



ZIMBABWE ASSESSMENT

October 2002

Country Information and Policy Unit



[I SCOPE OF DOCUMENT](#)

[II GEOGRAPHY](#)

[III ECONOMY](#)

[IV HISTORY](#)

[V STATE STRUCTURES](#)

[VIA HUMAN RIGHTS ISSUES](#)

[VIB HUMAN RIGHTS - SPECIFIC GROUPS](#)

[VIC HUMAN RIGHTS - OTHER ISSUES](#)

[ANNEX A: CHRONOLOGY](#)

[ANNEX B: POLITICAL ORGANISATIONS](#)

[ANNEX C: PROMINENT PEOPLE PAST & PRESENT](#)

[ANNEX D: FULL ELECTION RESULTS JUNE 2000 \(hard copy only\)](#)

[ANNEX E: MDC CANDIDATES & MPs, JUNE 2000 & MDC LEADERSHIP & SHADOW CABINET](#)

[ANNEX F: MDC POLICIES, PARTY SYMBOLS AND SLOGANS](#)

[ANNEX G: CABINET LIST, AUGUST 2002](#)

[ANNEX H: REFERENCES TO SOURCE MATERIAL](#)

1. SCOPE OF THE DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a wide variety of recognised sources. The document does not contain any Home Office opinion or policy.

1.2 The assessment has been prepared for background purposes for those involved in the asylum / human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum / human rights claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a six-monthly basis while the country remains within the top 35 asylum-seeker producing countries in the United Kingdom.

2. GEOGRAPHY

2.1 The official name of the state is the Republic of Zimbabwe. It is located in southern Africa and has an area of 390,757 sq km. It is land-locked and is bordered to the north-west by Zambia, to the east by Mozambique, to the south by South Africa and to the west by Botswana. **[1a]**

2.2 In 1997 the population was officially estimated to be 12,293,953. The capital is Harare, with a population of 1,189,103 in 1992. Other important towns are Bulawayo (population 621,742 in 1992), which is the capital of Matabeleland province, Chitungwiza, Mutare, Gweru and Kwekwe. **[1a]**

2.3 Zimbabwe has a diverse population. The largest ethnic group is the Shona, who make up 82% of the population. The Ndebele make up 15% of the population and are concentrated in Matabeleland province in western Zimbabwe. The white population, most of whom are descendants of European, principally British, settlers from the colonial era, numbered some 223,000 people in the mid-1980s, although numbers had fallen to 75,000 by 2000. There is a small Asian population of 20,000. Other minority groups include the Tonga, Sena, Hlewenge, Venda and Sotho. Official languages are English, Chishona and Sindebele. **[1a][2b][3a][4a][27]**

3. ECONOMY

3.1 The economy is dominated by agriculture, which employs around two thirds of the working population. The white minority owns much of the productive commercial farming sector and land ownership has been a contentious political issue since independence. Mining, manufacturing and the service sector are also important and generated 45% of export earnings in 1995. The chief sources of hard currency are tourism, exports of tobacco, gold, ferro-alloys and nickel and remittances from Zimbabweans working in other countries. Zimbabwe has incurred large fiscal deficits, exacerbated by the country's military involvement in the civil war in the Democratic Republic of Congo since 1998, which has fuelled price inflation, rapid devaluation of the currency, falling incomes and high unemployment. Government figures estimate that over 70% of the population lives below the poverty line. Although per capita GDP fell in 2001, inflation and unemployment rose, and the currency came under pressure as political crises exacerbated economic difficulties. **[1a][2b]**

(For further information on geography and economy refer to Africa South of the Sahara - source [1])

4. HISTORY

[Part I](#)

[Part II](#)

4. HISTORY

INDEPENDENCE 1980

4.1 The Republic of Zimbabwe achieved formal independence from the United Kingdom on 18 April 1980. The country was established in 1923 as the British colony of Southern Rhodesia. In 1965, the white-dominated Rhodesia Front administration of Prime Minister Ian Smith made an illegal unilateral declaration of independence (UDI) for Rhodesia from the United Kingdom. **[1]**

4.2 Following UDI, black nationalists organised the fight for majority rule. The principal nationalist groups were the Ndebele-dominated Zimbabwe African People's Union (ZAPU), led by Joshua Nkomo, and the Shona-dominated Zimbabwe African National Union (ZANU), led initially by the Reverend Ndabaningi Sithole and later by Robert Mugabe. **[1a][2b]**

4.3 ZAPU and ZANU merged their military efforts in 1976 in the uneasy

Patriotic Front alliance. In 1979, the UDI administration concluded an 'internal settlement' with some black nationalists, under which Bishop Abel Muzorewa became Rhodesia's first black Prime Minister. Later in 1979, all parties to the conflict participated in the Lancaster House Conference in London, which agreed an independence settlement. [1]

4.4 In elections in February 1980, Robert Mugabe's ZANU-Patriotic Front (ZANU-PF) party won 57 of the 80 'common roll' seats. Joshua Nkomo's Patriotic Front (effectively ZAPU) party won 20 seats and Bishop Muzorewa's party took 3 seats. The Rhodesia Front won all 20 seats reserved for the white minority. Reverend Canaan Banana became Zimbabwe's first President, with ceremonial duties only, and Robert Mugabe became Prime Minister, leading a coalition government. [1a]

4.5 Robert Mugabe adopted a conciliatory stance initially, stressing reconciliation of all Zimbabweans. The Rhodesian forces and the ZANU and ZAPU guerrilla armies were integrated into a united force. However, Mugabe soon pressed the case for a one-party state but was opposed by ZAPU's Nkomo, whom Mugabe demoted in government in 1981 and dismissed in 1982. [1a]

(For a detailed history prior to independence in 1980 refer to Africa South of the Sahara - source [1])

MATABELELAND INSURGENCY 1983-87

4.6 The alleged discovery of large caches of arms on ZAPU-owned properties in Matabeleland in 1982 led to Nkomo's dismissal from government office. Dissidents from Nkomo's former guerrilla force, ZIPRA, perpetrated indiscriminate acts of violence. The Government responded by sending the North Korean-trained Fifth Brigade to Matabeleland in early 1983 to quell dissent, in a campaign known as the *Gukuruhundi*. The mainly Shona Fifth Brigade was accused of committing atrocities against civilians in its "pacification" campaign and it alienated support for the Government amongst Matabeleland's Ndebele population. It has been estimated that at least 5,000 and as many as 10,000 to 20,000, civilians died during the Fifth Brigade's campaign between 1983 and 1986. [1a][2a][2b][3a][5a][6]

4.7 A unity agreement between ZANU-PF and ZAPU was reached in 1987. The merged party retained ZANU-PF's name and Nkomo became one of two vice-presidents and took a senior cabinet post. An amnesty in 1988 led to a rapid improvement in the security situation in Matabeleland. Constitutional changes

in 1987 ended reserved seats for whites and created an executive Presidency, replacing the ceremonial post of President and incorporating the post of Prime Minister. Mugabe became Zimbabwe's first executive President at the end of 1987. [1a][4b]

4.8 In July 1999, at Vice-President Joshua Nkomo's funeral, President Mugabe expressed his regret for the actions of the Fifth Brigade in Matabeleland during the 1980s. At a memorial service for Nkomo in October 1999, Mugabe announced the willingness of the Government to compensate the families of the thousands of people killed during the insurgency. [4b]

4.9 A shortened version of a 1997 report on atrocities committed during the *Gukuruhundi* campaign in Matabeleland called *Breaking the Silence* was released in 1999 by two Non Governmental Organisations (NGOs), the Catholic Commission for Justice and Peace and the Legal Resources Foundation (LRF). The report characterised the Government's campaign as an effort to impose a one-party state by eliminating support for ZAPU. The Government has not responded formally to the report. In 2000 the LRF and Zimbabwe Lawyers for Human Rights subpoenaed the Government to release the findings of two commissions that investigated the Matabeleland massacres but the Attorney General claimed that the documents were missing. [2b]

(See also Sections 6.63 - 6.64 on the Ndebele)

ELECTIONS 1995 & 1996

4.10 ZANU-PF won a fourth decisive election victory in 1995. Eight opposition parties boycotted the poll but the turnout of 57% was higher than expected. ZANU-PF took 82% of the vote, securing 118 out of 120 seats, 55 of them uncontested. Reverend Sithole's small ZANU-Ndonga party won two seats. Most observers reported the elections to have been free and fair although they criticised ZANU-PF's domination of the media and aspects of electoral procedures. ZANU-PF lost a seat to an independent in a by-election in November 1995. [1a]

4.11 Robert Mugabe was re-elected in presidential elections held in May 1996. Although he received nearly 93% of votes cast, turnout was only 32% of those eligible to vote. [1a]

MOVEMENT FOR DEMOCRATIC CHANGE (MDC)

4.12 The Movement for Democratic Change (MDC) was formed in September

1999 under the leadership of Morgan Tsvangirai, Secretary-General of the 700,000-strong Zimbabwe Congress of Trade Unions (ZCTU). The MDC aimed to be a broad based party, capable of overcoming the poor organisation and factionalism that other opposition parties had suffered from. [1a][2a][5b]

4.13 A former ZANU-PF party official, Tsvangirai led the ZCTU for 10 years and in that time distanced the union from ZANU-PF. The ZCTU emerged as a political force in 1997 when it led a general strike against tax increases. In 1989 Tsvangirai was imprisoned for six weeks on charges of spying for South Africa. In 1997 he was beaten and nearly thrown from his office window by people assumed to be Government thugs. [1][5b]

(See also Sections 5.9 - 5.10 and Annexes E and F on the MDC)

PARLIAMENTARY ELECTIONS, JUNE 2000

Background

4.14 A constitutional referendum was held in February 2000, called by President Mugabe in a bid to consolidate his powers by amending Zimbabwe's independence constitution to include, amongst other things, the right for the Government to confiscate mainly white-owned land without compensation. Despite tireless campaigning to ensure victory, the referendum result was a rejection of the Government's proposals, by 55% to 45%. Despite losing the referendum, the Government pushed through a constitutional amendment in April 2000 to allow the seizure of mainly white-owned farms. The constitutional amendment states that white farmers dispossessed of their land would have to apply to the United Kingdom Government for compensation.

[1a][2b][3b][5c][14c]

4.15 Elections for 120 of the 150 seats in Parliament were held in June 2000. Of the remaining 30 seats, 10 are held by traditional chiefs elected by the Council of Chiefs over whom, Mugabe exerts considerable influence, 12 are non-constituency MPs appointed by the President and 8 are provincial governors, also appointed by the President. This gave ZANU-PF an immediate 30-seat advantage over the opposition. The election of the 10 chiefs was postponed, apparently because the Government feared that some might favour the opposition. [1a][2a][3c]

4.16 Only ZANU-PF and the MDC fielded candidates in all 120 constituencies. A number of small parties and independents fielded candidates in various constituencies. The United Parties, led by Bishop Muzorewa, put forward 59

candidates, mainly in northern and eastern areas. A party calling itself ZAPU, after the late Joshua Nkomo's party that merged with ZANU-PF in 1987, fielded 23 candidates mainly in Matabeleland, advocating a federal state to counteract Shona dominance of the Ndebele. The Zimbabwe Union of Democrats (ZUD), led by Margaret Dongo, outgoing MP for Harare South, put forward 16 candidates in Harare and the east. Reverend Sithole's small ZANU-Ndonga party, which held two seats in the outgoing parliament, also contested seats. [3c]

Election Violence & Farm Occupations

4.17 The elections were preceded by a Government-sanctioned systematic campaign of violence towards supporters and potential supporters of the opposition. Many acts of violence were perpetrated by ZANU-PF militants and 'war veterans', many of whom were too young to have participated in the war of independence and were suspected of having been paid to join in. 31 deaths relating to political violence were reported during the run-up to the 2000 election, most of them perpetrated by ZANU-PF supporters. The majority of victims were MDC activists or supporters, many of which had to go into hiding during the election campaign. Roy Bennett, the MDC candidate in Chimanimani, whose pregnant wife was attacked, as a result of which she suffered a miscarriage, and Blessing Chebundo, MDC candidate in Kwekwe were among them. [1a][2b][3d][5g][14c]

4.18 In a campaign supported by President Mugabe, war veterans led by the late Chenjerai 'Hitler' Hunzvi launched a series of illegal occupations of 1,000 white-owned farms in February 2000. These acts appeared to be retaliation for the Government's defeat in the constitutional referendum (see *Section 3.14*). In April 2000, President Mugabe threatened war against the farmers and declared that they were "enemies of the state". Squatters murdered five white farmers during the violent occupation of the farms and also attacked many black farm workers. The police did little to apprehend those responsible for the murders and violence and would not act against the squatters occupying farms, despite High Court rulings in favour of the farmers. Farmer Martin Olds was murdered on his Matabeleland farm in April 2000; most of the 70 assailants were Shona supporters of ZANU-PF who had reportedly been bussed in to the area. In April 2000, farmer David Stevens, an MDC supporter, was murdered. Although police arrested a war veteran in September 2000 and charged him with Stephens' murder the suspect was released on police bail. The Attorney General subsequently dropped charges against him despite his identification by a number of witnesses and his possession of the murder weapon. [1a][2b][3e][3f][5e]

Election Results

4.19 Amid allegations of irregularities, ZANU-PF won 62 of the 120 seats with just over 49% of the vote and the MDC won 57 seats with just under 48% of the vote. ZANU-Ndonga won one seat. The results highlighted regional divisions. The MDC won all 19 seats in Harare, all 8 in Bulawayo and took 13 of the 15 seats in Matabeleland. ZANU-PF took every seat in the farming province of Mashonaland Central. Results by cities and province were:

Harare - 19 MDC

Bulawayo - 8 MDC

Manicaland - 7 MDC, 6 ZANU-PF, 1 ZANU-Ndonga

Mashonaland Central - 10 ZANU-PF

Mashonaland East - 11 ZANU-PF, 1 MDC

Mashonaland West - 10 ZANU-PF, 2 MDC

Masvingo - 12 ZANU-PF, 2 MDC

Matabeleland North - 7 MDC

Matabeleland South - 6 MDC, 2 ZANU-PF

Midlands - 11 ZANU-PF, 5 MDC

(See Annex D for a full list of election results, listing all candidates and official votes for each constituency - hard copy only)

[2a][5f][7]

4.20 Seven Ministers from the outgoing Government lost their seats, including Emmerson Mnangagwa, who had been considered a possible heir to Mugabe. He lost his Kwekwe seat by a 2 to 1 margin to the MDC's Blessing Chebundo, who had to go into hiding during the election campaign. One notable winner for ZANU-PF was Chenjerai Hunzvi, the controversial war veterans' leader.

