

**Zimbabwe Human Rights NGO Forum**

**An Analysis of the Zimbabwe  
Human Rights NGO Forum  
Legal Cases, 1998–2006**

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# 1. Introduction

The Zimbabwe Human Rights NGO Forum (Human Rights Forum) was established after the Food Riots in 1998 as human rights groups and NGOs in Harare swung into action following the many reports of human rights violations. This group, a loose alliance of NGOs, provided assistance to detainees, persons complaining of human rights violations and ill-treatment, and produced a report on the riots which was forwarded to the President and Parliament in support of the request for an independent commission of inquiry.

There was no response from the government, and the Human Rights Forum lobbied the UN Human Rights Committee at its meeting in 1998 to consider the implementation by Zimbabwe of the International Covenant on Civil and Political Rights. When the Committee produced its final report in September 1998, it made a strong statement endorsing the call by the Human Rights Forum for an independent commission of inquiry. The government took no steps either to constitute a commission of inquiry or to compensate those who suffered human rights violations, so the Human Rights Forum decided to go ahead and support the request by survivors for civil claims against the government. Forty-two suits were filed in Zimbabwean courts against the Zimbabwe Republic Police, the Minister of Home Affairs, and the Minister of Defence. The government, through the office of the Attorney-General's Civil Division department, indicated that it would contest all claims. The majority of these cases have been concluded, with the government either settling the matters out of court or through judgments handed down by the High Court.<sup>1</sup>

As the human rights situation continued to deteriorate, the Human Rights Forum was not disbanded after the Food Riots but continued to monitor the human rights situation. From the year 2000 violence escalated in Zimbabwe, with the aftermath of the Referendum,<sup>2</sup> invasion of white-owned commercial farms, and, for the first time in Zimbabwe's history, there was a real opposition party, the Movement for Democratic Change (MDC),<sup>3</sup> that gave ZANU(PF) a run for its money in the June 2000 parliamentary elections. The election period in 2000 was fraught with violence, and the Human Rights Forum continued to give support to the victims and write reports both for the government to consider and for the wider international community.

In 2000, the government instituted a National Youth Service, widely believed to be a paramilitary force for the ruling ZANU(PF). This group is referred to as the 'youth militia' or 'Green Bombers' because of colour of their uniforms. The militia unleashed a reign of terror on the nation and it was evident that they had the State's permission; a report by the Solidarity Peace Trust details the activities of this group.<sup>4</sup> The government's violent campaign continued in 2001 through to the

<sup>1</sup> See Zimbabwe Human Rights NGO Forum, *What Happened to the Victims of the Food Riots, 19–23 January 1998?* (Harare: The Human Rights NGO Forum, 2006).

<sup>2</sup> Civil society led by the National Constitutional Assembly began a constitutional reform process and this caused tension between the sector and government in 1999. The government tried to take over the process by forming a Constitutional Commission that drafted a constitution, which was put to a vote in a Referendum in February 2000 and resulted in the government's historic defeat.

<sup>3</sup> The MDC was formed in 1999 and, amid the violence, reportedly the most violent election period in post-independent Zimbabwe, they went on to win 57 of the 120 contested seats.

<sup>4</sup> Solidarity Peace Trust, *"Shaping Youths in a Truly Zimbabwean Manner"* <[http://www.kubatana.net/docs/chiyou/youth\\_militia\\_030905\\_pix\\_sml.pdf](http://www.kubatana.net/docs/chiyou/youth_militia_030905_pix_sml.pdf)>. The report covered the period October 2000 to August 2003. Allegations of murder, torture, rape, arson, destruction of property and denial of food aid and health care by the militia have been documented by local and international rights groups. The Amnesty International Report on Zimbabwe in 2003, *Zimbabwe: Rights under Siege* (AFR 46/012/2003), stated: 'ZANU-PF youth militia, trained in national youth service camps established throughout the country, were deployed to suburbs and rural areas in the run-up to elections and were implicated in the widespread harassment and torture of the political opposition. The number of reported cases of rape and other forms of sexual torture perpetrated against women suspected of supporting the political opposition increased. This intimidation and political violence created a climate of fear, and of impunity for perpetrators of human rights abuses.'

Presidential Election in March 2002.<sup>5</sup> This phase saw the persistent decline of the economy, rule of law, and the independence of the judiciary.<sup>6</sup>

In 2003, human rights violations continued with the same intensity during mayoral, local, and parliamentary by-elections.<sup>7</sup> Violence escalated again in mid-2003, when the MDC began mass protests with the stay-aways, the army being called in to buttress the riot squad even though the mass protests were largely peaceful. There has been no improvement in the adherence to human rights between 2003 and the present. Although it is noteworthy that the pre-election period of 2005 saw a decrease in actual violence and torture,<sup>8</sup> the levels of intimidation towards citizens were still far too high for the elections to be deemed free and fair.<sup>9</sup>

The Human Rights Forum still exists today as there has been no significant change in the commission of human rights violations by State officials or State sanctioned institutions or individuals.

### 1.1 The prevailing context in Zimbabwe

Any analysis of the legal cases mounted by or on behalf of victims of organized violence must be located within the prevailing context in Zimbabwe. The Human Rights Forum has published 60 monthly *Political Violence* reports since July 2001 in which there are monthly statistics for the organized violence and torture that has taken place. These include the reports for the first three months of 2006, but, for the analysis that follows, the data for 2006 have been excluded since these months cannot be taken as indicative of any lengthy trend for 2006. Thus, the data below are concerned with 57 months only.

As can be seen from Table 1, the monthly *Political Violence* reports indicate that a total of 15,523 violations have been reported. Here it should be remembered that a report of a violation may include more than one violation per report, and also may involve more than one person whose rights have been violated. Thus, the data below should not be taken to represent 15,523 persons, and, without resorting to an analysis of the database from which the reports were generated, it is possible that this total may represent either more or fewer than 15,523 individuals.

<sup>5</sup> According to an Amani Trust Report, 'It was clear that more systematic forms of torture were being employed, there was wide spread geographical spread in the various forms of torture, the perpetrators were increasingly members of the youth militia and most of torture was more and more being inflicted at the bases of the youth militia.' Amani Trust, *The Presidential Elections 2002 and the Post-election Period in Zimbabwe* (Harare: Amani Trust, 2002).

<sup>6</sup> An independent judiciary is essential to achieve stability and the rule of law, but, in Zimbabwe, the judiciary was under extreme State pressure from early 2000. Several senior judges who demonstrated their independence were removed after general intimidation and specific threats. In early 2001, Chief Justice Anthony Gubbay was among those forced to step down, and he was replaced by a well-known ZANU(PF) supporter, Godfrey Chidyausiku.

<sup>7</sup> The police began to use more sophisticated forms of torture, including electric shock. Electric wires were placed on the genitals of MDC MP Job Sikhala and prominent human rights lawyer Gabriel Shumba, and electric shocks were administered, among other forms of physical abuse. See Gabriel Shumba's statement presented to the United States Congress, House Committee on International Relations, Subcommittee on International Terrorism, Nonproliferation and Human Rights, Washington DC, 10 March 2004: <[http://www.house.gov/international\\_relations/108/shu031004.htm](http://www.house.gov/international_relations/108/shu031004.htm)>.

<sup>8</sup> Torture takes many forms and is perpetrated by the police, the army, the Central Intelligence Organization (CIO), the militia, war veterans and party members. Beatings, falanga, rape, and electric shock are some of the methods being used. However, the problem in Zimbabwe is that ordinary party supporters are also committing abuses and getting away with it. The abuses are taking place amid mass hunger, economic collapse and HIV/AIDS, and there are no official records of political violence. See Redress, *Torture in Zimbabwe: Past and Present*, June 2005.

<sup>9</sup> A number of national and international statements and reports criticized the elections: see the Zimbabwe Election Support Network, *Statistical Pattern Analysis and Hypothesis Testing of the 2005 Parliamentary Elections in Zimbabwe*; Media Monitoring Project Zimbabwe: *Statement on the Media Environment in Zimbabwe Prior to the March 2005 Elections*, 30 March 2005; Zimbabwe Lawyers for Human Rights, *Report on the March 2005 Parliamentary Elections*; international groups include Amnesty International, *Zimbabwe: An Assessment of Human Rights Violations in the Run Up to the March 2005 Parliamentary Election*.

**Table 1**  
**Human rights violations, July 2001 to December 2005 (gross figures)**

	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>Total</i>
Abduction	116	223	52	62	18	<b>471</b>
Assault	0	86	388	401	530	<b>1,405</b>
Attempted murder	0	2	10	8	1	<b>21</b>
Death threat	0	12	80	35	9	<b>136</b>
Disappearance	0	28	4	0	0	<b>32</b>
Displacement	0	11	208	189	609	<b>1,017</b>
Interference with freedoms	12	39	809	760	1,036	<b>2,656</b>
Murder	34	61	10	3	4	<b>112</b>
Property violation	356	807	153	132	11	<b>1,459</b>
Political discrimination	194	388	450	514	488	<b>2,034</b>
Rape	0	7	6	3	4	<b>20</b>
School closure	0	45	1	0	0	<b>46</b>
Torture	903	1,172	497	160	136	<b>2,868</b>
Unlawful arrest & detention	670	274	627	389	1286	<b>3,246</b>
<b>Total</b>	<b>2,285</b>	<b>3,155</b>	<b>3,295</b>	<b>2,656</b>	<b>4,132</b>	<b>15,523</b>

It can be seen that there is variation in the overall number of violations per year, and that 2005 appears to have been the worst of the five years covered. This can be explained by Operation Murambatsvina and the legislation introduced to interfere further with individual freedoms. It can also be seen that there is considerable variation in the types of violations reported over the years. Overall, it can be seen that unlawful arrest and detention, torture, political discrimination, and interference with freedoms are the most common violations reported, and also that torture in 2002 was the largest single category of violation in any year until 2005, when it was surpassed by unlawful arrests and detentions.

