



Zimbabwe
HUMAN RIGHTS
NGO Forum

IF YOU CAN'T JOIN THEM, BEAT THEM!
POST-ELECTION VIOLENCE IN ZIMBABWE

**An alert of the Zimbabwe Human Rights NGO
Forum
& the Research and Advocacy Unit.**

5 May 2008

This report is based on cases received as of 24 April 2008

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1. Introduction.

In the immediate aftermath of their defeat in the 2008 harmonised elections in Zimbabwe, shocked ZANU PF politicians are reported to have approached the “opposition” MDC with tentative proposals for a unity government. The inability of ZANU PF to accept and absorb its defeat is manifested in the fact their proposals insisted that Mugabe retain the presidency – the real location of power in Zimbabwe. When this proposal was rejected outright by the MDC, ZANU PF abruptly abandoned the idea of a unity government, opting for a run off in the Presidential Election and the expectation of emerging victorious after a bloody and vicious campaign of intimidation in those areas and against those people that had supported the MDC in the 29 March election. This document, and the factual assertions herein, is based on reports of the ensuing violence received from civic organisations and those published in the press.¹ These reports are available as an independent annexure on request from the Forum.

2. Background.

The ruling party in Zimbabwe has always refused to accept the core democratic principle that Zimbabweans have the right freely to choose whom to elect into government. It believes that only it has the right to govern Zimbabwe and characterises all its opponents as sell-outs and lackeys of the West.

Consistent with this belief, the ruling party previously has displayed complete intolerance of opposition and dissent and has set out to smash all opposition, using the state security apparatus for the purpose. A highly politicised police force has been employed as one of its main instruments of repression, backed up by the intelligence service (the CIO) and the army.²

Although ZANU PF goes through the motions of holding elections, it is prepared to do whatever is necessary to ensure that it will win these elections. During his election campaign ahead of the March 2008 elections President Mugabe said he regarded the campaign as a war against the opposition. In past election campaigns he has often used such bellicose language. Speaking at his party's congress in 2002 he is reported as having said:

¹ The basis for the assertion that Zanu PF lost both the significant elections – Presidential and House of Assembly – are given in a recent report. See Idasa(2008), *ZIMBABWE ELECTIONS 2008. Examining The Popular and Presidential Choice - Hiding or Run Off?* SITO [IDASA]: PRETORIA.

² See Zimbabwe Human Rights NGO Forum (2003), *Torture by State Agents in Zimbabwe: January 2001 to August 2002*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2006), *Who Guards the Guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006*, December 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2007), *At Best a Falsehood, At Worst a Lie? Shooting Oneself in the Foot? Comments on the Zimbabwe Republic Police Report “Opposition Politics in Zimbabwe. A Trail of Violence.* June 2007. HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

*"This is total war. We will have a central command centre. This is war, it is not a game. You are all soldiers of ZANU PF for the people. When we come to your province we must see you are ready. When the time comes to fire the bullet, the ballot, the trajectory of the gun must be true."*³

Ahead of the 2000 elections, the rejection of the government sponsored constitutional proposals in a referendum gave a warning to ZANU PF that it had lost popular support. Its response was to unleash upon the opposition a large scale campaign of violence and intimidation. Because it then was able to emerge victorious in this and subsequent elections, albeit by using intimidation and electoral manipulation, ZANU PF declared these results to be indicative of its popular support.

In one of his last rallies before the March 2008 elections, President Mugabe was reported to have told supporters in Chiredzi, that he would not concede defeat even if he lost the election and would "*go to the bush and use guns*" to stop the opposition from taking over the administration of his government. He went on to say,

"We used guns to liberate ourselves from the Rhodesian colonial government 28 years ago and we are going to use the same guns to stop the MDC or Makoni."

3. March 2008 elections

The March 2008 elections took place at a time when economic conditions for ordinary people were quite appalling. Nonetheless ZANU PF still believed it commanded considerable popular support and did not think it necessary to engage in widespread violent intimidation to force people to vote for it.

Only weeks before the March 2008 elections, however, the heads of the army, the police and the prison service, all of whom participated in the liberation struggle, publicly proclaimed that they would not serve any President other than President Mugabe and instructed those under their command to vote for the ruling party.

