



**“Bullets for Each of You”  
State-Sponsored Violence since Zimbabwe’s  
March 29 Elections**

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# “Bullets for Each of You”

## State-Sponsored Violence since Zimbabwe’s March 29 Elections

- I. Summary..... 1**
  
- II. Recommendations .....5**
  - To the Government of Zimbabwe .....5
  - To the Movement for Democratic Change ..... 6
  - To the Southern African Development Community ..... 6
  - To the African Union.....7
  - To the EU, US and other international donors ..... 8
  - To United Nations Secretary-General Ban Ki-moon..... 8
  
- III. Methodology.....9**
  
- IV. Background..... 10**
  - Organized Political Violence..... 10
  - Ongoing State Repression ..... 12
  - General Elections in March 2008..... 12
  
- V. State-Sponsored Violence and Torture since the March 29 Elections..... 14**
  - A Campaign of Violence ..... 14
  - Reasons for the Violence..... 15
  - Incitement and Organization of the Violence ..... 17
  
- VI. Patterns of Violence ..... 29**
  - Abductions and Killings in Mashonaland East and Harare .....29
  - Torture Camps and Bases in Manicaland, Mashonaland East, Mashonaland Central, Mashonaland West and Masvingo .....30
  - “Re-education” Meetings in Mashonaland Central, Mashonaland East and Mashonaland West .....34

|   |           |
|---|-----------|
| Creation of ‘No-Go’ Areas in Mashonaland East, Mashonaland West and Mashonaland Central.....              | 39        |
| Arrests, Beatings and Torture of MDC activists in Harare.....   | 40        |
| Violence, Looting and the Destruction of Homes and Property in Mashonaland, Masvingo and Manicaland ..... | 46        |
| Attacks by MDC Activists .....  | 52        |
| <b>VII. Harassment and Attacks on Civil Society.....</b>  | <b>53</b> |
| Attacks on Election Observers .....   | 53        |
| Arrests of Journalists, Lawyers and Civil Society Activists.....  | 54        |
| <b>VIII. Government Response to the Abuses .....</b>  | <b>56</b> |
| Failure of the Police to Prevent Violence .....   | 56        |
| <b>IX. Zimbabwe’s International Human Rights Obligations.....</b>   | <b>59</b> |
| <b>X. Impunity and the Need for Accountability.....</b>   | <b>61</b> |
| <b>XI. Response of International Actors .....</b>   | <b>62</b> |
| SADC and the AU.....  | 62        |
| Other International Actors .....  | 63        |
| <b>XII. Acknowledgements.....</b>   | <b>67</b> |

*“If you vote for MDC in the presidential runoff election, you have seen the bullets, we have enough for each one of you, so beware.”*

—Soldiers addressing villagers at meetings in Karoi, Mashonaland West

## I. Summary

The campaign of violence and repression in Zimbabwe, aimed at destroying opposition and ensuring that Robert Mugabe is returned as president in runoff elections on June 27, 2008 is claiming thousands of victims as the government at national and local levels actively, systematically and methodically targets Movement for Democratic Change (MDC) activists and perceived MDC supporters.

The violence has been particularly concentrated in former rural strongholds of the Zimbabwe African National Union-Patriotic Front (ZANU-PF)—areas that to the party's shock voted for the MDC in the parliamentary and first-round presidential elections. Punishing “sell-outs,” former ZANU-PF supporters who voted for the MDC, is a clear objective. Within government-supporting circles, the operation has been dubbed “*Operation Makavhoterapapi?*” (Operation Where Did You Put Your Vote?).

Around the country, the ruling party and its allies are blocking access to villages targeted by ZANU-PF violence, preventing people from fleeing, including those in need of medical treatment. Party allies have warned hospitals not to treat victims of political violence or face retaliation. Meanwhile, measures are being put in place to restrict both local and international electoral monitoring of the runoff poll.

If current conditions are maintained, there is no possibility of a credible, free and fair poll. Time has nearly run out for Southern African Development Community (SADC) and the African Union (AU) to make the necessary political interventions to end the violence and ensure a free and fair vote.

This report, based on investigations in Zimbabwe, describes the scale of the abuses and identifies those responsible—officials from ZANU-PF, often working through proxy forces of so-called war veterans and youth militia, backed by members of the armed forces and police. Local institutions have identified at least 2,000 beatings and cases of torture. At least 36 people have been killed, including, in May, abducted MDC activists. Given the movement restrictions in place and the limit to

information flow that results, Human Rights Watch believes that the number of people attacked far exceeds these figures.

ZANU-PF officials and “war veterans” are beating, torturing and mutilating suspected MDC activists and supporters in hundreds of base camps, many of them army bases, established across the provinces as local operations centers. Abusive “re-education” meetings are being held to compel MDC supporters into voting for Mugabe. In one of these meetings, on May 5 in Chiweshe, ZANU-PF officials and “war veterans” beat six men to death and tortured another 70 men and women, including a 76-year-old woman publicly thrashed in front of assembled villagers.

ZANU-PF and its allies are engaged in a campaign of looting and destruction, slaughtering animals, stealing food and property, and burning down homesteads. More than 3,000 people are known to have fled the violence and are now internally displaced in cities and towns throughout the country with inadequate access to food and water. An unknown number have fled across the borders to Mozambique, Botswana and South Africa.

The violence is being orchestrated by the Joint Operations Command, which is headed by senior ZANU-PF officials and includes the heads of the Zimbabwe Defence Forces, police, prison services, and the Central Intelligence Organization. In some areas local police are attempting to enforce the rule of law, but they are being undermined by their own superior officers.

Human Rights Watch investigations indicate that the army is playing a major role in supporting the violence. It has provided known “war veterans” and ZANU-PF supporters with guns, transportation and bases from which serious human rights violations are carried out.

The government is allowing those perpetrating violence to do so with impunity. Instead of taking action to restore normality and conditions conducive to free and fair elections, it is further clamping down on civil society. Since the parliamentary and inconclusive presidential polls on March 29, 2008 police have arrested human

rights lawyers, journalists, civil society activists and trade unionists on politically motivated charges.

In an apparent bid to subvert the runoff electoral process and instill fear in local election officials and observers, police have arrested more than 100 presiding officers and election officials on politically motivated charges of electoral fraud. ZANU-PF supporters have attacked hundreds of observers from the independent election organization, the Zimbabwe Election Support Network, and forced many to flee their homes.

The government has attempted to portray reports of the violence as exaggerated—and then mainly perpetrated by the MDC. Human Rights Watch investigations show that while there have been some attacks by MDC supporters on ZANU-PF supporters, the number of such incidents is far outweighed by those perpetrated by ZANU-PF and its allies.

Government complicity in the violence is reflected in its failure to acknowledge the extent of the violence and the widespread involvement of senior army officers, police officials and groups backed by the state security forces. By allowing perpetrators of abuses with high rank to act with impunity, President Mugabe and the government of Zimbabwe bear full responsibility for these serious crimes.

There is a long history of impunity for serious human rights violations perpetrated by ZANU-PF and its allies when faced by political opposition, stretching back to the 1980s and atrocities by government military forces in Matabeleland. Violence around elections intensified following the emergence of the MDC as a political contender in 1999. What is happening now, however, eclipses the violence in any previous election.

For Zimbabwe's future stability, it is imperative that the country breaks with its history of impunity. The human rights violations documented in this report constitute grave abuses for which those responsible must be held accountable. The government must impartially investigate and fairly prosecute those who have organized and committed politically motivated violence and related crimes since the



March 29 elections. Any future government—whether it emerges from the presidential runoff or from negotiations between the two main parties—should not grant amnesty to perpetrators of serious abuses.

The AU and SADC, supported by the United Nations (UN), have only days in which to make an impact on reducing violence and ensuring a free and fair vote. This is an opportunity for clear political leadership in support of human rights and the future stability of Zimbabwe, which, as recent xenophobic violence in South Africa has demonstrated, is increasingly impacting the domestic situation of its neighbors. Now is the time for failed mediation strategies to be abandoned, and a clear message given to the authorities that they face becoming regional pariahs should no action be taken.

## II. Recommendations

### To the Government of Zimbabwe

- Immediately cease organizing, managing and providing resources for the violent campaign against MDC activists and perceived MDC supporters by state security forces, ZANU-PF supporters and officials, youth militia and “war veterans.”
- Take all steps necessary to ensure that the military plays a completely neutral role in the elections. Take appropriate disciplinary or legal action against military officers who fail to ensure that forces under their command act in a neutral fashion.
- Demobilize and disarm the youth militia and “war veterans.”
- Institute measures to end the practice of torture and other mistreatment. Ensure the police dismantle all known torture camps and bases and prosecute those responsible for torture and other mistreatment.
- Ensure the police take swift and impartial action to protect all persons in Zimbabwe from human rights violations and to investigate all apparent politically motivated abuses.
- Cease the politically motivated arrests of civil society activists, journalists, lawyers and election officers and observers.
- Allow unfettered access to all humanitarian agencies seeking to assist displaced persons in the provinces affected by the violence.
- Ensure that people have freedom of movement within Zimbabwe and that those in need of medical attention are able to seek it without any hindrance.
- Cease the harassment and intimidation of medical personnel in rural district hospitals and ensure that they are able to discharge their duties in a safe and secure environment.
- In accordance with international standards, convene an independent commission of inquiry to investigate alleged politically motivated crimes

since the March 29 elections and prosecute those responsible regardless of position or rank.

- Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; invite the UN Special Rapporteur on Torture to visit the country.

#### *In the period prior to the presidential runoff*

- To protect those involved in observing and monitoring the presidential runoff, ensure that police abide by international human rights standards and act to ensure the safety of election observers, journalists, human rights monitors and other civil society activists.
- Allow immediate and unfettered access to electoral observers, human rights monitors, journalists and civil society activists seeking to report on the elections to all parts of the country.
- Allow international human rights monitors and electoral observers to remain in the country for as long as they deem necessary to fulfill their respective mandates.
- Facilitate the safe and voluntary return of all those displaced by the violence to their homes and ensure that they are able to vote in the runoff.

#### **To the Movement for Democratic Change**

- Condemn all acts of violence by MDC members and supporters and call on supporters and members to desist from carrying out acts of violence.

#### **To the Southern African Development Community**

- Publicly condemn and call for an immediate end to the violence.
- Publicly demonstrate that SADC disapproves of the abuses taking place and demand that the government of Zimbabwe restore basic civil and political rights.

- Immediately deploy double the number of electoral observers deployed to monitor the March 29 polls to ensure widespread access to all parts of the country.
- Ensure that electoral observers remain in the country for as long as necessary after the presidential runoff to help minimize electoral and human rights abuses and to report publicly on those occurring.
- Deploy human rights monitors to Zimbabwe to investigate reports or allegations of abuses and report publicly on the findings.
- Ensure that the government of Zimbabwe allows freedom of movement and access to human rights monitors and electoral observers around the country.
- Insist on full accountability for politically motivated crimes committed in Zimbabwe since March 29 and call for an independent and impartial commission of inquiry into the abuses.

### **To the African Union**

- Publicly condemn and call for an immediate end to the violence.
- Set up a committee of African eminent persons to intervene directly with the government of Zimbabwe and raise the AU's immediate concerns.
- Publicly demonstrate that the AU disapproves of the abuses taking place and demand that the government of Zimbabwe restore basic civil and political rights.
- Immediately deploy double the number of electoral observers deployed to monitor the March 29 polls to ensure widespread access to all parts of the country.
- Ensure that the government of Zimbabwe allows freedom of movement and access to human rights monitors and electoral observers around the country.
- Ensure electoral observers remain in the country for as long as necessary after the presidential runoff to help ensure that the aftermath is free from human rights abuses and to report publicly on any that may occur.

- Insist on full accountability for politically motivated crimes committed in Zimbabwe since March 29 and call for an independent and impartial commission of inquiry into the abuses.

### **To the EU, US and other international donors**

- Provide technical and financial support to a possible AU/SADC human rights monitoring team.
- Continue to withhold non-development aid to Zimbabwe that is currently suspended until the following conditions are met: clear and convincing evidence exists that the government has taken effective steps to curb the political violence, to put in place conditions that allow for a free and fair runoff election and to act to resettle those displaced by the violence. These steps should include, at a minimum, the full and public investigation of allegations of politically motivated violence, including by government officials and members of the security forces, and appropriately prosecuting those responsible; and the provision of additional and adequate security measures in areas affected by the violence in the lead up to the presidential runoff.
- Call on the government of Zimbabwe to allow unfettered access to all parts of the country to local and international election observers, the media and civil society organizations seeking to report on the elections.

### **To United Nations Secretary-General Ban Ki-moon**

- Appoint a Special Envoy to Zimbabwe to investigate and publicly report on the abuses taking place.

### **III. Methodology**

This report is based on three research missions to Zimbabwe in March, April and May 2008. Researchers conducted more than 70 interviews with victims, eyewitnesses, perpetrators of abuses, police, lawyers, medical personnel, MDC members of parliament, MDC officials, police, prison officers, civil society activists and diplomats, in person and on some occasions by phone. Interviews were conducted in English and Shona without interpreters. Human Rights Watch also examined post-mortem reports, police affidavits, court orders and medical reports. Researchers visited Harare, Manicaland, Masvingo, Mashonaland Central, Mashonaland East, Mashonaland West, Midlands provinces, Bulawayo and Matebeleland North provinces.

For security reasons, many people spoke to Human Rights Watch on the condition of confidentiality, requesting that the report not mention their names or other identifying information. Details about individuals and locations of interviews when information could place a person at risk have been withheld.

## IV. Background

### Organized Political Violence

In response to challenges from other political forces, the ruling Zimbabwe African National Union–Patriotic Front (ZANU-PF) and its political allies have commonly used violence as a tool since the country gained independence in 1980. The main perpetrators have been ZANU-PF supporters, so called “war veterans,”<sup>1</sup> youth militia<sup>2</sup> and state security forces, including the police and the army.

For example, state security forces were involved in systematic and widespread atrocities in Matabeleland and Midlands provinces in the 1980s, aimed at destroying support for the Zimbabwe African People’s Union (ZAPU) led by Joshua Nkomo, the most significant political alternative to ZANU in the war of liberation and immediately post-independence. In the 1997 report “Breaking the Silence, Building True Peace—A Report on the Disturbances in Matabeleland and the Midlands, 1980 to 1988,”<sup>3</sup> the Catholic Commission for Justice and Peace and the Legal Resources Foundation estimated that there had been more than 3,000 extrajudicial executions, hundreds of “disappearances,” more than 7,000 beatings or cases of torture and more than 10,000 arbitrary detentions in Matabeleland North, Matabeleland South, and Midlands provinces in that period.<sup>4</sup> The report presented evidence indicating that most killings and “disappearances” were committed by government forces, most notably the army's Fifth Brigade.