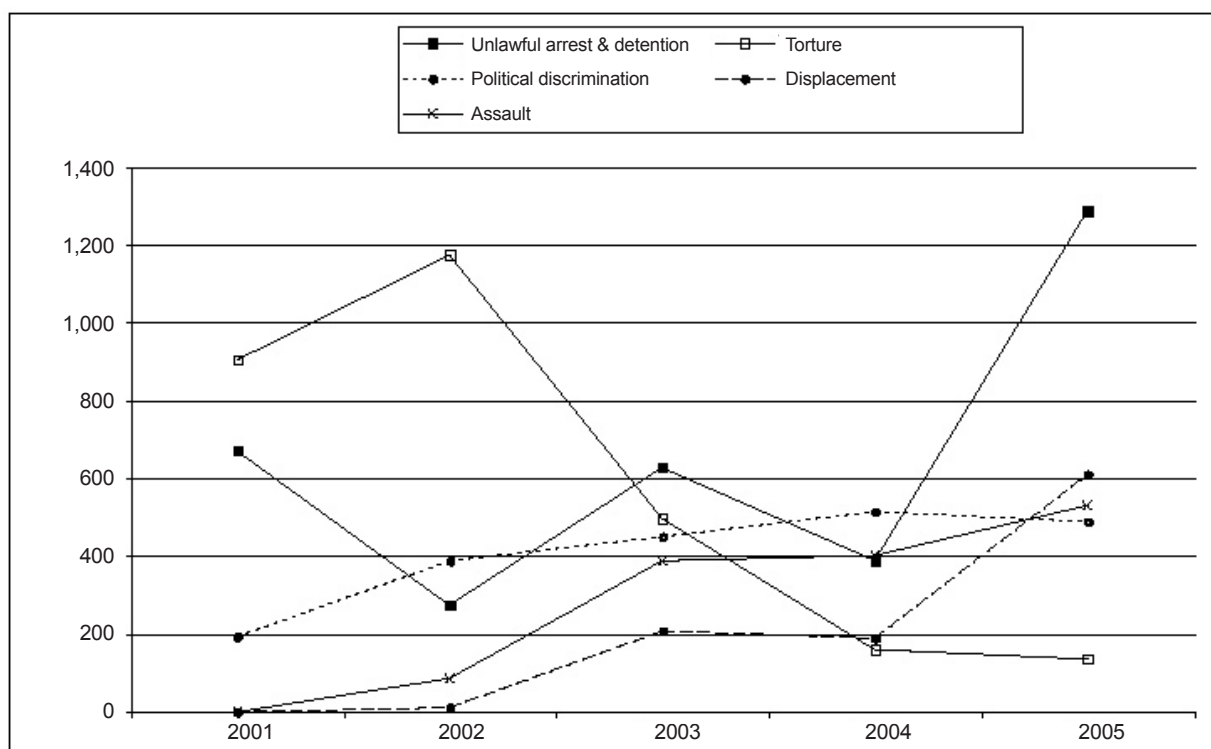
Table 2 shows the distribution of the violations over the years in percentage terms. This table perhaps shows more clearly the changing trends in violations: for example, torture shows a continuous decline from the peak in 2002, while both unlawful arrest and detention and interference with freedoms show a steady increase over the period.

**Table 2**  
**Human rights violations, July 2001 to December 2005 (percentages of the total)**

	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Abduction	0.75	1.44	0.33	0.40	0.12
Assault	0	0.55	2.50	2.58	3.41
Attempted murder	0	0.01	0.06	0.05	0.01
Death threat	0	0.08	0.52	0.23	0.06
Disappearance	0	0.18	0.03	0	0
Displacement	0	0.07	1.34	1.22	3.92
Interference with freedoms	0.08	0.25	5.21	4.90	6.67
Murder	0.22	0.39	0.06	0.02	0.03
Property violation	2.29	5.20	0.99	0.85	0.07
Political discrimination	1.25	2.50	2.90	3.31	3.14
Rape	0	0.05	0.04	0.02	0.03
School closure	0	0.29	0.01	0	0
Torture	5.82	7.57	3.20	1.03	0.88
Unlawful arrest & detention	4.32	1.77	4.04	2.51	8.28

Figure 1 shows the trends for a number of selected violations, and, as can be seen, there is a marked change in the pattern of violations over the years. There is the steady decline, from 2002, in torture, while there is a steady increase in assault and displacement, with, of course, the very large rise associated with Operation Murambatsvina.<sup>10</sup> Unlawful arrest and detention shows a fluctuating course, but there is a generally upward trend from 2002, which is associated with the promulgation of the Public Order and Security Act (POSA).

**Figure 1**  
**Comparison of selected violations, July 2001 to December 2005 (mean monthly figures)**



These general statistics make it plain that organized violence and torture have taken place on a very large scale since July 2001 at least. There are, of course, earlier reports dealing with the Food Riots in 1998,<sup>11</sup> as well as the organized violence and torture that took place between February 2000 and July 2001,<sup>12</sup> and, relevant to this discussion, they unfortunately do not provide statistical information that can easily be compared with the data available from the monthly *Political Violence* reports.

<sup>10</sup> See Zimbabwe Human Rights NGO Forum, *Chaos Out of Order or Order Out of Chaos? A Preliminary Report on Operation Murambatsvina*, June 2005, and *The Aftermath of a Disastrous Venture: A Follow Up Report on Operation Murambatsvina*, August 2005. See also the UN's *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe Mrs. Anna Kajumulo Tibaijuka*, July 2005.

<sup>11</sup> See Zimbabwe Human Rights NGO Forum, *Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998* (Harare: The Human Rights NGO Forum, 1998); Zimbabwe Human Rights NGO Forum, *A Consolidated Report on the Food Riots 19–23 January 1998* (Harare: The Human Rights NGO Forum, 1999).

<sup>12</sup> See Zimbabwe Human Rights NGO Forum, *Report on Political Violence in Bulawayo, Harare, Manicaland, Mashonaland West, Masvingo, Matabeleland North, Matabeleland South and Midlands* (Harare: The Human Rights NGO Forum, 2000); Zimbabwe Human Rights NGO Forum, *Report on Pre-election Political Violence in Mberengwa* (Harare: The Human Rights NGO Forum, 2000); Zimbabwe Human Rights NGO Forum, *Who Is Responsible? A Preliminary Analysis of Pre-election Violence in Zimbabwe* (Harare: The Human Rights NGO Forum, 2000); Zimbabwe Human Rights NGO Forum, *A Report on Post-Election Violence* (Harare: The Human Rights NGO Forum, 2000); Zimbabwe Human Rights NGO Forum, *Human Rights and Zimbabwe's June 2000 Election* (Harare: The Human Rights NGO Forum, 2001).



Nonetheless, the data from July 2001 onwards do provide a good understanding of the prevailing context in Zimbabwe over the past five years, and it is obvious that the problems are considerably greater than can be easily addressed by civil litigation for damages.

## 1.2 Elections

It has been a frequent comment by human rights groups and election observer groups that gross human rights violations seem to be prevalent during election periods. The Human Rights Forum itself has issued a number of reports making such allegations,<sup>13</sup> and at least one international human rights body has alleged that human rights violations are more common during elections than at other times.<sup>14</sup> Other international bodies have issued reports corroborating the local reports on torture during elections,<sup>15</sup> and it is noteworthy that the MDC itself challenged 37 results in the 2000 Parliamentary elections, as well as the result of the Presidential Election in 2002.<sup>16</sup> These challenges were based almost entirely on allegations of human rights violations by candidates and members of the ruling ZANU(PF) party.

Below, the relationship between violations and elections is briefly examined. When the data from the Forum's monthly *Political Violence* reports were classified according to whether the month was an election month (or a month in which a significant national political event occurred, such as a national stay-away), this gave a total of 40 months without elections or national events, and 17 months in which there were national elections, by-elections, or national events such as the stay-away of June 2003. Interestingly, the 40 months without elections gave a total of 9,549 violations (56.5% of the total), while the 17 months in which there were elections or national events had a total of 7,352 violations (43.5% of the total). On average, election months produced 432 violations per month, while non-election months produced only 239. There clearly is a significant association between elections and human rights violations!

As can be seen from Table 3, torture, political discrimination, murders, death threats, assaults, and abductions were significantly more frequent during election periods, whilst unlawful arrests and detentions, interference with freedoms, displacements, and disappearances are significantly more common in the other months. This would seem to speak to two different but complementary systems of repression in operation: one that is focused upon elections (and the critical issue of political power), and another that is focused on the suppression of dissent.

<sup>13</sup> See: Zimbabwe Human Rights NGO Forum, *Report on Election-related Political Violence in Chikomba* (Harare: The Human Rights NGO Forum, 2001); Zimbabwe Human Rights NGO Forum, *Who Was Responsible? A Consolidated Analysis of Pre-election Violence in Zimbabwe* (Harare: The Human Rights NGO Forum, 2001); Zimbabwe Human Rights NGO Forum, *Are They Accountable? Examining Alleged Violators and their Violations pre and post the Presidential Election March 2002* (Harare: The Human Rights NGO Forum, 2002); Zimbabwe Human Rights NGO Forum, *Human Rights and Zimbabwe's Presidential Election: March 2002* (Harare: The Human Rights NGO Forum, 2002); Zimbabwe Human Rights NGO Forum, *It's the Count that Counts: Food for Thought: Reviewing the Pre-election Period in Zimbabwe, March 2005* (Harare: The Human Rights NGO Forum, 2005); Zimbabwe Human Rights NGO Forum, *Of Stuffed Ballots and Empty Stomachs: Reviewing Zimbabwe's 2005 Parliamentary Election and Post-Election Period, July 2005* (Harare: The Human Rights NGO Forum, 2005).

<sup>14</sup> See Redress, *Zimbabwe: Tortuous Patterns Destined to Repeat Themselves in Upcoming Election Campaign: Preliminary Study of Trends and Associations in the Pattern of Torture and Organised Violence in Zimbabwe, July 2001 – December 2003* (London: Redress Trust, 2004); Redress, *Zimbabwe: The Face of Torture and Organised Violence: Torture and Organised Violence in the Run-up to the 31 March 2005 General Parliamentary Election* (London: Redress Trust, 2005).

<sup>15</sup> See Amnesty International, *Zimbabwe: Terror Tactics in the Run-up to the Parliamentary Elections, June 2000* (London: Amnesty International, 2000); IRCT, *Organised Violence and Torture in Zimbabwe, 6th June 2000* (Copenhagen and Harare: IRCT and Amani Trust, 2000); IRCT, *Organised Violence and Torture in Zimbabwe, 24th May 2001* (Copenhagen and Harare: IRCT and Amani Trust, 2001).

<sup>16</sup> See Amani Trust, *Neither Free nor Fair: High Court Decisions on the Petitions on the June 2000 General Election* (Harare: Amani Trust, 2002).

Above it was noted that torture was the largest single category of violation in 2002, the year of the Presidential election, and it was evident from the reports of the Human Rights Forum in 2002 that most of this torture was reported in connection with the Presidential election, both in the run-up to the election and in the reprisals that followed the highly disputed result.

