



**MINISTER FOR FOREIGN AFFAIRS  
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**Zimbabwe: Mugabe's Record of Abuse and Repression**

*Most recent developments - Unprecedented escalation of repression*

The situation in Zimbabwe has deteriorated further in the last few weeks. In response to the 'stay-away' strikes of March and April organised by the opposition MDC, Zimbabwean Government police and soldiers launched an orchestrated campaign of violent retribution against opposition activists, supporters and government critics. Troops were deployed on to the streets of Harare and several hundred — possibly as many as 500 — opposition activists were arrested. Many of those people were beaten and some of them claim to have been tortured. Over 250 people were hospitalised and one opposition member has apparently died. Children have been beaten and soldiers sexually assaulted women. Australian diplomats witnessed what was clearly the result of several vicious beatings by army personnel, including beatings with sticks wrapped in barbed wire.

This crackdown occurs amid serious allegations of rape and torture camps in Zimbabwe, with particular concern regarding Border Gezi youth camps set up to indoctrinate young Zimbabweans.

This most recent violence occurred in the run-up to two by-elections (Kuwadzana and Highfield electorates). The MDC alleged that the voting rolls for these two electorates had been subject to an attempt to rig the poll. As it happens the MDC retained the two seats. However, MDC deputy leader Gibson Sibanda was arrested shortly after the poll results for contravening the Public Order and Security Act by organising the recent stay-away strike.

*Repression of the opposition*

The MDC reports that over the past 18 months, 42 senior party officials have been arrested. These include the trial for "treason" of MDC President Tsvangirai (which recommenced on 12 May), and senior officials Welshman Ncube and Renson Gasela, the arrest and medically documented torture of MDC MP Job Sikhala, and the arrest of the MDC Mayor of Harare Elias Mudzuri for holding a public meeting with constituents. Eight MDC parliamentarians have already been arrested in 2003. Many of these officials, including sitting MPs, were tortured while in custody. In all finalised cases, the accused have either been acquitted or the charges dropped – signalling a campaign of lawless repression and intimidation of the opposition.



It is rare for any action to be taken against perpetrators of abuses against members of the opposition – creating a culture of impunity and the perception that such abuses are tolerated or encouraged by the Government. The police inspector who announced the inquiry into Sikhala's torture claimed that most torture allegations were "aimed at distracting people from the serious allegations (they) might be facing". Tsvangirai instead called for an independent judicial commission of inquiry into Zimbabwe's high rates of torture.

MDC Spokesman Learnmore Jongwe died in police custody in October 2002 in suspicious circumstances. Tsvangirai said he held the government responsible. Similarly, former MDC Youth Chairman for Harare, Edison Mukwasi, died in February 2003 after being tortured and poisoned while in police custody.

MDC members have continued to be the target of politically motivated violence throughout the country, but particularly in isolated rural areas. State-sponsored "militia" continue to be used to obscure the identification of the state's agents as the perpetrators of human rights violations. This is reinforced by political manipulation of the police and the judiciary, and efforts to prevent human rights NGOs and the independent media from investigating and publishing accounts of human rights abuses.

A Political Violence Report by the Zimbabwe Human Rights NGO Forum, published in November 2002, documented a year-to-date total of 58 murders, 111 cases of unlawful detention, 170 cases of unlawful arrest, 67 cases of assault, 227 cases of abduction/kidnapping, and 1,060 cases of torture. Only 8 of the murder victims are known to have been ZANU-PF supporters. This is broadly consistent with an earlier report by the Human Rights NGO Forum, drawing on some 900 victims' statements in the period from June 2001 to June 2002, which found that only 1.4 per cent of victims of political violence were ZANU-PF supporters, while the remainder were MDC supporters or non-aligned/apolitical victims.

### *Undermining of democratic processes*

Zimbabwe's presidential elections were held between 9-11 March 2002 (the weekend after the Coolum CHOGM), amid widespread violence and intimidation by the Government of Zimbabwe against the opposition and the people. On 13 March, the Zimbabwe Electoral Commissioner declared President Mugabe the winner, with 54 per cent of the valid vote. The Commonwealth Observer Group (COG) to the elections found serious flaws with the election and concluded that "the conditions in Zimbabwe did not adequately allow for a free expression of will by the electors". The report was signed by all members other than the delegate from Namibia.

The COG report detailed a range of clear violations of Commonwealth democratic principles set out in the Harare Declaration, including:

- . a high level of politically motivated violence and intimidation, mostly perpetrated by members/supporters of the ruling party;
- . failure by police to enforce the rule of law impartially;



- . a flawed legislative framework limiting freedom of speech, movement and association;
- . disenfranchisement of thousands of voters because of a lack of transparency in the registration process and
- . reduction in polling stations in urban areas preventing many from casting their vote.

The Government of Zimbabwe moved quickly to swear in President Mugabe and did not accept the COG report.