Since 1999, when the Movement for Democratic Change (MDC) emerged as a strong political contender to ZANU-PF, violence around elections has intensified. The

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<sup>1</sup> Many of the “war veterans” implicated in recent abuses are believed to be individuals hired by the government to commit abuses under the guise of “war veterans.” Many are too young to be genuine war veterans or have fought during Zimbabwe’s liberation struggle in the 1970s. However, Human Rights Watch’s evidence indicates that these fake “war veterans” are being led by genuine war veterans who fought during the struggle for independence.

<sup>2</sup> The youth militia, also known in Zimbabwe as “green bombers” because they often wear olive green military fatigues, are part of a government-run National Youth Service Program. According to the government, the program is aimed at training youths to be good citizens and to take part in community services initiatives.

<sup>3</sup> See Catholic Commission for Justice and Peace and the Legal Resources Foundation, *Breaking the Silence, Building True Peace: A Report on the Disturbances in Matabeleland and the Midlands, 1980 to 1988* (Harare: Catholic Commission for Justice and Peace and the Legal Resources Foundation, 1997).

<sup>4</sup> Ibid.

overwhelming majority of victims of violence during the country's most recent elections in 2000, 2002 and 2005 were officials and members of the MDC, their supporters and anyone perceived to support the party, including ordinary Zimbabweans and civil society activists.

In the run-up to the parliamentary election of June 2000, international organizations such as Amnesty International documented extrajudicial executions, torture, beatings and abductions—the vast majority committed by supporters of the ruling party or government agents.<sup>5</sup> Further state-orchestrated violence took place in the run-up to the 2002 presidential election, as documented and criticized by members of observer missions from the United States, Norway, the Southern African Development Community (SADC) and the Commonwealth present during that election, as well as international nongovernmental organizations.<sup>6</sup>

Elections in 2005, although flawed, were significantly more peaceful in the run-up.<sup>7</sup> However in the immediate aftermath, the government of Zimbabwe embarked on *Operation Murambatsvina* (Clear the Filth), an eviction campaign that left more than 700,000 people without homes or livelihoods.<sup>8</sup> The evictions were carried out throughout the high-density urban areas of the country. Although the government claimed that the operation was carried out to remove criminal elements and clean up the cities, Human Rights Watch and others contended that one of the reasons was to punish those in the high-density suburbs who voted for the MDC during the 2005 elections.

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<sup>5</sup> Amnesty International, "Terror tactics in the run-up to elections," June 2000, <http://web.amnesty.org/library/Index/ENGAFAR460142000?OPEN&of=ENG-ZWE> (accessed February 28, 2008).

<sup>6</sup> See Commonwealth Observer Report, "Preliminary Report of the Commonwealth Observer Group to the Zimbabwe Presidential Election, 9–10 March 2002," March 14, 2002, [http://www.afrol.com/Countries/Zimbabwe/documents/commonw\\_elections\\_group.htm](http://www.afrol.com/Countries/Zimbabwe/documents/commonw_elections_group.htm) (accessed February 28, 2008); "Preliminary Statement on Presidential Elections by the Norwegian Observer Team," Oslo, March 13, 2002, [http://www.afrol.com/Countries/Zimbabwe/documents/commonw\\_elections\\_group.htm](http://www.afrol.com/Countries/Zimbabwe/documents/commonw_elections_group.htm) (accessed February 28, 2008); and "Statement on the Zimbabwe Elections," SADC Parliamentary Forum Observer Mission, Harare, March 13, 2002, <http://www.africaaction.org/docso2/zimo203.htm> (accessed February 28, 2008).

<sup>7</sup> Human Rights Watch, *Not a Level Playing Field: Zimbabwe's Parliamentary Elections in 2005*, March 21, 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305.pdf>.

<sup>8</sup> Human Rights Watch, *Zimbabwe – Evicted and Forsaken: Internally Displaced Persons in the Aftermath of Operation Murambatsvina*, vol. 17, no. 16(A), December 1, 2005, <http://hrw.org/reports/2005/zim1205/zim1205webwcover.pdf>.



Zimbabwe's violent history of elections has also been accompanied by widespread impunity.<sup>9</sup> Few of those implicated in grave abuses either in the 1980s in Matabeleland or during past elections have been brought to justice. This means that little has been done to discourage acts of violence during more recent times. Those who committed past abuses have remained free to carry out further acts of violence and intimidation.

## Ongoing State Repression

Incidents of violence and intimidation carried out by the state have not been limited to election years. The government of Zimbabwe has long been intolerant of criticism, and this has intensified over recent years as the economic situation has collapsed and support for the MDC has grown. Attacks on opposition politicians, civil society activists and journalists, use of unnecessary or excessive force by police forces in quelling peaceful demonstrations, and the use of repressive legislation have remained serious human rights concerns. The brutal police beating of MDC leader Morgan Tsvangirai and scores of other MDC and civil society activists on March 11, 2007, underscores the high levels of intolerance and intimidation that have affected the country.<sup>10</sup>

## General Elections in March 2008

The run-up to the March 2008 parliamentary and presidential elections differed significantly from elections in 2000 and 2002 because there was far less violence. However, the serious flaws that marked those elections and the 2005 parliamentary elections remained, and included a partisan and inadequately prepared electoral commission, concerns about pre-poll rigging, unequal access to the state media, and government restrictions on the rights to freedom of association, assembly and

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<sup>9</sup> Zimbabwe's long history of impunity for perpetrators of violence and torture is well documented by Human Rights Watch and by organizations such as Redress and Amnesty International. See for example, Redress and the Amani Trust, "Torture in Zimbabwe, Past and Present," June 2005, <http://www.redress.org/publications/Amaniz2005.pdf> (accessed March 11, 2008); Redress, "Zimbabwe: From Impunity to Accountability: Are Reparations Possible for Victims of Gross and Systematic Human Rights Violations?" March 2004, <http://www.redress.org/publications/Beyond%20impunityA5.pdf> (accessed March 11, 2008); Amnesty International, "The Toll of Impunity," June 25, 2002, <http://web.amnesty.org/library/index/ENGAFR460342002?OPEN&OF=ENG-ZWE> (accessed February, 2008); and Human Rights Watch, *You Will Be Thoroughly Beaten: The Brutal Suppression of Dissent in Zimbabwe*, vol. 18 no. 10(A), November 1, 2006, <http://hrw.org/reports/2006/zimbabwe1106/zimbabwe1106web.pdf>.

<sup>10</sup> Human Rights Watch, *Bashing Dissent: Escalating Violence and State Repression in Zimbabwe*, vol. 19, no. 6(A), May 2, 2007, <http://hrw.org/reports/2007/zimbabwe0507/>.

expression. ZANU-PF supporters were implicated in serious incidents of violence and intimidation against MDC activists, and the use of food and agricultural inputs as political tools against the opposition.<sup>11</sup>

Prior to the March 29 elections, Human Rights Watch expressed serious concerns about the possibility of post-election violence due to the flawed nature of the electoral process and the failure of the government to address persistent political intolerance and impunity in Zimbabwe since the 2000 elections.<sup>12</sup>

Despite these pre-election conditions, ZANU-PF suffered an extraordinary and unexpected defeat at the hands of the MDC in parliamentary elections. The release of the results of the presidential elections, which took place on the same day, was delayed by the Zimbabwe Electoral Commission (ZEC) after the ruling party questioned the validity of both the parliamentary and presidential elections. The ZEC called for a recount in 23 constituencies,<sup>13</sup> but this brought no significant changes in the results.

The delay in the announcement of the presidential results seriously heightened political tensions in the country.<sup>14</sup> On May 2, more than a month after the general election, the ZEC finally announced the presidential results with Morgan Tsvangirai winning 47.9 percent of the vote and the incumbent Robert Mugabe winning 43.2 percent.<sup>15</sup> Under Zimbabwe's electoral laws, the failure of the leading candidate to win a 50 percent plus one vote majority necessitated a runoff between the two leading candidates,<sup>16</sup> which the ZEC set for June 27.<sup>17</sup>

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<sup>11</sup> Human Rights Watch, *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, vol. 20, no. 2(A), March 19, 2008, <http://hrw.org/reports/2008/zimbabwe0308/>.

<sup>12</sup> *Ibid.*

<sup>13</sup> "ZEC accepts vote recount," *News 24*, April 10, 2008, [http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662\\_2303398,00.html](http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_2303398,00.html) (accessed May 27, 2008).

<sup>14</sup> After tallying the polling results, the MDC declared that Morgan Tsvangirai had won the vote by a majority of 50.3 percent. The delay in publishing the presidential results left the government open to allegations of attempting to manipulate the vote, and reduced the credibility of the results.

<sup>15</sup> "Zimbabwe announces poll results," *BBC news online*, May 2, 2008, <http://news.bbc.co.uk/1/hi/world/africa/7380445.stm>, (accessed May 27, 2008).

<sup>16</sup> Electoral Laws Amendment Act, 2007, Amendments to the Zimbabwe Electoral Commission Act [*Chapter 2:12*] (No. 22 of 2004), the Electoral Act [*Chapter 2:13*] (No. 25 of 2004) and the Traditional Leaders Act [*Chapter 29:17*] (No. 25 of 1998).

<sup>17</sup> "Zimbabwe names date for run-off," *BBC news online*, May 16, 2008, <http://news.bbc.co.uk/1/hi/world/africa/7404603.stm> (accessed May 27, 2008).

## V. State-Sponsored Violence and Torture since the March 29 Elections

### A Campaign of Violence

Human Rights Watch investigations since the March 29 elections show that ZANU-PF quickly responded to the loss of its parliamentary majority for the first time since independence and its leader finishing second in the presidential vote by unleashing a systematic and brutal campaign of violence against the opposition. Those leading the campaign have dubbed it “*Operation Makavhoterapapi?*”<sup>18</sup> (Operation Where Did You Put Your Vote?).

There is overwhelming evidence that the organized pattern of abuses have been replicated throughout the provinces. In nearly all the areas affected by violence, victims and eyewitnesses told Human Rights Watch that it was usually conducted at night and was characterized by abductions, beatings and the looting and burning of huts and other property.

ZANU-PF officials and “war veterans” are beating and torturing suspected MDC activists and supporters in hundreds of base camps established across the provinces as local centers of operations. ZANU-PF supporters, government officials, “war veterans” and state security forces are conducting brutal daily “re-education” meetings in which they beat and at times torture local residents to force them to denounce the MDC and swear allegiance to ZANU-PF. Further, ZANU-PF and its allies have gone on a campaign of widespread destruction of property and looting, including the burning of homesteads, that has led to thousands of people being internally displaced. There has been a spate of abductions and killings of known MDC activists by suspected agents of the state, ZANU-PF supporters and “war veterans” in the province of Mashonaland East and in Harare.

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<sup>18</sup> In various Human Rights Watch interviews across the country, in Harare, Masvingo, Mashonaland East, Central and West as well as in Manicaland, victims repeatedly mentioned this operation by name, suggesting a central origin of the operation.

Interviews by Human Rights Watch with more than 60 victims and eyewitnesses indicate that the violence has been concentrated in areas traditionally viewed by ZANU-PF as “strongholds,” in the provinces of Mashonaland West, Mashonaland Central and Mashonaland East, as well as the provinces of Manicaland, Masvingo and the capital Harare. Human Rights Watch has also documented other incidents of violence in Midlands, Matabeleland North and Matabeleland South provinces.

## Reasons for the Violence

For the very first time in its history, ZANU-PF either suffered heavy losses or won by much narrower margins than it expected in its “strongholds” in the parliamentary elections. For example, in Mashonaland Central, one of the areas of rampant ZANU-PF violence, ZANU-PF actually won 16 of the 18 contested House of Assembly seats.<sup>19</sup> In Mashonaland East, another area that has seen high levels of ZANU-PF violence (almost 50 percent of the cases documented by Human Rights Watch), ZANU-PF won 19 of the 23 contested House of Assembly seats.<sup>20</sup> However, closer scrutiny of the polling station results indicate that the MDC made significant inroads in each of these provinces, losing by much narrower margins than ZANU-PF had anticipated. In other violence-affected provinces such as Masvingo and Manicaland, ZANU-PF lost constituencies that it had previously held to the MDC.

The violence appears to be intended to punish Zimbabweans who voted for the MDC on March 29, in particular those who voted in the “strongholds.” It is being used to deter people from voting for the MDC and to persuade them to vote for ZANU-PF during the presidential runoff. Finally, it is being used to change the political landscape of rural areas by effectively displacing and thereby disenfranchising the voting rights of known MDC members and supporters.

The scope and scale of the post-election violence far exceeds that seen during past election years of 2000, 2002 and 2005. Local human rights organizations have reported thousands of incidents of violence throughout the country since April. For

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<sup>19</sup> Kubatana, “Results - 'Harmonised' elections 29 March 2008: House of Assembly and Senate,” [http://www.kubatana.net/html/archive/elec/o8o329kubres.asp?spec\\_code=o8o121elecindex&sector=ELEC](http://www.kubatana.net/html/archive/elec/o8o329kubres.asp?spec_code=o8o121elecindex&sector=ELEC), May 15, 2008, (accessed May 27, 2008)

<sup>20</sup> Ibid.

example, on May 8, the Zimbabwe Association of Doctors for Human Rights (ZADHR) reported that it had documented 900 victims of organized violence and torture, including 22 deaths, in the post-election period.<sup>21</sup> As of May 27, Human Rights Watch had confirmed at least 36 deaths and found that the number of confirmed victims of violence and torture across the country had risen to almost 2,000.<sup>22</sup> Nearly all were MDC activists or people perceived to have voted for the MDC. Some have been observers from the independent Zimbabwe Election Support Network.

ZANU-PF supporters and their allies have not found it necessary to prove that a person voted for the MDC before meting out “punishment.” Instead they have examined results posted outside polling stations to identify areas where people voted for MDC in large numbers, even if the MDC lost to ZANU-PF in those areas.<sup>23</sup>

For example, a 26-year-old man from Mudzi, Mashonaland East was beaten by ZANU-PF youth simply because they believed he was an MDC member. He told Human Rights Watch:

They surrounded my place around midnight on April 13. They were 30 ZANU-PF youth and war veterans. They broke down the door and tied my hands and took me. I was beaten with logs until 8 a.m. I was accused of being an MDC member and a sell-out.<sup>24</sup>

In Mudzi, Mashonaland East, victims told Human Rights Watch that ZANU-PF supporters accused MDC officials and polling agents of “bringing the disease of MDC into the area,” necessitating a cleansing process that would be achieved through beating people into repentance.<sup>25</sup>

In Vhombozi village, Mudzi, Mashonaland East, ZANU-PF supporters went on a witch-hunt for those suspected of having voted for the MDC in order to punish them. A 41-

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<sup>21</sup> Zimbabwe Association of Doctors for Human Rights, “Statement concerning escalating cases of organised violence and torture, and of intimidation of medical personnel,” May 9, 2008. On file with Human Rights Watch.