**Table 3**  
**Comparison of violations in election months compared with other months**

	<i>No elections</i>	<i>Elections</i>
Abduction	230	242
Assault	713	743
Attempted murder	9	12
Death threat	45	93
Disappearance	27	5
Displacement	798	219
Interference with freedoms	2,101	1,029
Murder	47	66
Political discrimination	969	1,109
Property violation	848	662
Rape	11	9
School closure	45	1
Torture	1,168	1,722
Unlawful arrest & detention	2,519	1,459

However, such simple statistics mask important trends. As has already been seen above, torture in 2002 accounted for a very significant proportion of the total number of cases of torture reported (41%), but the torture reported in March 2002, the month of the Presidential election, itself accounted for 21% of all torture in the period July 2001 to December 2005.

In examining the frequencies of the violations over the reporting period, it can be seen that there are some interesting associations between months in which there are elections and other months.

Here it is important to underscore the point made earlier: that there have been marked changes in the patterns of human rights violations, and that there has been a significant movement away from what are commonly termed ‘gross human rights violations’ to violations affecting people’s movement and expression, largely driven under the powers given to the State by the Public Order and Security Act (POSA). There are a number of reports that support the view that POSA has been widely used to suppress political dissent and intimidate all forms of opposition.<sup>17</sup> So the shift towards intimidation rather than gross human rights violations is important, and has a bearing too on the conduct of elections. For example, an analysis of human rights observance was conducted in the aftermath of the 2005 Parliamentary elections, using the data generated by the pre-election monitoring of the National Constitutional Assembly (NCA).<sup>18</sup> Statistical analysis of the NCA data indicated that a highly sophisticated system of intimidating voters had been in operation, and, furthermore, that this system had been specifically designed to win seats in areas that ZANUPF had lost in the 2000 Parliamentary elections.<sup>19</sup>

<sup>17</sup> See Solidarity Peace Trust, *‘Disturbing the Peace’: An Overview of Civilian Arrests in Zimbabwe: February 2003 – January 2004* (PLACE?: Solidarity Peace Trust, 2004); Zimbabwe Institute, *Playing with Fire* (Cape Town: Zimbabwe Institute, 2004).

<sup>18</sup> See National Constitutional Assembly, *Consolidated Election Climate No. 1* (Harare: NCA, February 2005); National Constitutional Assembly, *Consolidated Election Climate No. 2* (Harare: NCA, March 2005); National Constitutional Assembly, *The 2005 Parliamentary Election: Flawed, Unfree and Unfair!* (Harare: NCA, April 2005).

<sup>19</sup> Here, see A. P. Reeler, and K. C. Chitsike, *Trick or Treat? The Effects of the Pre-election Climate on the Poll in the 2005 Zimbabwe Parliamentary Elections, June 2005* (Pretoria: Idasa, 2005).

It seems evident from the monthly data collected by the Human Rights Forum that gross human rights violations – torture, political discrimination, murder, death threats, assault, and abductions – are significantly more frequent during election periods. The arguably less serious violations – unlawful arrest and detention, interference with freedoms, displacement, and disappearances – are significantly more common in the other months. This does seem to provide *prima facie* support for the view that the organized violence and torture was strategic, and this is additionally supported by the State’s apparent condonation of it, by granting amnesties and failing to take action against the perpetrators.<sup>20</sup> It is relevant to point out that the State can be held liable for acts of omission as well as acts of commission, and it is certainly not the case that the ZANU(PF) government was unaware of the many reports being issued: it has even been challenged on its human rights record by the African Commission on Human and Peoples’ Rights. Ignorance may be bliss, but is hardly a defence!

<sup>20</sup> A similar point has been made in respect of the Food Riots. Here, see Zimbabwe Human Rights NGO Forum, *What Happened to the Victims of the Food Riots, 19–23 January 1998?* (Harare: The Human Rights NGO Forum, 2006).

## 2. Civil Suits

The purpose of this report is to look at all the cases that the Human Rights Forum, through its Public Interest Unit (PIU), has brought before the courts on behalf of the victims of organized violence and torture against the Zimbabwe government through the police, the army and other individuals. The government's legal department, the Civil Division, represented the defendants in these cases. These victims sought compensation for the pain and suffering they endured as a result of ill-treatment and torture by the police and the army. The government has asserted that human rights organizations were fabricating stories about the human rights situation in the country. The Minister of Justice, Legal and Parliamentary Affairs announced, in March 2006, that there will be a Constitutional Amendment to create a Human Rights Commission to counter the reports being churned out by non-governmental organizations.<sup>21</sup> This report refutes the government's assertions, as there are human rights abuse cases that have gone through Zimbabwean courts and have received judgments stating that human rights abuses do exist and have to be addressed.

This report aims to highlight the fact that violence and torture are routinely used in Zimbabwe by State agents as a way of quelling dissent, as well as of extracting information from the public, be it for political or criminal reasons. There appears to be little difference between the treatment of political and criminal prisoners while in police custody. One of the aims of the report is also to support the pressure on the Zimbabwe government to ratify the UN Convention Against Torture, as requested by Parliament, and the Rome Statute on the International Criminal Court. Zimbabwe has signed both these instruments, but has yet to ratify them, let alone ensure their application in domestic law.

There have been 291 cases taken to court between 1998 to date, with the suits being filed under common law, using the Police Act (*Chapter 11:10*), the Defence Act (*Chapter 11:02*) and the State Liabilities Act (*Chapter 8:14*).

It is important to note that the information in this report is not exhaustive as it reflects only the cases referred to the Human Rights Forum; there are undoubtedly more that may not have been reported.

The information compiled for this report includes:

- the date when the suit was initially filed;
- the status of the cases (i.e. whether at the trial stage or it was closed);
- the names of the victims bringing the claim;
- the defendants;
- where identified, the perpetrators;
- the offence committed;
- the reason behind the offence;
- the amount of damages claimed, awarded and paid, both in Zimbabwe dollars and US dollars; and
- whether there was physical or psychological injury.

<sup>21</sup> In the *Herald*, 1 April 2006, Minister Chinamasa, in conversation with Ceasar Zvayi, said: 'There has been a lot of falsification, exaggeration, orchestration and stage managing of human rights violations by detractors since we embarked on our land reform programme. In order to counter these, we feel that we should set up this Commission so that any complaints which are raised can be investigated immediately and we can establish the facts and, where violations have occurred, redress can be made.' Human rights complaints will be expected to be filed first with this Commission and human rights NGOs will have to be accredited to the Commission. The lack of independence, transparency and accountability in existing commissions does not raise high expectations for the impartiality of this Commission, and it is seen by the human rights community as a blunt way of curtailing their activities.

Most of the Human Rights Forum's clients were suing for damages as a result of the pain and suffering caused by physical injuries, but the psychological aspect of the trauma experienced, which is less well known, should also be highlighted. Post-Traumatic Stress Disorder (PTSD) is the most common acute disorder, but Depression, Somatisation Disorder and even Brief Reactive Psychosis are also common long-term consequences. It is also common for survivors to have a combination of physical and psychological disorders. As regards the life consequences of psychological disorders due to Organized Violence and Torture (OVT), social and occupational functioning are frequently affected, with survivors having their social relationships impaired to a degree, including disruption to their family and their work life. The degree that a person is affected depends upon the severity of the trauma, the frequency of the trauma, and the vulnerability of the person.<sup>22</sup>

The cases dealt with by the PIU were mainly from Harare (82.5%) and the remainder were from the rest of the country except Matabeleland (see Table 4). This skew in favour of Harare may be because cases of violence and torture were handled by other organizations based in Bulawayo, and by private law firms.

**Table 4**  
**Distribution of cases by province**

<i>Provinces</i>	<i>Total cases</i>	<i>Percentage</i>
Harare	241	82.82
Manicaland	13	4.47
Mashonaland East	9	3.09
Mashonaland West	9	3.09
Mashonaland Central	9	3.09
Midlands	6	2.06
Masvingo	4	1.37
Matabeleland	0	0

## 2.1 Case Status

It is apparent that the majority of the cases dealt with by the Forum arose in 2003 during the MDC-initiated stay-aways as people were beaten and tortured either for supporting the stay-aways or for allegedly organizing them. Table 5 represents the distribution of cases on an annual basis from 1998 to 2006.

**Table 5**  
**Number of cases dealt with by the Human Rights Forum, 1998–2006**

<i>Year</i>	<i>Total</i>	<i>Percentage</i>
1998	40	13.75
1999	5	1.72
2000	10	3.44
2001	24	8.25
2002	38	13.06
2003	127	43.64
2004	34	11.68
2005	10	3.44
2006	3	1.03

<sup>22</sup> See A. P. Reeler, 'Is torture a post-traumatic stress disorder?' *Torture*, 4 (1994), 59–65.

The status of the cases range from initial notice<sup>23</sup> to closed, and the scope of this report is to consider the cases that have either gone through the courts or are still in the process. Table 6 shows these. The files have been closed for a variety of reasons, including the fact that the case has gone through the court proceedings and a judgment was given; that there was a settlement, either an out-of court-settlement or judgment by consent; withdrawal, which in most cases occurred as the clients had passed away; or agency was renounced. Agency is usually renounced where there have been no further instructions from the client, either because the client has left the country, or has moved and not left a forwarding address.

**Table 6**  
**Status of the cases dealt with by the Human Rights Forum**

<i>Status</i>	<i>Total</i>	<i>Percentage</i>
Closed	148	50.86
Appeal	1	0.34
Trial	28	9.62
Pre-trial	53	18.21
Pleadings	50	17.18
Initial notice	11	3.78

It was stated by one of the lawyers at the Human Rights Forum that many of their clients do not understand the legal process and expect the cases to be completed quickly. Thus, they become demoralized and stop communicating when the legal process does not move at their anticipated pace. The economic factor must also not be understated: clients can no longer afford to come into town as and when they are called by the Forum, either to sign papers or make an appearance in court. There is also the inflation aspect: by the time the case runs its course the amount claimed for is worthless.

Of the 148 closed cases, 41 of them were Food Riots cases; four Food Riots cases are still going through the court process, almost eight years later.

As regards the status of the closed cases, 103 (35.4% of the total) did not reach conclusion for a variety of reasons (see Table 7). Agency was renounced in 45% of these cases (16% of the total).