[3g][5g]

4.21 Notable wins for the MDC included those of Welshman Ncube, the party's

Secretary-General who beat his ZANU-PF opponent in Bulawayo North East by 21,100 votes to 2,864. MDC leader Morgan Tsvangirai failed to win Buhera North, the seat he contested in ZANU-PF's rural heartland, by 2,534 votes. However, the MDC successfully challenged the result in Buhera North and the result was nullified by the High Court in April 2001. A by-election was to be held to fill the seat. Four whites won seats for the MDC, including David Coltart, the party's legal secretary and a prominent human rights lawyer, who secured his Bulawayo South seat with 86% of the vote, in a predominantly black-populated constituency. **[3g][3h][5h][5i]**

4.22 Small parties fared less well. Margaret Dongo of the ZUD lost her Harare South seat to the MDC. Only one of the opposition MPs in the outgoing parliament, Wilson Khumbula, Vice-President of ZANU-Ndonga, retained his seat and is the only MP in the new Parliament who is not from ZANU-PF or the MDC. The United Parties, ZUD, ZAPU and both factions of the Liberty Party in Matabeleland failed to win any seats. **[3g][5h][7]**

4.23 Although most election observers agreed that the voting process itself generally was peaceful, there were irregularities and an estimated 15% of voters were turned away at the polls for various technical reasons. Most international observers declared that the elections were not free and fair, because of the high level of violence during the election campaign, most of it committed by ZANU-PF supporters. **[2a][2b][14c]**

CONTINUING POLITICAL VIOLENCE & INTIMIDATION:

Post-election Violence 2000

4.24 In October 2000 President Mugabe issued a decree granting a general amnesty for politically motivated crimes that occurred between 1 January and 31 July 2000. This effectively pardoned the majority of those responsible for the violence in the election campaign from prosecution. The amnesty did not cover the offences of murder, rape, sexual assault, robbery, theft and possession of arms, but did cover other serious offences such as common assault and assault with intent to cause grievous bodily harm. The amnesty permitted the immediate release of prisoners convicted of the latter two offences. Two war veterans arrested in August 2000 for their part in the torture of MDC members in Bulawayo by ZANU-PF supporters had charges against them dropped in March 2000 as a result of the amnesty. **[2b][3i][14c]**

4.25 In September 2000, a grenade exploded outside the MDC's headquarters in Harare. There were no injuries. The MDC accused the Government of being

behind the attack. Following the attack, police raided the MDC's offices, seizing documents and computer discs. Four officials were arrested and released several hours later without charge. They included Nelson Chamisa, head of the MDC's youth wing, and Gandi Madzingwa, Morgan Tsvangirai's personal advisor. **[2b][3j][3k]**

4.26 In December 2000, farmer Henry Elsworth was murdered, the sixth white farmer to die in 2000. Farming representatives described the act as a political assassination. Elsworth was an MP in Ian Smith's Rhodesia Front, who, in 1982, had broken with Smith and became an ally of Robert Mugabe, who appointed him to Parliament in 1987, where he served until 1990. No action reportedly had been taken against Elsworth's three killers by the end of 2001. **[2b][5j]**

4.27 Politically-motivated violence, mostly perpetrated by Government supporters against the MDC and commercial farmers, continued throughout 2001 after the parliamentary elections and into 2002, in the run-up to the presidential election in March. **[2b]**

Incidents in 2001

4.28 In February 2001, Job Sikhala, MDC MP for St Mary's, was assaulted by at least 50 soldiers who raided his home. His pregnant wife and others in the house were also beaten. Shortly afterwards, Nelson Chamisa, the MDC youth wing leader, was arrested and detained by police. Gibson Sibanda MP, the MDC's Vice-President, was also summoned for questioning by the police. He was released but, along with Chamisa, who was held in custody, was charged with inciting violence. At the time, troops had been patrolling opposition strongholds in townships, in response to what the Government claimed was a campaign of violent insurrection being planned by the opposition. **[5k][8a]**

4.29 Later in February 2001, Peter Nyoni, MDC MP for Hwange East in Matabeleland, and three senior MDC officials were arrested on charges of inciting violence, relating to inflammatory remarks they were alleged to have made at an MDC rally. They appeared before a magistrate and were then released. **[9a]**

4.30 In March 2001, the police imposed a ban on MDC rallies in the Chitungwiza township near Harare. The MDC announced its intention to challenge the ban in the High Court. There has been a major drive by Government supporters and security forces in Chitungwiza against MDC supporters. Nightly raids and beatings by police have been reported. Local

MDC MP Job Sikhala claimed that the campaign was aimed at removing opposition ahead of presidential elections due in 2002. **[5l][10a]**

4.31 In March 2001, Gloria Olds became the seventh white farmer to be murdered. ZANU-PF supporters and war veterans murdered her son, Martin Olds, in April 2000. A man appeared in court in Bulawayo later in March 2001 charged with Mrs Olds' murder, the first time that anybody had faced court over any of the murders of white farmers. Albert Ncube appeared in Bulawayo High Court charged with Mes Olds' murder on 9 May 2002. **[2b][5m][37m]**

4.32 In April 2001 ZANU-PF supporters and war veterans began a new offensive by targeting businesses, both foreign and domestic. White owned business were also among those attacked. Several factories in Harare were invaded by chanting mobs of people claiming to be war veterans, demanding the reinstatement of workers they claim were unfairly dismissed. In one case, the general manager, a black Zimbabwean, was assaulted and frog-marched to ZANU-PF offices where he was interrogated for three hours and accused of supporting the MDC. He was released only after being forced to reinstate the sacked workers, and he afterwards fled to South Africa. In another case the white managing director of a business was harangued by a gang of 80 men who entered the company's premises with the help of police. A white manager was arrested and held overnight in cells. A German development organisation was also targeted by war veterans in April 2001 and the incident was only resolved after the intervention of the German Ambassador; police refused to intervene. **[2b][5n][5o]**

4.33 In February 2001, MDC leader Morgan Tsvangirai was charged under the Law and Order Maintenance Act (LOMA) with inciting violence. The charges stemmed from a statement he made at a rally in September 2000 advising President Mugabe to resign or risk being removed by force. The Government claimed that Tsvangirai's statement amounted to inciting people to violently overthrow the Government. The charges followed closely after Tsvangirai won his petition to the High Court challenging ZANU-PF's election victory in Buhera North, which he contested in the June 2000 elections. Tsvangirai filed a petition with the Supreme Court, challenging the constitutionality of the LOMA. In November 2001, the Supreme Court struck down two sections of the LOMA in the case, effectively dismissing the charges against Tsvangirai. Other MDC officials charged under the LOMA with making statements "likely to undermine the authority of the President" were Nelson Chamisa, the party's youth chairman, Hwange East MP Peter Nyoni and five provincial executive members from Victoria Falls. Although he was released on bail and his trial was still pending at the end of 2001, Nyoni was arrested under POSA and appeared in court in February 2002 after campaigning. He was abducted, beaten and

tortured for two days along with 2 other MDC MP's by ZAN-PF supporters. [2b][9c][34e]

4.34 In August 2001, a mob attacked whites at random in the town of Chinhoyi in the Mashonaland West province north-west of Harare. ZANU-PF supporters attacked whites, stabbing one man, and stoned cars. Police told whites to stay out of the town. The attacks followed the arrest of 22 white farmers who had come to the aid of a fellow farmer whose farm had been occupied by squatters. Police arrested the farmers and charged them with assaulting the squatters. Rampaging mobs swept through the Chinhoyi area, looting farms and forcing white farmers and their families, numbering approximately 300 people, off their land. The farmers criticised the police for failing to protect them and the *Daily News* reported that police were even assisting the invaders. Also in August 2001, a white farmer in Kwekwe died from head injuries inflicted in an attack by suspected war veterans. [2b][4e][5aa]

4.35 The farmers detained in Chinhoyi were released on bail in August 2001 after two weeks in prison. All but one were barred from returning to their homes as the High Court Judge who granted them bail considered that their return to Chinhoyi would spark further arson attacks and looting. Around 100 white families fled the Chinhoyi area for safety and 35,000 farm workers and their families were thrown out of their homes as the campaign of farm occupations spread from Chinhoyi to the Hwedza area of Mashonaland East. The trial of the Chinhoyi farmers opened in Harare in April 2002. [4f][9j][11d]

4.36 In November 2001, Cain Nkala, the Bulawayo war veterans' chairman, was abducted in Bulawayo and was found dead a week later. The authorities claimed that he was killed by the MDC while the MDC claimed he was killed by ZANU-PF because he had threatened to make public information on ZANU-PF atrocities, including the abduction and disappearance of David Coltart MP's election agent Patrick Nabanyama in the June 2000 parliamentary elections. Nkala was one of ten men detained over Nabanyama's abduction but was released on bail a day before his disappearance. Although a war veterans' leader, Nkala was said to have been critical of violence by ZANU-PF. Attending Nkala's funeral in Harare on 18 November 2001, President Mugabe claimed that the murder was part of an orchestrated 'terrorist plot' by internal and external enemies, funded by commercial farmers and international organisations, specifically the British Government. [2b][4j][4k][10c]

4.37 In the funeral speech for Cain Nkala, the President named three MDC politicians, all white Zimbabweans, as 'terrorists'. The three were David Coltart MP, the MDC's Shadow Justice Minister, Mike Auret, MP for Harare Central,

and Simon Spooner, Coltart's campaign manager. Coltart and Auret played a leading role in the 1980s in revealing details of the Government's armed *Gukuruhundi* campaign against dissidents in Matabeleland that claimed thousands of lives (see Sections 3.6 - 3.9). Spooner was arrested in connection with the abduction of Cain Nkala. Approximately 30 MDC members were arrested and detained in connection with Nkala's murder, including Fletcher Dulini Ncube MP, the MDC's Treasurer and Shadow Industry and Commerce Minister. Dulini Ncube was held in the Khami Maximum Security Prison for more than one month and was reportedly denied regular access to his medication for diabetes and hypertension. He was released on bail in December 2001 after appealing to the Supreme Court. Ncube was re-arrested on 3 August 2002, apparently on the grounds that his bail conditions had lapsed and was due to be re-indicted this week. Despite recovering from surgery to remove his left eye and suffering from hypertension and diabetes, Ncube was placed in a prison cell without access to adequate medical medication. He was returned to hospital after one day, following a medical report from Ncube's doctor confirming his condition was life threatening. In hospital Ncube was placed in leg irons, contrary to Article 33 Standard Minimum Rules for the Treatment of Prisoners. [2b][4j][4k][14i]

4.38 Nkala's death unleashed a wave of violence in Bulawayo by militant ZANU-PF supporters and incidents included the firebombing of the home of an MDC youth leader. Many MDC activists went into hiding. On 16 November 2001, ZANU-PF militants were bussed into Bulawayo and war veterans arrived by train. 2,000 militants, protected by riot police, then marched through Bulawayo. The marchers ransacked the MDC offices and set fire to them. In a revenge attack later in the day, 1,000 MDC activists wrecked a private college owned by a ZANU-PF official. Further arrests of MDC activists, including Moses Mzila Ndlovu MP, followed and two *Daily News* journalists were held by police overnight after interviewing an intelligence officer who claimed Nkala's death was an 'inside job' (see also Section 5.19). [4k]

4.39 Some of the approximately 30 people arrested in November 2001 in connection with Nkala's death were detained for weeks and bail hearings for several of the detainees were repeatedly delayed. Two detainees were charged with murder and remained in custody at the end of 2001, six were released on bail after being charged with being accessories to murder and the remainder were released without charge. Fletcher Dulini Ncube MP was charged with murder, denied bail but released in mid-December 2001 having appealed to the Supreme Court. He had been held for nearly one month in a maximum-security prison. [2b]

4.40 In late November 2001, students clashed with riot police who used teargas

to break up a protest in Harare over the killing of a fellow student by a soldier. A soldier who had accused him of being an MDC supporter threw student Lameck Chemvura to his death from a train. Before students could march to parliament to hand in a petition against army indiscipline, riot police sealed off the University of Zimbabwe campus and started to beat them. On the same day police arrested 19 pro-democracy activists of the National Constitutional Assembly (an umbrella NGO bringing together student groups, human rights organisations, churches, trades unions and political parties) who tried to stage a demonstration in Harare to protest against plans to amend electoral laws. A day earlier, Government supporters, under police escort, had marched to parliament to condemn the MDC for "provoking violence". [3p][4l][10d]

4.41 In mid-December 2001, MDC leader Morgan Tsvangirai was detained on two occasions by police in Harare on charges of possessing radio-communication equipment without a licence. Tsvangirai said that the two-way radio, which he used to communicate with his security guards, belonged not to him but his party. Tsvangirai said that no charges were laid against him. Any charge, which carries a possible two-year prison sentence, would be referred to the Attorney General. In 2000 Tsvangirai was charged with allegedly inciting supporters to violently overthrow President Mugabe but the Supreme Court dismissed the charges in November 2001. However, Tsvangirai, whose houses have been raided twice since May 2002, is due to stand trial on 11 November 2002 on charges of treason. [2b][3ag][3ap][10e][36][9ah]

4.42 The radio incident came the same day that President Mugabe, launching his campaign for re-election at a ZANU-PF conference at Victoria Falls, described the MDC as a puppet of white interests. At the conference President Mugabe warned that he regarded the election campaign as "total war", referring to it as the "Third *Chimurenga*". The term *Chimurenga* means uprising and refers to the liberation struggle of the 1970s against white minority rule - the "third *Chimurenga* " is the name Mugabe uses for the campaign to seize white-owned land. [3ag][4m][10e][36]