The results of the March 2008 election came as a complete shock to the ruling party. It was not prepared to accept the loss and has instead sought to reverse it. It has demanded a recount of the results in a number of constituency elections. It has also demanded a recount

³ See Zimbabwe Human Rights NGO Forum (2007), *Their Words Condemn Them: The Language of Violence, Intolerance and Despotism in Zimbabwe*, May 2007, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

of the presidential votes, even though these results had not yet been published. It has caused the results of the Presidential Election to be withheld for a protracted period whilst it regroups and it is strongly believed that it is fraudulently manipulating the count in favour of President Mugabe to change the results so that Tsvangirai's vote is reduced to less than 50% and that the gap between him and Mugabe is narrowed or Mugabe is given a simple majority lead over Tsvangirai. ZEC commissioners seem to have been ousted from this process. Their command centre was moved to a secret location and opposition party agents were excluded from the processing of the final presidential figures.

At the same time, ZANU PF commenced a country wide campaign of violent intimidation to try to ensure that it will win the anticipated re-run of the Presidential Election.

Large numbers of police riot squad and army personnel have been deployed in Harare to forestall victory celebrations by the MDC and any popular display of support for the MDC. The show of force has included buzzing the city by fighter jets and the deployment of armoured vehicles and water cannon vehicles. Helicopters have reportedly been flying over the Mutoko district where some of the worst violence to date has been recorded.

ZANU PF has falsely alleged that the MDC intends to reverse the land re-settlement programme by allowing white farmers to re-occupy farmland. It has put out a false story that white farmers were returning to the country to take back their farms. Against this backdrop it has orchestrated a series of invasions of many of the small number of farms still in the hands of white farmers.

It has also disseminated a series of documents purporting to emanate from the MDC but which in fact are forgeries. One of these claims that the MDC hatched a plot to bribe polling officials to falsify results in favour of the MDC. Another claim that the MDC is exhorting the use of violence. These false documents are clearly aimed at providing an excuse to arrest MDC officials and to crack down upon MDC supporters.

The country wide terror campaign has been directed mainly against rural people suspected of having voted for the MDC in the election. The operation has been dubbed *Operation Mavhoterapapi* (Where you put your 'X' i.e. how you voted in the election.)

A substantial number of senior army officers are the main organisers of this campaign, but war veterans and youth militia elements are being used as the main instruments of terror. Local party structures are also involved in organising the campaign. The violence is planned,

systematic, targeted and widespread. The perpetrators have lists of persons whom they are to target. The campaign is under the control of specific individuals in each area.

At least ten people have been killed so far and hundreds of people have been beaten. Many of those beaten were severely injured and some had broken bones as a result of the beatings.

The "war vets" have been supplied with vehicles to move around areas being targeted. In the targeted areas armed gangs are moving from village to village terrorising people. They are forcing people to attend meetings at which known or suspected MDC supporters are brutally assaulted. Dire warnings are given to the people at these meetings such as:

"This is your last chance. You messed up when you voted. Next time you vote you must get it right or you will die."

The perpetrators are attacking the homes of MDC activists, and assaulting them and their family members. They often burn down the homes of these persons. They are also driving MDC supporters out of the areas in which they reside. Bases have been set up to which some of the victims are taken to be tortured.

This terror campaign is intended to ensure that in the event of a run-off in the Presidential Election people will be too frightened to vote for the opposition and ZANU PF will therefore win this election. Many MDC party officials have been displaced from their own areas and will not be able to organise party support in these areas. Party supporters have been driven out of the areas in which they are registered to vote and will not be able to vote in areas in which they have sought refuge.

In the towns the army is carrying out a large scale reprisal operation in which many people are being subjected to severe beatings at the hands of soldiers.

4. Cases brought for medical treatment in Harare

As at 18 April 2008, 323 casualties of post election retribution had been examined and treated since Election Day, 29 March 2008 [see Appendix 1]. Those with severe injuries were hospitalised. At the time of writing this report 18 casualties remain in hospital, with fractures and severe soft tissue injuries. Some victims have been hospitalised in district hospitals. Information relating to attacks is continuing to come in from various districts around the

country. Many of the MDC party co-ordinators are under threat of violence or arrest and are in hiding, so communication with victims is difficult, and there are reports of many more victims than those that have reached medical treatment to date. Doctors in the district hospitals are under threat.

Perpetrators include ZANU PF “war vets” ZANU PF youth and supporters, riot squad police and uniformed soldiers. The identity of many of the perpetrators is known and has been recorded. The police have acted appropriately in several cases, taken reports from the victims and requested medical affidavits of injuries sustained by them.