**Table 7**  
**Status of the closed cases**

	<i>Number (n=109)</i>	<i>%</i>	<i>% of total</i>
Agency renounced	46	44.7	15.81
Client died	7	6.8	2.41
No return of client	22	21.4	7.56
Prescribed	4	3.9	1.37
Withdrawn	10	9.7	3.44
Closed (no reason)	14	13.6	4.81

As can be seen from Table 8, 131 cases remain within the legal process, 57 (20%) have been concluded, and 109 (45%) are still in process. Here it is interesting to note that 51 cases (18%) of the total have been concluded with judgments or concessions in favour of the plaintiffs, with less than 10% having gone in favour of the defendants.

<sup>23</sup> That is to say, the notice required to be given to the State under the Police Act or the State Liabilities Act that the claimant intends to bring the proceedings.

**Table 8**  
**Status of cases in progress and concluded**

	<i>Number</i>	<i>%</i>	<i>% of total</i>
<i>Cases in progress (n = 131)</i>			
Initial notice	11	8.40	3.78
Pleadings	50	38.17	17.18
Awaiting trial	17	12.98	5.84
Awaiting pre-trial conference	53	40.46	18.21
<i>Cases concluded (n = 57)</i>			
Dismissed	5	8.77	1.72
Judgment for plaintiff	51	89.47	17.53
Appealed	1	1.75	0.34

As noted above, almost 90% of the cases concluded have gone in the favour of the plaintiff, and, if this trend were to continue, then it could be expected that a further 117 cases would be added to the total, and that, overall, the plaintiffs would be successful in 40% of cases brought in respect of alleged human rights violations. This is not a trivial finding in the light of the trends noted in the data from the monthly *Political Violence* reports of the Human Rights Forum. By way of simple statistical extension, this would mean that, of the 15,523 violations reported by the Human Rights Forum, it might be expected that some 6,000 cases would result in judgments against the State.

Such extrapolations may not be justified, and the courts would have to judge each case on its own merits. However, the actual findings reported above still allow some robust conclusions. Even allowing for 42% of the cases not actually reaching the stage of legal proceedings, almost 90% of the cases that did reach actual litigation were successful in favour of the plaintiffs. These findings from the courts provide strong corroboration of the reports of the Human Rights Forum, and strongly contradict the views of the government and the Minister of Justice, Legal and Parliamentary Affairs to the effect that spurious or mischievous reports are made about human rights violations in Zimbabwe.

## 2.2 Defendants

The majority of the cases were brought against the police, who are sued through the Commissioner of Police and the Minister of Home Affairs. The army has frequently been brought in to re-enforce efforts of the police during riots, but it has also been used outside major civilian disturbances: this is reflected by the fact that in some of the cases both the police and the army are sued simultaneously, the army being sued through the Minister of Defence. There are several cases of individuals being sued: these are mainly party supporters acting either on their own accord or with the support of their party. Table 9 shows the number of times each defendant was sued; in some cases the defendants were sued individually and in others as co-defendants.

**Table 9**  
**Number of times each defendant was sued**

<i>Defendants</i>	<i>Number of times sued</i>			<i>Total</i>
	<i>Individually</i>	<i>With Ministry of Home Affairs</i>	<i>With Ministry of Home Affairs and Commissioner of Police</i>	
Ministry of Home Affairs	2	n/a	n/a	2
Commissioner of Police	n/a	147	n/a	147
Ministry of Defence	71	3	45	119
Ministry of Justice	n/a	n/a	n/a	n/a
President's Office	n/a	n/a	n/a	n/a
Other	18	n/a	5	23
<b>Total</b>	<b>91</b>	<b>150</b>	<b>50</b>	<b>291</b>

There were no cases against the Minister of Justice, Legal and Parliamentary Affairs, and none against the President’s Office, under which the Central Intelligence Organization (CIO) falls. There was one case in which the CIO was alleged to have been involved in organized violence and torture, but the plaintiffs were not able to positively identify the perpetrator as such.

The ‘other’ category in Table 9 represents individuals being sued, and these are shown mainly as ZANU(PF) supporters, either the youth and/or war veterans. There are also cases where individual police and army officers have been sued in their personal capacities; this is usually where the two parties, i.e. the perpetrator and the plaintiff, know each other.

### 2.3 Perpetrators

In addition to the defendants, it is essential to have a list of the perpetrators, not necessarily giving their individual names (although where possible their names were provided by the plaintiffs)<sup>24</sup> but showing which government department or branch they belonged to, e.g. CID, Riot Squad or Support Unit. Thus, if it was the Minister of Defence who was sued, the perpetrator would be listed as a member of the Zimbabwe National Army. In some of the cases involving the Zimbabwe Republic Police, it was difficult to ascertain what branch of the police force the perpetrator belonged to, as the victims would not have known whether the persons were CID or Police Internal Security Investigations (PISI). In those cases these were classified as part of the uniformed branch, especially if the alleged offence took place at a police station.

From the data it is evident that the army is called in to reinforce police efforts when a situation either has become volatile or is likely to become so, as in the case of the Food Riots. However, there has also been a great deal of army involvement in political issues, which is clearly not in their mandate as they are dealing with civilians who are exercising their right to participate in political party activities of their choice. The army’s methods of dealing with the public are often very brutal, and this can be seen from the data, where they are sued more for torture or assault GBH than any other group.

With regard to individuals suing each other, it is clear from the data that there is implied approval from both the ZANU(PF) party and the government to use force when dealing with the opposition. The police have categorically stated that they do not deal with political matters between rival parties when reports of assaults, arson or abduction are made to them. They can, however, be directly involved in political activities under the guise of national security and protection of the public by targeting those that are involved in opposition politics.

As can be seen above, the Minister of Home Affairs and the Minister of Defence are co-defendants in 119 cases. The ZRP are the most commonly alleged perpetrators, and the breakdown of these cases, indicating which branch of the police was involved and how they worked together with the army, is shown in Table 10.

**Table 10**  
**The police and army as co-defendants**

<i>Army &amp; Uniformed Branch (ZRP)</i>	<i>Riot Squad &amp; Army</i>	<i>CID &amp; Uniformed Branch (ZRP)</i>	<i>CID &amp; Riot Squad</i>	<i>Army &amp; Support Unit</i>	<i>Army, CID &amp; Riot Squad</i>	<i>Army, CIO &amp; Uniformed Branch (ZRP)</i>	<i>Uniformed Branch (ZRP) &amp; Support Unit</i>	<i>Uniformed Branch (ZRP) &amp; Riot Squad</i>
18	16	5	5	2	1	1	1	1

<sup>24</sup>See Appendix 1, a list of the named perpetrators as they appeared in the court records.



As can be seen from Table 11, the army are identified as perpetrators acting alone in a high number of cases, but it is also evident that the police as a whole are the most commonly identified perpetrators.

**Table 11**  
**The police and army identified as perpetrators**

<i>Perpetrator</i>	<i>Acting alone</i>	<i>With others</i>	<i>Total</i>	<i>Percentage</i>
Army	75	39	114	39.18
Uniformed Branch	84	27	111	38.14
Riot Squad	31	23	54	18.56
CID	15	12	27	9.28
Support Unit	14	4	18	6.19
ZANU(PF)	7	0	7	2.41
PISI	2	0	2	0.69
CIO	0	1	1	0.34

As indicated above, the cases mounted in the Zimbabwe High Court do corroborate the more general picture emerging from data in the monthly *Political Violence* reports of the Human Rights Forum. There are a few additional aspects that are felt worthy of more detailed analysis, and these deal with the issues of detention, torture, shootings, the targeting of political opponents of the government, and the apparently central role of the Zimbabwe Republic Police in perpetrating human rights violations.

#### **2.4 Associations with political events and issues**

As was noted in the earlier analysis of the data from the monthly *Political Violence* reports, there is a strong association between human rights violations and political events, especially elections, but not exclusively so. Hence, this association was examined in respect of the civil litigation cases, where 132 cases (45%) could be classified as 'political' in that the plaintiffs asserted that their rights were violated because they were members of a political party or a civic group seen to be opposed to the government (Table 12).

**Table 12**  
**Association of frequency of violations with political events**

	<i>Non-political</i> <i>(n=159)</i>	<i>Political</i> <i>(n=132)</i>
1998	25.8%*	0
1999	1.9%	1.5%
2000	6.3%	0
2001	6.3%	11.4%
2002	12.6%	12.1%
2003	27.7%	59.9%*
2004	15.1%	10.6%
2005	2.5%	4.6%
2006	1.9%	0

\* $\chi^2$ : 1998 (39.62;  $P=0.005$ ); 2003 (30.6;  $P=0.005$ )

There were no differences in the years between the two groups, with only 1998 and 2003 showing significant differences, and 2003 is accounted for mainly by cases from Buhera. There were several cases of politically motivated arson in Buhera and the police assaulted and tortured the alleged accused.

The only difference observed as regards the defendants is that the army is significantly more likely to be cited as defendant in cases containing a political element (Table 13).

**Table 13**  
**Association of defendants with political events**

	<i>Non-political</i>	<i>Political</i>
Ministry of Home Affairs	72.3%	65.9%
Commissioner of Police	70.4%	64.4%
Ministry of Defence	34.6%	48.5%*

\* $\chi^2$ : Defence (5.76;  $P=0.005$ )

As can be seen from Table 14, the Riot Squad and the army is more likely to be named as the perpetrator in political cases, and, whilst the uniformed branch of the ZRP is more likely to be named in non-political cases, it is named in a very high percentage of the political cases too.

**Table 14**  
**Association of alleged perpetrators with political events**

	<i>Non-political</i>	<i>Political</i>
ZRP (Uniformed branch)	43.4%*	31.8%
ZRP (CID)	7.6%	11.4%
ZRP (PISI)	1.3%	0
ZRP (Riot Squad)	14.5%	23.5%*
ZRP (Support Unit)	5.7%	6.8%
Zimbabwe National Army	32.7%	46.9%*
CIO	0	0.8%
ZANU(PF)	1.3%	3.4%

\* $\chi^2$ : ZRP Uniformed branch (4.1;  $P=0.05$ ); ZRP Riot Squad (3.88;  $P=0.05$ ); Army (6.16;  $P=0.005$ )

Unsurprisingly, assaults and torture are more frequently reported in the political group (Table 15), but serious assaults are reported with very high frequency in both groups. Interestingly, falanga is reported with about the same frequency in both groups, so falanga does not seem to be a form of abuse associated only with political cases.<sup>25</sup>

**Table 15**  
**Association of type of violations with political events**

	<i>Non-political</i>	<i>Political</i>
Assault	20.8%	30.3%*
Assault GBH	64.2%	66.7%
Murder	1.9%	0
Property violations	5.0%	6.1%
Theft	1.3%	0
Torture	57.2%	75.8%*
Unlawful arrest	11.9%	11.4%
Unlawful detention	18.9%	20.5%
Shooting	11.3%*	1.5%

\* $\chi^2$ : Assault (3.5;  $P=0.05$ ); Torture (10.97;  $P=0.005$ ); Shooting (10.83;  $P=0.005$ )

<sup>25</sup> This is a form of torture described as focused beating on the soles of the feet with sticks, although now cables and metals are being used. It is said to have originated in Turkey but was also recorded in the Far East. Falanga is popular as its effects are difficult to identify medically. See Cameron Kippen, *The History of Foot Torture*, Curtin University of Technology, Department of Podiatry. <<http://podiatry.curtin.edu.au/falanga.html>>.