4.43 In December 2001, Trymore Midzi, MDC vice-chairman and youth organiser in Bindura, Mashonaland was stabbed to death by ZANU-PF supporters and youths from the Government-run Border Gezi Youth Training Centre at Mount Darwin (named after the late Border Gezi, a prominent ZANU-PF politician and close aide of President Mugabe who died in a car accident in April 2001). He was the fourth MDC official to be murdered in Mashonaland in less than a week. Titus Nheya, the defeated MDC candidate for Zvimba South in the June 2000 parliamentary elections (who lost to President Mugabe's sister Sabina), was stabbed to death in Karoi by suspected ZANU-PF militants. 50

ZANU-PF supporters in Magunje beheaded MDC supporter Milton Chambati. No action had been taken by police against the perpetrators of these killings by the end of 2001. A fourth murder, of Laban Chiweta, took place in Trojan Mine. The MDC alleged that ZANU-PF's political commissar, Elliot Manyika, trained Chiweta's killers. [2b][3aq][5d][9f][34b][10f]

4.44 In December 2001, the MDC and the Zimbabwe Human Rights NGO Forum published lists of people murdered in the political violence that has affected Zimbabwe. The MDC listed 84 people killed since March 2000. Most of them were MDC members but the list includes commercial farmers and farm workers. The Zimbabwe Human Rights NGO Forum listed 48 people murdered between January and November 2001, most of them MDC members. [12d][35]

Incidents in 2002 & Presidential Election

4.45 On 7 January 2002, hundreds of members of ZANU-PF youth militias sealed off the three towns of Bindura, Chinhoyi and Karoi in Mashonaland West. The youths moved from door to door in Bindura ordering people to produce ZANU-PF membership cards. Failure to do so led to beatings. Many of the youths wore green military uniforms marked "*Third Chimurenga*". Similar events took place in Chinhoyi and Karoi where youths demanded that people who could not produce ZANU-PF membership cards bought them immediately. [4m]

4.46 On 14 January 2002, David Mpala, MDC MP for Lupane, Matabeleland was attacked in Lupane by ZANU-PF supporters who slit his abdomen with knives a few hours after abducting him from a shopping centre. A relative described his abductors as known war veterans. Mpala's wife said that her husband's attackers were wearing T-shirts bearing the face of the late Border Gezi. The police confirmed the attempted murder of the MP but could not confirm whether anybody had been arrested in connection with the attack. [12e][37a][38a]

4.47 The attack on David Mpala followed an axe attack by ZANU-PF supporters and war veterans on seven MDC supporters in MDC offices in Murambinda, Manicaland on 12 January 2002. Innocent Gonese, MDC MP for Mutare Central, said that instead of helping those attacked the police had apprehended 32 MDC supporters and detained them at a police station. During the same weekend, the homes of two MDC MPs were stoned in Harare, MDC offices in Kwekwe, Midlands province, were set fire to by ZANU-PF supporters and police disrupted an MDC rally in Masasa, Buhera district, Manicaland, firing tear gas at 5,000 MDC supporters. Roy Bennett, MDC MP for Chimanimani,

who was to address the rally, said that police told him that opposition rallies were now illegal. [9g][38a][39]

4.48 In January 2002, commercial farmers in Karoi, Mashonaland reported that ZANU-PF militants were torturing their farm workers. They were forced to attend all-night ZANU-PF political indoctrination rallies known as "pungwes" and had barbed wire raked across their feet. Farmers said that their workers were too frightened to report the incidents to the police. [5ab]

4.49 On 19 January 2002, twenty people were injured and thousands tear-gassed after police and ZANU-PF militants intervened to stop an MDC rally at a stadium in Bulawayo. Militants occupied the stadium and beat MDC supporters while police tear-gassed people waiting outside. The police claimed that they did not target MDC supporters but intervened to stop violence. [8d]

4.50 In January 2002, Bidi Munyaradzi, director of the human rights NGO ZimRights, said that there were signs that the Government was trying to honour commitments made at the Southern African Development Community (SADC) meeting in Malawi earlier in January 2002. However, he noted with concern that the Government had labelled NGOs and human rights organisations as opposition supporters. The pro-ZANU-PF and state funded *Herald* newspaper had claimed that the Amani Trust was funding covert operations against the Government and was linked to the MDC. [10b][2a]

4.51 In the run-up to the presidential election in March 2002, there were many acts of violence, mainly perpetrated by Government supporters and war veterans against MDC activists and supporters. In early February 2002, Abednico Bhebhe, MDC MP for Nkayi, Matabeleland South, was shot and seriously injured by unidentified attackers. The Zimbabwe Human Rights Forum recorded 16 political deaths, mostly of MDC supporters, in January 2002 and a further 16 deaths in March 2002, 11 of them killed in the aftermath of the presidential election, taking the number of deaths related to political violence to 48 in 2002. [3bb][37e]

4.52 After the controversial victory of President Mugabe in the presidential election in March 2002, ZANU-PF supporters, youths and members of the police embarked upon a campaign of retribution against MDC officials and suspected supporters. Five MDC polling agents were reported to have been murdered after the election, three of them allegedly killed by soldiers. Other incidents of attacks on and torture of polling agents were reported. In April 2002, Amnesty International expressed concern at the mounting reports of rape and sexual torture perpetrated by ZANU-PF militias. [37e] Thousands of MDC

supporters, including two MDC MPs, fled their constituencies in Manicaland province in a wave of violence that affected the area after the election. Shortly before the election, Evelyn Masaiti, MP for Mutasa, was reportedly beaten by soldiers at a police station, where she had gone to investigate a case in which ten MDC polling agents had been arrested. [9y]

4.53 In October 2002, the Human Rights Forum put the figure of politically motivated killings since 2000 at 151. 58 of these deaths had occurred in 2002. Prior to the March Presidential elections the death toll stood at 132, with the remaining 19 people dying in post election violence. In an open letter to the South African President, Thabo Mbeki, Amnesty International quote the Zimbabwe Human Rights Forum's figure of 1,050 cases of torture that have been reported in the first 10 months of 2002. [11e][14h]. Further evidence of violence and intimidation was apparent during the local council elections of 28-29 September 2002 and the Hurungwe West by-election.

See paragraphs 4.64 and 4.87-4.92 for further details.

LEGAL CHALLENGES TO 2000 RESULTS, & BY ELECTIONS:

Legal Challenges

4.54 After the June 2000 elections the MDC announced that it would mount legal challenges against the results in 37 of the 62 seats won by ZANU-PF. The MDC complained of violence during the election campaign and irregularities during polling. In December 2000 President Mugabe decreed that no court hearings could be held to invalidate disputed election results, but in January 2001 the Supreme Court declared the President's decree unconstitutional. [3g][3h][5i]

4.55 In March 2001, in the first of the legal challenges against the election results to be heard, the High Court dismissed the MDC's application to have the result in Zvishavane constituency nullified. The Judge, while acknowledging that violence had occurred in Zvishavane, found that there was no evidence that the winning ZANU-PF candidate had approved the actions of war veterans and ZANU-PF supporters. The MDC will challenge the High Court's ruling on Zvishavane in the Supreme Court. [3g]

4.56 In April 2001, the High Court overturned the election result in Buhera North, where the ZANU-PF candidate was declared the winner with 12,850

votes over the MDC leader Morgan Tsvangirai with 10,316 votes. On the same day the High Court also nullified the result in Hurungwe West, where the ZANU-PF candidate was declared the winner in June 2000 with a vote of 18,931 against the MDC's 4,532. By-elections will be held in both constituencies. In both cases the Judge ruled that there was evidence of intimidation of opposition officials and supporters during the election. The High Court's rulings reduced the number of ZANU-PF seats to 61 of the 120 directly elected seats in Parliament. **[3h][5i][7][11a]**

4.57 Following the High Court ruling nullifying the result in Buhera North, armed police raided the offices of MDC leader Morgan Tsvangirai in Harare and arrested four members of his security team and a member of the public. The police stated that the men would be charged under the LOMA. A lawyer acting for the MDC was refused access to the detainees. **[3h][9d][11a]**

4.58 In January 2002, the High Court overturned the result for the Seke constituency, which was won by the MDC in June 2000, when the MDC candidate Tumbare Mutasa received 10,821 votes against 9,236 votes for his ZANU-PF rival. Seke was the only seat won by the MDC in Mashonaland East province in June 2000. **[7][37d]**

By-elections

4.59 A by-election was held in the Marondera West constituency in November 2000 following the death of the ZANU-PF MP. Although a ZANU-PF stronghold, with a majority of more than 6,000 over the MDC in June 2000, the by-election campaign was nevertheless marred by acts of violence by ZANU-PF supporters and war veterans against the MDC. One person died when ZANU-PF supporters fired on an opposition rally. Further opposition rallies had to be abandoned after armed ZANU-PF supporters dispersed another meeting. ZANU-PF won the by-election. **[3I]**

4.60 Amos Munyaradzi Mutongi, MDC MP for Bikita West in Masvingo province, died in November 2000. The MDC had won the seat in June 2000 by less than 300 votes. The subsequent by-election in January 2001 was marred by violence, perpetrated by both Government and MDC supporters. A ZANU-PF party member was killed during clashes at a political rally. Two MDC MPs, Renson Gasela and Willias Madzimore, were injured in the clashes. A motor convoy of MDC officials was petrol-bombed during the by-election campaign. The war veterans' leader, and ZANU-PF MP, Chenjerai Hunzvi organised much of the intimidation in Bikita West. Government supporters and war veterans occupied many polling stations in the constituency. The ZANU-PF candidate,

who took almost two thirds of the vote, won the by-election, 12,993 votes against 7,001 for the MDC. Following the by-election, it was reported that ZANU-PF supporters and war veterans embarked on a witch-hunt of MDC supporters in the constituency. War veterans targeted teachers, who they claimed had campaigned for the MDC. Three schoolteachers were reportedly tortured by suspected war criminals. [3n][3o][5p][9e]

4.61 ZANU-PF won the Bindura by-election in July 2001. Border Gezi, a close aide to President Mugabe, won Bindura in June 2000, however, Gezi died in a car accident in April 2001. ZANU-PF's Elliot Manyika polled 15,864 against 9,456 for the MDC's Eliot Pfebve. In June 2000 the voting had been 13,329 for Gezi against 11,257 for Pfebve. Violence and tension marred the by-election campaign and Pfebve was detained and questioned by police over charges by the authorities of illegal campaigning but released after several hours. Voter turnout, at 61%, was high despite the tension. [3ai]

4.62 A by-election was held in Makoni West in September 2001, caused by the death in a car accident in May 2001 of Defence Minister Moven Mohachi. Although ZANU-PF only narrowly beat the MDC in June 2000, in the by-election its margin of victory increased to 66%. However, in the Bulawayo mayoral elections held at the same time, the MDC won by a landslide with 80% of the votes cast, a similar margin to that achieved by the party in urban seats in the June 2000 parliamentary elections. (*See also Sections 3.63 - 3.67 on Bulawayo local elections*) [3ak]

4.63 Chenjerai Hunzvi, MP for Chikomba and war veterans' leader, died in June 2001. In the subsequent by-election in late September 2001, Chikomba was held by ZANU-PF, which increased its majority by 2,000 votes while the MDC lost 1,500, compared to the June 2000 result. Polling in the by-election was peaceful but human rights groups reported that murder and intimidation, including the death of the MDC's local organising secretary, marred the run-up to the vote. Analysts commented that the result confirmed Zimbabwe's rural-urban split with the MDC gaining most support in urban areas, such as in the Masvingo and Bulawayo mayoral elections, and ZANU-PF winning rural by-elections. [3aj]

4.64 Following the death of the ZANU-PF MP, Marko Madiro, a by-election was held for the seat of Hurungwe West in Mashonaland, on 29 September 2002. Two candidates contested the seat, Phone Madiro for ZANU-PF, the brother of the former MP, and Justin Dandawa on behalf of the MDC. Out of the 54,206 registered voters, 19,064 cast their ballot. Madiro won, with 15,882 votes compared to Dandawa's 2,665. Dandawa stated that he intended to challenge

the result in court, citing intimidation and violence in the run up to the election. **[40]**. Eight days prior to the election a member of the MDC named Nikoniari Chabvamudeve, was reportedly axed to death by suspected ZANU-PF supporters. Additionally, Dandawa was forced to flee his rural home. **[20g]**

BULAWAYO LOCAL ELECTIONS, SEPTEMBER 2001

4.65 Elections were held in Bulawayo on 8 and 9 September 2001 for the post of Executive Mayor and seven vacant council seats. In the mayoral vote, the MDC won 60,988 (82% of the vote) against 12,785 for ZANU-PF (17%) and 390 for the Liberty Party candidate. Voter turnout was 20.5%, which, although low, was four times the turnout in the 1999 Bulawayo local elections. **[3ak][33]**

4.66 In the vote for the vacant council seats the MDC won all seven seats with 79% of the total vote in the seven wards. Most of the remaining votes went to ZANU-PF with extremely negligible votes to other parties, including ZAPU and the Liberty Party. **[33]**

4.67 The Amani Trust, a Zimbabwean human rights NGO, published a report on the elections. The Trust concluded that the voting reflected the same pattern as that of the parliamentary elections in June 2000, essentially a two party race between ZANU-PF and the MDC, with the MDC having an overwhelming majority of support in urban areas. **[33]**

4.68 The Amani Trust noted that the Bulawayo local elections had been the least violent elections to date in 2001, compared to parliamentary by-elections in Bikita West, Bindura and Makoni West. Nevertheless, the Trust detailed a number of violent incidents that took place during the election campaign, most of them directed at the MDC. These included a gun attack on four senior MDC members at the party's Bulawayo offices on the second day of voting. None of the four, who included party Vice-President Gibson Sibanda MP and Secretary-General Welshman Ncube MP, were injured. Other incidents included the beating by riot police of MDC supporters guarding the party's offices. **[33]**

4.69 On 10 September 2001, by which time it was clear that the MDC had won all the seats contested in Bulawayo, a group of ZANU-PF youth supporters and war veterans attacked people and passing cars at the Renkini Bus Station. The police did not intervene to stop the attacks, in which a war veteran stabbed one man who he thought was an MDC supporter. **[33]**