<sup>22</sup> Human Rights Watch interviews with medical personnel documenting cases of beatings and torture in Harare, April, May and June 2008.

<sup>23</sup> Human Rights Watch interviews with victims from Mudzi, Mashonaland East, Harare, April 17, 2008.

<sup>24</sup> Human Rights Watch interview with 26-year old man, Harare, April 17, 2008

<sup>25</sup> Human Rights Watch interviews with victims from Mudzi, Mashonaland East, Harare, April 17, 2008.

year-old man told Human Rights Watch how a group of suspected ZANU-PF supporters attacked him in his home on the night of April 11:

I noticed that my neighbor's hut was on fire, more people [ZANU-PF supporters] came from a maize field where they were hiding. They were more than 20 in number and dragged me about 500 meters from my hut. There they began beating me with wooden logs on the buttocks for at least 20 minutes. They burnt down my hut, together with a heap of maize and sorghum. They also stole my sewing machine and radio. They said I was a friend of an MDC activist and therefore must also be an MDC activist myself who must be punished for helping to betray the country. One of the people was shouting saying, "You sell-out, why did you vote for MDC?" Those who beat me said ZANU-PF would not tolerate sell-outs; among them were two women who also participated in beating me. As a result of the beatings I fractured my left arm and suffered badly swollen fingers.<sup>26</sup>

In Mutoko, Mashonaland East on the night of April 10, ZANU-PF supporters brutally beat about 20 men suspected of voting for the MDC before the entire village. A 45-year-old man told Human Rights Watch that the ZANU-PF supporters used whips, chains and iron bars to beat him and they broke his left leg below the knee. They repeatedly said that his "crime" was that he voted for the MDC during the elections.<sup>27</sup>

## **Incitement and Organization of the Violence**

As in the elections of 2000 and 2002, the post-election violence in 2008 did not arise spontaneously. Human Rights Watch has credible evidence that senior security officers at the local and national level of government are organizing and inciting the violence. Human Rights Watch researchers interviewed more than 60 victims and eyewitnesses who implicated by name local headsmen, ZANU-PF councilors, MPs and supporters who were working closely with senior ranking army officers, police and prison officers, and agents from the Central Intelligence Organization (CIO).

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<sup>26</sup> Human Rights Watch interview with 41-year-old man, Harare, April 17, 2008.

<sup>27</sup> Human Rights Watch interview, Harare, April 17, 2008.

The government has sought to hide its role in the abuses by using groups of “war veterans” and youth militias as proxy forces to commit violent acts. However, Human Rights Watch investigations uncovered links between the government and ZANU-PF, the youth militia, and “war veterans” involved in serious human rights violations. This includes evidence that those who directly committed abuses were acting under the orders or with the acquiescence or complicity of senior ranking army and police officers.

### *The Role of the Joint Operation Command*

Human Rights Watch has information from credible sources in the police and prison services, as well as from victims and eyewitnesses that *Operation Makavhoterapapi* was planned and orchestrated under the direction and command of the government’s Joint Operations Command (JOC).<sup>28</sup> The JOC is comprised of the heads of Zimbabwe’s security forces: the Zimbabwe Defence Forces, police, Zimbabwe’s Central Intelligence Organization and the prison services. Minister of Rural Housing Emmerson Mnangagwa, who was implicated in abuses in Matabeleland in the 1980s, is reported to be in charge of the JOC.<sup>29</sup> According to the *Zimbabwe Independent*, Mnangagwa replaced Minister of State Security Didymus Mutasa as head of the JOC soon after March 29.<sup>30</sup>

JOC members have made clear their support for the ZANU-PF government rather than the Constitution. For example, General Constantine Chiwenga was quoted in the *Standard* newspaper in March before the elections as saying that “the army would not support or salute sell-outs and agents of the West before, during and after the presidential elections,”<sup>31</sup> a clear reference to the MDC. On May 31, Chief-of-Staff Major General Martin Chedondo said, “Soldiers are not apolitical; only mercenaries

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<sup>28</sup> For instance, Human Rights Watch interview with victims and witnesses, Harare, April and May, 2008; Human Rights Watch interview with victims in Mutare, April 28, 2008; and Human Rights Watch interview with Biggie Haurubi, MDC official, Karoi, Mashonaland West, April 30, 2008.

<sup>29</sup> See “Mnangagwa Running ZANU-PF Campaign,” *Zimbabwe Independent*, May 8, 2008; “Mujuru Opposes Violence,” *Zimbabwe Independent*, May 22, 2008.

<sup>30</sup> *Ibid.*

<sup>31</sup> “Army chief warns of coup if ‘sell outs’ win,” *zwnews online*, March 11, 2008, <http://www.zwnews.com/issuefull.cfm?ArticleID=18356> (accessed March 12, 2008).

are apolitical. We should therefore stand behind our commander-in-chief ... If you have other thoughts, then you should remove that uniform.”<sup>32</sup>

Although Human Rights Watch cannot link the JOC directly to specific acts of violence, our interviews of more than 20 victims and eyewitnesses from separate incidents named at least 10 senior ranking police, prison and army officers who report to the heads of the JOC as inciting or participating in abuses. Their participation could not have occurred without the knowledge and acquiescence, if not direct participation, of the JOC.

### *The Role of Police and Prison Service Officers*

Human Rights Watch has also gathered information that some senior ranking police officers are ordering or inciting subordinates to commit politically motivated violence.

Human Rights Watch interviewed two police officers who reported that from May 6 to 9, 2008, different teams of senior police officers from Police Headquarters addressed members of the police force at all police camps in Harare province.<sup>33</sup> The Officer Commanding Harare Province, law and order police Boyson Mathema reportedly called for the meetings, dubbed “Police Project Meetings,” which were addressed by senior police officers. According to the officers interviewed by Human Rights Watch, the message sent to the police camps was basically the same: MDC leader Morgan Tsvangirai would never rule the country and that the police should be ready to go to war if Tsvangirai won a second round of elections. They said that senior officers threatened the lower ranking officers and told them that they were aware that a significant percentage of the police forces had voted for the MDC, but they would not be allowed to “sell out” the country. According to the officers, this message was replicated at similar meetings throughout Harare.

As described below, members of the police force have been implicated in widespread post-election abuses around the country, including politically motivated arrests, beatings and torture. Victims informed Human Rights Watch that senior

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<sup>32</sup> “Troops ‘must back Mugabe or quit,’” *BBC news online*, May 31, 2008, <http://news.bbc.co.uk/2/hi/africa/7429238.stm> (accessed June 2, 2008).

<sup>33</sup> Human Rights Watch interviews with police officers and prison services officers, Harare, May, 2008.



police officers in the provinces of Mashonaland East and in Manicaland were actively involved in inciting violence and carrying out attacks. For example, Human Rights Watch gathered evidence from three persons who were attacked by “war veterans” and police in unrelated incidents that Police Assistant Commissioner Martin Kwainona of the Presidential Guard was allegedly involved in inciting, leading and perpetrating violence in Mt. Darwin, Mashonaland Central.<sup>34</sup>

A 43-year-old man told Human Rights Watch:

I was an MDC polling agent. On April 17, Martin Kwainona came to my house at 10 a.m. and accused me of having insulted a member of ZANU-PF. He begun assaulting me saying he was going to clear all MDC from Mt Darwin. He arrested me and took me to Dotito police station where he instructed police to beat me. I was beaten by police for two days in police custody. I was set free on April 20 when I came to Harare.<sup>35</sup>

A 48-year-old man told Human Rights Watch that Martin Kwainona threatened all the people attending a gathering at Tsengurwe Secondary school in Mt. Darwin on April 18 saying: “All MDC members in Mt. Darwin must be made to disappear, we are busy training our youths to do just that.” According to the man, Kwainona went on to say that “MDC people surrender and rejoin ZANU-PF because we are going to vote again. If you don’t, we know you, and will come for you. We will never be ruled by Tsvangirai.”<sup>36</sup>

A 28-year-old woman on April 16 witnessed Martin Kwainona beating a person at Dotito police station in Mt. Darwin. She told Human Rights Watch:

Four police officers came to my home and arrested me and took me in a private car to Dotito police station. They beat me with batons for more than 30 minutes. At the police station the Officer in Charge

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<sup>34</sup> Human Rights Watch interviews with victims, Harare, April and May, 2008.

<sup>35</sup> Human Rights Watch interview with 43-year-old man, Harare, April 22, 2008.

<sup>36</sup> Human Rights Watch interview with 48-year-old man, Harare, April 22, 2008.

Sergeant [name withheld] said, “Here we in Mt. Darwin South our commander is Martin Kwainona.” I was detained overnight and beaten again, several times during the night and was released on April 17. As I was leaving the police station I saw a person being brought into the station by Martin Kwainona. Martin Kwainona was beating him as he took him into the station. I heard him say to the police in the station, “Go and fix MDC members for the next 21 days, beat them till they reveal all their plans about betraying the country.”<sup>37</sup>

Victims and eyewitnesses named at least three other senior police and prison service officers as organizing and participating in violence in Mashonaland East, Mashonaland West and Mashonaland Central provinces.

Human Rights Watch also spoke to three officers from the Zimbabwe prison services who described the systematic deployment of senior prison officers to various provinces to oversee *Operation Makavhoterapapi*, under the direct command of the JOC.<sup>38</sup> According to the officers, at least five senior prison officers from Harare Central Prison were deployed to provinces in Mashonaland Central, Manicaland and Mashonaland East in the weeks after the March 29 elections.

### *Defence Force Involvement in Acts of Violence and Torture*

Numerous victims and eyewitnesses described to Human Rights Watch the direct involvement of the Zimbabwe Defence Forces (comprised of the Zimbabwe National Army and the Zimbabwe Air Force) in acts of violence and torture. The army has been implicated in committing abuses such as beatings and torture, carrying out nightly raids in search of MDC activists and perceived MDC supporters, as well as providing logistical and other forms of support to “war veterans” and ZANU-PF supporters to enable them to carry out acts of violence. As described below, the army perpetrated much of the violence in the capital Harare in April.

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<sup>37</sup> Human Rights Watch interview with 28-year-old woman, Harare, April 22, 2008.

<sup>38</sup> Human Rights Watch interviews with police officers and prison services officers, Harare, May, 19, 2008.

In a May 8, 2008 statement, the army denied any involvement, stating the army “categorically distances itself and any of its members from such activities.”<sup>39</sup> However, Human Rights Watch found numerous instances of army involvement in acts of violence and torture that could not have taken place without the knowledge of senior army officers. In some cases, senior serving and retired military officers themselves directly participated in the violence.

A court case brought before the High Court of Zimbabwe on May 19 highlights the army’s involvement in violence. In his petition Eric Matinenga, an MDC member of parliament for Buhera West, Manicaland, alleged that the Zimbabwe Defence Forces were in fundamental breach of the Constitution of Zimbabwe and the Defence Act because of unlawful activities they were carrying out in Buhera West and other rural areas. These included the alleged subjection of MDC supporters to harassment, assault and humiliation. Matinenga named the Commander of the Zimbabwe Defence Forces General Constantine Chiwenga and Major Svosve, a company commander in Buhera West. (Several local contacts and eyewitnesses who spoke to Human Rights Watch have separately identified Major Svosve as being present during attacks in Buhera.) On May 23, 2008, Justice C. Bhunu issued a provisional court order setting the following terms:

- 1) Deployment of Zimbabwe Defence Forces in the rural areas particularly in Buhera West for any purpose other than that provided for by the Zimbabwe Constitution as read with the Zimbabwe Defence Act is hereby declared unlawful and has to be stopped forthwith.
- 2) Members of the Zimbabwe Defence Forces unlawfully deployed in the rural areas particularly in Buhera West for any purpose other than that provided for by the constitution of Zimbabwe as read with the Defence Act be withdrawn forthwith.
- 3) The respondent should put in place immediate measures to ensure that army officers seconded to rural areas particularly Buhera West confine their operations within their constitutional duties in terms of section 96 (1) of the constitution of Zimbabwe.<sup>40</sup>

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<sup>39</sup> “ZNA not linked to political violence,” Letter to the editor, *The Standard*, May 11, 2008.

<sup>40</sup> Case no: HC2624/08, May 19, 2008, on file with Human Rights Watch.

In another case, five individuals told Human Rights Watch that a senior army officer from Harare was directing and inciting the violence from 3 Brigade, the provincial base of the army in Mutare, Manicaland province.<sup>41</sup> Others said that “war veterans” and ZANU-PF youths and supporters were operating from 3 Brigade army barracks and were assisting the army by pointing out houses of MDC activists and compiling lists of MDC activists.<sup>42</sup>

One person, a prominent MDC activist in Mashonaland East, arrested by the police after “war veterans” abducted and tortured him in Mashonaland East, told Human Rights Watch that a military commander in the Zimbabwe Air Force, Bramwell Kachairo, came to the police station after he heard of the arrest. According to the activist, Kachairo said, “I have come to see this MDC thug. I want to see his face.” He then told him, “When you get out of prison I am going to slaughter you and you will be removed from your home.” The man told Human Rights Watch, “Kachairo is the one causing the violence.”<sup>43</sup>

Three other people in Mashonaland East named Bramwell Kachairo as being responsible for organizing and sometimes taking part in the beatings in the province. One told Human Rights Watch that he had seen Kachairo threatening people with groups of “war veterans” in Mashonaland East. He told Human Rights Watch, “He is the one leading the violence. He goes around with the youth militia and ‘war veterans’ and is always armed.”<sup>44</sup> Another said, “I have seen him beating people in the area. He is very dangerous.”<sup>45</sup>

In Mashonaland West, seven persons who witnessed attacks on MDC activists in the towns of Chinhoyi, Kariba and Hurungwe believe that were being coordinated and directed by Air Marshall Perence Shiri.<sup>46</sup> They said they had witnessed several senior military officers operating under Perence Shiri in these areas. They included a brigadier general and two lieutenant colonels. Human Rights Watch was also able to

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<sup>41</sup> Human Rights Watch interviews with victims and eyewitnesses, Mutare, Manicaland, April 28, 2008.

<sup>42</sup> Human Rights Watch interviews with victims and eyewitnesses, Mutare, Manicaland, April 28, 2008.

<sup>43</sup> Human Rights Watch telephone interview with Mapengo Mapengu, Harare, April 18, 2008.

<sup>44</sup> Human Rights Watch interview with Togarepi Manuchi, Harare, April 17, 2008.

<sup>45</sup> Human Rights Watch interview, Harare, April 18, 2008.

<sup>46</sup> Human Rights Watch interviews with victims and eyewitnesses, Karoi, Mashonaland West, April 30, 2008.

obtain the names and service numbers of three other senior ranking army officers operating in the area.

The following accounts gathered by Human Rights Watch point directly to army involvement in abuses in various provinces.