### 3. Offences

This part deals with the offences committed by the above-mentioned perpetrators. These included arson, assault, assault with intent to do grievous bodily harm (assault GBH), murder, rape, destruction of property, theft, unlawful arrest, unlawful detention, forced displacement and torture. Although torture is not a specific crime in Zimbabwean domestic law, it is important to place it as a separate analytic field because, from examination of the offences for which suit was being made, it was evident that there were cases of torture as defined by the UN Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Treatment and Punishment. What was deemed torture in this report was ascertained from the nature of the assault: assault GBH, for example, frequently conformed to the UN Convention’s definition – being whipped with sjamboks, electrocution, falanga, submersion, and excessive beatings using electrical cords, iron bars, wooden planks and any other weapons. It is difficult to differentiate between assault GBH and torture where there is no definition of torture, but, where soldiers and police are using their batons, rifle butts and booted feet with excessive force to beat up people in order to extract information or as punishment for participating in politics, this would clearly conform to the definition of torture in the Convention.

#### 3.1 Torture

The association between torture and detention has been noted, but not all torture took place in detention, and hence torture is examined separately. Torture was alleged in 72 cases noted in the case files, but, on closer inspection, it is evident that 191 of the whole sample could be classified as torture according to the definition provided in the UN Convention Against Torture. Here the UN definition used to examine the facts of each case is briefly described as follows:

- the intentional infliction of severe pain and suffering, whether physical or mental;
- the purpose of inflicting the pain or suffering must be—
  - to obtain from the victim or another person information or a confession;
  - to punish the victim for an act that the victim or another person has committed or is suspected of having committed;
  - to intimidate or coerce the victim or another person; or
  - for any reason based upon discrimination of any kind;
- the pain or suffering must be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

As can be seen from Table 16, there were few differences over the reporting period in the frequency of torture, except in 2003, when cases from Buhera were the most frequent. However, it should be noted that violations not involving torture were also much higher in 2003 than in the other years.

**Table 16**  
**Frequency of alleged torture**

	<i>No torture</i> <i>(n=100)</i>	<i>Torture</i> <i>(n=191)</i>
1998	18.2%	12.1%
1999	2.0%	1.6%
2000	2.0%	4.2%
2001	10.1%	7.9%
2002	19.2%*	8.9%
2003	28.3%	49.5%*
2004	13.1%	13.2%
2005	5.1%	2.6%
2006	2.0%	0.5%

\* $\chi^2$ : 2002 (6.18;  $P=0.025$ ); 2003 (12.13;  $P=0.005$ )

Interestingly, while the Minister of Home Affairs is named as defendant in nearly as many cases not involving torture as those involving torture, the army, through the Ministry of Defence, was significantly more likely to be named as defendant in a case of torture as opposed to other forms of human rights violation (Table 17).

**Table 17**  
**Defendants cited in alleged torture**

	<i>No torture</i>	<i>Torture</i>
Ministry of Home Affairs	62.3%	73.2%
Commissioner of Police	60.6%	71.6%
Ministry of Defence	28.3%	47.4%*

\* $\chi^2$ : Defence (9.95;  $P=0.005$ )

The involvement of the army in torture is obviously reflected in the allegations as perpetrators (see Table 18), but it was also the case that the uniformed branch of the ZRP and the CID were significantly associated with torture, as was seen above in the section of detention. It is noteworthy, too, that the Riot Squad of the ZRP was also named in a high percentage of torture cases.

**Table 18**  
**Alleged perpetrators of torture**

	<i>No torture</i>	<i>Torture</i>
ZRP (Uniformed branch)	30.3%	42.1%*
ZRP (CID)	1.0%	13.7%*
ZRP (PISI)	1.0%	0.5%
ZRP (Riot Squad)	24.2%	15.8%
ZRP (Support Unit)	6.1%	6.3%
Zimbabwe National Army	28.3%	44.7%*
CIO	0	0.5%
ZANU(PF)	5.1%	1.1%

\* $\chi^2$ : ZRP Uniformed Branch (3.94;  $P=0.05$ ); ZRP CID (12.4;  $P=0.005$ ); Army (7.53;  $P=0.01$ )

Unsurprisingly, the cases of torture were also significantly more likely to involve serious assaults, which is obviously what torture is, and also unlawful detention (Table 19). Additionally, persons reporting torture were more likely to have experienced falanga.<sup>26</sup> As examination of the cases files indicated, people in custody are likely to be beaten irrespective of their alleged crime; the police routinely mistreat prisoners, and it has now become a norm rather than an exception.

There were 25 cases of people arrested for alleged theft, and all were assaulted while in police custody, with 17 of these involved falanga.<sup>27</sup> This is a clear indication that the police have adopted torture as a means of eliciting confessions from alleged offenders on a widespread basis.

<sup>26</sup>  $\chi^2$ : Falanga (22.19;  $P=0.005$ ).

<sup>27</sup> Falanga is incontrovertibly torture in that this type of beating cannot take place accidentally or as a simple assault; the victim must be restrained in order for the focused beatings on the soles of the feet to take place.

**Table 19**  
**Other violations involving torture**

	<i>No torture</i>	<i>Torture</i>
Assault	30.3%	22.6%
Assault GBH	43.4%	76.8%*
Murder	3.0%*	0
Property violations	9.1%	3.7%
Theft	2.0%	0
Unlawful arrest	11.1%	12.1%
Unlawful detention	10.1%	24.7%*
Shooting	20.2%*	0

\* $\chi^2$ : Assault GBH (32.24;  $P=0.005$ ); Murder (5.79;  $P=0.025$ ); Unlawful arrest (8.89;  $P=0.005$ ); Shooting (41.02;  $P=0.005$ ).

Furthermore, those who were tortured were more likely to have reported physical injuries, but were less likely to have been paid damages (Table 20).<sup>28</sup> Again, this difference in the damages is merely noted, without speculation as to the reason for the difference.

**Table 20**  
**Association of damages claims with torture**

	<i>No torture</i>	<i>Torture</i>
Amount claimed (Z\$)	8,872,602*	1,906,072
Amount awarded (Z\$)	257,661	120,107
Amount claimed (US\$)	12,947	3,089
Amount awarded (US\$)	322	33*

\*  $t$ -test: Amount claimed in Z\$ ( $P=0.01$ ); Amount awarded in US\$ ( $P<0.0001$ ).

### 3.2 Shootings

As was noted above, as well as in the earlier analysis, there seemed to be differences between the cases involving shootings and the other cases.<sup>29</sup> Cases involving actions for unlawful injury due to shooting were a distinct minority of the overall sample: only 20 cases (7%) in all (see Table 21). Most of these cases (65%) were concerned with the Food Riots, which has been the subject of a recent report of the Human Rights Forum. However, a number occurred in 2002.

**Table 21**  
**Cases involving shootings**

	<i>Shooting</i> <i>(n=20)</i>	<i>No shooting</i> <i>(n=271)</i>
1998	65%*	10.4%
1999	5%	1.5%
2000	0	3.7%
2001	5%	8.9%
2002	20%	11.9%
2003	0	45.6%*
2004	5%	13.7%
2005	0	3.7%
2006	0	1.1%

\* $\chi^2$ : 1998 (42.75;  $P=0.005$ ); 2003 (16.57;  $P=0.005$ ).

<sup>28</sup>  $\chi^2$ : Physical injuries (9.35;  $P=0.005$ ); Paid damages (3.82;  $P=0.01$ ).

<sup>29</sup> This was noted in the earlier report on the Food Riots. See again Zimbabwe Human Rights NGO Forum, *What Happened to the Victims of the Food Riots?*

As can be seen from Table 22, the main defendant in respect of shootings was the Minister of Home Affairs. As noted above, most cases of shooting were connected with the Food Riots in 1998, and these cases have been closed, with some generally critical comments by the Zimbabwe courts about the use of firearms by the police.

**Table 22**  
**Defendants cited in shootings**

	<i>Shootings</i>	<i>No shooting</i>
Ministry of Home Affairs	95%*	67.8%
Commissioner of Police	95%*	65.9%
Ministry of Defence	10%	43.3%*

\* $\chi^2$ : ZRP (5.37;  $P=0.025$ ); Defence (9.21;  $P=0.005$ ); Home Affairs (4.37;  $P=0.01$ )

As can be seen from Table 23, the major culprits involved in shootings were the Riot Squad and the uniformed branch of the ZRP.

**Table 23**  
**Alleged perpetrators of shootings**

	<i>Shootings</i>	<i>No shooting</i>
ZRP (Uniformed branch)	35%	38.5%
ZRP (CID)	0	10%
ZRP (PISI)	5%	0.4%
ZRP (Riot Squad)	40%*	17.1%
ZRP (Support Unit)	15%	5.6%
Zimbabwe National Army	5%	41.9%*
CIO	0	0.4%
ZANU(PF)	5%	1.1%

\* $\chi^2$ : ZRP Riot Squad (5.72;  $P=0.025$ ); Army (11.25;  $P=0.005$ )

There is a clear bifurcation between the cases involving shootings and the other cases as regards other violations. Persons that were shot were very unlikely to complain of any other violation (Table 24).

**Table 24**  
**Other violations involving shootings**

	<i>Shootings</i>	<i>No shooting</i>
Assault	0	27.1%*
Assault GBH	20%	68.9%*
Wrongful death	10%*	0.4%
Property violations	5%	5.6%
Theft	0	0.7%
Torture	0	26.7%*
Unlawful arrest	0	12.6%
Unlawful detention	0	21.1%*

\* $\chi^2$ : Assault (7.58;  $P=0.01$ ); Assault GBH (21.36;  $P=0.005$ ); Murder (16.0;  $P=0.005$ ); Torture (7.44;  $P=0.01$ ); Unlawful detention (10.63;  $P=0.005$ )

As was noted in the recent report on the Food Riots, victims of shootings were more likely to have been paid damages than the others, and this trend is seen again in the larger sample (Table 25).<sup>30</sup>

<sup>30</sup>  $\chi^2$ : Paid damages (39.92;  $P=0.005$ ).