PRESIDENTIAL ELECTION, MARCH 2002

Background

4.70 On 9 January 2002, President Mugabe set 9 and 10 March 2002 as the dates for the presidential election to be held. There were many acts of violence committed during the election campaign, mainly perpetrated by supporters of ZANU-PF and war veterans - see *Sections 4.24 - 4.53 for further information.*

[34a]

4.71 In early January 2002, Agrippa Madlela, leader of the small ZAPU party, announced that he would not contest the presidential election so as to avoid splitting the opposition vote in Matabeleland and backed MDC leader Morgan Tsvangirai for the presidency. Madlela alleged that ZANU-PF was targeting him for 'elimination' ahead of the election. His decision split ZAPU into two factions. Paul Siwela, leader of a splinter group, announced his candidacy for the presidency, standing for ZAPU. (*See also Sections 4.17 - 4.18 on ZAPU*)

[9b][20e] In addition to Mugabe, Tsvangirai and Siwela, Wilson Khumbula, the MP for Chipinge South, contested the presidential election for ZANU-Ndonga and Shakespeare Maya stood as the National Alliance for Good Governance candidate. **[3be]**

Restrictive Legislation

4.72 In January 2002 the Zimbabwean parliament adopted two draconian new laws widely viewed as seeking to silence any political opposition, the Public Order and Security Bill (POSB) and the General Laws Amendment Bill (GLAB). The MDC described the new laws, which give the government and police even greater powers than under Ian Smith's UDI regime, as "fascist". The POSB has provision for the death penalty for Zimbabweans accused of assisting terrorism, subversion, banditry, sabotage and treason against the government. The bill bans public gatherings "to conduct riots, disorder or intolerance" and makes it an imprisonable offence to undermine the authority of President Mugabe by making or publishing hostile statements. **[3m][4i][4r][9t][34a]**

4.73 The GLAB bans independent election monitors and forbids private voter education. The Electoral Supervisory Commission, hand-picked by President Mugabe, will oversee all elections and have sole responsibility for recruiting, training and deploying election monitors. The Bill also disenfranchises the many Zimbabweans living abroad. The GLAB was initially defeated in parliament a few days earlier when the MDC inflicted the first parliamentary defeat in two decades on ZANU-PF. For the re-staged vote on 11 January 2002, described by the MDC as illegal and in breach of parliamentary laws, all ZANU-PF MPs were ordered to attend. The new laws were passed by 62 votes

to 49. [4i]

4.74 A statutory instrument published by the Government on 18 January 2002 forbade monitors, polling agents and election agents from travelling in vehicles transporting election ballot papers. Agents and monitors are required to use their own transport to follow vehicles carrying ballot papers. The statutory instrument permitted monitors and agents to inspect the vehicles carrying ballot papers at the polling station and at the counting centre. Political parties and civic groups accused the Registrar-General's office, which is in charge of conducting elections, of being partisan. The statutory instrument permits only the official Electoral Supervisory Commission to monitor elections and NGOs that have monitored previous elections and foreign monitors were barred from overseeing elections. They can, however, provide election observers, but only on invitation from the government. [20f]

Election Result

4.75 The official result declared Mugabe the victor, with 54% of votes cast. The result gave Mugabe 1,685,212 votes against 1,258,401 votes for Morgan Tsvangirai. Three minor candidates received 6% of votes cast. Overall turnout was officially given as 3,130,913, representing 55.9% of the electorate. [3az]

4.76 Morgan Tsvangirai described the result as "daylight robbery" and claimed that the result was rigged, with irregularities in the count and over one million people being disenfranchised. Most foreign and local observers considered the vote to be deeply flawed, although an observer team from the Organisation of African Unity described the elections as transparent, credible, free and fair. South African observers blamed difficulties in the polling on administrative oversights. [3az]

4.77 A preliminary report by the MDC's elections directorate in late March 2002 alleged that over 400,000 votes cast in the election could not be accounted for. The alleged discrepancy emerged when the Electoral Supervisory Commission (ESC) and the Registrar-General published conflicting figures. The official result gave Mugabe 426,811 votes more than Morgan Tsvangirai, but the MDC alleged that 432,406 votes could not be accounted for. Examples quoted in the MDC report included Bubi-Mguza, where the ESC recorded twenty thousand more votes cast than the Registrar-General noted. [9o]

4.78 In early April 2002, the *International Herald Tribune* reported that ZANU-PF had manipulated the election results from a command centre in Harare. The report claimed that ZANU-PF realised that Mugabe was in danger of losing the

election by between 200,00 to 300,000 votes and were particularly surprised at how well Morgan Tsvangirai was polling in Mashonaland, which was expected to back Mugabe. Fearing defeat, officials in the ZANU-PF command centre, it is alleged, added tens of thousands of names to Mugabe's total before ballots were sent to the Registrar-General's office for final counting. The report noted that in the counting there was a sudden jump of approximately half a million in the number of votes recorded as having been cast. [9p]

4.79 The full Commonwealth Observer Group report in late March 2002 on the presidential election concluded that the elections had not allowed for a free expression of the will of the electorate. The report noted that ZANU-PF supporters raped and killed MDC supporters while official security agents terrorised opposition followers. The observer team, led by former Nigerian President General Abdulsalami Abubakar, recommended the immediate repeal of all repressive laws passed by the Government in the run-up to the election, particularly the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA). The report castigated the police for refusing to attend reported cases of attacks against MDC supporters. [9n]

4.80 In April 2002, the MDC mounted a legal challenge to try to overturn the result of the presidential election, accusing Mugabe and ZANU-PF of massive fraud and demanding a fresh election. Mugabe denied the allegations of electoral fraud and insisted that there would be no new election until his renewed six-year term had expired. In the meantime, talks between the Government and the MDC continued under South African and Nigerian mediation. [3ay]

4.81 In late March 2002, after the conclusion of the presidential election, Morgan Tsvangirai was arrested on charges of plotting to assassinate Mugabe and charged with high treason. Harare Magistrates' Court granted him bail although he was ordered to surrender his passport and report twice a day to police. The MDC described Tsvangirai's arrest as harassment. Welshman Ncube, the MDC Secretary-General, and Renson Gasela MP, the Shadow Agriculture Minister, were also charged with treason. [9k]. Other forms of politically motivated intimidation were recorded. Between the Presidential election, and the end of April 2002, more than 50 people were reported to have been killed. In parallel, the rate of land seizures increased, bringing the total land scheduled for redistribution to 85 percent of the total commercial farmland. [1b].

4.82 ZANU-PF and MDC representatives attended South African and Nigerian

brokered talks in early April 2002. The MDC insisted that it was talking with ZANU-PF on the basis that ZANU-PF was a political party and not the government. The MDC pressed for a re-run of the presidential election. Presidents Mbeki of South Africa and Obasanjo of Nigeria had already met Mugabe and Morgan Tsvangirai separately, proposing a government of national unity, an idea rejected by the MDC. The inter-party talks continued in April 2002 but the leader of the MDC delegation to the talks, Professor Welshman Ncube, the party's Secretary-General, stated that he did not believe the talks would yield anything because ZANU-PF had stolen the election and would not surrender its "stolen victory". [9q][9r]

Sanctions & Commonwealth Suspension

4.83 At a meeting with the European Union (EU) in Brussels in January 2002, Foreign Minister Stan Mudenge was warned that Zimbabwe faced a freeze on non-humanitarian aid and targeted EU sanctions over its deteriorating human rights record. The EU gave Zimbabwe a week to agree to five demands: an end to political violence, allowing election observers, freedom of the media, an independent judiciary and the end of illegal land occupations. No reassurances on these points had been received from the Zimbabwean Government a week later. The EU subsequently imposed a travel ban against leading figures in the Zimbabwean Government, including Cabinet Ministers, senior ZANU-PF officials, army generals, heads of parastatal organisations, senior civil servants and businessmen connected with the Government. The persons were also the subjects of an EU travel ban. [4g][4h][9s][20d]

4.84 In late March 2002, Zimbabwe was suspended from the Council of the Commonwealth for one year after a three-man team, or Troika, comprising the Nigerian and South African Presidents and the Australian Prime Minister concluded that the presidential election had not been free and fair. The three leaders accepted the findings of the Commonwealth election observer team that the election was marred by a high level of politically-motivated violence and intimidation and that the result did not represent a free expression of the electorate's will. They urged the international community to respond to the economic situation in Zimbabwe, especially food shortages, and stated that the Commonwealth would continue to engage with Zimbabwe. [3ba][9n]. The Troika reconvened in September, half way through Zimbabwe's suspension, to review the situation. However, the group could not agree on any further measures at this time. Mugabe failed to turn up to the meeting. [3bc]

4.85 In July 2002, a senior ZANU-PF official and his wife were detained at London's Gatwick airport and prevented from travelling on to the United States.

Joshua Malinga, the deputy secretary for the disabled in ZANU-PF, was on the list of Zimbabweans banned from entering the EU. Mr and Mrs Malinga were returned to Zimbabwe. Their removal came a few days after the EU increased from 20 to 72 the number of members of the Zimbabwean Government and ruling party barred from travelling to and within the EU. [3bd][3bl]

Cabinet Reshuffle, August 2002

4.86 In August 2002 Mugabe reshuffled his Cabinet. He stated that his new "war cabinet" would tackle the country's economic problems and counter opposition from the international community to his land reform programme. Simba Makoni, the former finance minister and considered a moderate, was dropped from the Cabinet in the reshuffle. [3bc][10g] Dr Timothy Stamps, Minister of Health and Child Welfare and the only white in the Cabinet, was also dropped, on health grounds. Two new Ministries were created; Energy and Power Development and Small and Medium Enterprises Development. [41]

(See Annex G for a full list of the new Cabinet) [10g]

Rural Elections, September 2002

4.87 Rural district council elections were held across Zimbabwe on 28 and 29 September 2002. In early September 2002 the MDC reported that 36 of its candidates in Midlands province had withdrawn from the elections in fear of their lives after threats of violence from ZANU-PF supporters. The MDC stated that the worst affected areas were Shurugwi, Chirumhanzu, Mberengwa West and Zvishavane. The MDC also stated that its remaining candidates found it difficult to campaign openly as rallies were often disrupted by ZANU-PF youth supporters and the police would not intervene against them. [9aa]

4.88 Also in early September 2002, Professor Welshman Ncube, the MDC's Secretary-General, accused ZANU-PF of increasing the level of its militia in rural areas to intimidate the MDC and deter it from campaigning for the rural elections. The MDC reported that in Matabeleland North the MDC MP for Tsholotsho, Mtoliki Sibanda, had been forced to leave the area by war veterans and militia. It was also reported from Matabeleland North that 10 MDC candidates for the rural district elections had withdrawn from the elections following threats from war veterans and the militia. [37g] In Mashonaland West, it was reported that in Chegutu the MDC MP for Mhondoro, Hilda Mafudze, was detained by 200 ZANU-PF supporters who laid siege to the rural district council offices. An MDC official was reportedly assaulted and eight of the party's 11 candidates were chased away. [9ab]

4.89 Other problems, such as late delivery of ballot papers also marred the process in some areas. Ultimately, the MDC only fielded 646 candidates for 1,397 rural districts and 27 urban wards that were to be contested. This is because other candidates were prevented from contesting their wards due to acts of violence against its members. This meant that ZANU-PF won 700 seats uncontested. **[9ac]**.

4.90 The Electoral Supervisory Commission (ESC) received reports of violence in the run up to the elections. Whilst some cases were corroborated by the police others were not. **[20g]**. On 27 September 2002, the US State Department condemned the climate of fear and intimidation that surrounded the run up to the poll. They also made the observation that unfair registration criteria were placed on opposition candidates. **[2c]**.

4.91 The MDC protested against the arrest of two of its Members of Parliament. Roy Bennett MP for Chimanimani, his bodyguard and a South African accompanying them, were arrested after taking pictures of a polling booth. Bennett was also charged under Section 8 of the Land Acquisition Act, for allegedly failing to vacate his farm. All three were reportedly beaten. **[14e]**. Tichaona Munyanyi MP was arrested on 1 October 2002 in connection with the alleged murder of a ruling party supporter. **[10k]**

Party	Wards
ZANU-PF	1,303
MDC	46
Independents	7
ZANU-Ndonga	0

[29b].