The victims are from many different districts, including Harare, Beatrice, Chinhoyi, Chipinge, Gweru, Karoi, Hurungwe, Marondera, Masvingo, Matepatepa, Mudzi, Mutoko, Mutoroshanga, Mutare, Penhalonga, Nyabira, Nyanga.

The number of casualties reported and seeking treatment daily has increased substantially, and although initially the majority of casualties were in the rural areas, the violence in the high-density areas of Harare has increased greatly, with many people in high density areas being set upon and severely beaten by soldiers.

The majority of the victims are from the rural areas. Over 90% are active members of the MDC and were targeted for their activities during the run up and during the elections e.g. they are party officials or polling agents, or their spouses and children. Observer cards and ID cards have been taken from polling agents by perpetrators, and election observers have also become a frequent target. Farm workers have been targeted during farm invasions.

In the rural areas, many of the beatings have been administered in front of the victim’s whole village, and some victims were forced to simulate sexual acts in public. In several instances gunshots were fired in the air, and, in Gokwe, one casualty was shot. Rifle butts are being used as weapons of torture. In one incident four victims were deliberately rundown by a motor vehicle bearing ZANU PF logos. The casualties were then prevented from seeking medical treatment for over twelve hours. In Karoi, one man was stabbed to death on 13 April, and his brother was brutally assaulted. It is made very clear to the victims that they are being punished for voting “incorrectly”. Victims report being forced to chant ZANU PF slogans after beatings. During the torture many of the victims report receiving death threats unless they vote correctly in the next round of the Presidential Election.

Many of the victims also had their homes, food reserves and livestock destroyed, and are displaced. On one day alone, over 80 victims of displacement required shelter in Harare.

Several victims from the Mutoko area have reported that people have been taken from their villages by air-force helicopters, and subsequently held in Mutoko prison. Their medical condition is unknown.

Most of the victims are threatened with further retribution if they report their injuries or loss of property. There are several reports of people being prevented from leaving their areas to seek help, and prevented from reaching medical facilities.

5. Cases seen by the Human Rights Forum

The Zimbabwe Human Rights NGO Forum lawyers as of 24 April 2008, have taken statements from 64 victims since the post-election violence began. As can be seen from the table below, the majority of these came from the three Mashonaland Provinces, and the majority of these from Mashonaland East Province. A significant number also came from Harare itself.

Harare	Mash Cent	Mash East	Mash West	Manicaland	Masvingo
18	5	32	6	1	2
28.13%	7.81%	50.00%	9.38%	1.56%	3.13%

Most [81%] were male. The violations reported were serious, as seen in the table below, and accord with the types of violations frequently seen in Zimbabwe.

Violation	Number [%]
Assault	39[61%]
Death threats	1 [2%]
Intimidation/victimisation	52 [81%]
Property violation	28 [44%]
Torture	7 [11%]
Unlawful arrest	4 [6%]
Unlawful detention	8 [13%]

The perpetrators were again similar to those frequently reported in Zimbabwe, especially during elections when Zanu PF supporters tend to be the most commonly reported group of perpetrators.⁴ However, there is the unusual feature of a very high percentage of members of the Zimbabwe National Army [ZNA] reported, which is uncommon and accords with the press reports of the ZNA being intimately involved in the violence.

Perpetrator	Number [%]
CIO	2 [3%]
War veteran	5 [8%]
Zimbabwe National Army	12 [19%]
Zimbabwe Republic Police	11 [17%]
Zanu PF supporter	50 [78%]

The victims gave a large number of names of their alleged perpetrators, with a total of 167 individuals being named at least once, and a significantly high number [13%] being mentioned more than once. This strongly supports the allegations of a planned and systematic campaign of violence. The names of the perpetrators and the districts from which they operated are available on request from the authors of this report.

6. Political violence or crimes against humanity

Whilst it is evident that political violence has been taking place in the aftermath of the 2008 election, it is important to examine this carefully. There are some reports of violence being perpetrated by supporters of the MDC – the Zimbabwe *Herald* alleges that 75 supporters of the MDC have been arrested for political violence- but the reports nonetheless suggest that these are largely of two kinds: violence occasioned by the frustrations experienced due to the non-release of the results of the Presidential poll, as well as retributive violence for the attacks being made on MDC members.