**Table 25**  
**Association of damages claims with shootings**

	<i>Shootings</i>	<i>No shooting</i>
Amount claimed (Z\$)	3,634,476	4,349,190
Amount awarded (Z\$)	349,177	154,467
Amount claimed (US\$)	11,012	6,142
Amount awarded (US\$)	1,156	57*

\* *t*-test: Damages awarded in US\$ ( $P < 0.00001$ )

### 3.3 Other offences

There were only a few cases of arson, and this usually came together with destruction-of-property cases. Also there were cases of theft, of wrongful death and of forced displacement, and there were no cases of rape. The main complaints in these civil cases were of assault, assault GBH, unlawful arrest and detention, as well as torture (Table 26). What are referred to here as multiple offences are cases where one defendant is sued for damages for more than one offence, e.g. assault GBH and torture, or unlawful arrest and unlawful detention. As can be seen, there were no cases where a person was sued for unlawful arrest alone; it is usually combined with either assault or unlawful detention.

The 'other' category in the table includes offences that were not placed in separate categories of their own, e.g. degrading treatment, abduction and attempted murder. The majority of these represent the Food Riots cases which consisted of assaults in people's homes after they were accused of looting during the riots.

**Table 26**  
**Cases involving other offences**

<i>Offence</i>	<i>Single offence</i>	<i>Multiple</i>	<i>Total</i>	<i>Percentage</i>
Arson	1	7	8	2.75
Assault	30	43	73	25.09
Assault GBH	91	99	190	65.29
Destruction of property	0	16	16	5.5
Forced displacement	0	1	1	0.34
Rape	0	0	0	0
Theft	0	2	2	0.69
Torture	0	72	72	24.74
Unlawful arrest	0	34	34	11.68
Unlawful detention	0	57	57	19.59
Wrongful death	1	2	3	1.03
Other	16	31	47	16.15

The two cases of theft involved the police, where they stole personal property from the plaintiffs, i.e. mobile phones and money.

One of the three wrongful death cases was a Food Riots case where a 17-year-old boy was shot and killed by the riot squad while coming home from school.<sup>31</sup> The second case involved a member of the army who fatally beat up a man in a fight, and in the remaining case a man was shot and killed by either the police or army when he was taking part in peaceful industrial action at his workplace. The Food Riots case is the only one that was concluded and the police have paid damages for wrongful death to the tune of US\$209.

<sup>31</sup> See Zimbabwe Human Rights NGO Forum, *What Happened to the Victims of the Food Riots?*

In 2003, there were instances of the army employing cruel and degrading treatment to humiliate the public. Some people were ordered to roll around in the mud, others to crawl on the ground for several metres; there were cases of army personnel inserting foreign objects into females' private parts, forcing club and bar patrons to engage in sexual intercourse with unknown persons at gunpoint, burning people with cigarettes, urinating on them, and forcing them to drink substances such as urine. Both the army and the police indiscriminately went into bars and clubs and beat up patrons without giving a valid reason for the assaults. These visits were mainly in the high-density suburbs where the MDC was known to have strong support. These stories are corroborated by NGO reports that are in the public domain.<sup>32</sup>

<sup>32</sup> See: Crisis in Zimbabwe Coalition, *A Report on Organised Violence and Torture in Zimbabwe from 20 to 24 March 2003* (Harare: Crisis in Zimbabwe Coalition, 2003); Zimbabwe Human Rights NGO Forum, *Political Violence Report*, June 2003.



## 4. Detention

The focus on detention was due to the oft-recorded association between detention and gross human rights violations such as torture. Persons in detention are generally at a much greater risk of abuse unless there are extremely strong safeguards in place governing the process of detaining people. Indeed, there is a common misperception that torture can occur only in places of detention, but this is not necessarily so, and there are many reports from Zimbabwe indicating torture taking place outside detention. However, it is nonetheless well established that torture is more easily perpetrated in places of detention, and most commonly in police stations.

Thus, the Human Rights Forum's data were sorted according to whether or not the plaintiff had been detained, and this gave a total of 93 cases (32%) out of the 291 cases overall. Significant differences (see Table 27) were found for 1998, where most plaintiffs were not detained, and 2003, where there was a significant trend for more people to have been detained. In 2003, most of these cases were associated with Buhera, as mentioned above. Otherwise, there were no major differences over the years.

**Table 27**  
**Cases involving detention**

	<i>Not detained</i> (n = 198)	<i>Detained</i> (n = 93)
1998	17.7%*	6.5%
1999	2.0%	1.1%
2000	1.0%	8.6%
2001	10.6%	4.3%
2002	11.1%	15.1%
2003	39.9%	47.3%
2004	13.6%	11.8%
2005	3.0%	4.3%
2006	1.0%	1.1%

\* $\chi^2$  1998 (6.51;  $P=0.025$ )

As can be seen from Table 28, detention was, unsurprisingly, associated with the ZRP: in cases involving abuse during detention, the police, through their parent ministry, the Ministry of Home Affairs, were the likely defendants. The Ministry of Defence was more likely to be a defendant in cases where the abuse took place outside of a place of detention. The army has no powers of arrest and detention but of the 57 cases of unlawful detention, 8 of these involved the army; during the Food Riots, they set up camps at police stations, particularly in Chitungwiza, where they would beat up people.

**Table 28**  
**Defendants cited in cases involving detention**

	<i>Not detained</i>	<i>Detained</i>
Ministry of Home Affairs	59.1%	91.4%*
Commissioner of Police	56.6%	91.4%*
Ministry of Defence	48.9%*	23.7%

\* $\chi^2$ : ZRP (35.61;  $P=0.005$ ); Defence (16.52;  $P=0.005$ ); Home Affairs (41.55;  $P=0.005$ )

As regards the alleged perpetrators, Table 29 shows that the uniformed branch of the ZRP, the CID, and the army were significantly the most common perpetrators, but the first two were more associated with detention, as might be expected.

**Table 29**  
**Alleged perpetrators in cases involving detention**

	<i>Not detained</i>	<i>Detained</i>
ZRP (Uniformed branch)	29.3%	56.9%*
ZRP (CID)	2.0%	24.7%*
ZRP (PISI)	0.5%	1.1%
ZRP (Riot Squad)	21.1%	12.9%
ZRP (Support Unit)	6.6%	5.4%
Zimbabwe National Army	47.9%*	20.4%
CIO	0.5%	0

\* $\chi^2$ : ZRP Uniformed Branch (20.85;  $P=0.005$ ); ZRP CID (45.57;  $P=0.005$ ); Army (19.86;  $P=0.005$ )

Most importantly, serious assaults, torture and unlawful arrests were strongly associated with detention, whilst shootings were obviously not (Table 30). Additionally, falanga was significantly more likely to occur in the detained group.<sup>33</sup> It is worth noting here that very high rates of assaults, serious assaults and torture also took place outside places of detention, and that persons involved in 'political' cases were more likely to have been detained.<sup>34</sup>

**Table 30**  
**Other violations involving detention**

	<i>Not detained</i>	<i>Detained</i>
Assault	26.8%	21.5%
Assault GBH	60.1%	76.3%*
Murder	1.5%	0
Property violations	8.1%	0
Theft	1.0%	0
Torture	49.5%	100.0%*
Unlawful arrest	7.6%	20.4%*
Shooting	10.1%*	0

\* $\chi^2$ : Assault GBH (7.63;  $P=0.01$ ); Unlawful arrest (10.24;  $P=0.005$ ); Torture (30.88;  $P=0.005$ ); Shooting (10.03;  $P=0.005$ )

<sup>33</sup>  $\chi^2$ : Falanga (83.61;  $P=0.005$ ).

<sup>34</sup>  $\chi^2$ : Political (10.97;  $P=0.005$ ).

## 5. Damages

As a result of inflation and devaluation of the dollar,<sup>35</sup> it was necessary to have the amounts tabled in both Zimbabwe dollars and US dollars so as to see the real value of the damages paid to the victims. The amounts were converted at the official exchange rate both at the time the claim was made and when it was awarded. There is a huge discrepancy in the value of damages claimed and damages awarded; in a majority of the cases the damages paid are paltry, especially when they are looked at in US dollar terms (Table 31). There are some cases where the plaintiffs were awarded higher damages than they claimed, perhaps because of the hyperinflationary environment, the massive decline in the Zimbabwean economy and the depreciated value of the Zimbabwe dollar. Another reason for plaintiffs receiving more than they claimed is that the figure includes costs that must be paid to their legal practitioners. The total damages claimed are over Z\$1 billion and over US\$1 million, yet the amounts paid fall far short of these total figures.

The fact that the legal process takes so long clearly has a negative effect on the claims; although interest is added to the claim when it is eventually paid, the actual amount will have devalued greatly.<sup>36</sup> A plaintiff is required to state the amount of damages he or she claims in the summons which starts the action, and the court cannot normally award damages in excess of that amount (unless the plaintiff is claiming loss of future earnings). Since inflation is currently running at well over 1,000 per cent, if proceedings are not completed quickly – within a few months – the amount claimed becomes nugatory. There is usually a period of between six months to two years from the time the damages are awarded and the time they are paid out, since the government takes a long time to process the payment.

For example, in case HC9922/03, the plaintiff was beaten by the police and army for being an MDC member and having defected from ZANU(PF). His case was brought to court in 2003 and judgment was granted for the plaintiff in November 2005. He had claimed damages of Z\$950,000, which was US\$1,185 at the time the claim was made, yet was worth only US\$15 when awarded. To date the defendants have not paid the said amount, which now is worth less than US\$10.

There are cases as late as 1998 where the damages have been awarded, but have not been paid despite numerous letters having been written to the Civil Division of the Ministry of Justice, Legal and Parliamentary Affairs for these clients requesting payment. It is not clear whether the delay is deliberate, as perhaps a way of decreasing the damages being paid as the currency continues to devalue, but the delays undoubtedly remove the penalty associated with the award of damages. Out of the 148 closed cases, only 43 were paid the damages claimed, and 23 of those were Food Riots cases dating from 1998.