In Mashonaland East, a 26-year-old MDC youth activist told Human Rights Watch that on April 15 uniformed and armed soldiers descended on a safe house in Murehwa Town Centre for MDC activists who had fled political violence in rural Murehwa:

At around 7 p.m. on Tuesday, April 15, a pickup truck arrived at the gate of our safe house with about 15 soldiers in uniform; many of them had rifles and hand guns. One of them pulled out his gun and shouted, “We have found the people we are looking for, let us beat them!” and he began to advance towards the house.

We all ran in different directions. Unfortunately for me, I panicked and fled into the house where four soldiers followed me and began to beat me with the butts of their guns on the head, saying they were looking for me—but they did not know it was me they were beating. They also used batons to beat me. As I ran towards their truck at the gate, one soldier pulled out a gun and pointed it at my head and tripped me so that I fell to the ground. While I was on the ground more soldiers came to beat me and to kick me in the ribs and stomach, after some time I got up and began to run away towards a nearby village. I have a heavily swollen right hand, severe chest pains, as well as pain in my sides and legs. I also have some injuries on my head.<sup>47</sup>

In Zinoro Village, Mutoko North district, Mashonaland East a 32-year-old man who contested the March 29 elections as an MDC councilor, alleged that he was attacked by soldiers and police officers:

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<sup>47</sup> Human Rights Watch interview with MDC activist, Harare, April 17, 2008

On Saturday April 12, around 9 p.m., six soldiers in uniform from Joko army barracks [the army barracks in Mutoko] came to Nyamuzuwe Township in four cars, with guns. They were in the company of a Senior Assistant Commissioner from Police Support Unit, Everisto Pfumvuti and “war veterans” from my village.

The soldiers fired their guns into the air and we all fled in different directions. They ran after us, I was caught and beaten using whips, but was later rescued by my MDC colleagues who had regrouped to carry out a rescue operation. We ran for more than 20 kilometers to Mutoko Centre. There I sold my mobile SIM card to raise money for transport to Harare where we were admitted at [a] clinic on 16 April. I have no idea how my family is now, they were threatening to burn down my house. I fear for my family.<sup>48</sup>

A 32-year-old man from Zihute village, Murehwa North, Mashonaland East, told Human Rights Watch:

I was at Murehwa Centre together with many other displaced people at a safe house when on April 15 at 6 p.m. four uniformed soldiers came, armed with guns, and said, “We want to see your leader here.” People started to flee when they saw raised guns.

We jumped over a security fence, but we were caught by the soldiers and put, two of us, in an unmarked car and driven along Mutoko road towards Joko army barracks in Mutoko. Before we got to Joko army barracks, one of the four soldiers in the car took out a knife from his pocket and aimed to stab me in the chest, I blocked the knife with my open palm and I kicked the door and jumped out of the moving car. I sustained a deep cut inside my right hand—got three stitches, got bruised when I fell from car. The other person I was abducted with did

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<sup>48</sup> Human Rights Watch interview with 32-year-old man, Harare, April 17, 2008.

not manage to escape. I do not know what happened to him. I am not going back to my home, it is too dangerous.<sup>49</sup>

### **Army Assistance to ZANU-PF Supporters, Youth Militia and “War Veterans”**

Human Rights Watch also gathered information from more than 20 victims and eyewitnesses that indicate the army’s involvement in providing guns and transportation to abusive “war veterans” and ZANU-PF supporters. Armed “war veterans” and ZANU-PF supporters have been implicated in shooting incidents in Manicaland, Mashonaland East, Mashonaland West and Mashonaland Central. “War veterans” and youth militia have reportedly been operating from army bases and camps in Manicaland and Harare. Victims also reported that in some incidents the “war veterans” were using army trucks and pickups to carry out raids on the homes of MDC activists and supporters.

In some cases “war veterans” have masqueraded as soldiers by wearing army uniforms. In one incident a man told Human Rights Watch that he knew that some of the uniformed men who beat him were not soldiers, even though they were dressed as such, because one of the men had “dreadlocks” and not the customary short hair that all soldiers are required to have in Zimbabwe.<sup>50</sup>

Human Rights Watch documented several cases where victims and eyewitnesses saw civilians armed with rifles and handguns, in some cases firing at MDC supporters. For instance in Murehwa, a 33-year-old man from Munemo Village in Murehwa North, Mashonaland East province was shot by a member of ZANU-PF at Murehwa Centre on April 14. He told Human Rights Watch:

On Monday, 14 April as we walked to our MDC offices at Murehwa Centre, at Mwamuka turn off, a car with a ZANU-PF logo and marked “ZANU-PF” but without number plates came towards us at full speed. The passenger in the car brought out a gun, then the car deliberately attempted to run us over, and hit three of my colleagues in the legs.

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<sup>49</sup> Human Rights Watch interview with 32-year-old man, Harare, April 17, 2008.

<sup>50</sup> Human Rights Watch interview, Harare, April 18, 2008.

Our MDC youth leader, Shingi Nheweyembwa shouted “Boys get down!” when he saw the passenger in the car pulling out a gun and preparing to fire. I was slow to go down and was shot in the head with a gun. Immediately after being shot I fainted. I do not what happened to me—I have no recollection of events that followed. I understand police officers manning a traffic roadblock about 200 meters from where the incident occurred came to our assistance. I do not know the person who shot me, but I know the driver of the vehicle. I was fortunate in that the bullet grazed the back of my head but did not affect the skull, leaving only an open wound on my head.<sup>51</sup>

In another incident in Makoni-West, Manicaland, armed “war veterans” opened fire and shot at a group of MDC supporters, injuring three. One of the female supporters, Tabeth Marume, subsequently died from her wounds. The “war veterans” had set up a makeshift base at Chiwetu Rest Camp from which they abducted, beat and tortured known MDC supporters. On April 23 the war veterans abducted 12 MDC members and took them to the camp where they were beaten. In response, 22 other MDC supporters including Marume went to the camp to negotiate the release of their colleagues.<sup>52</sup>

One of the MDC supporters told Human Rights Watch what took place when they got to the camp:

When we got to the base, we were confronted by more than 50 war veterans and ZANU-PF youths, 12 “war veterans” had guns, AK-47 guns [military assault rifles]. They ordered us to sit down. We refused and said we had come to seek the release of our colleagues. I went into a room where our colleagues were being beaten, with hands tied at the back, lying facing the ground, I only managed to untie one colleague when the “war veterans” fired into the air. Most of my colleagues began to run away, some escaped. The second round of fire was

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<sup>51</sup> Human Rights Watch interview with 33-year-old man, Harare, April 18, 2008.

<sup>52</sup> Human Rights Watch interviews with three MDC activists, Mutare, Manicaland, April 28, 2008.



directed at us, and Tabeth Marume was shot in the stomach. Two of my colleagues were also shot, one in the thigh and the other in the calf.

Other “war vets” caught me before I could escape and began to beat me with iron bars, one blow was delivered on my left arm and I heard my arm snap and knew straight away that my arm was broken. The bone was protruding through the skin but I forced myself to run away. The next day we organized transport to take us to Mutare Provincial Hospital because there was no medication at Rusape hospital. At this point Tabeth was alive but her bleeding was too much. In the truck that we used to travel to Mutare I held Tabeth’s head in my lap, she was in great pain. As we approached Mutare, about 20 kilometers from Mutare she asked me for a glass of water. I gave her just a few drops, then she began to roll her eyes. An old woman with us in the truck simply said, “She is gone,” and that is how she died.<sup>53</sup>

The MDC supporter and two others who were involved in the incident identified the “war veterans” who allegedly had guns as Retired Colonel Daniel Romeo Mutsvunguma, Mapfumo, Chikata, Madondo and Noah Mahwata. Mutsvunguma allegedly fired the shot that killed Tabeth Marume.<sup>54</sup> MDC chairperson Stephen Chigori told Human Rights Watch, “Retired Colonel Daniel Mutsvunguma shot her. I saw Mutsvunguma fire his gun. I know him very well.”<sup>55</sup>

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<sup>53</sup> Human Rights Watch Interview with Stephen Chigori, Mutare, Manicaland, April 28, 2008.

<sup>54</sup> Human Rights Watch interviews with three MDC activists, Mutare, Manicaland, April 28, 2008.

<sup>55</sup> Human Rights Watch interview with Stephen Chigori, Mutare, Manicaland, April 28, 2008.

## VI. Patterns of Violence

### Abductions and Killings in Mashonaland East and Harare

Human Rights Watch interviewed several victims and eyewitnesses around the country who implicated ZANU-PF supporters, “war veterans,” CIO agents and soldiers in the abduction of scores of known MDC activists. Victims of the abductions informed Human Rights Watch that they were taken to military bases or “war veteran” bases and camps where suspected ZANU-PF supporters, “war veterans” and soldiers beat and tortured them, including by mutilation. Other victims reported that the perpetrators would take them into the bush or deep into the hills and mountains of the countryside, and beat and torture them before leaving them for dead.

The abductions have taken an even more disturbing turn with at least five incidents of abductions and killings of known MDC activists recorded in May. In one particularly horrifying incident, at least 12 suspected ZANU-PF supporters abducted, beat, tortured and murdered three MDC activists on May 7.

Human Rights Watch interviewed witnesses and relatives of the dead men who said that ZANU-PF supporters ambushed the car of four MDC activists as they were driving to Murehwa in Mashonaland East. One escaped, but Beta Chokururama, Godfrey Kauzani and Cain Nyevehe were pulled from the car and taken away. Chokururama’s body was found on May 11 in a river in Murehwa, while the bodies of Kauzani and Nyevehe were found some kilometers away in Goromonzi district on May 17. The eyes of the victims had been gouged out, and their tongues and lips cut off.<sup>56</sup> Human Rights Watch spoke to medical doctors who confirmed that the men were beaten and tortured.<sup>57</sup>

On May 21, the body of another MDC activist, Tonderai Ndira, was discovered at a mortuary in Parirenyatwa Hospital, Harare. According to relatives who spoke to Human Rights Watch and witnessed the abduction, in the early hours of May 14, 10

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<sup>56</sup> Human Rights Watch interviews with relatives of the three dead men, Harare, May 17, 2008.

<sup>57</sup> Human Rights Watch interviews with doctors, Harare, May 17, 2008.

armed men, some in police uniform, took Ndira from his home in Mabvuku, Harare and bundled him into a truck.<sup>58</sup> One relative who identified the body of Ndira at the hospital told Human Rights Watch that his eyes had been gouged out, and his tongue and lips cut off. He also had extensive injuries to his head and face, and suspected stab and bullet wounds. Police refused to release his body into the custody of his family for an independent post mortem to be done to ascertain the cause of death. The body was only handed over to Ndira's family for an independent post mortem and burial after the intervention of lawyers, Zimbabwe Lawyers for Human Rights, who secured a court order compelling police to release the body.<sup>59</sup>

On May 22, four persons suspected by eyewitnesses to be CIO agents reportedly abducted the losing senatorial MDC candidate for Murehwa North in Mashonaland East. His body was found in the Goromonzi Mountains, Mashonaland East two days later.<sup>60</sup>

### **Torture Camps and Bases in Manicaland, Mashonaland East, Mashonaland Central, Mashonaland West and Masvingo**

Victims and eyewitnesses from Mashonaland East, Mashonaland West and Mashonaland Central, Manicaland and Masvingo told Human Rights Watch about the establishment of torture camps throughout the provinces in the immediate aftermath of the parliamentary and first presidential elections. The camps are used to beat and torture victims to punish for voting for the MDC, to extract information from the victims on the whereabouts of other MDC activists and supporters, and finally to force victims to denounce the MDC and swear allegiance to ZANU-PF.

One 36-year-old MDC activist who was tortured at a base in Mashonaland East on April 10 told Human Rights Watch:

About 35 people came to my hut around 2 a.m. led by our village headman who is also a "war veteran." They forced their way into my hut and they dragged me, my mother and my wife from the hut and

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<sup>58</sup> Human Rights Watch interview with relative of Tonderai Ndira, Harare, May 22, 2008.

<sup>59</sup> Human Rights Watch Interview with Harrison Nkomo, lawyer, May 26, 2008.

<sup>60</sup> Restore our Human Rights Zimbabwe Alert, "Shepperd Jani Murdered," May 24, 2008.

took us about two kilometers away into the nearby bush, to their base, where they begun to beat us, accusing us of being MDC. They used thick wooden sticks, open palms, clenched fists and booted feet to beat and kick us. We were finally rescued by our colleagues from the MDC who heard our cries and came to our rescue after more than an hour of beatings.<sup>61</sup>

A 32-year-old man from Uzumba in Mashonaland East told Human Rights Watch that he was taken to a base called Karimbika on April 11 where he was handcuffed and beaten for a whole night with iron rods, barbed wire and logs. He told Human Rights Watch:

At the base they were nearly 200 ZANU-PF youths. They said “You people have sold the country to white people, now we are beating you to cleanse you, after this you must repent and apologize because our country cannot go to [UK Prime Minister] Gordon Brown.” I was then ordered to give them all the names of MDC polling agents and I did because I feared for my life. I was released at 11 a.m. the following day and told to go back to my house and not leave.<sup>62</sup>

Another man abducted by “war veterans” on April 11 in Mashonaland East told Human Rights Watch, “I was taken to a base at Benson Mine. There I saw uniformed soldiers, ‘war veterans’ and ZANU-PF youths. They beat me for an hour and poured water on me and said, ‘Now you are baptized for re-admittance into ZANU-PF, your sins are forgiven.’”<sup>63</sup>

Human Rights Watch was able to establish that there were at least 11 bases in Chipinge East and Central districts—eight bases in Chipinge East and three in Chipinge Central<sup>64</sup> in the province of Manicaland.

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<sup>61</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>62</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>63</sup> Human Rights Watch interview, Harare, April 21, 2008.

<sup>64</sup> Human Rights Watch interviews with victim and several eyewitnesses, Mutare, 28 April 2008.

According to victims and eyewitnesses to the violence, Odzi Country Club in Mutare, Manicaland province was also converted into a base. The base was visited by a Human Rights Watch researcher who witnessed scores of youth militia going through marching drills.

Victims and eyewitnesses informed Human Rights Watch that financing and food for the bases in Manicaland came from the army, and “war veterans” and ZANU-PF supporters raiding villages and local communities for goats and cattle to slaughter. For example, one victim tortured by “war veterans” at a base in Makoni North told Human Rights Watch that his torturers boasted they had stolen nine of his goats and the animals of other victims to maintain their camp.<sup>65</sup> Other victims told similar stories of finding looted goods and animals at the camps or bases.