4.92 After the elections, the MDC claimed that a campaign of violence and retribution had been launched by ZANU-PF supporters against the number of its victorious candidates. Although ZANU-PF disputed this claim, and the police state that they have received no reports of this nature, the MDC claim that a number of their candidates have had to flee their homes. **[37i]**

5. STATE STRUCTURES

[Part I](#)

[Part II](#)

5. STATE STRUCTURES

THE CONSTITUTION

5.1 Executive power is vested in the President, who is Head of State and Commander-in-Chief of the Defence Forces. The President appoints two Vice-Presidents and a Cabinet. The President holds office for six-year terms. Following a violent election campaign, Robert Mugabe was re-assumed for a further six-year term in March 2002. The opposition MDC and many international observers condemned the election as widely flawed. **[1][3az]**

5.2 Legislative power is vested in the unicameral Parliament, consisting of the House of Assembly. There are 150 Members of Parliament, 120 of whom are directly elected by universal adult suffrage, the President nominates 12, 10 are traditional Chiefs and 8 are Provincial Governors. The life of the House of Assembly is ordinarily six years. Elections for the House of Assembly were last held in June 2000 (*see Sections 4.14 - 4.23 for further information on the 2000 parliamentary elections*) **[1a]**

5.3 The Constitution provides for an independent judiciary and in practice the judiciary remains largely independent despite Government attempts to dilute its independence. There is a unitary court system, consisting of headmen's courts, chiefs' courts, magistrates' courts, the High Court and the Supreme Court. Civil and customary law cases may be heard at all levels of the judiciary, including the Supreme Court. Magistrates, who are civil servants rather than members of the judiciary, hear the majority of cases. (*See also Sections 5.20 - 5.26 on the judiciary*) **[2b]**

5.4 The Constitution provides for the right to a fair trial and the judiciary rigorously enforces this right. Defendants have the right to a lawyer of their choice, although over 90% of defendants in magistrates' courts had no legal representation. In capital cases the government will provide a lawyer to represent any defendants unable to afford one. The Supreme Court has instructed magistrates to ensure that unrepresented defendants fully understand their rights. Military courts deal with disciplinary and court-martial proceedings. Police courts, which can sentence a police officer to confinement

in a camp or demotion, handle disciplinary and misconduct cases. Defendants in these courts have the right of appeal to the Supreme Court. Trials in both the military and police courts generally meet internationally accepted standards for fair trials. **[2b]**

5.5 The Government has repeatedly amended the Constitution in response to judicial rulings protective of human rights. Constitutional amendments are not ratified by the public but are subject only to the approval of the ZANU-PF dominated Parliament. **[2b]**

POLITICAL SYSTEM

5.6 Robert Mugabe and his Zimbabwe African National Union-Patriotic Front (ZANU-PF) party have dominated the political life of Zimbabwe since independence in 1980. Although the Constitution allows for a multi-party system, opposition parties have been subjected to significant intimidation by the ruling ZANU-PF Government and security forces, particularly during the parliamentary elections of June 2000 and the presidential election in March 2002. **[2b][3az]**

ZANU-PF

5.7 Robert Mugabe's ZANU-PF has been the governing party since independence, and for much of its time in office has presided over a *de facto* one-party state. The party holds 61 of the 120 directly elected seats in Parliament. ZANU-PF won 62 seats in the June 2000 elections then took the Bikita West by-election in January 2001. In April 2001 the High Court nullified the results in two seats won by ZANU-PF in June 2000 and by-elections are pending in those seats. In September 2002, ZANU-PF took the Hurungwe West by-election. Although dominated by the Shona majority, there are also Ndebele and white party members, and there are Ndebele ministers although the last remaining white minister in the Cabinet was replaced in August 2002, due to ill health. **[1a][32][41][40]**

5.8 A number of the internal ZANU-PF factions are identified with Shona sub-groups, with Mugabe's own Zezeru being particularly favoured. For many years the main alternative has appeared to lie among the Karanga from Masvingo province, which include Eddison Zvobgo and Vice-President Muzenda. **[32]**

Movement for Democratic Change (MDC)

5.9 In its manifesto for the June 2000 elections, and reiterated in a policy press

release in February 2001, the MDC outlined its key policies. The party identified five main priority policy areas:

- restoring economic stability
- "people-driven" land reform, overseen by a non-partisan Land Commission
- accountable and transparent government, and fighting corruption
- a "People's Constitution", that would limit Presidential power
- health issues [12a][12b]

5.10 The MDC announced a 16-member Shadow Cabinet in November 2000. The Shadow Ministers include Welshman Ncube, the party's Secretary-General, for Home Affairs and David Coltart, the party's legal affairs spokesman, for Justice. [12c]

(See also Sections 4.12 - 4.13 on the establishment of the MDC and Annexes E and F for details of MDC MPs, leadership and Shadow Cabinet and policies, symbols and slogans)

ZANU-Ndonga

5.11 The late Reverend Ndabaningi Sithole, who led ZANU before Robert Mugabe, set up ZANU-Ndonga. The party held two seats in Parliament prior to the elections in June 2000. The party won a single seat in June 2000; Tarugarira Wilson Khumbula, ZANU-Ndonga MP for Chipinge South in Manicaland province, is the only MP in the current Parliament who does not belong to either ZANU-PF or the MDC. [1][7]

Liberty Party/Liberty Party Of Zimbabwe

5.12 The Liberty Party of Zimbabwe (LPZ), and a breakaway faction styling itself simply the Liberty Party (LP), is a minor party that contested a handful of seats in Matabeleland in the June 2000 elections. The leader of the LPZ is Canaan Zinothi Moyo. The LPZ contested 13 seats (including one seat, Umzingwane, where two candidates stood as LPZ) and the LP 8. [7][13]

5.13 The highest vote achieved by the LPZ in any seat in June 2000 was in the Bubi-Mguza constituency in Matabeleland North, where the LPZ candidate

received 889 votes. However, the small ZAPU party received 1,272 votes and the seat was won by the MDC with nearly 13,000 votes. The only party receiving fewer votes than the LPZ in Bubi-Mguza was the breakaway LP, which polled 223 votes. The LPZ polled a total of 2,997 votes in the 13 seats that it contested, and the LP polled 791 votes in total in the eight seats that it contested. [7]

5.14 LPZ leader Canaan Z Moyo contested the Pelandaba constituency in Bulawayo and he received 54 votes. The seat was won by the MDC with over 16,000 votes. The ZAPU candidate received 270 votes in Pelandaba and the UP candidate received 57 votes. The candidate of the breakaway LP was the only candidate to receive fewer votes than Moyo, with 35 votes. [7][13]

5.15 A Liberty Party candidate in the election for executive Mayor of Bulawayo in September 2001 polled just 390 votes, compared to nearly 61,000 for the MDC candidate and nearly 13,000 for ZANU-PF. Liberty Party candidates for seven vacant council seats in Bulawayo, also contested in September 2001, received very few votes. [33]

Other minor parties:

Zimbabwe Union of Democrats (ZUD)

5.16 The ZUD leader, Margaret Dongo, was the MP for Harare South prior to the June 2000 elections. She failed to come to an agreement with the MDC for the June 2000 elections and the seat was won convincingly by the MDC, with Dongo coming third with only 951 votes, behind the ZANU-PF candidate. ZUD contested a few other seats but failed to win any. [3c][7]

ZAPU (ZAPU 2000)

5.17 ZAPU, or ZAPU 2000, was formed as a resurgent group of the former ZAPU party of the late Joshua Nkomo in 1999. The party advocates a federal system for Zimbabwe, with considerable powers devolved to Matabeleland. The party was unable to agree an electoral alliance for the June 2000 elections with the MDC, as the latter does not support a federal structure. ZAPU candidates stood in most constituencies in Matabeleland and Bulawayo in June 2000 but failed to win any seats. [1a][3c][7]

5.18 In early January 2002, ZAPU leader Agrippa Madlela announced that he would not contest the March 2002 presidential election so as to avoid splitting the opposition vote in Matabeleland and backed MDC leader Morgan

Tsvangirai for the presidency. Madlela alleged that ZANU-PF was targeting him for 'elimination' ahead of the election. His decision split ZAPU into two factions. Paul Siwela, leader of a splinter group, announced his candidature for the presidency, standing for ZAPU. [9b][20e]

United Parties (UP)

5.19 The United Parties (UP) grouping was established by Bishop Muzorewa, leader of the UANC, in 1994 after UANC's merger with the Zimbabwe Unity Movement (ZUM). UP boycotted the 1995 general elections. In the Presidential elections in 1996, Bishop Muzorewa was denied permission to withdraw his candidacy prior to the ballot and received 4.7% of the vote. UP failed to win any of the 59 seats it contested in the June 2000 elections. [1a][1b][3c][7]

JUDICIARY

5.20 The judiciary is generally independent but the Government often refuses to abide by court decisions and frequently questions the authority of judges and threatens their removal. For example, the Defence Ministry ignored three separate High Court rulings ordering the release of two detained journalists in 1999. When four judges asked President Mugabe to reaffirm his commitment to the rule of law he called upon them to resign. The journalists were later released (*see Section 5.9 for further details*). [2a][14a] The Government manipulates the composition of Courts and does not respect unfavourable court rulings against its land resettlement programme. [2b]

5.21 In June 2000 the Government described white judges as a "foreign cancer". At the time, the Chief Justice, Anthony Gubbay, and four of the 19 High Court judges were white. Angry at the judiciary's independence and its insistence on upholding the rule of law in defiance of Government-backed violence during the campaign for the June 2000 elections, ZANU-PF questioned the judges' loyalty. [5q]

5.22 In February 2001 the Government ordered Chief Justice Gubbay to retire, several months ahead of his agreed retirement date. The Justice Minister had told Gubbay to leave his post amid threats of violence against judges by ZANU-PF supporters. Many of Zimbabwe's lawyers, who are mostly black, backed the judges, who they saw as merely doing their job of upholding the law and the constitution. [2b][3q]

5.23 After resisting Government pressure to leave his post, Chief Justice Gubbay succumbed in early March 2001 and agreed to take early retirement.

Although Gubbay extracted promises from the Government that it would respect the independence of the judiciary, few lawyers have any faith in these pledges, coming as they do from an administration that has routinely ignored inconvenient court rulings. At the time, Gubbay's departure left one white and one Asian judge, Judges Nicholas McNally and Ahmed Ebrahim respectively, among the eight Supreme Court members. **[2b][5r]**

5.24 A week after the announcement of Chief Justice Gubbay's early retirement, Godfrey Chidyausiku, a former ZANU-PF deputy minister and attorney general, was appointed as acting Chief Justice, and head of the Supreme Court. The Supreme Court is the final arbiter of the constitution and the only restraint on the sweeping powers of the President. Some lawyers hoped that Judges McNally and Ebrahim would be able to withstand Government pressure on them to resign, thus maintaining a semblance of independence for the judiciary. **[3r][5r]**. However, Justice NcNally retired at the mandatory age of 70 in December 2001 and Justice Ebrahim resigned in March 2002. Justice Ebrahim's resignation came just days after he blocked amendments to the electoral legislation, which was said to favour Mugabe and his ruling party. **[3bg][9ae]**.

5.25 A panel of judges and lawyers, drawn from a number of different countries, from the International Bar Association (IBA) visited Zimbabwe in April 2001 on a fact-finding mission. Their report concluded that democracy and the rule of law were in grave peril in Zimbabwe. The IBA commented that the Government had intimidated judges and lawyers, and observed that the killings of and assaults on landowners may not have happened if the Government had implemented court rulings ordering squatters on white-owned farmland to end their illegal occupations. The IBA's report stated that Government efforts to pressure former Chief Justice Gubbay to resign were a serious breach of the judiciary's independence. **[3s][5s]**

5.26 On 18 July 2002 Justice Minister, Patrick Chinamasa, was found guilty of contempt of court and sentenced to 3 months in jail and fined \$Z50,000. Information Minister, Jonathan Moyo, condemned the presiding judge in the case, Justice Fergus Blackie, who retired on the same day of the ruling. **[3bh]**. Chinamasa had his sentence overturned at appeal. However, on 13 September 2002, the now retired judge was arrested and charged with "obstructing justice and corruption". The charges refers to a fraud case in which Justice Blackie presided over earlier in the year. The white woman who was on trial had her charges overturned by Justice Blackie, who, the government claim did not consult the black judge who sat with him on the case. **[3bi][3bj]**.

MILITARY

5.27 The Constitution does not mention conscription and leaves it to Parliament to fix the conditions of service in the armed forces. According to a government statement in 1997, Zimbabwe does not have compulsory military service. The 1979 National Service Act provides for the introduction of conscription, if considered necessary. **[21]**

5.28 After independence in 1980 the former Rhodesian armed forces and the nationalist guerrilla forces, ZANLA and ZIPRA, were integrated into a new national defence force. Total numbers in the forces were reduced from 50,000 in 1993 to 39,000 in 1999; 35,000 in the army and 4,000 in the air force. The strength of the army is being reduced and it is planned to merge the air force into the army. **[1a][21]**

5.29 Zimbabwe intervened in the civil war in the Democratic Republic of Congo (DRC) in 1998 when President Mugabe sent 11,000 troops, almost a third of the Zimbabwean army, to defend the late President Laurent Kabila's Government against rebels backed by Uganda and Rwanda. Although Angola and Namibia joined the alliance protecting Kabila's regime, Zimbabwe has more troops in the DRC than any other country. The Zimbabwean Government and businessmen have numerous commercial interests in DRC. **[1a][5w]**

5.30 Observers blame military involvement in the DRC's civil war for wrecking the Zimbabwean economy and causing a desperate shortage of fuel and hard currency. This serious drain on Zimbabwe's resources contributed to making the war deeply unpopular. **[5w]**

5.31 All sides began disengaging from the DRC civil war in March 2001 in accordance with a peace deal signed in Lusaka in 1999, giving President Mugabe a face-saving formula for a withdrawal of Zimbabwean forces. 200 front-line Zimbabwean troops left their positions in DRC in April 2001 with another 2,000 expected to follow in coming weeks. It is expected that some Zimbabwean forces will remain in the DRC, to protect President Joseph Kabila's regime and Zimbabwean commercial interests; Zimbabwean businessman and senior army officers run diamond mines in the DRC. **[5w][32]**

5.32 In August 2002, a military spokesman announced that all Zimbabwean troops in the DRC would be returned to Zimbabwe as soon as could be managed. The spokesman stated that approximately 3,000 troops remain in the DRC, although independent estimates put the number as between 9,000 and 12,000. **[10h]** In September 2002, the UN Mission in the DRC confirmed that

Zimbabwean troops had begun their withdrawal from the country. The UN Mission stated that 2,400 Zimbabwean troops remain in the DRC. [10i]

5.33 It was reported that in 2001 many members of the Ndebele minority were prohibited from joining the military. [2b]

5.34 In January 2002, in the run-up to the presidential election in March 2002, the commander of Zimbabwe's defence forces, General Vitalis Zvinvashe, along with other military and Intelligence officers of senior rank, stated that the military would only obey a political leader who had participated in the 1970s guerrilla war for independence. Zvinvashe's statement was seen as significant as MDC leader Morgan Tsvangirai did not participate in the liberation movement. His statement contradicted earlier statements by the army's public relations directorate rejecting charges that the army was partisan and vowing to serve any elected leader. [3av][34a][37c]

INTERNAL SECURITY

5.35 Senior Government and ZANU-PF members tightly control the security forces. Members of the security forces have committed numerous, serious human rights abuses, including reports of extrajudicial killings, torture, rapes and beatings. [2b]

5.36 The Zimbabwe Republic Police (ZRP) force is responsible for maintaining law and order. The ZRP is officially under the control of the Ministry of Home Affairs but in practice is controlled by the President's Office. [2b]

5.37 The Central Intelligence Organisation (CIO), under the Minister of State for National Security in the President's Office, is responsible for internal and external security, but officially, it does not have powers of arrest. [2b]

5.38 Police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Defendants in police courts have the right of appeal to the Supreme Court. Trials in police courts generally meet internationally accepted standards for fair trials. [2b]

LEGAL RIGHTS/DETENTION

5.39 The Constitution prohibits arbitrary arrest and detention but some laws

effectively weaken this prohibition and security forces arbitrarily arrest and detain people repeatedly. Warrants of arrest issued by courts are required except in cases of serious crime. There is a growing problem, especially in rural areas, in which victims or witnesses of crimes who report to the police are themselves charged with the crimes that they are reporting. **[2b]**

5.40 A preliminary hearing before a magistrate is required within 48 hours of an arrest, or 96 hours over a weekend, but this law is often disregarded if a person does not have legal representation. Detainees generally are not allowed prompt or regular access to their lawyers. Family members are generally denied access to detainees unless accompanied by a lawyer. Detainees, especially those from rural areas, routinely are held incommunicado. Prolonged pre-trial detention remains a problem, with detainees spending an average of six months in detention before their trials because of a shortage of magistrates and court interpreters. **[2b]**

5.41 The right to appeal exists in all legal cases. Trials are open to the public except in certain security cases. Defendants enjoy a presumption of innocence, the right to present witnesses and the right to question witnesses for the prosecution. Defendants and their legal representatives generally have access to government-held evidence relevant to their cases. **[2b]**

5.42 The legal system generally does not discriminate against women or minorities, although some High Court judges have imposed lenient sentences in some cases of rape and sexual abuse of children and local women's and legal organisations have challenged such decisions. **[2b]**

5.43 On 21 July 2002 Learnmore Jongwe, the MDC spokesperson and Secretary for Information and Publicity was arrested and charged with the murder of his wife, Rutendo. The incident appears to have been motivated by personal reasons does not appear to have any political connotations. **[9ad]**. On 22 October 2002, Mr Jongwe was found dead in his cell at Chikurubi Prison. The cause of death has yet to be established. **[3bf]**.