⁴ See Zimbabwe Human Rights NGO Forum (2000), *Who is responsible? A preliminary analysis of pre-election violence in Zimbabwe*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.; Zimbabwe Human Rights NGO Forum (2001), *Who was responsible? A consolidated analysis of pre-election violence in Zimbabwe*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2002), *Are They Accountable?: Examining alleged violators and their violations pre and post the Presidential Election March 2002*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

However, it is the reports of the involvement of the army, militia, war veterans, and the police that gainsay any view that this is mere political violence, and indicate the following:

- all reports show that the violence has been disproportionately one-sided, and against the MDC and other groups not supporting ZANU PF;
- all reports show that the violence attributed to ZANU PF is different from the violence attributed to the other groups, both in the scale and in the nature;
- the violence attributed to ZANU PF shows evidence of systematic torture, abductions, disappearance, summary executions and extra-judicial killings, and this is very rarely the case with violence attributed to other groups such as the MDC;
- the systematic torture shows a strong association with officials of the State – members of Parliament, the police, the CIO, and other officials – as well as an association with groups closely affiliated to the ZANU PF political party – “war veterans”, youth militia, ZANU PF youth, ZANU PF supporters, ZANU PF party officials, etc;
- the evidence shows there are plausible allegations of the involvement of senior party and government leaders, and there are many statements from victims implicating such persons;
- there is no, or very little evidence, of any attempt by the Executive or organs of the State to proactively deal with the violence;
- the evidence suggests, to the contrary, that there are an enormous number of examples of hate speech, and encouragement to violence and lawlessness by virtually all members of the Executive, the Parliament, the party, and the supporters of the ZANUPF party.

This is no new pattern, as it has been observed previously in the 2000 and 2002 elections, and before that in the violations that took place between 1982 and 1987 in Matabeleland. Thus the allegations that the ZANU PF government has committed crimes against humanity are nothing new, and indeed were alleged in respect of the forced removal of over 700 000 civilians that took place in 2005 under the government's so-called *Operation Murambatsvina*. However, apart from a few international human rights bodies, such as the International Bar Association, there has been little inclination to address these very serious allegations, and African countries have been obstructive where attempts have been made to obtain an audience for these allegations: the South African government, for example, has repeatedly blocked attempts to discuss Zimbabwe's human rights record at the United Nations both in the Human Rights Council, and the Security Council.

Here it is relevant to point out that the Southern African Litigation Centre has submitted a dossier to the National Prosecuting Authority in South Africa in respect of the torture that took place in 2007. This dossier alleges crimes against humanity, and reportedly seeks to indict senior government officials and members of the security services, as well as a number of senior policemen. As was stated in a press release:

The consistency in detail as to the types of abuse inflicted during this episode of repeated instances of torture, and when compared to other episodes of repeated torture, as well as the recurring involvement of several named perpetrators speaks to the systematic use of torture on the part of police and supports a conclusion that crimes against humanity have been and continue to be perpetrated in Zimbabwe.

However, whilst the current onslaught against MDC supporters and those suspected of supporting the MDC is nothing new, it does currently occur against the background of an election that most people and countries believe that ZANU PF has lost. There is credible evidence to demonstrate that not only has the MDC gained a majority in the House of Assembly, but has also won the Presidential poll with an absolute majority.⁵ The current attempt to recount the results of the election, whilst scarcely credible, also raises the matter of the government and ZEC operating outside the law, and none of the court judgements to date lessen this fact.⁶

So the suggestion that crimes against humanity – the widespread, systematic and planned use of torture – are being perpetrated by a regime that may well no longer have a legitimate basis for continuing in government (and may well be avoiding handing over government) is a situation that deserves a more determined response from SADC and the AU than has been the case to date. This is endorsed by the recent statement from the Churches in Zimbabwe, alleging the post-poll violence is of genocidal proportions.

7. Conclusion

ZANU PF has refused to accept its electoral defeat and is now doing everything it feels necessary to cling to power. It has effectively declared war on the opposition and its supporters. Any re-run of the Presidential Election is not only likely to be a bloody affair, but the huge expenditure by ZANU PF in ensuring that it wins this election will be the final nail in

⁵ See Idasa(2008), *ZIMBABWE ELECTIONS 2008. Examining The Popular and Presidential Choice - Hiding or Run Off?* SITO [IDASA]: PRETORIA.

⁶ See Idasa (2008), *The Inconvenient Truth. A complete guide to the delay in releasing the results of Zimbabwe's presidential poll.* Prepared by Derek Matyszak of the Research and Advocacy Unit, Zimbabwe. SITO[IDASA]: PRETORIA.

the coffin of an already shattered economy. This will lead to even greater hardship for the long suffering people of Zimbabwe.