A 41-year-old man who was tortured at a base in Makoni North, Manicaland on April 16, told Human Rights Watch that youth militia, “war veterans” and ZANU-PF youths had converted former tobacco barns into torture chambers. He was taken to one of these chambers and told Human Rights Watch:

At this base called Dzete the ZANU-PF youths took turns beating me throughout the night. They put me in leg irons and handcuffs and stretched me on the ground and in that position they begun to ask me, “Who did you vote for?” I said I am a community police officer under the police forces so I voted for ZANU-PF.

They begun to beat me saying, “You are lying, we know some of you have betrayed the country.” After supper they continued to beat me. They whipped me 12 times on my back. I was released at around 3 a.m. They told me that I was now an informer and agent of ZANU-PF. They said, “You must tell us who all MDC members and cadres are.” I said I would do it. They said, “Now go but report back here at base at 3 p.m. with a comprehensive list of MDC names. I fled to Harare instead.”<sup>66</sup>

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<sup>65</sup> Human Rights Watch interview, Harare, April 19, 2008.

<sup>66</sup> Human Rights Watch interview with 41-year-old man, Rusape, Manicaland, April 28, 2008.

Human Rights Watch also received information of the existence of at least five camps or bases where beatings and torture of MDC activists and perceived activists took place in Nyanga district, Manicaland. These bases were located in the following areas: close to Barenga army camp, in ward 23, at Nyanga Country Club, in ward 15 and at the Ruwange business center.<sup>67</sup>

Human Rights Watch gathered similar evidence of torture bases and camps in the provinces of Masvingo, Mashonaland West, Mashonaland East and Mashonaland Central.<sup>68</sup>

In one incident, a man from Mashonaland East province who was abducted by “war veterans” and later saved by the police, told Human Rights Watch that police took him to five bases around the province as they tried to prevent “war veterans” from carrying out acts of violence, an attempt which failed. He told Human Rights Watch:

When the police came and rescued me they took me to Dumuyera shopping center where there is a base. A war veteran leader called Masango was there beating a lot of people and trying to burn the home of a businessman. At Luckydip there was also a base there and police tried to get the war vets to disperse. There were also bases at Jani, Chitugazuwa, and Rukado. At Chitugazuwa base I saw people who were beaten so badly. I saw a lady who couldn't walk she was severely beaten up. It was around past 7 p.m. People were being brutally beaten.<sup>69</sup>

On May 13, the *Herald* newspaper reported that police had dismantled camps in Bikita and Gutu in the province of Masvingo.<sup>70</sup> However, the police did not carry out any arrests or take any other action against those responsible for setting up the camps. Further, Human Rights Watch has evidence of the continued existence of other camps in Masvingo, as well as in other provinces around the country.

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<sup>67</sup> Human Rights Watch information from confidential source, Harare, May, 2008.

<sup>68</sup> Human Rights Watch interviews with victims and eyewitnesses, Harare, April and May 2008.

<sup>69</sup> Human Rights Watch interview, Harare, April 18, 2008.

<sup>70</sup> “Anti-violence drive intensifies,” *The Herald* newspaper, May 13, 2008.

## **“Re-education” Meetings in Mashonaland Central, Mashonaland East and Mashonaland West**

Some of the worst violence has taken place during “re-education” meetings conducted by ZANU-PF, “war veterans,” youth militia and the army. The sole purpose of these meetings has been to coerce the population into voting for ZANU-PF and denouncing the MDC through beatings and torture. Villagers have informed Human Rights Watch that the meetings take place on a daily basis with ZANU-PF and its allies visiting areas and villages in the provinces where they believe they suffered significant losses to the MDC or where they won by very narrow margins. The posting of results outside polling stations has enabled the party to target these areas with little difficulty. Victims told Human Rights Watch that people are forced to chant ZANU-PF slogans and swear allegiance to the party at the meetings.

Local ZANU-PF officials have also used these meetings to incite people to punish those who voted for the MDC in the general elections and to ensure that in the event of a presidential runoff people would be too afraid to vote MDC again. Those who are suspected of voting for the MDC are beaten and tortured before the rest of the village.

For example, in Karoi district, covering the constituencies of Hurungwe East, West, North and Central, in Mashonaland West province, witnesses told Human Rights Watch that on April 6 winning politicians from ZANU-PF addressed party faithful in Karoi in Chikangwe Hall, and said that people had voted the wrong way, and that this must be corrected ahead of the presidential runoff election. The people gathered were told that what was about to be done was called *Operation Makavhoterapapi*?<sup>71</sup>

Witnesses told Human Rights Watch that Peter Tapera Chanetsa, ZANU-PF winning Member of Parliament for Hurungwe North, and Rueben Marumahoko, ZANU-PF Senator for Hurungwe, addressed ZANU-PF members on April 6 and said, “People voted the wrong way, so people must be beaten thoroughly so that no one will ever vote MDC again,”<sup>72</sup> The first incidents of violence against MDC supporters and members in Karoi occurred the next day. Since then Human Rights Watch has

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<sup>71</sup> Human Rights Watch interview with Stephen Chigori, Mutare, Manicaland, April 28, 2008.

<sup>72</sup> Human Rights Watch interview with Biggie Haurubi, MDC losing parliamentary candidate for Hurungwe East, Karoi, April 30 2008.

documented several incidents of violence by ZANU-PF supporters against people perceived to have voted for the MDC in this area.

The army also played a role in systematically targeting village heads and chiefs and ordering them to call for meetings in different parts of Karoi. Everyone was required to attend these meetings without fail, and according to eyewitness accounts the soldiers repeated one message to the people: No one should dare vote for MDC in the event of an anticipated presidential runoff election.

Those summoned to the meetings told Human Rights Watch that all meetings in villages around Karoi and Hurungwe took the same form, chiefs and headmen summoned their people to the meeting, which was addressed by uniformed members of the army who intimidated villagers by brandishing rifles in the air and displaying live ammunition to villagers. Each villager would be given a bullet to hold in their hands, then a soldier would say, “If you vote for MDC in the presidential runoff election, you have seen the bullets, we have enough for each one of you, so beware.”

According to the eyewitnesses, soldiers and war veterans used new Mitsubishi pickup trucks, many of them without number plates, but some had logos of the national electric company, ZESA.<sup>73</sup> Such meetings were held on April 19 at Kareshe School, on April 20 at Doro, on April 21 at Chisape School and on April 22 at Kanyati and were reported to be planned for Nyamhunga, Chidamoyo and Munjinga. In a clear example of government involvement in the “re-education” meetings, eyewitnesses informed Human Rights Watch that their vehicles were refueled each morning at Hurungwe Rural District Council Offices.<sup>74</sup>

In another case from Mudzi, a 33-year-old man told Human Rights Watch of his ordeal at the hands of ZANU-PF supporters on April 11:

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<sup>73</sup> ZESA is the Zimbabwe Electricity Supply Authority, a parastatal body responsible for providing electricity around the country.

<sup>74</sup> Human Rights Watch interviews with several eyewitnesses, including background interview with MDC official Biggie Haurubi, Karoi, Mashonaland West, April 30, 2008. Human Rights Watch also received information of very similar army campaigns targeting village heads and chiefs in Mhondoro and in Gokwe Kapuyuni areas.



At around 6 p.m. ZANU-PF members called for a ward meeting and one ZANU-PF member came to summon me to attend the meeting. He said, “You are wanted at the meeting, you have to answer for your crime.” At the meeting the ZANU-PF ward chairperson said to me, “We know you voted MDC so now we shall proceed to punish you. You must know that in the coming runoff election no one will vote for MDC in the entire Mudzi area,”... they beat me on the buttocks using thick sticks and iron bars. During the beatings I fainted two times. I was beaten so much that I sustained a huge open wound on my left buttock.<sup>75</sup>

### *Six Deaths During a “Re-education” Meeting in Chiweshe*

The brutal nature of the ZANU-PF “re-education” meetings was seen in Chiweshe, Mashonaland Central on May 5 when ZANU-PF officials and “war veterans” organized a meeting at Chaona primary school and brutally beat and tortured over 70 villagers, leaving six men dead. Human Rights Watch spoke to eight victims of the violence and several relatives of the dead men.

On the night of May 4, villagers in Chiweshe noticed groups of people being trucked to Chaona Primary school in the center of Chiweshe. The villagers identified the people as being youth militia from Border Gezi camp in Mt. Darwin, Mashonaland Central (they wear a distinctive olive green uniform) as well as ZANU-PF youths and “war veterans” from surrounding villagers. Up to 300 of these people arrived at the primary school. An announcement was then made that on the following day people should go to a meeting at the primary school. In the early hours of May 5, ZANU-PF youths went knocking door-to-door calling people to attend the meeting. When the people got there they were addressed by a person who was identified as Retired Major Cairo Mhandu, a former soldier and “war veteran.”

The villagers told Human Rights Watch that Mhandu told the crowd, “This community needs to be taught a lesson. It needs re-education. We want people to come forward and confess about their links and association with the MDC and surrender to ZANU PF. This is what we want.” No one came forward. After a brief pause one of the ZANU-

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<sup>75</sup> Human Rights Watch interview with 33-year-old man, Harare, April 22, 2008.

PF youths grabbed a 76-year-old woman and made her lie in front of the crowd on her stomach. They said, “We will beat this woman if people don’t come forward.” They started beating her with logs on her buttocks. After 10 minutes, three men came forward and said they were MDC just to stop the youth from beating the woman. Cairo Mhandu said this is what he wanted, more people to come forward.

The ZANU-PF supporters also had a list of about 20 MDC activists who they called out. They proceeded to beat these people and demand that they each reveal the names of at least five other activists. In pain, the victims would shout out the names of any people and they too would be called out and beaten.

The ZANU-PF youths and supporters would bring forward three or four people at a time. They tied the legs of the victims and handcuffed their hands, before forcing them to lie prone on their stomachs. Three ZANU-PF youths with thick sticks would stand on either side of the victim and take turns beating the victims on the back, back of the legs and buttocks. The ZANU-PF youths and supporters either stripped the women naked or down to their underwear before beating them. In some incidents the perpetrators tied barbed wire around the genitals of the men and tied the other end of the wire around logs. The perpetrators then forced the men to use their genitals to pull the logs as they continued to beat them. Several men sustained serious injuries to their genitals as a result.

The beatings continued all that afternoon and evening. More than 70 people were beaten, of which 30 were hospitalized at Howard and Concession hospitals in Mashonaland Central, while others were transferred to Avenues clinic in Harare. The beatings only ended that evening when five police officers arrived. The 300 assailants dispersed but police caught and beat one of the assailants before releasing him. To date no arrests have been made.

Six men subsequently died from the horrific beatings and torture that took place that day. Two of them, Alex Chirisiri and Tapiwa Meda died on the spot after the beatings. Joseph Madzuramhende died later that day. Geoffrey Jemedze and Wilson Emmanuel

died at Avenues clinic on May 9, Jemedze from renal failure. Fushirai Dofu died on May 10 at Howard hospital.<sup>76</sup>

A government doctor who spoke to Human Rights Watch confirmed that three of the men who died had severely mutilated genitals, beaten and swollen testicles, one had crushed testicles. Many of the men he treated had damaged genitals. The doctor also confirmed that many of the women beaten on that day sustained severe injuries to the buttocks requiring skin grafts.<sup>77</sup>

*Killed for Owning a Radio: the Death of Joseph Madzuramhende*

The relatives of Joseph Madzuramhende, one of the three men who died on May 5, told Human Rights Watch about how he was beaten and tortured. According to relatives who witnessed the beating, when the six ZANU-PF youth started beating Madzuramhende they made him lie on his stomach like the others but later turned him onto his back, and stuffed a cloth in his mouth to prevent him from shouting out. They allegedly said to him: “Your particular crime is that you have a radio at your place and other villagers were coming to your home to listen to Studio 7 (Voice of America program which airs in Zimbabwe) and to listen to election results and this is your crime.”

They took barbed wire and tied his genitals and tied the other end of the wire to a log. They said: “We will beat you until you move the log with your penis.” He attempted to do so and the wire was cutting into his genitals as they continued to beat him. They then took another log, put his genitals on the log and begun to beat the genitals. Later they tied another wire around his genitals and started dragging him until a part of his genitals came off. After the beatings Madzuramhende’s relatives put him on an ox cart. He was still talking. He died in his home at around 8 p.m. that night in a leaning position because he couldn’t lie on his stomach or his back due to his injuries.<sup>1</sup>

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<sup>76</sup> Human Rights Watch interviews with victims, Harare May 6 and May 7, 2008; Human Rights Watch interviews with relatives of the dead men, Mashonaland Central, May 15, 2008, and Harare, May 1, 2008.

<sup>77</sup> Human Rights Watch interview with doctor, Mashonaland Central, May 15, 2008.

A 33-year-old woman, an MDC supporter, told Human Rights Watch about how a group of “war veterans” beat her with logs and sticks on that day. She sustained serious injuries to her buttocks:

The chief called out the name of me and my husband and we were made to stand to one side with other people called from the list. We were told that we had been called because we were from the MDC. We were taken aside and beaten with sticks in front of everyone. They made us lie down and tied our hands with handcuffs and beat us with thick sticks. They were counting as they beat us and taking turns. I was beaten 115 times on each buttock. They were many of them. I knew some of them.<sup>78</sup>

### **Creation of ‘No-Go’ Areas in Mashonaland East, Mashonaland West and Mashonaland Central**

ZANU-PF supporters and “war veterans” have created “no-go areas” across broad swathes of the countryside in the provinces of Mashonaland East, Mashonaland West and Mashonaland Central to prevent victims from leaving the provinces, and to prevent foreign journalists and local human rights organizations from reporting on the violence. They have placed barricades across roads leading to villages hit by the violence making the areas inaccessible.

Thousands of people are unable to flee the violence and have been left without food, water or shelter. In a deliberate attempt to punish those it suspected of having voted for the MDC, ZANU-PF supporters and their allies have blocked and threatened victims of violence in need of medical treatment.

For example, in mid-April, a man from Mudzi, in Mashonaland East told Human Rights Watch that he received severe wounds to his buttocks after being beaten with logs by people he believes were ZANU-PF supporters. His attackers told him that if he went to the hospital for treatment, they would come back and kill him. By the time he

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<sup>78</sup> Human Rights Watch interview, Harare, May 7, 2008.

managed to find medical treatment in Harare four days later, his flesh had begun to rot.<sup>79</sup>

Medical personnel in Harare informed Human Rights Watch that the problem of victims presenting with infected torture wounds had grown worse as threats against doctors increased and roadblocks set up by ZANU-PF prevented people from accessing treatment in the capital.<sup>80</sup>

Doctors and medical personnel in the provinces of Mashonaland Central, Mashonaland West and Mashonaland East report that ZANU-PF supporters and “war veterans” have routinely intimidated and threatened them in an attempt to prevent them from treating victims of violence in the provinces. One doctor informed Human Rights Watch that three of his colleagues had fled Mutoko district in Mashonaland East after receiving threats from ZANU-PF supporters and “war veterans.”<sup>81</sup>

The acute lack of medicine and medical supplies in rural hospitals means that victims who cannot access treatment in Harare are left untreated in the rural hospitals. Medical personnel in Harare also informed Human Rights Watch that “war veterans” and suspected CIO agents had prevented ambulances from Harare from picking up victims hospitalized in the provinces of Mashonaland East, Mashonaland West and Mashonaland Central on at least seven occasions.<sup>82</sup>

### **Arrests, Beatings and Torture of MDC activists in Harare**

In urban areas, particularly in and around Harare, incidents of political violence have taken two particular forms: First, indiscriminate beatings of people by police and army following the imposition of an unofficial curfew in some of the high density suburbs. Second, a targeted campaign against known MDC activists that mainly takes place at night and is carried out by armed and uniformed members of the army aided by ZANU-PF supporters. Armed and uniformed soldiers frequently use supporters of ZANU-PF as informants to compile lists of names and addresses of

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<sup>79</sup> Human Rights Watch interview, Harare, April 22, 2008.