Rural and district council elections on 28-29 September 2002, and the Insiza parliamentary by-election on 26-27 October 2002, were marred by violence, intimidation and illegal electoral practices.

Large numbers of MDC candidates withdrew from the September 2002 **local government elections**, citing pre-election intimidation by the government – the MDC was able to field on 646 candidates for the 1,437 seats. Several MDC supporters were arrested and assaulted prior to and during polling and, in Masvingo province, the homesteads of several MDC candidates and supporters were reportedly burned down during the election weekend. No arrests were made for the attacks. Many potential MDC candidates were told they were not eligible as their names did not appear on the voters' roll, although the MDC did not have access to the roll. A late September count by one embassy found 77 MDC candidates in jail. An MDC petition to the High Court to nullify the election nomination process, on the grounds of intimidation and electoral irregularities, was dismissed. On an election-day visit to the Matabeleland North and Midlands provinces, post witnessed ZANU-PF supporters being given food outside polling stations, independent polling agents being refused entry to polling stations, and an absence of MDC polling agents.

During the run-up to the **Insiza** poll, won by ZANU-PF, one MDC supporter died after being denied medical attention when he was shot by the ZANU-PF candidate, and there were systematic and selective arrests by police of MDC youths on allegations of violence. There were several violent attacks on MDC supporters by ZANU-PF supporters, including an invasion of the MDC command centre by a riot squad using tear gas. Numbers of independent election observers were drastically reduced by the Government without explanation. The MDC candidate was prevented by police from entering the constituency on the second day of polling, on the pretext that his safety could not be guaranteed. While the immediate polling days were generally peaceful, violence and intimidation in the pre-election period resulted in low voter turn-out. Violence in the Insiza constituency continued unabated in the post-election period, as ZANU-PF supporters and youth militia engaged in a retributive campaign to rid the area of MDC supporters.

There was an upsurge in violence and intimidation in the **Kuwadzana** district of Harare in the lead-up to the by-election on 28-29 March, including the abduction and torture of MDC activists, and systematic hunting down and beating of MDC members by ZANU-PF youth militia. After the fire-bombing of a ZANU-PF base in Kuwadzana in late January, resulting in the death of one ZANU-PF member, around 30 MDC members claimed they were abducted, detained and tortured by the police and the Central Intelligence Organisation. ZANU-PF torture bases in the area were reportedly closed in mid-February in a move the



MDC claimed was linked to the World Cup Cricket matches in Harare. In January 2002, the MDC alleged that some 10,000 phantom and non-resident voters had been added to the Kuwadzana voters' roll since the March 2002 presidential election.

### *Politicisation of food distribution*

ZANU-PF has politicised the distribution of **commercially imported food** through a variety of methods, including:

- monopolising imports through the Grain Marketing Board, the only legal importer;
- distributing food based on political calculations;
- requiring party membership as a condition for purchasing food in some locations;
- controlling eligibility for the purchase of food and for the milling of grain;
- removing MDC supporters from food-for-work programs;
- allowing party officials or commercial allies to profit from re-sale of food at exorbitant black-market prices;
- confiscating maize at informal roadblocks; and
- putting the party's youth militia in control of grain depots.

ZANU-PF has also sought to manipulate and influence the distribution of **donor food aid**. In the Binga area of Matabeleland North, the Government prevented the Catholic Commission for Justice and Peace from implementing its relief program for 30,000 children for two months from May 2002. After losing the September local elections there to the MDC, ZANU-PF told the Catholic Commission and Save the Children-UK to stop distributing food in the area, saying it was punishing villagers for voting for the opposition. ZANU-PF youth militia seized 3 mt of World Food Program maize for redistribution to party supporters in advance of the Insiza by-election in October, resulting in a suspension of WFP operations in the area.

While food manipulation has been particularly rife in the lead-up to local elections and by-elections, NGOs have documented the distribution of food supplies on political lines even in the absence of a pending election.

In July 2002, Deputy Minister of Foreign Affairs Abednico Ncube told villagers in Matabeleland: "As long as you value the government of the day you will not starve, but we do not want people who vote for colonialists and then come to us when they want food. You cannot vote for the MDC and expect ZANU-PF to help you. ... You have to vote for ZANU-PF candidates ... before government starts re-thinking your entitlement to this food aid."

In August 2002, ZANU-PF Organising Secretary Didymus Mutasa said "We would be better off with only six million people, with our own people who support the liberation struggle. We don't want all these extra people."

### *General infringements of civil and political rights*



In February 2003 Mugabe provided (unspecified) assurances that the Access to Information and Protection of Privacy Act (AIPPA), which drastically curtails freedom of the press and criminalises the publication of “false” reports, would be reviewed. However, Information Minister Jonathan Moyo has said he will introduce amendments to strengthen the Act. The main independent daily newspaper, the *Daily News*, currently faces closure over requirements to register as a media house under the AIPPA, which would prevent the paper from publishing reports critical of the Government. In the past year, police have arrested 15 local independent journalists – only one has been brought to trial, and was acquitted. The Zimbabwe Government regularly uses the AIPPA to arrest foreign NGO workers, accusing them of being journalists – such as the five foreign church workers arrested in January 2003.