It is also pertinent to repeat here that this campaign of violence is planned, widespread and systematic, with numerous reports of army personnel, and state resources being utilised. There is no evidence that this violence is repudiated by the Zimbabwe government, and, hence, it is clear, as was pointed out recently by the Southern African Litigation Centre, that both the perpetrators and those bearing command responsibility are liable for prosecution for crimes against humanity.

This raises far more serious issues than the mere delay of results or unlawful recounting of the votes. Both the AU Constitutive Act and the SADC Treaty require action when member states are in breach. The AU Constitutive Act allows a challenge to sovereignty in case of war crimes, genocide, and crimes against humanity,⁷ whilst the SADC Treaty, in Article 6(2), requires that "SADC and Member States shall not discriminate against any person on grounds of gender, religion, political views, race, ethnic origin, culture, ill health, disability, or such other ground as may be determined by the Summit".⁸ The legal frameworks that govern these two organizations suggest that both should be doing considerably more than wringing their hands over the non-release of results. Attention should be paid to the possibility that there has been a "coup by stealth" and gross human rights violations that accord with the definition of crimes against humanity are being perpetrated by the Zimbabwe government.

⁷ Article 4 (h) Principles of the Constitutive Act of the African Union.

⁸ SADC is also entitled to take action by means of sanctions against any member state that (a) persistently fails, without good reason, to fulfill obligations assumed under this Treaty; (b) implements policies which undermine the principles and objectives of SADC [**ARTICLE 33**].

Appendix 1

Statements by Human Rights Bodies

Zimbabwe Association of Doctors for Human Rights

Statement on Upsurge in Cases of Organised Violence and Torture 15 April 2008

Since the election on March 29th 2008, up to the end of April 14th, members of the Zimbabwe Association of Doctors for Human Rights (ZADHR) have seen and treated 157 cases of injury resulting from organised violence and torture.

As of midday today April 15th, 30 of these patients remained in hospital.

One third of the patients are women, including a 15 year old girl who was abducted with her mother from her home, made to lie on her front and beaten on her buttocks. Her mother, who is pregnant, was similarly beaten. Both mother and daughter required hospital admission.

The provinces where the injuries were sustained include Manicaland, Mashonaland East and West, and Masvingo. Of the 30 hospitalised patients, 15 are from Mudzi.

The commonest injury observed was extensive soft tissue injury of the buttocks. This results from prolonged beating with a hard blunt object. The obvious visible sign is extensive bruising but there is often substantial damage to tissues under the skin including muscle. Muscle destruction of this nature can result in severe kidney problems.

Nine patients sustained fractures (broken bones), almost all on the arms (ulna and/or radius) and/or the hands (metacarpals and/or phalanges). One man, who also had multiple abrasions of his back, had fractures of both right and left radius, left ulna, and the 3rd and 4th metacarpals of his right hand. These fractures are typical of "defence injuries", resulting from the victim raising his or her hands and arms to protect the face and upper body from assault. One patient had a compound fracture of the left

lower leg (tibia) resulting from assault with a hard blunt object, directed at all parts of his body. "Compound" means that broken bone is protruding through the skin.

ZADHR condemns the upsurge in violence recorded in the two weeks post the March 2008 Elections which has impacted severely on the individuals affected. Some of the individuals sustained injuries that can lead to severe permanent disability. We call upon:

- All political parties to cease the use of intimidation, violence and torture as a form of retribution or victimisation.
- All health professionals to provide injured persons with the highest possible standard of care regardless of their political affiliation.
- The Zimbabwe Republic Police to take urgent measures to prevent further acts of violence occurring.
- SADC, the AU and the UN to engage with all stakeholders in Zimbabwe with a view to bringing the current escalation in the crisis to an end.

Cases of Post Election Violence Continue to Escalate. 18 April, 2008

ZADHR issued a statement on April 15th concerning 157 cases of organised violence and torture (OVT) documented by members of the association. As of end of day April 17th this total is now 242. Forty-two cases were seen and treated on April the 17th alone; six of these were women, one a boy of 12. Of the 42, 19 of the incidents occurred in Mashonaland East (Murehwa, Mutoko, Mudzi and Maramba) and a further 19 in or near Harare (Dzivarasekwa, Kuwadzana, Tafara, Budiro, Glen Norah, Epworth and Chitungwiza).