<sup>80</sup> Human Rights Watch interviews with medical personnel, Harare, April and May, 2008.

<sup>81</sup> Human Rights Watch interview with doctor, Harare. April 17, 2008.

<sup>82</sup> Human Rights Watch interviews, Harare, May 8, 2008.

known or perceived MDC supporters. The soldiers and ZANU-PF supporters then raid the homes of known MDC activists at night, and abduct and beat them in the bush on the outskirts Harare.

For example, an MDC activist from Dzivaresekwa Extension in Harare told Human Rights Watch that on April 20, 12 armed soldiers in uniform came to his house at 3 a.m. while he was asleep. They beat his private security guard who was guarding his cars in the yard, before proceeding to beat his 18-year-old son. He explained to Human Rights Watch what followed after the soldiers found him:

They handcuffed me, hands at the back, then they dragged me naked to their waiting truck, they blindfolded me (using my t-shirt) and took me to their truck. In the truck they ordered me to lie on the floor of the truck, face down, and they used my body as a foot stool, they all put their feet on my body and the truck drove away, I had no idea where to since I was blindfolded.

After some time the truck stopped and I was dragged out of the car and they began to beat me using batons and chains, they beat me for more than 30 minutes, all over my body, in my hands, on the soles of my feet, on buttocks, everywhere, and the chains ripped flesh from my body and left open wounds, I was bleeding profusely. When the soldiers were beating me they said, “We are beating you because you belong to MDC and you used your lorry to ferry MDC supporters to rallies in this area.” This was true; I had used my lorry to carry MDC supporters to meetings and rallies during the campaign period in March. After beating me severely, they removed the handcuffs and left me in the bush, still with the blindfold on.<sup>83</sup>

In the immediate aftermath of a “stay-away” organized by the MDC on April 15, in protest of the delay in the release of the presidential election results, the violence in the urban areas of Harare got worse.

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<sup>83</sup> Human Rights Watch interview with MDC activist, Harare, April, 19 2008.

Evelyn Masaiti, MDC MP for Dzivaresekwa where some of the worst violence in Harare took place, told Human Rights Watch:

People were being beaten on Wednesday, April 16 at night accused of barricading roads and organizing the “stay-away” by soldiers who came in a truck and attacked everyone at the Dzivaresekwa 4 shopping center including vendors and children. Around 20 people were attacked. Soldiers were in military regalia and in an army truck. Some were in police uniform.

In the early hours of April 18 a ZANU-PF official identified where an MDC security officer stays. They, the army, police and ZANU supporters beat him up and forced him to show the homes of other MDC activists including the ward 39 chairperson Mr Chipindu. It was early morning. They beat him up and forced him to chew and swallow my [campaign] posters. The people who went to his home told me that there was a lot of blood at his home.

Then they went to other MDC activists homes and started beating them up. If they couldn't find the activists they would beat up their families. Another group of MDC activists from Dzivaresekwa 4 were taken and are now in police custody. As they were being beaten they were being accused of barricading roads and burning a bus (which we believe had an electrical fault). The man forced to chew my posters is also in police custody. There is a presidential guard camp based in Dzivaresekwa. They are trying to intimidate people and instill a lot of fear so that when there is a runoff people won't vote or will vote ZANU-PF.<sup>84</sup>

In Chitungwiza, Harare, 56-year-old Arthur Taderera, Chitungwiza Residents Association Chairperson and chief election agent for an MDC MP, was assaulted by soldiers on April 16 around 7 p.m. in the evening. He told Human Rights Watch of his ordeal:

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<sup>84</sup> Human Rights Watch interview with Evelyn Masaiti, Harare, April 18, 2008.

I was driving towards St. Mary's in Chitungwiza when I noticed four soldiers in uniform beating up somebody on the side of the road. He was lying down helpless as they beat him. I slowed down to investigate but was stopped by one of the soldiers who had a gun. He then ordered me out of the car at gunpoint. Without warning the soldiers started beating me with batons, booted feet and a fan belt. They beat me on the buttocks. Now my buttocks are heavily swollen and blackened.

Another group of 10 soldiers came and accused me of being an MDC member and belonging to Tsvangirai. As I was being beaten they were ransacking the car. I had a letter which Tsvangirai wrote to the business community in my car and that is when it became worse. They kept beating me. They beat me for 20-25 minutes. One soldier, who identified himself as Black Jesus did much of the beatings. They said "You belong to Tsvangirai and you want to give the country to the whites." They said "We will murder you." They were boasting of being given a three-day assignment to "bring hell" to the people of Chitungwiza.

I didn't report to the police. Today I heard some guys had been beaten up around C section in Chitungwiza by soldiers. They bragged about how they can murder, torture and rape. They only let me go when they stopped another car and started beating the driver of that car. I did not bother to make a police report because I know from experience that no action is ever taken, in fact I feared the police would end up arresting me.<sup>85</sup>

In a clear indication of the systematic and targeted nature of the violence, in the Glen View high density suburb of Harare, uniformed and armed soldiers moved around with a list of suspected MDC activists at night. At one house they arrived around 2 a.m. on April 18 and asked for a man who was on their list but was not at home.

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<sup>85</sup> Human Rights Watch interview with Arthur Taderera, Harare, April 17, 2008.



When the man's younger brother opened the door after the soldiers threatened to break it down, he found three soldiers pointing their guns at him. He told Human Rights Watch:

One of the soldiers began to beat me on the shoulders with a baton. I was dragged to the front of the house where three other men were lying on their stomachs after they had already been beaten. The leader of the soldiers asked me if I was employed. I said, "yes, I am a lorry driver." They said, I know my crime, and must state it, already the soldiers had seen Tsvangirai's portrait on the wall, so I confirmed that I support MDC. The soldiers said someone had informed them that me and my brothers support MDC, they had received a mobile text message indicating that we are MDC members.

I did not know my assailants, but only know that they were armed and in army uniform, and drove an army truck. Two people were taken away by army, I fear for their lives. I did not make a police report, it's a waste of time, they take no action, and otherwise they may arrest me.<sup>86</sup>

At times the violence was random and indiscriminate but nonetheless targeted at neighborhoods suspected of supporting the MDC. For example, on April 17 soldiers descended on a popular nightclub in Warren Park and beat up everyone in the night club. One of the patrons narrated his ordeal:

Around 2 a.m. on Thursday 17 April 2008, a group of uniformed soldiers came into Club M5 in Westlea, Warren Park and ordered the DJ to switch off the music. All the people in the night club were ordered to surrender their mobile phones and other personal effects such as handbags and wallets, and then commanded to lie down on their tummies.

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<sup>86</sup> Human Rights Watch interview with victim, Harare, April 20, 2008.

For the next three hours we were beaten up. The soldiers used the butts of their guns to randomly assault us. The victims included a patrons, staff and a dancing group called Malaika. The soldiers wore hoods over their helmets to cover their faces. They accused us of supporting the opposition Movement for Democratic Change and celebrating their victory in the March 29 elections. We were accused of selling the country to the West. Ladies were beaten more than the men. Because they were skimpily dressed the dance group was accused of being in the process of making pornographic material for use to please the whites.<sup>87</sup>

In addition to the violence and torture perpetrated by the army, the police also embarked on a series of arrests of hundreds of MDC activists and supporters. In the immediate aftermath of the “stay-away” on April 15 police arrested more than 100 MDC activists.

Human rights lawyer Tafadzwa Mugabe, who defended many of the accused, told Human Rights Watch:

People are being beaten up and taken to the nearest police station on charges of disorderly conduct or public disorder. Some people have been released and fined while known MDC activists have been detained. A bus was burnt on April 15. This is the excuse the police are using for the arrests. Police descended on Warren Park with the assistance of ZANU youth and they picked up MDC officials. They even picked up the relatives if they couldn't find who they were looking for. All these people have been put together and are now being charged with attempted murder. Our understanding is that the bus is supposed to have developed an electrical fault.<sup>88</sup>

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<sup>87</sup> “ZIMRIGHTS Press Statement on Post-Election Violence,” ZIMRIGHTS, April 29, 2008.

<sup>88</sup> Human Rights Watch interview with Tafadzwa Mugabe, human rights lawyer, Zimbabwe Lawyers for Human Rights, Harare, April 20, 2008.

On April 25, more than 40 armed riot police raided the headquarters of the MDC in Harare and arrested 250 people who had fled violence in the rural areas and had taken refuge in the building. Police accused some of them of carrying out attacks against ZANU-PF supporters in Mashonaland East.<sup>89</sup>

### **Violence, Looting and the Destruction of Homes and Property in Mashonaland, Masvingo and Manicaland**

The ongoing violence has led to the internal displacement of more than 3,000 Zimbabweans around the country. Human Rights Watch believes that ZANU-PF is deliberately displacing thousands of people from their homes in the rural areas both in an effort to change the political landscape of these areas and to prevent MDC supporters from exercising their right to vote during the presidential runoff. The ruling party appears to have orchestrated this mass displacement to ensure that those affected by the abuses cannot return home. It has done so through a campaign of beatings, burning of huts and homesteads, the deliberate slaughter of livestock, and the looting of property.

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<sup>89</sup> “Zimbabwe surge in state-sponsored violence: security forces raid opposition headquarters,” Human Rights Watch news release, April 25, 2008, <http://hrw.org/english/docs/2008/04/25/zimbab18653.htm>.



ZANU-PF supporters and “war veterans” invaded this farm and burned 10 homesteads belonging to the farm's workers. The farm workers were accused of supporting the MDC. Over 35 families were displaced when these homesteads were burned in Mashonaland Central province, April 2008. © 2008 Tiseke Kasambala/Human Rights Watch.

Civil society organizations and victims and eyewitnesses from areas affected by the violence inform Human Rights Watch that hundreds of people are now living in the bush, grouping together for security at night.<sup>90</sup> Human Rights Watch researchers visited the burnt homesteads of several MDC activists and those perceived to have voted for the MDC in Mashonaland West and Mashonaland Central provinces.

In Karoi district, reports from local partners and victims indicate that more than 600 people were displaced by the violence in April.<sup>91</sup> In Harare more than 200 people sought shelter at MDC Headquarters at Harvest House after escaping violence in rural areas across the country in April.<sup>92</sup> By May 21 there were 350 displaced persons at Harvest House. In Manicaland more than 500 people were displaced and sought

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<sup>90</sup> Human Rights Watch interviews, April, May and June 2008.

<sup>91</sup> Human Rights Watch interview with Biggie Haurubi, MDC official, Karoi, Mashonaland West, April 30, 2008.

<sup>92</sup> Human Rights Watch interview with Thokozani Khupe, MDC Vice President, Harare, April 23, 2008.

shelter at the MDC provincial headquarters in Mutare and were later moved to various safe locations around Mutare.<sup>93</sup> Victims in Harare informed Human Rights Watch that hundreds of other people had fled into Mozambique from Mashonaland East and from Manicaland.<sup>94</sup> Further violence in May saw the number of displaced reach more than 3,000.<sup>95</sup>

A 22-year-old man from Mudzi, Makanjera Village, Mashonaland East told Human Rights Watch that on April 11 at 9 p.m., several ZANU-PF supporters broke into his shop at Makanjera shopping center, attacked him and took property from his shop:

There was a knock at door. I did not answer. A man and a woman broke the door and dragged me out. They used burning grass to burn my hands and face. They started beating me with wooden logs. Outside, two women and six men in ZANU-PF attire were waiting and accused me of “selling out,” of being a member of the MDC . The women then entered the shop and began to loot all stock, they also broke all shop windows and took all wares from shop.

I know some of those who attacked me; it was a team of father and his two sons who I know very well, but I do not know the women. A police car passing by stopped and took me and four others to Kotwa hospital. At Kotwa Hospital we were not treated, we were simply transferred to Harare on the same day. I suffered a broken left hand, four broken fingers on my left hand on four different places, and on my right hand I broke an index finger and thumb, and have burn wounds on both hands. I am too scared to go back home now.<sup>96</sup>

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<sup>93</sup> Human Rights Watch interview with ZLHR lawyer in Mutare, Manicaland, April 28, 2008.

<sup>94</sup> Specific figures were not available as these areas have become virtually inaccessible because of unofficial roadblocks set up by “war veterans” to stop people from leaving the areas.

<sup>95</sup> Human Rights Watch interviews with local civil society organizations, international humanitarian organizations, and MDC officials, Harare, April and May, 2008.

<sup>96</sup> Human Rights Watch interview with 22-year-old man, Harare, April 17, 2008.

In another example, Mapengo Mapengu, campaign manager for the losing MDC MP candidate for Mutoko South constituency, Mashonaland East lost all his property when ZANU-PF youths destroyed his home. He told Human Rights Watch:

We campaigned and went for elections. Soon after the elections we started receiving threats. On Saturday [April 13] I drove to my rural home and 10 minutes after a group of more than 300 ZANU youths and “war vets” came to the gate. They came to the first gate and placed barricades of stones and trees. Some friends of mine were in my home with me. They started stoning us. We waited two minutes. They approached the second gate. I got inside my house and got my rifle 303 to defend myself. I shot the first bullet in the air to clear them but they didn’t. As I was planning to shoot a second time I was hit by a stone from a catapult. I shot twice more and they started running away.

My leg was injured from the stoning. We went to my friend’s home in village 93 and we rested there. My friend later went to my home to collect my truck. When he got there he found my mother was severely beaten. My vehicle was destroyed. My home was destroyed with iron bars. The window panes were broken. The fridges, bedroom suite, wall unit, kitchen unit, were all destroyed. I had more than 70 pigs and only 33 are now left but they killed the rest. Yesterday I received a call from the police and they told me that the youth were taking animals from my home. The police are scared. My money was stolen. My mother is in great pain and she is with my sister.<sup>97</sup>

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<sup>97</sup> Human Rights Watch interview, Harare, April 18, 2008.