**Table 31**  
**Damages claimed and awarded in closed cases (n=43)**

<i>Damages claimed</i>		<i>Damages awarded</i>	
Z\$	US\$	Z\$	US\$
1,251,320,148	1,884,639	48,226,101	38,463

<sup>35</sup> The official year-on-year inflation figure is 1,193.5% as of May 2006; this was stated by the Central Statistical Office (CSO) on 9 June 2006. It is the highest figure in the world. At the same time, the exchange rate on the official market is US\$1 : Z\$101,195; on the unofficial 'parallel' market the US dollar trades at around Z\$320,000.

<sup>36</sup> The government can only add interest up to 30% per cheque.

## 6. The role of the Zimbabwe Republic Police

As has been continually noted above, the ZRP and, as joint defendant, the Minister of Home Affairs, were much more frequently cited than other groups. The Human Rights Forum has raised its concerns about the involvement of the ZRP in human rights abuses, even issuing a specific report on torture by the police.<sup>37</sup> Hence, a specific examination of the ZRP was undertaken.

A total of 195 cases (67%) involved the ZRP, and, as can be seen from Table 32, the only significant differences over the years of the reporting period were in 2001 and 2004, where there were higher frequencies of groups other than the ZRP to be cited as defendants.

**Table 32**  
**Frequency defendants cited**

	<i>Others</i> (n=96)	<i>ZRP</i> (n=195)
1998	16.8%	12.8%
1999	0	2.6%
2000	0	5.1%
2001	13.7%*	6.2%
2002	9.5%	13.9%
2003	36.8%	45.1%
2004	20.0%*	9.7%
2005	2.1%	4.1%
2006	1.1%	1.03%

\* $\chi^2$ : 2001 (3.85;  $P=0.05$ ); 2004 (5.90;  $P=0.025$ )

As regards the different branches of the ZRP, it can be seen from Table 33 that every branch except for PISI is cited with a high frequency.

**Table 33**  
**Frequency ZRP cited as defendants**

	<i>Others</i>	<i>ZRP</i>
ZRP (Uniform branch)	0	56.9%*
ZRP (CID)	0	13.9%*
ZRP (PISI)	0	1.03%
ZRP (Riot Squad)	0	27.7%*
ZRP (Support Unit)	0	9.2%*
Zimbabwe National Army	77.9%	20.5%
CIO	0	0.5%
ZANU(PF)	7.4%	0

\* $\chi^2$ : ZRP Uniform Branch (87.61;  $p=0.005$ ); ZRP CID (67.23;  $p=0.005$ ); ZRP PISI (14.13;  $p=0.005$ ); ZRP Riot Squad (39.46;  $p=0.005$ ); ZRP Support Unit (21.92;  $p=0.005$ ); Army (66.66;  $p=0.005$ )

The ZRP are named more frequently in connection with torture, unlawful arrest and detention, and shootings, and, whilst the army is cited as more frequently involved in serious assaults, the ZRP too are cited with a very high frequency (Table 34). Importantly, falanga was significantly more likely to occur at the hands of the ZRP.<sup>38</sup>

<sup>37</sup> See Zimbabwe Human Rights NGO Forum, *Torture by State Agents in Zimbabwe: January 2001 to August 2002* (Harare: The Human Rights NGO Forum, 2003).

<sup>38</sup>  $\chi^2$ : Falanga (17.39;  $P=0.005$ ).

**Table 34**  
**Association of ZRP with serious assaults**

	<i>Others</i>	<i>ZRP</i>
Assault	25.3%	25.1%
Assault GBH	70.5%*	63.1%
Murder	1.1%	1.0%
Property violations	7.4%	4.6%
Torture	20.0%	27.2%*
Unlawful arrest	2.1%	16.4%*
Unlawful detention	7.4%	25.6%*
Shooting	1.1%	9.7%*

\* $\chi^2$ : Assault GBH (13.69); Torture (14.48); Unlawful arrest (24.3); Unlawful detention (24.01); Shooting (7.51)

There were no differences in the damages (see Table 35).

**Table 35**  
**Association of damages claims with ZRP**

	<i>Others</i>	<i>ZRP</i>
Amount claimed (Z\$)	7,332,554	2,830,242
Amount awarded (Z\$)	152,218	175,739
Amount claimed (US\$)	12,025	3,787
Amount awarded (US\$)	109	143

Interestingly, of the 291 cases that were brought before the courts, in 114 the plaintiffs were complaining of assaults and torture by the police at police stations, regardless of whether it was a political or criminal case. This is an enormous number considering that police stations are supposed to be places of safety. There have been cases where people have gone to police stations to report cases and have ended up either assaulted or arrested.

There were 35 cases of falanga, and the majority of them took place at Harare Central Police station. The pattern seems to be that people are arrested, taken to different police stations, and then are often moved to Harare Central where they are usually detained and falanga frequently takes place. The most common weapons used for falanga are baton sticks and wooden planks.

The worst police stations according to the data are Harare Central, Braeside, Southerton and Hatfield. Other police stations of note are Highlands, Rhodesville, Avondale and Mabvuku. In Chitungwiza, the worst police stations are identified as St Mary's and Makoni. In Manicaland, Buhera and Murambinda Police Stations were the most prominent, and in Mashonaland West, Chinhoyi Police Station and Chemagamba Police Post were the worst, whilst in Masvingo Province, it was Zaka Police Station. Of course, there may be many other police stations involved, and those noted above are merely those that have come to the attention of the Human Rights Forum through the legal suits. Table 36 details each police station and the number of cases in which it is mentioned; as was stated above, it is important to note that more than one police station can be mentioned in one case as accused are moved from one police station to another.

It is also worth noting the number of individual names of police, army and others identified in these legal suits (see Appendix 1). The Human Rights Forum has had occasion in the past to comment on the involvement of the ZRP in gross human rights violations,<sup>39</sup> and it is evident that significant numbers of policemen (54 in all), including a distressingly high number of members of the

<sup>39</sup> See Zimbabwe Human Rights NGO Forum, *Torture by State Agents in Zimbabwe: January 2001 to August 2002*.

uniformed branch, are identified as perpetrators. Given that the courts have ruled against the ZRP in a very high proportion of the completed cases, and that in others the State has conceded liability, it would seem that a thoroughgoing review of the ZRP is in order. The Forum has no information as to whether any of those State agents identified as violating human rights and domestic laws have been the subject of investigation, prosecution, or even internal disciplinary proceedings. However, it is pertinent here to point out that this has not happened in even the most egregious cases, such as those of the torture of Mark Chavunduka and Ray Choto, or the extra-judicial killings of Chiminya and Mabika in Buhera.<sup>40</sup>

**Table 36**  
**Police stations named in violations**

<i>Police Station</i>	<i>Number of times mentioned</i>
Harare Central	39
Makoni	15
St Mary's	12
Hatfield	9
Buhera	7
Southerton	7
Murambinda	5
Warren Park	5
Kuwadzana	4
Machipisa	4
Braeside	4
Chinhoyi	3
Mabvuku	3
Highlands	3
Marimba Park	3
Glen View	3
Stoddart	2
Avondale	2
Dzivarasekwa	2
Zaka	2
Chemagamba	2
Bindura	2
Mutoko	2
Borrowdale	1
Glen Norah Police base	1
Rhodesville	1
Marlborough	1
Sunningdale Police Post	1
Matapi	1
Kambuzuma	1
Zengeza	1
Matepatepa	1
Rushinga	1
Featherstone	1
Chimanimani	1
Chegutu	1
Kadoma	1
Gweru	1
Masvingo Central	1
Mahusekwa	1
Basaka	1
Guruve	1
Hwedza	1
Mbare Police Camp	1

<sup>40</sup> See Redress, *Zimbabwe: The Face of Torture and Organised Violence*; Redress, *The Case of Henry Dowa: The United Nations and Zimbabwe under the Spotlight* (London: Redress Trust, 2004).

## 7. Conclusions

Since the Food Riots in 1998, there has been a steady decline in the observance of human rights in Zimbabwe. This has been well documented in a plethora of reports by Zimbabwean human rights groups, as well as by international human rights groups. These reports have been denied by the Zimbabwe government, and consistent doubts have been cast on the integrity of those publishing the reports. It is for this reason that the current report is so important. This analysis of legal proceedings in respect of gross human rights violations clearly demonstrates the veracity of the claims made by human rights groups: the Zimbabwe government itself is conceding liability for the perpetration of gross human rights violations committed by its agents, particularly the Zimbabwe Republic Police and the Zimbabwe National Army. In 90% of the completed cases, either the courts have found for the plaintiffs or the State has conceded liability, and this is not a trivial statistic.

As was seen above, these civil cases, which are generally the only remedy available for the victims of State brutality, wholly support the claims of human rights organizations, and provide considerable food for thought. It is evident that the ZRP (and most branches of the ZRP), and the ZNA are far and away the major culprits in the perpetration of human rights violations. Interestingly, the Central Intelligence Organization, which is so frequently accused of gross human rights violations, is rarely named, and violations in the prisons are apparently non-existent. It is relevant to point out here that most human rights reports over the past five years do not cite the ZRP and the ZNA as the major perpetrators but 'war veterans', ZANU(PF) supporters, the ZANU(PF) Youth League, and the youth militia. This is due to the fact that these two organs, the ZRP and the ZNA, can be sued since, even if individual perpetrators cannot be named, the organization that they work for can.

It is also evident that there is a strong association between detention, torture and the ZRP, but also that torture is not restricted to this concatenation, with the ZNA also frequently being accused of involvement in torture and other serious offences. Detention is, however, a risk for accused persons, and especially for cases where there is a 'political' element. There is clearly a very strong need for some oversight on detentions to be set in place, and certainly there is need for the Special Rapporteur on Places of Detention at the African Commission on Human and Peoples' Rights to pay an urgent visit to Zimbabwe. As was seen above, there are already a large number of policemen and police stations that deserve investigation. However, this will not wholly resolve the problem of the high rates of torture reported in Zimbabwe, since a very high percentage of cases of torture take place outside of places of detention.

As regards torture, it is evident that the data from the legal cases wholly corroborate the data from the monthly *Political Violence* reports of the Human Rights Forum. Torture is widespread, and, as seen in the analysis earlier, strongly associated with political events such as elections. Zimbabwe has not ratified the UN Convention Against Torture, despite Parliament's recommendation that it do so, and there is an obvious need both to ratify this Convention and to ensure that this is mirrored in the domestic law of the country.