Death Penalty

5.44 Zimbabwe retains the death penalty and there have been approximately 90 executions since 1980. **[9h]**. Following an appeal by Pope John Paul II, during a visit to Zimbabwe in 1988, for the abolition of the death penalty no executions were carried out between 1988 and 1995. **[14d]**. In October 2000 three men, convicted of five murders, were executed. **[9h][14d]**. In May 2002 three men were hanged. They had been convicted on separate murder charges

and one of the men was also convicted of rape. **[40]**. There are 26 prisoners on "death row" at Chikurubi Maximum Security Prison. Since 1993, the NGO Zimbabwe Association of Crime Prevention and Rehabilitation (ZACRO) has campaigned for the abolition of the death penalty. **[9h]**. There is an automatic right of appeal in cases where the death penalty is imposed. **[2b]**.

PRISONS AND PRISON CONDITIONS

5.45 Prisons in Zimbabwe are administered by the Zimbabwe Prison Service, under the command of the Commissioner of Prisons, who is appointed by the President. A Prison Service Commission of not less than two and a maximum of seven members is appointed by the President. One member of the Commission must have held the rank of Superintendent or a more senior rank in the Prison Service for a period of at least five years. **[31]**

5.46 The Government permits international human rights monitors to visit Zimbabwean prisons, although in practice government regulations and procedures make such visits very difficult to arrange. Permission to make a visit is required from the Commissioner of Prisons and the Minister of Justice, which sometimes takes a month or longer to obtain or may not be granted at all. A local NGO that deals with prison issues was granted access on a number of occasions during 2000 and 2001. **[2a][2b]**

5.47 Prison conditions are harsh. Extreme overcrowding, shortages of clothing and poor sanitary conditions persist. The harsh conditions and a high incidence of HIV/AIDS are widely acknowledged to have contributed to a large number of deaths in prison. The Zimbabwe Prison Service recorded 1,051 cases of prisoners dying of AIDS-related causes since 1998. **[2b]**. Overcrowding was thought to be the cause of the deaths of two prisoners in Rusape Prison, Manicaland in early October 2002. Reports claim that 325 prisoners were being detained in the facility, which has a capacity of 100. Further reports claim at least 30 prisoners were immediately transferred to Mutare Prison and a Rusape Magistrate released a further 20 prisoners held for petty crimes. **[9ag]**

5.48 To alleviate prison overcrowding the government established a successful community-sentencing programme. A human rights training programme for prison officials has also been established, in co-operation with the Legal Resource Foundation. Officials who mistreat prisoners are punished routinely. **[2b]**

5.49 Female prisoners are held in separate cellblocks from male prisoners. There are an estimated 2,000 women in prison, out of a total prison population

of over 21,000, increasingly for crimes of prostitution, fraud, petty theft and abandonment of children. Many women prisoners have to raise their children in prison if they have nobody outside to care for them. **[2b]**

MEDICAL SERVICES

General

5.50 The improved health status achieved by Zimbabwe in the immediate years following independence has begun to deteriorate. Strong government and donar financial support for the health sector in the 1980s led to rapid improvements in health, fertility and nutrition. Emphasis was placed on prevention, primary health care, family planning and child survival interventions. However, by the 1990s health indicators, although high relative to other sub-Saharan African countries, had stagnated or declined. Much of this deterioration can be attributed to HIV/AIDS. Also, economic difficulties resulted in a reduction in real terms in health spending and the pay of health workers in the 1990s. **[22]**

5.51 While HIV/AIDS has had a major negative impact on health indicators, some indices, such as those associated with women's preventative practices, are still impressive. Since 1988, the percentage of women giving birth in a medical facility and the percentage of children fully immunised has remained consistent at 69 % and 68% respectively. Antenatal care coverage has remained constant at over 90%. **[22]**

5.52 Heavy increases in the cost of some life-saving drugs were reported in early 2001. The increases were blamed on the falling value of the Zimbabwean dollar and general inflation in local costs. The price increases, coupled with recent increases in hospital fees, have further pushed the price of health care beyond the reach of many Zimbabweans. **[23]**

(See Sections 6.123 - 6.130 for further information on HIV/AIDS)

People with disabilities

5.53 President Mugabe appointed a disability activist to Parliament in 1995 to represent the needs of people with disabilities. The law specifically prohibits discrimination against people with disabilities in employment, admission to public places or provision of services. However, in practice, the lack of resources for training and education severely hampers the ability of people with disabilities to compete for scarce jobs. **[2b]**

5.54 People with disabilities face particularly harsh customary discrimination. According to traditional belief, people with disabilities are considered bewitched. Children with disabilities are often hidden from sight when visitors arrive. NGOs continue to lobby for albinos to be defined as "disabled" under the law. **[2b]**

5.55 The Sexual Offences Act, which came into law in August 2001, expanded the definition of sexual offences to include an immoral or indecent act with a person with mental difficulties. **[2b]**

EDUCATIONAL SYSTEM

5.56 Zimbabwe has made significant progress in providing education for children. Although there is no compulsory education and schooling is not free, overall primary school attendance has increased by more than 4,000% since independence in 1980 and more than 93% of children reach Grade 5 level. Increased fees in urban schools and rural secondary schools, which have risen sharply because of inflation, have though led to a decline in enrolment. Though many families cannot afford to send their children to school. **[2b]**

5.57 In most areas, fewer girls than boys attend secondary schools. If a family is unable to pay school fees it is most often girls who have to leave school. The literacy rate for women and girls over the age of 15 is 80% whereas the male rate is approximately 90%. **[2b]**

6. HUMAN RIGHTS

6A. HUMAN RIGHTS ISSUES

OVERVIEW

6.1 The Government's poor human rights record has worsened significantly since 1999. In 1999 President Mugabe intensified verbal attacks on the opposition, the judiciary, the press and white Zimbabweans. In 2000 the Government supported and orchestrated a campaign of political violence and intimidation that claimed over 30 lives. Government supporters and war veterans occupied mainly white-owned commercial farms and killed, tortured, beat, abused and threatened farmers and their workers who they believed to be opposition sympathisers. There were unconfirmed reports of politically motivated disappearances during 2000. Members of the security forces committed serious human rights abuses during 1999 and 2000. The death of

Vice-President Joshua Nkomo in 1999 re-opened the public debate about atrocities committed by security forces in Matabeleland in the 1980s.

[2a][2b][14a]

6.2 Although the judiciary is generally independent, the Government often refuses to abide by court decisions and frequently questions the authority of judges and threatens their removal. Press freedom is restricted and journalists are intimidated. Academic freedom is restricted. The Government has exacerbated resentment of the white minority. **[2b]**

Human Rights Organisations in Zimbabwe

6.3 Although the Government permits local civic and human rights groups to operate, it monitors their activities closely. National human rights groups include the Amani Trust, the Catholic Commission for Justice and Peace, the Legal Resources Foundation, Zimbabwe Lawyers for Human Rights, the Zimbabwe Women Lawyers Association, the National Constitutional Assembly, the Musasa Project, the Zimbabwe Union of Journalists and ZimRights. The Zimbabwe Human Rights NGO Forum has taken the lead in co-ordinating reports on human rights violations and abuses in the period prior to and following the 2000 parliamentary elections. **[2b]**

6.4 International human rights groups such as Amnesty International, Transparency International and the International Committee of the Red Cross operate in Zimbabwe. The Government generally does not prevent international human rights groups from visiting the country, but in September 2001 two people from the International Foundation for Election Systems, an NGO, who were visiting Zimbabwe to prepare for the monitoring of the 2002 presidential election, were asked to leave the country. Also in September 2001, a European Union team of election experts were denied permission to visit Zimbabwe. **[2b]**

FREEDOM OF SPEECH & THE MEDIA

General

6.5 Although the Constitution provides for freedom of expression, legislation limits this freedom on grounds such as defence and public order. The Government continues to restrict press freedom and monopolises radio broadcasting. Journalists have faced increasing difficulties as the Government has sought to extend its control over the news in the face of political crises. The Government enforces restrictive laws against journalists and intimidates them. Security forces have arbitrarily detained journalists and have refused to punish

security force members who have tortured journalists. In September 2000 the Supreme Court ruled the Government's monopoly on broadcasting to be unconstitutional. Books and films are subject to review by the Zimbabwe Board of Censors. The Board has banned at least ten films in recent years.

[2a][2b][30a]

6.6 The Government restricts the freedom of speech of its political opponents and those making public comments critical of President Mugabe. Sections 44 and 50 of the Law and Order Maintenance Act (LOMA) criminalise and allow the Government to suppress the publication of any statement deemed to be subversive or likely to cause "alarm and despondency". In addition, anti-defamation laws criminalise libel of both public and private persons. Legislation passed in early 2002, ahead of the presidential election in March 2002, placed stringent Government controls on journalists and the media. **[2b][4s]**

Newspapers

6.7 During 2000, the independent press grew substantially in relation to the newspapers that belong to the Mass Media Trust holding company, which is heavily influenced by ZANU-PF. Before the campaign for the parliamentary elections in June 2000, circulation of the independent *Daily News* grew significantly while the readership of the pro-Government Herald fell sharply. Although the major independent newspapers monitored Government policies and allowed opposition critics to write, most of them exercise a degree of self-censorship owing to growing Government intimidation and the prospect of prosecution under criminal libel laws. **[2a]**

6.8 In some areas during 2000 the Government appeared more tolerant of the press, such as in its criticism of official corruption. In other respects, such as reporting of Zimbabwe's military involvement in the Democratic Republic of Congo, it showed itself to be more intolerant of press freedom. The Committee to Protect Journalists (CPJ) blamed President Mugabe for deliberately creating an atmosphere of danger and suspicion within Zimbabwe's independent media. In particular the CPJ condemned the campaign of harassment against the independent *Daily News* newspaper. **[2a][20a]**

6.9 In January 1999 military and civilian police detained and tortured two journalists from the independent *Standard* newspaper, Mark Chavunduka and Ray Choto. They had reported that 23 army officers had been arrested in connection with an alleged planned army coup. The journalists were charged, under the colonial-era Law and Order Maintenance Act (LOMA), with publishing a false story capable of causing alarm or despondency. Defence Ministry

officials ignored three separate High Court rulings ordering the journalists' release before they were finally freed. Clive Wilson, the *Standard's* editor, was also threatened by military police, who refused to identify themselves. The journalists subsequently sought compensation from the authorities for their torture and illegal detention. In April 2000 the Supreme Court ruled that the section of LOMA under which the journalists had been charged was unconstitutional. The journalists' legal challenge for their mistreatment was still pending at the end of 2001. [2a][2b][14a][14b]

6.10 In February 2000 the publisher of the *Standard* and two of the paper's journalists were arrested on charges of criminal defamation after the paper published an article accusing the Government of printing the country's new draft constitution without incorporating all the public's views. [2a]

6.11 During the election campaign for the June 2000 parliamentary elections, ZANU-PF supporters and war veterans harassed, intimidated and abused journalists who they considered to be sympathetic to the opposition. All Zimbabwean media came under intense pressure during the election to cover the ZANU-PF Government in a positive way. The Government accused international journalists of colluding with the MDC and white farmers to discredit ZANU-PF. In April 2000 a *Daily News* journalist, photographer and driver were detained for two hours by ZANU-PF supporters and war veterans on a farm near Harare, and were threatened with death for allegedly supporting the MDC and white farmers. The newspaper staff were forced to chant ZANU-PF slogans, in view of police. [2a][30a]

6.12 Also in April 2000, the *Daily News* received a letter threatening the editor if the paper did not desist from criticising the Government and President Mugabe in particular. Three days later a bomb exploded in an art gallery below the offices of the *Daily News*. An Associated Press photographer was arrested in connection with the bombing later in April 2000 but was released in early May 2000 with no charges having been filed against him. In January 2001 a bomb exploded in the printing plant of the *Daily News*. The attack followed a warning from the Government's Information Minister, Jonathan Moyo, that it was only a matter of time before people put a stop to what he called the newspaper's "madness". War veterans' leader Chenjerai Hunzvi MP had also announced that war veterans intended to "ban" the *Daily News*. [2a][2b][3x][30a]

6.13 In June 2000 war veterans beat and abducted a journalist for the *Daily Independent* newspaper, a foreign journalist, and his cameraman in Mutoko district. Police rescued those abducted within a few hours. No charges were filed against the perpetrators. In July 2000 war veterans assaulted *Standard*

journalist Cengetayi Zvanya at a news conference at ZANU-PF headquarters. The war veterans detained Zvanya for two hours then released him. **[2a]**