Scores of "war veterans" destroyed the home of an MDC activist in Manicaland province in April 2008. They broke the windowpanes and burnt his kitchen and granary and then abducted and beat him with iron bars and logs. © 2008 Tiseke Kasambala/Human Rights Watch.

A 54-year-old woman from Makoni North in Manicaland province told Human Rights Watch:

On 16 April ZANU-PF youths came to my house at 12 noon and began beating me and family for voting MDC because my husband is an MDC village chairman. They beat me and my whole family with wooden logs. They broke my left foot, six of us, my husband, son and his wife, daughter and my young sister. Our homestead was burnt down; three huts in total were burnt down. We reported at Mayo Police Station at 2 p.m., police came at 3 p.m. on 17 April.<sup>98</sup>

The woman's 33-year-old son continued the account:

I fainted during the beatings. I was also struck on the forehead by a stone fired from a catapult by one of the ZANU-PF members who came to beat us. We know the perpetrators, they are ZANU-PF, they were over 200 of them who came to beat us, they shouted to each other, "Surround the homestead!" I ran into my hut to get an axe to defend my family, we tried to fight them and drove them back for about 200 meters, my wife ran to police—who did not respond, saying they did not have a car to come to our rescue, although it is a walking distance to our home. Soon, they [ZANU-PF members] overpowered us and begun to beat us. We lost cash and a mobile phone. They burnt down a bag of tobacco, a ton of maize and family blankets were burnt to ashes. We as a family do not know where to start now, we lost everything. I sustained three open wounds, catapult inflicted, on forehead, left leg and left hand, also my right hand was broken during the beatings.<sup>99</sup>

A 41-year-old man from Makoni North in Manicaland told Human Rights Watch:

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<sup>98</sup> Human Rights Watch interview with 41-year-old man, Harare April 19, 2008.

<sup>99</sup> Human Rights Watch interview with 54-year-old woman, Harare, April 19, 2008.



More than 20 ZANU-PF youth came and caught me and handcuffed me and begun beating me. I was taken to their base. A few of them went to my home and burnt down my kitchen and destroyed my seven-room house. Everything was burnt. My wife and children all run away when I was captured and I do not know where they are. I must go and look for them.<sup>100</sup>

### **Attacks by MDC Activists**

The overwhelming majority of attacks documented by Human Rights Watch were being carried out by ZANU-PF and its allies. However, MDC activists have been implicated in a few attacks involving the burning of homesteads belonging to ZANU-PF officials and supporters. For example, an MDC activist whose home was burnt by ZANU-PF supporters in Mashonaland West told Human Rights Watch that on April 11 he had helped burn the homesteads of seven ZANU-PF supporters.

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<sup>100</sup> Human Rights Watch interview with 33-year-old man, Harare, April 19, 2008.

## VII. Harassment and Attacks on Civil Society

Since the March 29 elections, the ruling ZANU-PF government has sought to undermine the ability of various civil society actors who could possibly play a role in drawing attention to lack of freedom and unfairness in the runoff election for president. This includes threats, arbitrary arrests and physical assaults apparently intended to intimidate those who will observe and oversee the elections, such as government election officers, local election observers, civil society activists, lawyers and journalists. Such methods have been used in the past by the government of Zimbabwe against perceived political opponents.

### Attacks on Election Observers

Since March 29, police have arrested more than 100 presiding officers from the Zimbabwe Electoral Commission on allegations of fraud.<sup>101</sup> Human Rights Watch believes that these charges are politically motivated and an attempt to instill fear into those observers who will oversee the presidential runoff. Most of those who worked as presiding officers were teachers who in the past have been routinely targeted and victimized as MDC supporters because of their positions.

One presiding officer, a teacher from Chiweshe in Mashonaland Central told Human Rights Watch:

As a result of the threats and insecurity, many teachers have left the school, where I teach. I am living in fear and am not sure if I will be able to continue working at the school ... I was told by one ZANU-PF youth that I am on a list of people who will be targeted by “war veterans” because I was a presiding officer at Howard Mission Polling Station where ZANU-PF lost to MDC. War veterans accuse me of masterminding the defeat of ZANU-PF. From May 5-9, I was in police custody at Bindura Police Station after a member of ZANU-PF had lied to police that I had threatened to burn down some houses. After 5

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<sup>101</sup> “Press statement on ongoing arrests of presiding officers,” Zimbabwe Lawyers for Human Rights, April 30, 2008. On file with Human Rights Watch.

days in custody, I was freed by the magistrate and now I fear for my life, and for the safety of my family.<sup>102</sup>

On May 7, 2008, the *Herald* newspaper reported that five presiding officers (all teachers) who took part in the March 29 general elections in Chiredzi in Masvingo province were found guilty of fraud and were told to pay fines or face jail terms of between three and 16 months.<sup>103</sup>

On April 25, eight Criminal Investigation Department (CID) police officers raided the offices of the Zimbabwe Elections Support Network (ZESN), the only nationwide independent election monitoring organization, which had compiled its own data on the disputed March 29 elections. Police officers searched the premises and confiscated files and other sensitive information. They interrogated ZESN's program manager, Tsungai Kokerai, for seven hours.<sup>104</sup>

On May 14, ZESN released a statement expressing concern about attacks on its election observers in Mt. Darwin, Mashonaland West by suspected ZANU-PF supporters who accused them of facilitating an MDC victory on March 29. At least 18 election observers from this area were forced to flee to Harare with their families, where they were in need of assistance. ZESN also reported that one of its observers died after being beaten by suspected ZANU-PF supporters in Mt Darwin East.<sup>105</sup> On May 23, 2008, ZESN reported that two days earlier ZANU-PF youth severely beat and tortured three of its observers in Mt Darwin East, Mashonaland West.<sup>106</sup> The two men and an elderly woman suffered fractured arms, fractured fingers, deep cuts and bruises from severe beatings.

## **Arrests of Journalists, Lawyers and Civil Society Activists**

Arbitrary arrests and intimidation of civil society activists, human rights defenders and journalists have intensified since the March 29 elections.

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<sup>102</sup> Human Rights Watch interview with presiding officer, Harare, May 16, 2008.

<sup>103</sup> "Five Teachers Fined," *The Herald* newspaper, May 7, 2008.

<sup>104</sup> "Zimbabwe surge in state-sponsored violence: security forces raid opposition headquarters," Human Rights Watch news release, April 25, 2008, <http://hrw.org/english/docs/2008/04/25/zimbab18653.htm>.

<sup>105</sup> "ZESN observers flee homes as violence escalates – Mt Darwin East," ZESN statement, May 14, 2008.

<sup>106</sup> "ZESN continues to receive distressing reports on observer attacks," ZESN statement, May 23, 2008.

On April 15 police arrested independent journalist Frank Chikowore for practicing journalism without accreditation under the Access to Information and Protection Act.<sup>107</sup> Police changed the charges to “public violence” when they discovered that Chikowore was accredited, claiming that he was part of a group of MDC activists that burned a bus that day. After spending 17 days in custody Chikowore was granted bail on May 2.<sup>108</sup> On May 8, police arrested human rights lawyer Harrison Nkomo who was part of the team defending Chikowore. Nkomo was held for two days on charges of insulting the authority of the president.<sup>109</sup>

Also on May 8, police arrested Lovemore Matombo, president of the Zimbabwe Congress of Trade Unions, and Secretary General Wellington Chibebe a week after they gave speeches about the political crisis in the country on May Day. They were charged with “inciting people to rise against the government and reporting falsehoods of people being killed.” The two were held in custody at Harare remand prison for 11 days before being released on bail on May 19.<sup>110</sup>

On May 16, the police arrested Secretary General of the Progressive Teachers Union of Zimbabwe (PTUZ) Raymond Majongwe at the Harare High Court. The PTUZ had released repeated statements expressing concern at ZANU-PF attacks on teachers throughout the country in the aftermath of the elections.<sup>111</sup>

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<sup>107</sup> “Accredited Journalist Still in Police Custody,” Media Institute of South Africa Alert Update, April 16, 2008.

<sup>108</sup> Human Rights Watch interview with Tafadzwa Mugabe, human rights lawyer, Harare, April 23, 2008; Human Rights Watch interview with Harrison Nkomo, lawyer, April 25, 2008.

<sup>109</sup> Human Rights Watch telephone interview with Beatrice Mtetwa, lawyer, Harare May 8, 2008 and Human Rights Watch interview with Harrison Nkomo, lawyer, Harare, May 11, 2008.

<sup>110</sup> “Urgent Appeal,” The Observatory for the Protection of Human Rights Defenders, May 14, 2008, <http://www.protectionline.org/Zimbabwe-Arbitrary-detention-of,6842.html>, (accessed May 28, 2008).

<sup>111</sup> “Urgent Appeal,” The Observatory for the Protection of Human Rights Defenders, May 16, 2008, <http://www.protectionline.org/Zimbabwe-Arbitrary-arrest-of-Mr,6880.html>, (accessed May 28, 2008).

## VIII. Government Response to the Abuses

The government of Zimbabwe's response to the violence taking place around the country has been contradictory and grossly duplicitous. While behind the scenes senior officials are organizing the violence, publicly the government has both tried to downplay and distance itself from it.

On the one hand, the government has claimed that reports of violence have been exaggerated by the western media, that the MDC is the main perpetrator and that government officials and security forces have no responsibility for it. On the other hand, the authorities have made statements denouncing the abuses and have called for "multi-party" committees to look into ways of addressing the violence.<sup>112</sup>

The government and the state security forces and other state agents are fully responsible for the violence. The authorities have failed to ensure that the police deal impartially with the perpetrators of violence regardless of their affiliation. By allowing the main perpetrators of these abuses to act with impunity the government of Zimbabwe bears full responsibility for the serious crimes committed in its name.

### Failure of the Police to Prevent Violence

While this report has described a number of incidents when police officers stepped in to rescue victims or to break up beatings, in most cases, police have failed to take action when ZANU-PF and its allies have assaulted alleged MDC supporters. Victims have consistently complained of the reluctance of law enforcement officers to deal with the violence. In several cases documented by Human Rights Watch where victims made reports of assault and other human rights abuses to the police, the standard response from the police was to note the incident and take no further action. Almost invariably no arrests were made by the police in cases of political violence.

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<sup>112</sup> "ZEC to establish multi-party liaison committees," *Xinhua news agency*, May 18, 2008, [http://news.xinhuanet.com/english/2008-05/19/content\\_8203117.htm](http://news.xinhuanet.com/english/2008-05/19/content_8203117.htm) (accessed May, 28, 2008).

A 41-year-old man told Human Rights Watch that on April 12, he reported to police at Nyamapanda police station that “war veterans” and ZANU-PF supporters had assaulted him, stolen a radio and sewing machine from his hut, and then burned down his huts and maize. He said the police at the station simply noted his case but took no further action.<sup>113</sup>

A woman who was severely assaulted by ZANU-PF supporters and “war veterans” in Mudzi, Mashonaland East was taken by relatives to Kotwa Police Station to make a report. Four other victims of political violence accompanied her. At the station the police simply gave the victims letters to take to Kotwa hospital for medical attention. Although the woman could identify her assailants—they were ZANU-PF youths from her village—the police took no action in the case.<sup>114</sup>

Police officers and others have told Human Rights Watch that the police are under strict instructions not to interfere with “political issues” and are not in a position to assist victims.<sup>115</sup> These police officers said that police are operating under the instructions of senior army and government officials and are thus unable to operate independently in dealing with the violence.<sup>116</sup>

For example, a 38-year-old man from Mutoko reported being beaten by ZANU-PF supporters on April 10 at his home. When he made a report at Mutoko Central Police Station the police officer handling his case allegedly said, “Go and fight back, the police will not interfere in political issues.”<sup>117</sup> A woman told Human Rights Watch that when she reported her case at the same police station, she was told that police at the station were under strict instructions from their superiors not to arrest those involved in political violence or interfere in any way.

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<sup>113</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>114</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>115</sup> Human Rights Watch interviews with police and prison services officers, Harare, May 19, 2008.

<sup>116</sup> Human Rights Watch interviews with police and prison services officers, Harare, May 19, 2008.

<sup>117</sup> Human Rights Watch interview with 38-year-old man, Harare April 17, 2008. Failure to act by the police is not a new phenomenon. At the height of the “farm invasions” in 2000, the police refused to comply with court orders to evict war veterans who had invaded farms, arguing that police did not have sufficient resources to handle the matter. See, for example, *Commissioner of Police v. Commercial Farmers Union*, Case No. HC3985/2000.

In another case, a man who reported his case at Janhi police station in Mutoko South, Mashonaland East was told by police that they would only pursue his case after the violence and political disturbances were over and things had calmed down.<sup>118</sup> In Uzumba, Mashonaland East, police allegedly told one victim: “We cannot guarantee your security because the people who attacked you are not controllable, so it is better you leave the area for now.”<sup>119</sup>

Police only appear to respond with urgency to acts of violence where there are allegations of MDC responsibility. The quick reaction by the police on April 15 and 16 in arresting hundreds of MDC supporters alleged to have burned a bus in Harare lies in stark contrast to the lack of arrests in incidents involving known “war veterans” and ZANU-PF supporters.

Human Rights Watch documented only two cases of politically motivated violence in which police had made arrests. In Karoi on April 12, police arrested four ZANU-PF activists suspected of stabbing to death Tapiwa Mbwanda<sup>120</sup> The four are now in custody and their case is before the Chinhoyi Magistrates court. In Manicaland, police arrested four ZANU-PF supporters following the torching of several homes belonging to MDC supporters.<sup>121</sup> However the four were subsequently released without charge.

The lack of police action to deal with the “war veterans” and youth militia has also allowed these groups to take control of rural areas, through the creation of “no-go” areas across broad swathes of countryside. The police in many of these areas appear to have relinquished control to the “war veterans” and youth militias. This failure to investigate and arrest perpetrators is exacerbated by the direct involvement of the police, often alongside ZANU-PF supporters and their allies, in politically motivated abuses, including arbitrary arrests, beatings, torture and abductions.

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<sup>118</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>119</sup> Human Rights Watch interview, Harare, April 17, 2008.

<sup>120</sup> Human Rights Watch interview, Chinhoyi, Mashonaland West, April 30, 2008.

<sup>121</sup> Human Rights Watch interview with victims, Harare, April 21, 2008.

## IX. Zimbabwe's International Human Rights Obligations

Since the March 29 general elections, the government of Zimbabwe has been responsible for numerous and widespread violations of international human rights law. These include torture and other cruel, inhuman or degrading treatment, arbitrary arrests and detention, and extrajudicial executions. In addition to protections provided under its Constitution,<sup>122</sup> Zimbabwe is party to international human rights treaties, including the African Charter on Human and Peoples' Rights<sup>123</sup> and the International Covenant on Civil and Political Rights (ICCPR),<sup>124</sup> that prohibit such practices.