The draconian Public Order and Security Act (POSA), criticised by the Commonwealth Observer Group along with the AIPPA, continues to be abused by the Government to outlaw peaceful gatherings of real or suspected opposition supporters. Meetings and rallies staged in defiance of the POSA typically result in arrests of the organisers. Both AIPPA and POSA continue to be used widely to subvert basic freedoms of speech and association.

In addition to the Zimbabwe Government’s well documented intimidation and harassment of independent journalists and lawyers, in the period since the Abuja Troika meeting it has stepped up its attacks on independent NGOs that investigate and publicise human rights violations in Zimbabwe. In November 2002, the Government published a list of NGOs which allegedly threatened national peace and security. The anti-torture Amani Trust was threatened in January 2003 with de-registration and fire-bombing after being accused of complicity in violence in the Kuwadzana district in the lead-up to the March 2003 by-election. The Government has attempted to discredit the political violence reports produced by the Amani Trust, although these are consistent with investigations by Amnesty International and those of other international humanitarian and human rights organisations. The Government has also arrested and imprisoned senior leaders of the Zimbabwe Council of Trade Unions (ZCTU), accusing them of involvement in illegal strike activity.

In January and February 2003, hundreds of teachers in the central highveld and eastern highlands were reportedly rounded up and sent against their will to political “re-orientation camps”. This was part of an ongoing campaign to intimidate and “re-educate” teachers perceived to be supporting the opposition, particularly in rural areas.

In November 2002, Mugabe passed a statutory instrument making it an offence to utter any words, or make any movement or gesture, which might be construed as insulting to the President when he passes in his motorcade.

### ***Land reform***

Despite claims by the Zimbabwe Government that the land reform program was completed in August 2002, properties continue to be listed for compulsory acquisition, and some farms are being targeted for acquisition by Government officials. In late 2002, Mugabe promised preferential allocations of newly acquired land to soldiers returning from the Democratic Republic of Congo.



Only between 20 and 50 per cent of “redistributed” commercial farms (under the “A2” scheme) have been taken up, with the rest of the previously productive agricultural land now lying fallow. The official line that “54,000 indigenous commercial farmers were settled under the fast-track resettlement on 11 million hectares of land” ignores the fact that most such farmers have not actually occupied the land. Many “new farmers” have left the land due to lack of capital and other inputs promised under the Government Inputs Credit Scheme – the budget for this program is reported to be only 5 per cent of overall need. According to the Famine Early Warning Systems Network (FEWS NET), between 600 and 1,000 commercial farms are currently operational, a sharp decrease from 4,400 when the land reform program started in 2000. As a result, the March-April 2003 grain harvest was meagre, exacerbating the food crisis and prolonging the need for donor intervention to stave off widespread famine.

There appear to have been no killings of white farmers since April 2002, with the majority having left their land voluntarily or as a result of force or intimidation. However, incidences of white farmers being assaulted by settlers attempting to expel them from their farms continue to be reported. Numbers of white commercial farmers still farming have declined to around 600 from 4,500 two years ago. 97 per cent of formerly white-owned commercial farmland has been appropriated by the government. No farmer whose land has been compulsorily acquired has received any compensation for improvements to the land.

In October 2002, Youth Minister Elliot Manyika was quoted as saying that those farmers who had acquired land under the fast-track program had to ensure that they supported ZANU-PF, or risked losing the land.

While the Zimbabwe Government has initiated a number of audits into the land reform program, none of these has been published. We understand this is because of the chaos and corruption that the audits reveal, including corruption among senior Government and party figures who have seized or been allocated more than one farm contrary to Government policy.

FEWS NET reports that the number of commercial farm workers affected by the fast-track resettlement program had increased from 488,000 in August 2002 to 1 million in December 2002, as more farms were affected by the program. This belies the Government assertion that the land reform program was complete by August 2002. Claims that the Zimbabwe Government is to confer Zimbabwean citizenship on Malawian, Mozambican and Zambian farm workers resident in Zimbabwe since 1980 neglect to mention that many of these workers were arbitrarily deprived of their citizenship and right to vote by the Registrar-General prior to the March 2002 presidential elections, an action ruled unconstitutional by the High Court in Zimbabwe.

The Zimbabwe Government has consistently refused to discuss financial assistance for the land reform program with the United Nations Development Program (UNDP), thus undermining South African and Nigerian requests for increased donor support for the program. There has been no official response to the UNDP’s report land reform submitted to the Zimbabwe Government in January 2002, which described the land reform program as “chaotic” and “the cause of much economic, political and social instability.”