6.14 In February 2001 the BBC's Zimbabwe correspondent, Joseph Winter, fled the country after the Government withdrew his visa and armed men picketed his home. Also in February 2001 a Uruguayan journalist working for a South African newspaper was also expelled from Zimbabwe. **[3y][3z]**

6.15 In March 2001 the Government sacked the editors of Zimbabwe's largest state-controlled newspapers, intensifying a campaign by the Minister for Information Jonathan Moyo to gag the media ahead of the 2002 presidential election. The editors of the *Herald* and the *Sunday Mail* were sacked without explanation shortly after the dismissal of the chairman of Zimbabwe Newspapers, which publishes the *Herald* and *Sunday Mail*, after he refused to implement a Government directive to fire editors perceived to be critical of government policy. The move was criticised by the Media Institute of Southern Africa, which described the action as a form of harassment against journalists. **[4c][11b]**

6.16 In April 2001 the chief editor and two reporters of the *Daily News* were questioned by police after being charged with defamation of President Mugabe. This follows the publication in 2000 of newspaper reports linking Mugabe and Emmerson Mnangagwa, the Speaker of Parliament, to 'kickbacks' allegedly paid for awards of contracts paid for a new airport for Harare. These kickbacks allegedly favoured ZANU-PF politicians and their business associates. The *Daily News* editor described the charges as evidence of 'continuing harassment' of independent journalists. **[3aa][8c]**

6.17 In June 2001 the Harare correspondent of the British *Daily Telegraph* newspaper was ordered to leave Zimbabwe. The International Press Institute in Vienna was among several groups to criticise the expulsion, seeing it as part of a consistent policy by the Zimbabwean Government to prevent the media, both inside and outside Zimbabwe, from discussing what is happening in the country. In July 2001, the Zimbabwean Government suspended the accreditation of BBC correspondents, accusing the BBC of "distortions and misrepresentation". **[5z]**

6.18 In August 2001, Geoff Nyarota, editor of the *Daily News*, was arrested along with his deputy, news editor and a reporter on charges of publishing rumour or false information likely to discredit the security forces. The paper had published an article alleging that police had been involved in looting white-owned farms in Mashonaland West province. The journalists were released a

few hours later after a High Court judge ruled that the charges were illegal but they were re-arrested on new charges of publishing subversive material, under the provisions of the Law and Order Maintenance Act, then released.

[3ah][4d][30b]

6.19 A reporter and a photographer working for the independent *Daily News* newspaper were arrested in November 2001 on kidnapping and torture charges in the case of Cain Nkala, a leader of farm occupations in Matabeleland, who was murdered in November 2001 (see also Sections 3.36 - 3.39). Nkala's death sparked a wave of violence by militant ZANU-PF supporters. The two journalists were accused of involvement in an alleged plot to blame Government agents for Nkala's murder. The *Daily News* said that its employees had been arrested to prevent them from publishing an interview with a member of the MDC with details about the death of Nkala. **[3ar][4n]**

6.20 The International Press Institute wrote to President Mugabe in November 2001 asking him to repudiate his Government's accusation that local and foreign journalists were colluding with terrorists. The pro-ZANU-PF *Herald* newspaper had quoted a Government spokesman as saying that six foreign journalists were "assisting terrorists" after they had reported on attacks on whites and opposition activists in Bulawayo. The journalists report for British newspapers the *Independent*, the *Guardian*, the *Times* and the *Daily Telegraph*, US news agency *Associated Press* and the South African *Business Day*. One of the journalists also reports for the Zimbabwean paper *Financial Gazette*. Since the terrorist attacks in the USA on 11 September 2001, President Mugabe has repeatedly referred to his opponents as 'terrorists'. Three foreign correspondents were expelled from Zimbabwe earlier in 2001. **[34c][4o][3as]**

6.21 The controversial Access to Information and Privacy Act, passed by Parliament on 31 January 2002, barred foreign journalists from working in Zimbabwe except for short periods to cover specific events. It also compelled local journalists to apply for a one-year renewable licence issued by the government-appointed Statutory Media Commission or face two years in prison. Other provisions of the bill include a ban on publishing "unauthorised" reports of Cabinet deliberations or releasing information about intergovernmental relations or their financial and economic interests. Journalists' unions pledged to fight the new law and defy its strict rules. **[3m][3at][3au][4s][37b]**

6.22 In its report on the March 2002 presidential election, the Commonwealth Observer Group condemned the effective "banning" of the independent *Daily*

News newspaper in some parts of Zimbabwe by ZANU-PF supporters and war veterans. [9u] Also in March 2002, the *Daily News* reported that 15 ZANU-PF youths and war veterans had attacked two of its vendors in Rusape for selling the newspaper. The two vendors were taken to ZANU-PF offices, where they were beaten and robbed. [9v]

6.23 On 15 April 2002, the editor of the *Daily News*, Geoffrey Nyarota, was arrested again, over a report published in his newspaper on 10 April 2002 that alleged that the result of the presidential election had been rigged. Nyarota was charged under the new Access to Information and Protection of Privacy Act with abusing journalistic privilege and publishing false information. He was freed after questioning but will appear in court at a later date. The offence with which he was charged carries a maximum penalty of two years imprisonment. Dumisani Muleya, a reporter with the *Zimbabwe Independent* newspaper, was also arrested on 15 April 2002 over a report in his newspaper that Mugabe's brother-in-law was leading a group of militants that was trying to seize control of a white-owned food processing company in Harare. [8e][9x]

6.24 Andrew Meldrum is a US citizen who resided in Zimbabwe since independence, and is the correspondent for the London based newspaper, *The Guardian*. He was arrested on 1 May 2002 under the new controversial Access to Information and Protection of Privacy Act (AIPPA), which came into effect shortly after the March 2002 Presidential election [30d][3bm]. This act requires that all journalists in Zimbabwe be approved by the state (see paragraph 6.21). Mr Meldrum, along with 7 other journalists were arrested under AIPPA. Mr Meldrum's case was the first brought to court using the new Act [30c]. The arrest of Meldrum and 2 journalists from *The Daily News* followed the publication in that paper and *The Guardian* of a report that claimed ZANU-PF youths beheaded a supporter of the opposition. Mr Meldrum ran the story for *The Guardian* and Mr Mudiwa ran it for *The Daily News*. [30d]. However, the story proved to be inaccurate. Despite a retraction and apology by the newspapers involved the three were still tried, although they were released from custody on 2 May 2002. One of the three, Collin Chiwanza, had the charges against him dropped by the presiding judge on 7 May 2002, due to lack of evidence. At the court hearing on 15 July 2002, the judge found that Mr Meldrum has taken reasonable steps to verify his story and did not deliberately publish falsehoods. Although he was acquitted, Mr Meldrum was served with deportation papers which had been signed a week before the trial, indicating the governments intention to deport him regardless of the verdict. [30c]. On 20 June 2002, the government indicated that it would reinstate charges against Mr Chiwanza. [30e]. On 18 July 2002 the deportation order against Mr Meldrum was suspended, pending the case being referred to the Constitutional Court.

With regard to Mr Mudiwa and Mr Nyarota of the Daily News, at their court hearing on 25 July 2002, their defence council argued that the case should be referred to the Supreme Court. **[44]**.

6.25 Between the Presidential election and 11 July 2002, 14 journalists had been arrested. **[30d]**.

Radio and Television

6.26 Radio is the most important medium of public communication, especially for people in rural areas. The government controls all domestic radio stations through the State-owned Zimbabwe Broadcasting Corporation (ZBC), supervised by the Minister for Information and Publicity in the President's Office. Ministers are reported to routinely review ZBC news and delete reports on the activities of political opponents. **[2b]**

6.27 In September 2000 the Supreme Court declared the government's broadcasting monopoly to be unconstitutional. Despite a statement by the Information Minister that no private radio stations would be allowed to broadcast until the Government had set up a proper regulatory framework for private operators, a private radio station called Capital Radio began operating. In October 2000 police shut down Capital Radio and seized its equipment, despite the issue by the High Court earlier the same day of a decision barring the seizure. The police also searched the homes of the station's co-owners and others associated with the station, including MDC MPs Michael Auret and David Coltart. The High Court ordered the return of the seized equipment and directed the Government to issue a licence within ten days. Most of the equipment was returned but a licence was not issued and, that same day, President Mugabe issued by decree temporary regulations giving the Information Minister the power to issue and deny broadcasting licences. Later in October 2000, a legal committee of Parliament, in a non-binding resolution, declared the new regulations unconstitutional. At the end of 2001, Capital Radio was awaiting Parliament's final report on the regulations before proceeding with a planned appeal to the Supreme Court. **[2b][5v][30a]**

6.28 In 1999 the Supreme Court ruled that the Government's monopoly on telecommunications was unconstitutional because it interfered with the right to freedom of expression. The Government subsequently granted a broadcasting licence to a private television station, Joy TV. However, the President's nephew, Leo Mugabe, is reported to have financial ties with Joy TV and the ZBC reportedly exercises editorial control over the station's programming. International television broadcasts are freely available through private cable

and satellite firms. **[2a]**

6.29 In April 2001 Parliament passed a sweeping new law establishing the Broadcasting Authority of Zimbabwe and giving the government control of broadcasting. The new law gives Jonathan Moyo's Information Ministry the final authority to issue broadcast licences and the right to withdraw licences from independent broadcasters. It also stipulates that independent broadcasters should give the government one-hour a week to air its policies. The law prohibits foreigners and non-residents from owning shares in broadcasting companies and limits individuals to a maximum of 10% in station ownership. The MDC criticised the new law as a crackdown on free speech ahead of presidential elections due to be held in 2002. **[3w][30a]**

Internet

6.30 The Government does not restrict access to the Internet and there are many privately owned domestic Internet Service Providers. However, in April 2000 Parliament passed legislation permitting the authorities to monitor all international e-mail messages entering and leaving Zimbabwe. The security services reportedly have used this authority to monitor e-mail communications, although the extent of any such monitoring is not known. Under the Posts and Telecommunications Bill of 2000 a new regulatory board was established with powers over Internet services. All Internet Service Providers (ISPs) will have to apply for private licences. The Government can take up to eight months to grant or accept applications for such licences and ISPs with less than 51% Zimbabwean ownership are ineligible. The Bill also gives the Government power to monitor communications in the interests of national security or maintenance of law and order. **[2b][30a]**

FREEDOM OF RELIGION

6.31 There is no state religion in Zimbabwe. The Constitution provides for freedom of religion and the government generally respects this right in practice. The government generally recognises all religions. Religious institutions do not have to be registered, although religious organisations that run schools or medical facilities must register those institutions with the ministries involved in their regulation. Religious institutions may apply for tax-exempt status and duty-free privileges with the Customs Department, which generally grants such requests. **[2b][28]**

(See also Sections 6.131 - 6.133 on Witchcraft)

FREEDOM OF ASSEMBLY & ASSOCIATION

6.32 The Constitution provides for the right of assembly but the Government has restricted this right in practice. The Government enforced laws that restricted the right to free assembly, including the Law and Order Maintenance Act (LOMA), and repeatedly used force to break up non-violent demonstrations by its critics. Permits are not required for meetings or processions but the police continue to require groups to obtain permits for marches and demonstrations. Most groups conducting marches have not sought permits but some groups informed the police of their planned demonstrations. **[2b]**

6.33 In April 2001 Parliament passed a law banning foreign funding of political parties, a move clearly aimed by the Government at the MDC. While ZANU-PF is financed largely from state sources, the MDC has relied on aid from local and foreign donors. MDC leader Morgan Tsvangirai criticised the new law as unconstitutional, saying that it impinges on freedom of association. **[3w]**

EMPLOYMENT RIGHTS

6.34 The Labour Relations Act provides private sector workers with freedom of association and the right to elect their own representatives, publish newsletters and form or join unions without prior authorisation. There is no right to strike in the Constitution and "essential" employees are prohibited by law from striking. The Government has defined all public sector workers and some private sector workers, such as those in the health sector, as essential. For the remaining non-essential workers to strike there must be a vote of more than 50% in favour of strike action. **[2b]**

6.35 The International Confederation of Free Trade Unions (ICFTU) has criticised Zimbabwe's labour laws for giving the authorities wide scope for declaring that a given enterprise or industry constitutes an essential service and then impose a strike ban. President Mugabe has on occasions issued blanket bans on strikes in both the public and private sectors. **[2b]**

6.36 Approximately 400,000 workers, around 25% of the formal sector workforce, belong to the 31 unions that form the Zimbabwe Congress of Trade Unions (ZCTU). Although the government originally established the ZCTU, anticipating that it would form a labour arm of ZANU-PF, the ruling party no longer controls the organisation. MDC leader Morgan Tsvangirai was the former leader of the ZCTU and many senior MDC figures come from the ZCTU. Although civil servants constitutionally are barred from forming unions, the Public Service Association and its affiliated associations have become

members of the ZCTU. The ZCTU is affiliated with the ICFTU. The ZCTU's Secretary General, Wellington Chibebe, was arrested in July 2001 and questioned about a strike that the ZCTU had sponsored earlier that month and the ZCTU's association with foreign labour organisations. He was released later the same day. **[2b]**

6.37 In June 2001, a second umbrella labour organisation, the Zimbabwe Federation of Trade Unions (ZFTU) began to function after a long period of inactivity. The organisation appeared to be led by Joseph Chinotimba, a prominent war veteran. Observers commented that the ZFTU had been reformed by ZANU-PF to spearhead its campaign to force mainly white-owned businesses to resolve wage and employment disputes and grant higher wages to their workers. The ZFTU was created with government support to try and undermine the powerbase of the ZCTU and try to coerce some ZCTU-affiliated union members into joining its own nascent unions. The ZFTU has no known international affiliations. **[2b][37I]**

6.38 In April 2002, eight workers at a gold mine at Shamva were reportedly forced to resign their jobs because of their support for the MDC. The men had acted as polling agents for the MDC in the March 2002 presidential election. They claimed that active ZANU-PF members in the mine victimised suspected MDC supporters. **[9m]**

6.39 Child labour is common, although the law bans the employment of children under the age of 15 and restricts employment of those between 12 and 17 to light work during school holidays for periods not exceeding six hours per day. Hazardous employment, overtime and night shift work are banned for those under 18. However, there is little enforcement of these laws. According to the 2000 National Child Labour Survey, approximately 25% of children between the ages of 5 and 17 were involved in some form of child labour. In the agricultural sector, children often work in fields after school during the plantation and harvesting seasons. **[2b]**