Most of these cases continue to be of soft tissue injury, especially of the buttocks but often in other parts of the body including the breasts of women. The extreme force of the injuries is demonstrated by the common occurrence of superficial blistering and deep, sometimes extensive, haematoma formation. Haematomas are substantive collections of whole blood, as distinct from "simple" bruising which is blood in amongst other tissues.

In 15 of the cases of soft tissue injury, there were documented "tram tracks" on the overlying skin. This is a classic sign of assault with a hard thin object such as a stick or baton. Three more cases had fractures of the forearm or hand (right ulna, left radius and ulna, two left metacarpals). The patient with fractured right ulna also sustained fractures of ribs on the left side of his chest associated with a left haemothorax (blood in the space between the lungs and the chest wall).

There have been reports of several deaths but because these do not usually present to ZADHR members, only one case (of multiple stab wounds to the chest and abdomen) can be confirmed. This was a brother of a patient from Karoi, previously reported as having been admitted to hospital in Harare.

ZADHR remains deeply concerned that no measures are being taken by the authorities to prevent further violence and by allegations that security forces are now increasingly involved in assaults and torture, particularly in Harare.

These cases suggest a disturbing trend of systematic violent assault and torture, and with more victims possibly unable to access medical attention in rural areas, urgent action is required to prevent the situation deteriorating further. It is essential that the United Nations, African Union and SADC take urgent and decisive steps to engage the Zimbabwean authorities and all stakeholders to end this crisis.

ZADHR reiterates its call for an end to violence by all political parties and the security forces.

Violent Assault and Torture Remains Unchecked. 23 April 2008

Further to the two statements ZADHR issued last week we report a further 81 cases of organised violence and torture which have been seen and treated by members of the Association in the three days ending Monday 21 April 2008. This is not a cumulative total – this is the number of cases seen in these 3 days alone. The total number of cases seen since 1 April 2008 is 323. It seems likely that there are substantial numbers of similar cases occurring across the country which have not presented to ZADHR members and are therefore not represented in these figures.

54 of these cases occurred in Harare, Chitungwiza or Epworth, 20 in Glen View alone. 13 more occurred in Mudzi and Murewa, 4 in Mount Darwin, and 6 in different areas of Manicaland.

By far the commonest alleged perpetrators are now the uniformed forces (ZRP and ZNA).

Fourteen (17%) of these 81 patients were women. They include a 7 year old girl who suffered a fracture of her right radius and ulna on falling down while running after her father who was being chased by members of the security forces, and a 10 year old boy with a probable dislocation of the right elbow resulting from being kicked by a soldier who was trying to kick someone else. One 47 year old woman reported being sexually assaulted.

Soft tissue injuries again predominate, with 6 probable fractures. These include the case of a 39 year old man who was abducted from his home at midnight, was beaten and suffered a fractured left ulna, fractured ribs on the left side, and a pneumothorax underlying the rib fractures. A pneumothorax is when air leaks out of the lung through a hole in the lining of the lung, caused for example by a broken rib, and collects in the virtual space between the linings of the lung and the inner surface of the chest wall. It can rapidly threaten life because it may enlarge and cause collapse of the lung itself and distortion of the large blood vessels arising from and draining into the heart. This patient required a tube to be inserted into his chest to prevent that complication.

4 cases of falanga were recorded. Falanga is torture in which the soles of the feet are repeatedly beaten with a hard object such as a baton or bar. There is often severe tissue damage beneath the skin, within the sole of the foot, which never fully heals, resulting in walking being painful for the rest of the victim's life.

Physical injuries are the most visible. Many of these patients report extreme psychological stress which itself results in both mental and physical symptoms. The stresses reported include many having had their homes and property completely burnt, being forced to roll in muddy or sewage-containing water, running and hiding in 'the bush' from fear of assault, being abducted and detained with beatings continuing over several days with no knowledge of when it will end, and having no knowledge of the safety of spouse or children. One 64 year old man presented with full-blown 'Post-Traumatic Stress Disorder', the major manifestation of which was his being incapable of speech.

Some of the reported physical and psychological wounds will take a long time and require much care and attention to heal.

ZADHR condemns the continuing violent assault and torture on Zimbabwean citizens, in particular that allegedly perpetrated by security forces. We continue to appeal to the UN, AU and SADC to engage with the authorities to bring an end to this systematic assault on large numbers of Zimbabweans.