Governments have a duty to investigate and prosecute serious violations of physical integrity under international law. The UN Human Rights Committee, which monitors the compliance of state parties to the ICCPR, has stated that governments not only have a duty to protect their citizens from such violations, but also to investigate violations when they occur and to bring the perpetrators to justice.<sup>125</sup> According to the committee, when investigations uncover violations of human rights:

States Parties must ensure that those responsible are brought to justice. As with failure to investigate, failure to bring to justice perpetrators of such violations could in and of itself give rise to a separate breach of the Covenant. These obligations arise notably in respect of those violations recognized as criminal under either domestic or international law, such as torture and similar cruel, inhuman and degrading treatment (article 7), summary and arbitrary [and] killing (article 6) ... Indeed, the problem of impunity for these violations, a matter of sustained concern by the Committee, may well

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<sup>122</sup> Chapter 3, the Bill of Rights, Constitution of Zimbabwe 1979.

<sup>123</sup> African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, entered into force October 21, 1986, ratified by Zimbabwe on May 30, 1986.

<sup>124</sup> International Covenant on Civil and Political Rights (ICCPR), G.A. res. 2200A (XXI), U.N. Doc. A/6316 (1966), entered into force March 23, 1976, acceded to by Zimbabwe on August 13, 1991.

<sup>125</sup> U.N. Human Rights Committee, General Comment No. 31 on Article 2 of the Covenant: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, U.N. Doc. CCPR/C/74/CRP.4/Rev.6 (2004), para 15.



be an important contributing element in the recurrence of the violations<sup>126</sup>

International human rights law also enshrines the right to an effective remedy.<sup>127</sup> A victim's right to an effective remedy not only obligates the state to prevent, investigate and punish serious human rights violations, but also provide reparations. Among various reparations mechanisms, states should restore the right violated and provide compensation for damages.<sup>128</sup>

With regard to those who have been internally displaced by the violence, under the United Nations Guiding Principles on Internal Displacement the government of Zimbabwe has a "primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within its jurisdiction."<sup>129</sup>

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<sup>126</sup> Ibid., para. 18.

<sup>127</sup> ICCPR, art. 2(3).

<sup>128</sup> According to the Human Rights Committee, the ICCPR "requires that States Parties make reparation to individuals whose Covenant rights have been violated. Without reparation to individuals whose Covenant rights have been violated, the obligation to provide an effective remedy, which is central to the efficacy of [enforcing the ICCPR] is not discharged. ... [T]he Covenant generally entails appropriate compensation." Human Rights Committee, General Comment 31, para. 16. Compensation covers material losses, such as medical expenses and the loss of earnings, as well as economically assessable moral damage, such as pain and suffering. See Reparations Principles, principle 20.

<sup>129</sup> The U.N. Guiding Principles on Internal Displacement, U.N. Document E/CN.4/1998/53/Add.2; November 11, 1998. The Guiding Principles provide an authoritative normative framework for the protection of IDPs. Although not legally binding, the Guiding Principles are a firm reinstatement of existing international human rights law, international humanitarian law and international refugee law relating to the internally displaced. They draw heavily on existing standards and provide additional guidance and explanation where there are gaps. They are intended to provide practical guidance to governments, other competent authorities, the U.N. and other governmental agencies and NGOs in their work with IDPs.

## X. Impunity and the Need for Accountability

Impunity for perpetrators of human rights abuses has a long history in Zimbabwe. In the past, the government has granted amnesties to perpetrators of grave human rights violations. On April 18, 1988, as part of the Unity Accord between ZANU (as it was known then) and the Zimbabwe African Peoples' Union, the government issued a general amnesty in Clemency Order (1) of 18 April 1988, which provided amnesty to state security forces and the so-called dissidents implicated in human rights abuses between 1982 and the end of 1987 in the Midlands and Matabeleland.<sup>130</sup>

Following politically motivated violence surrounding elections in 2000, President Mugabe proclaimed a clemency order that granted indemnity to every person liable to criminal prosecution for political crimes committed during the period January 1, 2000 to July 31, 2000, excluding the crimes of rape, murder and fraud, but including grievous bodily harm (such as torture).<sup>131</sup>

For future political stability in the country, it is imperative that Zimbabwe breaks with the past and investigates and brings to justice all those responsible for serious abuses in the aftermath of the March 29 elections, including those who may have planned and organized them. Any government arising out of the presidential runoff on June 27 or any negotiations between the two main parties should not grant amnesty to perpetrators of serious crimes.

Future governments of Zimbabwe will need to address the issue of accountability for past and recent violations of human rights by high ranking individuals. Independent, impartial and transparent investigations will need to be an important component of this process. And the people of Zimbabwe will have an important role to play in bringing the tragic facts of this period to the forefront, not just for the historical record, but to ensure that justice is done.

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<sup>130</sup> Clemency Order No 1 of 1998. Amnesty International, "The Toll of Impunity," AFR 46/034/2002, June 25, 2002, <http://www.amnesty.org/en/library/info/AFR46/034/2002> (accessed June 5, 2008).

<sup>131</sup> Clemency Order No. 1 of 2000. see also Amnesty International, "The Toll of Impunity," June 25, 2002.

## XI. Response of International Actors

### SADC and the AU

The Southern African Development Community (SADC) and the African Union (AU) remain crucial to resolving the political crisis in Zimbabwe and ending the violence. While some regional leaders, namely President Levy Mwanawasa of Zambia, have been forthright in condemning the violence and criticizing the political situation in Zimbabwe, others such as President Thabo Mbeki of South Africa have refused to acknowledge the serious nature of the situation. For example, on a visit to Harare on May 9, Mbeki failed to condemn or call for an end to the violence even after he received a preliminary report on the violence from a group of South African former army generals he had appointed to investigate the situation.<sup>132</sup>

These markedly different positions have prevented the regional bodies from taking concerted and decisive action to intervene in the crisis. A regional summit organized by SADC leaders to address the situation in Zimbabwe on April 12 led to little concrete action.<sup>133</sup> While SADC leaders rightly expressed concern about the delay in the release of presidential election results, they did little to address the government's widespread violations of international human rights.<sup>134</sup>

The inaction of the regional bodies has emboldened the government of Zimbabwe to turn the institutions of state even more aggressively against Zimbabweans seeking democratic change. Decisive political action is needed by the AU and SADC with the help of the UN to press the government to end the violence and prevent a very bad situation from getting even worse. This means going beyond current regional diplomatic initiatives such as the SADC mediation process.

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<sup>132</sup> Tererai Karimakwenda, "Mbeki's Generals Investigating Violence," *SWRadio Africa*, May 13, 2008, <http://allafrica.com/stories/200805130957.html> (accessed May, 28, 2008); "Mbeki sends generals to Zim," *News 24*, May 12, 2008, [http://www.news24.com/News24/South\\_Africa/Politics/0,,2-7-12\\_2321153,00.html](http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2321153,00.html) (accessed May 28, 2008).

<sup>133</sup> "Zimbabwe last chance for SADC to tackle crisis," Human Rights Watch news release, April 10, 2008, <http://hrw.org/english/docs/2008/04/10/zimbab18502.htm>.

<sup>134</sup> Earlier, the SADC electoral observer team released a statement expressing satisfaction with the election conditions on March 29 despite significant flaws in the electoral process which violated both the AU charter and SADC guidelines on the conduct of elections. AU observers released a similarly disappointing statement after the elections.

While the mediation process may have led to some improvements in the electoral process leading up to the March 29 elections,<sup>135</sup> it failed to address the root causes of the current political crisis in Zimbabwe—namely the government of Zimbabwe’s violations of international human rights standards. In light of the widespread and systematic nature of the recent violence, SADC and the AU should abandon the mediation process altogether and take more robust steps to end the violence.

The AU and SADC should deploy election observer teams that have a sufficiently strong mandate to ensure that the election results reflect the will of the people. They should refuse to endorse any results that do not meet this requirement. The AU and SADC electoral teams have a responsibility to report on the runoff based on regional principles guiding elections, and in a manner that accurately reflects the conditions on the ground.

The issue of accountability should also be foremost in the minds of regional leaders. SADC heads of state have long ignored the violence that has marred previous elections in Zimbabwe, and have failed to push for a process of accountability. The time has now come for regional leaders ensure that the long term impunity that has marred Zimbabwe’s history is addressed. Peace and justice will remain elusive unless there is sustained action to address the political crisis that has led to past and recent abuses. To this end pressure on the government of Zimbabwe is essential to ensure accountability for recent violence.

### **Other International Actors**

The European Union, the United States and the United Kingdom continue to condemn the violence and maintain travel sanctions and asset freezes against senior government and ZANU-PF officials. However, the long-term breakdown in relations between the government of Zimbabwe and its western development partners—especially the United Kingdom—has hindered their ability to work with African leaders to find a solution to Zimbabwe’s crisis.

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<sup>135</sup> For example, the introduction of results being placed outside polling stations.

Various UN officials have continued to engage with the crisis by releasing a series of statements condemning the violence and offering assistance to help resolve the crisis. In a meeting with MDC leader Morgan Tsvangirai on April 21, UN Secretary-General Ban Ki-moon expressed deep concern about the post-electoral situation and said he would consult with the AU on the way forward.<sup>136</sup> He expressed further concern about the violence on May 7.<sup>137</sup> On April 29, six UN Special Rapporteurs—on extrajudicial killings, torture, violence against women, housing, free expression, and human rights defenders—issued a statement condemning the violence in Zimbabwe. On May 13, 2008 the UN country team to Zimbabwe voiced its concerns over politically motivated violence.<sup>138</sup>

UN agencies have found it increasingly difficult to continue their work in the midst of the violence. In a statement on May 2, the United Nations Children’s Fund (UNICEF) condemned the “increases in violence affecting children, and growing hindrances in reaching the most vulnerable.”<sup>139</sup> On May 21, UNICEF issued another statement reporting that the violence had hampered ongoing relief efforts throughout the country.<sup>140</sup>

On May 13, UN Country Team Resident and Humanitarian Coordinator to Zimbabwe, Agustino Zacarias, released a statement expressing concern over the politically motivated violence and the humanitarian problems arising from the violence. In the statement the UN Country Team expressed its worries over those who had fled their homes—out of fear of reprisals—and lacked food, shelter and other basic social services, which could lead to unprecedented humanitarian needs.<sup>141</sup>

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<sup>136</sup> “Secretary General meets with Zimbabwean opposition leader over election crisis,” UN press statement, April 21, 2008, <http://www.un.org/apps/news/story.asp?NewsID=26401&Cr=zimbabwe&Cr1> (accessed May 27, 2008).

<sup>137</sup> “Secretary-General, closely following evolving situation in Zimbabwe, says international observers needed for future stages of electoral process,” UN press statement, May 7, 2008, <http://www.un.org/News/Press/docs/2008/sgsm11553.doc.htm> (accessed June 5, 2008).

<sup>138</sup> “Zimbabwe: UN voices concern over politically-motivated violence,” UN press statement, May 13, 2008, <http://www.un.org/apps/news/story.asp?NewsID=26658&Cr=zimbabwe&Cr1> (accessed May 27, 2008).

<sup>139</sup> “UNICEF deplors impact of violence on children,” UNICEF press release, May 2, 2008, [http://www.unicef.org.uk/press/news\\_detail.asp?news\\_id=1121](http://www.unicef.org.uk/press/news_detail.asp?news_id=1121) (accessed May 27, 2008).

<sup>140</sup> “Conditions in Zimbabwe could reach crisis levels if violence continues,” UNICEF statement, May 21, 2008, [http://www.unicef.org/infobycountry/zimbabwe\\_44071.html](http://www.unicef.org/infobycountry/zimbabwe_44071.html) (accessed May 27, 2008).

<sup>141</sup> “Zimbabwe: UN voices concern over politically-motivated violence,” UN press statement, May 13, 2008, <http://www.un.org/apps/news/story.asp?NewsID=26658&Cr=zimbabwe&Cr1> (accessed May 27, 2008).

Further, the government has prevented a number of international aid agencies from distributing food aid around the country. On May 29, 2008, Zimbabwe's Minister of Social Welfare, Nicolas Goche, issued a directive prohibiting a major international aid agency from distributing food in Masvingo province.<sup>142</sup> Goche alleged that international aid agencies are using food distribution programs, set up to reach Zimbabwe's population, to support the campaign of the MDC, Zimbabwe's main opposition party. Local sources also informed Human Rights Watch that Goche has also blocked other aid agencies from distributing food in Masvingo, Manicaland, and Mashonaland provinces until after the June 27 presidential elections.<sup>143</sup>

On May 29, the minister of local government, Dr. Ignatious Chombo, issued a separate directive stating that all rural areas would fall under the jurisdiction of his ministry and that all food aid distribution would be carried out through local government structures.<sup>144</sup> The decision of the government to suspend food aid by international agencies effectively put the control of food distribution in the hands of the government.<sup>145</sup> However, the ongoing violence and these recent developments have failed to place Zimbabwe on the agenda of the UN Security Council.

The UN Security Council, largely due to China and South Africa, has not made a determination that the situation in Zimbabwe is a threat to international peace and security. This has nullified the ability of the body to deal decisively with Zimbabwe. A special Security Council briefing on Zimbabwe on April 29 failed to lead to any significant Security Council action.<sup>146</sup> The failure of regional diplomatic initiatives to address the political crisis in Zimbabwe calls for greater engagement from bodies such as the United Nations. The situation in Zimbabwe now warrants a higher level of engagement. The time has come for the UN Secretary-General to work together with

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<sup>142</sup> "Zimbabwe: Reverse Ban on Food Aid to Rural Areas," Human Rights Watch news release, June 4, 2008, <http://hrw.org/english/docs/2008/06/04/zimbab19022.htm>.

<sup>143</sup> Human Rights Watch telephone interviews with local sources, London, June 4, 2008.

<sup>144</sup> "Zimbabwe: Reverse Ban on Food Aid to Rural Areas," Human Rights Watch news release, June 4, 2008.

<sup>145</sup> In March 2008, Human Rights Watch reported on the politicization of the distribution of both agricultural equipment and food. Human Rights Watch documented allegations of political interference in the distribution of free agricultural equipment (under the government's farm mechanization program) and state-subsidized maize and seed from the government's Grain and Marketing Board. Such manipulation is not new to Zimbabwe. Human Rights Watch reports from 2003 and 2005 have documented how food assistance has been denied to suspected supporters of Zimbabwe's main opposition party and to residents of former commercial farms resettled under the country's "fast-track" land reform program.

<sup>146</sup> "Security Council Splits Over Election Impasse," *allAfrica.com*, April 30, 2008, <http://allafrica.com/stories/200804300339.html> (accessed April 30, 2008).

AU leaders and use his office to appoint a Special Envoy on Zimbabwe to investigate and report on the abuses taking place in the country.

## **XII. Acknowledgements**

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