Rights Group International refers to the status of the Ndebele ethnic group as follows:

"The Ndebele minority continues to be marginalized with regard to political representation. The government has been accused of neglecting Matabeleland, a Ndebele-dominated region that is one of the most underdeveloped areas in the country. Companies have also reportedly been bringing in Shona workers from outside Matabeleland to work in the region, even though there are sufficient numbers of skilled workers already there. In April, a number of youths were arrested for demonstrating against the 'tribal employment tendencies' of employers who bussed in labourers from outside the region to work on a local labour project. The Co-Minister in the Organ for National Healing and Reconciliation denounced their arrest and confirmed that local employment opportunities were being given to others for politically

motivated reasons based on tribal affiliation. Reflecting the ongoing marginalization of Ndebele, there were a number of incidents of discrimination and violence against them during 2013. In February, three police officers in Bulawayo East allegedly verbally abused an employee of a sports bar for playing Ndebele music and subsequently tried to close the investigation into the matter. Furthermore, in September a man was struck on the head with a brick in a bar fight for speaking Ndebele – he later died in the hospital.”
(Minority Rights Group International (3 July 2014) *State of the World's Minorities and Indigenous Peoples 2014 – Zimbabwe*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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