ZADHR further appeals to the Zimbabwe Medical Association, the World Medical Association and other concerned national medical associations to condemn these acts of violence, and engage their Governments in working towards resolution of the crisis in Zimbabwe.

ZIMBABWE LAWYERS FOR HUMAN RIGHTS

PRESS STATEMENT

VIOLENT RETRIBUTIVE ACTION AGAINST INNOCENT ZIMBABWEANS

BY STATE AGENTS ON THE INCREASE

Zimbabwe Lawyers for Human Rights (ZLHR) is gravely concerned at the increasing incidences of confirmed human rights violations currently being perpetrated by or with the acquiescence of the state on defenceless Zimbabweans countrywide.

Since 14 April 2008, at least 150 people have been arrested and are currently detained in custody at Harare Central police station alone. The recent arrests and continuing violations of fundamental rights and freedoms have been exacerbated by state actors who are working hand-in-hand with the ruling ZANU PF party militia to unleash their coercive apparatus on an innocent electorate. This campaign of terror has been widespread across the country and is being perpetrated against any person who is suspected to have cast their vote against the ruling party, as well as their families.

Despite the fact that the Zimbabwean Criminal Procedure and Evidence Act (CPEA) categorically states that powers of arrest are vested in the police and other peace officers, the general trend confirmed by ZLHR lawyers attending to victims has been the abduction of individuals from their homes by members of the military (in uniform and plain clothes), as well as the ZANU PF youth and militia. Recently most of the inmates detained at the police station have been arrested by the military.

Before these illegal arrests by the military, from areas around Harare, the victims have been subjected to torture and other inhuman and degrading treatment. Nine (9) people from a residential area, Budiro, were abducted from the funeral of Anna Mazhanidza by members of the Zimbabwe Republic Police Support Unit and other people suspected to be members of the Zimbabwe National Army who were dressed in plain clothes. Eight (8) people were also picked up from another residential area, Mabvuku. They were accused of obstructing the free movement of traffic by placing stones in the road. Some of the arrested individuals include the newly elected Member of the House of Assembly, Shepherd Madamombe. These abductions were effected by suspected plain clothes members of the Zimbabwe Republic Police and the ruling party militia.

In St Mary's at least 20 people, including former Mayor, Misheck Shoko, and a recently elected councillor, Stephen Gomo, were abducted from their homes by plain clothes personnel who are believed to be members of the Zimbabwe National Army and the Zimbabwe Republic Police.

On 16 April 2008, during the early hours of the morning, 22 people were abducted by soldiers and ZANU PF youths from their homes in Epworth. During these abductions some of the people were assaulted with booted feet, and open hands all over the body. In some of the cases doors were forced open to enable the youths and members of the army to forcibly gain entry into the homes of the victims. Upon abduction, the victims were not informed of the charges levelled against them. After this inhuman treatment the victims were taken to police stations whereat the police again did not advise them of the charges being levelled against them.

Despite the fact that the police do not have an iota of evidence against targeted civilians, members of the army and ZANU PF youths have cast a dragnet in the streets of most of the high density suburbs around Harare. The arrests have been indiscriminate, based on political affiliation and in most instances where the people are remotely associated or are suspected of being associated with the Movement for Democratic Change.

In areas such as Bikita, Nyanga North, Mutoko, Gokwe, Mudzi, Chegutu and Mt Darwin the military has unleashed unabated attacks on innocent individuals since the beginning of the week.

Despite the fact that everyone has a right to participate in the government of the day through voting, it can be readily ascertained that most of the people have been victimised on the basis of their political affiliation. Areas such as Mutoko have become hot spots with confirmed reports of indiscriminate brutal assaults on people perceived to belong to the opposition party. A case in point is one campaign manager for the Movement for Democratic

Change whose property was destroyed by members of ZANU PF. Some of the people have since looted his property and destroyed his livelihood, which include his crops and livestock. This looting continues unabated to date. The police, who are aware of the activities of the ZANU PF youths in this case, have turned a blind eye to the total breakdown of the rule of law in this area.

In certain areas around Harare's high density suburbs and outlying areas, members of the military have imposed curfews. As a result freedom of movement has been severely curtailed. During the early hours of the evening, anyone who is found in the streets has been subjected to inhuman and degrading punishment and has been accused of not observing the imposed curfew. Victims have been asked to crawl in the streets for distances that range up to 200 metres by soldiers. The targeted individuals include the elderly, youths and even breastfeeding mothers. There has been an overwhelming disrespect of persons and indiscriminate and unjustifiable destruction of property. At least 30 homes are believed to have been burnt down and some destroyed around the country.