Both the army and the police are implicated as serious violators of human rights, and, while these two groups may not be named as frequently as supporters of the government, it is extremely significant that they are involved in gross human rights violations such as torture. However, it is important not to lose sight of the other forms of human rights violation that are the subject of these legal cases: unlawful arrests and detention, assaults, and destruction of property are not trivial infringements of citizens' rights, and, as was seen earlier in the analysis of the data from the monthly *Political Violence* reports of the Human Rights Forum, these infringements provide ways of intimidating any opposition. Here it should be repeated that gross human rights violations have been associated with explicitly political events such as elections or mass national actions, while the other types of

violation seem to be more associated with the continuous repression that has come to characterize Zimbabwean civil life. It is to be strongly deprecated that the organs established to defend citizens' rights are being used instead to violate them.

The reasons behind the ill-treatment and torture were mainly involvement in political activities. In the plaintiffs' affidavits they stated that members of the army or the police assaulted them while looking for MDC materials, or accused them of being MDC members and having voted for the MDC in previous elections, or as having participated in demonstrations organized by the MDC. A huge number of these assaults took place within the plaintiffs' homes, where the army or police would forcibly enter by damaging fences and breaking down doors, usually under the cover of darkness. The police and army did not discriminate when carrying out these assaults, and there are instances where family members were all beaten if they suspected that one member of the family was affiliated to the MDC. The plaintiffs identified them by their uniforms as the soldiers would be wearing their camouflage and their berets as opposed to the police's plain uniforms. There appears not to have been any attempt to hide their identity.

The army should only be deployed against civilians under very unusual circumstances and, where these circumstances prevail, it is also clear that the army must show considerable restraint in dealing with civilians.

If torture was a criminal offence in Zimbabwean law, many of the cases would have fallen under that heading, but this has yet to happen, despite the request by Parliament to the President that the UN Convention Against Torture be ratified. However, cases have gone through the courts that recognize the torture as part of customary international law.<sup>41</sup> The government has resisted any attempt to criminalize torture and, instead, has granted perpetrators immunity, as exemplified by the treatment of perpetrators of political violence after the elections of June 2000.<sup>42</sup> Civil society continues to lobby for the signing and ratification of both the UN Convention Against Torture and the Rome Statute.

Overall, this analysis does not support the claims of the government that it is being vilified by politically motivated groups using false claims of human rights violations, as there is clearly abundant evidence from the courts that state agents, both the police and the army, committed the 'false' gross human rights violations and torture on a massive scale. The data from the legal cases being mounted within the jurisdiction of the Zimbabwean courts themselves are the strongest evidence that these claims by the Zimbabwe government are baseless. The legal cases wholly corroborate all the reports issued over the past years.

<sup>41</sup> For example, *Chavunduka & Another v. Commissioner of Police & Another* 2000 (1) ZLR 418 (S).

<sup>42</sup> Clemency Order 1 of 2000, published as General Notice 457A of 2000. In this Notice political violence was defined as 'any offence motivated by the object of supporting or opposing any political purpose and committed in connection with the Constitutional Referendum ... or the general elections ... whether committed before, during or after the said referendum or elections'.



## **Appendix 1**

### **Perpetrators of Organized Violence and Torture**

The lists on the next pages comprise the names of the individual perpetrators and where they carried out their offences in the 291 cases reported. This information is a matter of public record as the names appear in the court documents.

The names of police officers and the police station which they come from make up the first table, army personnel the second, and individuals the last. Some have been mentioned in more than one case as is shown below with the case numbers in which these persons are cited.

<b>Police</b>	<i>Name</i>	<i>Case number</i>	<i>Province</i>	<i>Police Station</i>
	Karigani Ali Karigani	208/06	Harare	Glen Norah B base
	Rasher Bushu	10177/04	Harare	Glen View
	Officer Butizha	1359/03	Manicaland	Buhera
	Officer in Charge (Chagugudza)	11138/02	Manicaland	Chimanimani
	Chapata	3227/02	Mashonaland Central	Bindura
	Officer Chatapura	1344/03,1349/03, 1351/03, 1357/03	Manicaland	Buhera/Murambinda
	Chikara	4147/02	Harare	Highlands
	Constable Chiminga	208/06	Harare	Glen Norah B base
	Leonard Chimuka	6791/01	Masvingo	Zaka
	Detective Chinamora	9326/03, 9329/03	Harare	Harare Central
	Chinawa	4147/02	Harare	Highlands
	Chipamhadze	9082/00	Harare	Warren Park/Harare Central
	Chipango	4148/02	Harare	Marimba Park
	Det. Constable Chiwara	MC10378/00	Harare	Rhodesville/Highlands
	Dube	1351/03	Manicaland	Murambinda
	Constable Felix Dzvairo No. 049075	5631/04, 6707/02	Mashonaland East	Hwedza
	Constable Garikayi	17249/99	Harare	Warren Park
	Takawira Faranera	208/06	Harare	Glen Norah B base
	David Gabaza	MC 11719/05, MC 11720/05	Harare	Southerton
	Constable Kanjanga	MC 3791/05	Harare	St Mary's
	Kunhanga	MC8541/05	Harare	Southerton
	Machona	1346/03	Manicaland	Buhera
	Chief Sup Mabundo	6790/01	Masvingo	Zaka
	Magombo	8885/03	Harare	Dzivarasekwa
	Mafecha	6733/04	Mashonaland West	Chemagamba
	Officer Mahara	9329/03	Harare	Harare Central
	Mahachi	1352/03	Harare	Makoni
	Mahuwa	1346/03	Manicaland	Buhera
	Andrew Mangwende	MC11719/05, MC 11720/05	Harare	Southerton
	Constable Manzunzu	10648/02, 1346/03	Manicaland	Buhera
	Mapafende	1345/03	Harare	
	Constable Masawi	MC 24692/05	Harare	Harare Central
	Matare	8885/03	Harare	Dzivarasekwa
	Ass. Inspector Matongerere	1189/05	Harare	Dzivarasekwa
	Mavhangire	4147/02	Harare	Highlands
	Joseph Mhaka	208/06	Harare	Glen Norah B base
	Ass. Inspector Mhondoro	10448/03	Harare	Harare Central
	Detective Moyo	1008/02	Harare	Harare Central
	Tawanda Moyo	10102/03	Harare	
	Sergeant Mupfurutsa	12522/04	Harare	
	Charles Murehwa	10738/00	Harare	Braeside
	Tendai Mushayavanhu	208/06	Harare	Glen Norah B base
	Mutanga	8885/03	Harare	Dzivarasekwa
	Ass. Inspector Muyambo	1356/03	Manicaland	Murambinda
	Muza	6733/04	Mashonaland West	Chemagamba
	Natal	9082/00	Harare	Warren Park/Harare Central
	Inspector Nduna	11059/98	Harare	
	Nhokwara	9082/00	Harare	Warren Park/Harare Central
	Sergeant Nkomo	11059/98	Harare	
	Ruzvidzo	MC8541/05	Harare	Southerton
	Shumba	6791/01	Masvingo	Zaka
	Constable Tambandini	17249/99	Harare	Warren Park
	Constable Zinyuki	11074/98	Harare	
	Officer Zvidzai	2115/06	Harare	Southerton

<b>Army</b>	<i>Name</i>	<i>Case number</i>	<i>Province</i>
	Willard Gaperera	1425/04	Harare
	Captain Kembo	10164/03	Harare
	Mathias Mhiripiri	10149/03	Harare
	Shadreck Ncube	8184/02	Harare

## Individuals

<i>Name</i>	<i>Case number</i>	<i>Province</i>
Milton Bangamuseve	B1283/03	Harare
Thomas Chaira	B1283/03	Harare
Wellington Chakwaizira	3499/04	Mashonaland Eaast
Chaira	Thomas	B1283/03
Chakwizira	Wellington	3499/04
Obey Chifamba	6732/04	Harare
Christopher Chigodora	10652/02	Mashonaland East
Christopher Chingwaru	6792/01	Mashonaland Central
Godfrey Chikono	4807/02	Mashonaland East
Chamunorwa Chikwanda	12016/04	Midlands
Raphael Chimunhu	9299/04	Mashonaland East
Taurai Chimunhu	9299/04	Mashonaland East
Joseph Chinotimba	5187/02	Harare
Cephas Chiota	9299/04	Mashonaland East
Ellias Chiriseri	3499/04	Mashonaland East
Sharon Chitumbu	MC26273/2005	Harare
Ngoni Chitumbu	MC26273/2005	Harare
Trust Chitumbu	MC26273/2005	Harare
Rosemary Chitumbu	MC26273/2005	Harare
Godfrey Choto	6732/04	Harare
Paradzai Denga	6732/04	Harare
Tafirei Garan'anga	3499/04	Mashonaland East
Nicodium Garan'anga	3499/04	Mashonaland East
Fadzanai Joka	9299/04	Mashonaland East
Shekiva Kabaira	9299/04	Mashonaland East
Godfrey Kadzere	9299/04	Mashonaland East
Lancelot Kareku	9299/04	Mashonaland East
Zvondai Karikoga	6732/04	Harare
Fungai Kondo	4809/02	Mashonaland Central
Taurai Madzivanyika	3499/04	Mashonaland East
Valentine George Makombe	2545/04	Midlands
Jabulani Makura	10652/02	Mashonaland East
Elliot Manyika	6792/01	Mashonaland Central
Rogers Mapeto	9299/04	Mashonaland East
Dungu Marau	9299/04	Mashonaland East
David Maremedza	10652/02	Mashonaland East
Arlington Mazongonda	9299/04	Mashonaland East
Aaron Mazvi	B1283/03	Harare
Aleck Mbofana	9299/04	Mashonaland East
Mbuso Moyo	B1283/03	Harare
Isaiah Mudhenga	3499/04	Mashonaland East
Vitalis Mukwekwe	1189/05	Harare
Angela Murape	6792/01	Mashonaland Central
Bigboy Muroza	4807/02	Mashonaland East
Shepard Mushamba	4807/02	Mashonaland East
George Mushasha	GL261/2005	Midlands
Daniel Mushasha	GL261/2005	Midlands
Joseph Mushonga	3499/04	Mashonaland East
Tiripano Mutata	9299/04	Mashonaland East
Checha Checha Ndlovu	B1283/03	Harare
Reason Ndlovu	B1283/03	Harare
Willington Nyahunzvi	3499/04	Mashonaland East
Garikai Sibanda	12016/04	Midlands
Aaron Tapera	12016/04	Midlands
Joseph Tavengerwi	4808/02	Masvingo
Lovemore Ushongani	2984/02	Mashonaland Central
Chakanyuka Zhamini	3499/04	Mashonaland East
Fungai Zvarehwa	3499/04	Mashonaland East