By 19:00hrs on 17 April 2008, several groups of people were still being indiscriminately abducted, arrested from the streets and their homes around Harare.

ZLHR deplores this cruel and unacceptable retributive action. The dignity of human beings in Zimbabwe is paramount and nobody should be targeted for merely exercising her/his right to vote or due to a perceived political affiliation. Urgent action must be taken by the authorities to stop such atrocities and bring the perpetrators to book.

APPEAL BY THE SECRETARY GENERAL OF AMNESTY INTERNATIONAL

Date: 18 April 2008

END STATE-SPONSORED VIOLENCE IN ZIMBABWE

At the time of Zimbabwe's 28th anniversary of independence, Amnesty International is deeply concerned about reports of the deteriorating human rights situation in Zimbabwe following presidential, parliamentary and local government elections which took place on 29 March 2008. The organization is particularly concerned about apparent retribution attacks against opposition supporters in rural areas, townships and farms across the country. Victims

allege that they have been assaulted by soldiers, police, so-called "war veterans" and supporters of the ruling party, ZANU-PF, and have been accused of not having voted "correctly."

These assaults appear to be targeted at people in rural areas and low income suburbs where the opposition Movement for Democratic Change (MDC) seems to have gained more votes than the ruling ZANU-PF party. For example,

a.. On 6 April, about 10 soldiers and two people dressed in police uniform, reportedly went to the home of a known MDC activist in Gweru, assaulted him with sticks and kicked him and two of his friends. The activists sustained injuries and required medical treatment.

b.. On 11 April, a man was attacked in his shop in Mashonaland East Province by persons believed to be ZANU-PF supporters who reportedly broke into his shop, dragged him out the building and accused him of being an MDC member. The victim alleges that the ZANU-PF youth stole groceries from his shop and that they burned grass on both of his hands before beating his hands and back with wooden poles. The victim sustained injuries including burns to both of his hands and his left arm as well as broken bones in one of his arms and in both of his hands.

Though some victims have reported these crimes to the police, no arrests have been reported and it appears that perpetrators continue to commit abuses with impunity.

Violations of national and international law

These assaults violate both national and international human rights law. Section 15(1) of the Constitution of Zimbabwe states: "No person shall be subjected to torture or to inhuman or degrading punishment or other such treatment."

Torture and other cruel, inhuman or degrading treatment or punishment are prohibited absolutely under international law, for example under Article 5 of the African Charter on Human and Peoples' Rights and Article 7 of the

International Covenant on Civil and Political Rights. Zimbabwe is a state party to both instruments.

It is also widely agreed that a state has violated the prohibition on torture and other ill-treatment not only when a state official physically commits the act, but also when such an act is committed at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

The Zimbabwe Human Rights NGO Forum (also known as the “Human Rights Forum”) is a coalition comprising 17 member organisations. It has been in existence since January 1998 when non-Governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998.

The Human Rights Forum has now expanded its objectives to assist victims of organised violence, using the following definition:

“Organised violence” means the inter-human infliction of significant avoidable pain and suffering by an organised group according to a declared or implied strategy and/or system of ideas and attitudes. It comprises any violent action, which is unacceptable by general human standards, and relates to the victims’ mental and physical well-being.”

The Human Rights Forum operates a Research and Documentation Unit and offers legal services to assist victims of organised violence and torture claim compensation from perpetrators through its Public Interest Unit.

Member organisations of the Human Rights Forum are:

- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Gays and Lesbians of Zimbabwe (GALZ)
- Human Rights Trust of Southern Africa (SAHRIT)
- Legal Resources Foundation (LRF)
- Media Institute of Southern Africa (MISA)
- Media Monitoring Project of Zimbabwe (MMPZ)
- Nonviolent Action and Strategies for Social Change (NOVASC)
- Transparency International (Zimbabwe) (TI (Z))
- Women of Zimbabwe Arise (WOZA)
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender (ZACRO)
- Zimbabwe Association of Doctors for Human Rights (ZADHR)
- Zimbabwe Civic Education Trust (ZIMCET)
- Zimbabwe Human Rights Association (ZimRights)
- Zimbabwe Lawyers for Human Rights (ZLHR)
- Zimbabwe Peace Project (ZPP)
- Zimbabwe Women Lawyers Association (ZWLA)

The Human Rights Forum can be contacted through any member organisation or through:

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