PEOPLE TRAFFICKING

6.40 The trafficking of people is a growing problem in Zimbabwe. There are no figures available from the government or NGOs on the number of people trafficked to, from, or through Zimbabwe. Although both men and women of every age group were trafficked, young women below 25 years old appeared to be targeted specifically for trafficking to South Africa. While Zimbabwe is primarily a source of people trafficked to South Africa, it is also a transit point for people trafficked from Asia, Mozambique and Malawi to South Africa. In a

smaller number of cases, Zimbabwe is a destination point for people trafficked from Mozambique, Malawi and other poorer countries in southern and central Africa. **[2b]**

6.41 Most victims of trafficking appear to be targeted because they are young, unemployed or dispossessed. Traffickers are known to enter nightclubs or other youth gathering places in search of recruits. Most victims are promised high paying jobs, few of which exist in South Africa. Many young women are forced into the sex trade and victims are often held against their will and denied pay. Most trafficking from and through Zimbabwe appears to involve loose organisations of independent truck drivers and recruiters, most of whom have no connections to overseas crime groups. Most victims are transported by trucks, especially containerised cargo trucks. They are often left near the border, where they cross by foot to be met on the other side. **[2b]**

6.42 The Sexual Offences Act, passed and signed into law in August 2001, criminalises the transport of people across Zimbabwe's borders for the sex trade. Traffickers can also be prosecuted under other legislation, such as immigration and abduction laws, but the specified punishments generally are minor. The government generally does not acknowledge the problem of people trafficking. When trafficking is discovered, the police usually focus on the illegal immigration status of the victims rather than the activities of the traffickers. Most foreign victims of trafficking are usually detained and then deported. **[2b]**

FREEDOM OF MOVEMENT

6.43 Although the Constitution provides for the rights of freedom of movement and travel within and outside Zimbabwe, the Government has at times restricted these rights. There were various incidents during the campaign for parliamentary elections in June 2000 in which people's rights of free movement were interfered with. This has continued throughout 2001. **[2b]**

6.44 The Government invoked the Law and Order Maintenance Act in April 2000 to prevent the movement of political party supporters between different districts. In May 2000 police sealed roads leading into Masvingo, where an MDC rally was being held. **[2a]**

6.45 In 2001, police routinely erected roadblocks in and around cities and rural districts that were due to hold local elections. Police claimed that they were searching for criminals and illegal weapons but legal rights groups claimed that the intention was to discourage or limit campaigning by the opposition in those areas. In rural areas, police and ZANU-PF supporters set up roadblocks to

screen vehicles for known opposition supporters and to turn away people who were not carrying ZANU-PF party cards. **[2b]**

6.46 In July 2001, President Mugabe signed an amendment to the Zimbabwe Citizenship Act and the Home Affairs Ministry issued regulations requiring all dual passport holders to renounce their foreign citizenship under the laws of the foreign country in order to retain their Zimbabwean citizenship. Citizens who had failed to comply with this requirement by 7 January 2002 ceased to be Zimbabwean citizens and would be ineligible to vote in Zimbabwean elections. The revised Citizenship Act also revoked the citizenship of people who fail to return to Zimbabwe in any five-year period. **[2b]**

6.47 Legal rights groups stated that the revised citizenship laws were intended to disenfranchise citizens because of their perceived opposition sympathies. This includes farm workers, estimated to number over 500,000, who have origins outside Zimbabwe and the approximately 30,000 mostly white dual nationals. In 2000 the Government had ordered people with dual nationality to surrender their Zimbabwean passports, after President Mugabe had declared them "enemies of the state". **[2b]**

6B. HUMAN RIGHTS - SPECIFIC GROUPS

WOMEN

6.48 Women and men enjoy equal rights in Zimbabwe, although there is a disparity between women's legal status and the treatment they receive on an everyday basis. Domestic violence and discrimination against women remains widespread. Divorce and maintenance laws are favourable to women but women generally lack awareness of their rights under the law. The government campaigns actively to change perceptions of the role of women in society and NGOs also work to increase women's awareness of their rights. Traditional perceptions of women are more deep-rooted among rural populations, including among women themselves. For example, in many rural families, while women worked in the fields their husbands controlled the income from the sale of produce. **[2a][2b][15]**

6.49 Domestic violence against women, especially wife beating, is common. The Musasa Project, a leading women's rights organisation, reported that the number of incidents of domestic violence increased in 2001 because of the deteriorating economic situation and higher unemployment amongst men. **[2b]**

It was reported that domestic violence accounted for 60% of murder cases tried in the Harare High Court in 1998. The Musasa Project opened the first shelter for victims of domestic violence in Harare in 1997. **[2a]**

6.50 Women face many obstacles in reporting rapes. Many police stations are not prepared to properly handle the investigation of rape cases. Also, women are reluctant to report rape because of social stigma. Women's groups believe the actual number of rapes is under-reported considerably. When cases do reach the courts, lengthy sentences for rape and wife beating are generally imposed. Courts do not have the power to remove an abusive spouse from a couple's home. **[2b]**

6.51 At least eight cases of politically motivated rape of women were reported in the run-up to the parliamentary elections in June 2000. **[2a]** The Amani Trust reported six cases of politically motivated rape in 2001 but estimated that the actual number of politically motivated rapes may be in the hundreds. The attacks targeted female farm workers and health workers. In 2000, in the run-up to the parliamentary elections, there were instances of gang rapes of young girls and elderly women and rapes of female farm workers and health workers. **[2b]**

6.52 Zimbabwe has ratified the Convention on the Elimination of All Forms of Discrimination against Women, which requires that states safeguard women's rights through legislation. While legislation exists in Zimbabwe to protect women whose rights have been violated by their husbands, women are often unaware of legal safeguards or, as in domestic violence cases, are reluctant to seek the help of the authorities. Illiteracy, economic dependency and prevailing social norms prevent rural women in particular from fighting societal discrimination. **[2a][15]**

6.53 Women are under-represented in government and politics. Fifteen of the 150 MPs in parliament, elected in June 2000, are women, including the Deputy Speaker, three ministers, one deputy minister and one provincial governor. There are no legal restrictions on the participation of women in politics. However, their husbands often direct married women, particularly in rural areas, how to vote. In 1999 the ZANU-PF congress decided that a third of party positions should be allocated to women. In 2000, 50 new positions reserved for women were added to ZANU-PF's powerful 180-member central committee. **[2b]**

CHILDREN

6.54 The Zimbabwean Government continues to demonstrate commitment to children's rights and welfare through a system of primary health care and education overseen by the Ministry of Health and Child Welfare. In August 2001, the Children's Protection and Adoption Act, the Guardianship of Minors Act, the Deceased Persons Maintenance Act and the Sexual Offences Act were passed into law to protect the legal rights of minor children. The Government increasingly enforces these acts. The criminal justice system has special provisions for dealing with juvenile offenders and juvenile prisoners are generally held separately from adults. **[2b]**

6.55 Female genital mutilation (FGM) is performed rarely in Zimbabwe. However, it has been reported that initiation rites practised by the small Remba ethnic group in Midlands province include infibulation, the most extreme form of FGM. **[2b]**

6.56 Indigenous churches that combine elements of established Christian belief with some beliefs based on traditional culture and religion generally accept and promote polygyny and the marriage of girls at young ages. Where adolescent girls are forced into marriage, laws on the age of majority and rape can be invoked. **[2b][15]**

6.57 The number of street children, and related problems of theft, street violence, drug use and violent death, has increased significantly. In 1999, there were an estimated 12,000 homeless children in Zimbabwe and the number was estimated to have doubled in 2001. **[2b]**

6.58 The number of incidents of child abuse, including incest, infanticide, child abandonment and rape increased during 2001, although it is not known whether the higher statistics reflect the fact that more cases are occurring or just that more are being reported. A local NGO, Parents and Family Support Network, reported that one child in three is at risk of physical or emotional abuse. There was a large volume of rape cases in the Harare victim-friendly courts, which consist of individual magistrates designated to try family cases. The large number of such cases led to calls by children's rights advocates to establish additional courts in surrounding areas. **[2b]**

6.59 The traditional practice of offering a young girl as compensatory payment in inter-family disputes continues. **[2b]**

6.60 Child labour is common - see *section 6.39*.

Childcare

6.61 Orphanages do exist in Zimbabwe, but are struggling to cope with the number of children that require their care. The AIDS virus claims thousands of lives a week and this, compounded by the current economic crisis, has resulted in an increase in the number of orphans. Approximately 620,000 orphans under 15 at the end of 1999 had lost their mother or both parents to AIDS. The state runs 8 orphanages and a further 38 are operated by children's charities. While demand for orphanages and their services has increased, their resources remain limited. The Department for Social Welfare routinely refers children to private orphanages. Each orphan receives approximately Z\$250 a month from the state, far short of the funds required for that time. **[29c][25]**

(See also Sections 5.56 - 5.57 on education)

ETHNIC GROUPS:

Shona

6.62 While all major ethnic groups are represented in Parliament and in the Government, most members of the Parliament and Government, including Robert Mugabe, and most ZANU-PF officials, are affiliated with the majority Shona ethnic group, which makes up 82% of the population. **[2b]**

Ndebele

6.63 According to government statistics the Ndebele make up 15% of Zimbabwe's population and are concentrated largely in the Matabeleland province of western Zimbabwe. Other sources estimate the Ndebele population, including the related Kalanga group, to comprise between 17 and 20%. During the 1980s Robert Mugabe's Shona-dominated Government suppressed a brief Ndebele insurgency in Matabeleland with a 5-year pacification campaign. This was led by the mainly Shona North Korean-trained Fifth Brigade, that killed an estimated 10,000 to 20,000 Ndebele civilians. One legacy is the disproportionate number of Shona-speaking teachers in Matabeleland's schools. This remains a sensitive issue, and the Ndebele continue to criticise the Government for unequal distribution of natural resources and its failure to compensate victims of the Matabeleland killings in the 1980s. At a memorial service for the late Joshua Nkomo in July 2000, just after the Parliamentary elections which saw ZANU-PF win only 2 out of 25 seats in Matabeleland and Bulawayo, President Mugabe described the atrocities in Matabeleland as an act of madness, saying that both sides were to blame. **[1a][2a][3t][27]**

6.64 In 1999 two NGOs, the Legal Resources Foundation and the Catholic Commission for Justice and Peace, issued a summary of their 1997 report *Breaking The Silence, Building True Peace* about atrocities committed in Matabeleland during the Government's *Gukuruhundi* campaign in the 1980s. It was the first major report to document human rights violations committed during the insurgency. Vice-President Nkomo's death in 1999 re-opened the public debate on the atrocities. The report detailed atrocities committed by the Fifth Brigade in two districts of Matabeleland and was based on the testimony of over 1,000 people over a five-year period. (See also Sections 4.6 - 4.9 on the Matabeleland insurgency) **[2b][6][14a]**

Whites

6.65 While the Constitution provides for equal rights for all citizens irrespective of colour or ethnic origin, the economically prominent white minority are a target of Mugabe and his Government's propaganda. Racial tensions between blacks and whites subsided after independence in 1980 and remain low, despite the Government's continuing efforts to blame the white minority for Zimbabwe's economic problems. **[2b]**

6.66 During 2000 the Government embarked upon a 'fast-track' resettlement programme for land reform in which commercial farms, mainly white-owned, were designated for seizure without compensation. In the run-up to the parliamentary elections in June 2000, Government supporters and war veterans occupied commercial farms and assaulted farmers and their workers. Six white farmers were murdered during 2000 in violence related to farm seizures. Mugabe denounced white farmers as "enemies of the state" during the election campaign, accusing them of trying to reverse Zimbabwe's independence. ZANU-PF supporters singled out whites when they attacked a peaceful demonstration in Harare in April 2000, assaulting marchers with stones, whips and clubs. Following the elections, Mugabe threatened to arrest two of the MDC's white MPs who had drafted the MDC's unsuccessful impeachment motion against him. At ZANU-PF's party congress in December 2000 Mugabe repeatedly denounced Zimbabwe's white minority and announced that he would continue to ignore court rulings that prevented the Government from acquiring white-owned land. He urged delegates to "continue to strike fear into the heart of the white man, our real enemy". **[2b][5t][8b]**

6.67 In April 2000 MDC leader Morgan Tsvangirai stated his support for orderly land reform but stressed that whites were a part of Zimbabwean society and would be forever. He criticised President Mugabe for exploiting race and land as issues to sustain his rule. Four whites were elected as MDC MPs in June

2000. [5h]

6.68 In the run-up to the June 2000 elections the Government criticised white judges, who make up a substantial part of Zimbabwe's still independent judiciary. At the time two of the five Supreme Court judges and 4 of the 20 High Court judges were white. The Government disregarded court orders to take action against the illegal occupation of farms by ZANU-PF supporters and war veterans. [2a][5q]

6.69 In October 2000 President Mugabe threatened to prosecute former members of the Rhodesian armed forces. Since independence an amnesty has protected both sides of the conflict between white-ruled Rhodesia and black guerrillas led by Robert Mugabe and the late Joshua Nkomo. Wifred Mhanda, who was second-in-command of Mugabe's guerrilla army in the 1970s, criticised Mugabe's statement, saying that the struggle was against a system, not against whites themselves. Mugabe would, however, need parliamentary approval to repeal the amnesty. [5u]

6.70 In March 2001 the Government published a new law tightening rules against dual citizenship. Zimbabweans entitled to a foreign nationality will be stripped of their Zimbabwean nationality if they do not inform their other country of nationality within six months that they are renouncing their entitlement. Previously they had to renounce their other nationality only to the Zimbabwean authorities. The MDC commented that the new law was aimed at Zimbabwe's white minority and was designed to reduce support for the opposition ahead of the presidential election due to be held in 2002. [3u]

6.71 In April 2001 ZANU-PF supporters and war veterans embarked upon a campaign of invading private businesses demanding the reinstatement of sacked workers. Many of these firms were white owned and/or foreign owned. (*See also Section 4.32*) [5n][5o]

6.72 Revisions to the Citizenship Act in 2001, requiring dual nationals to renounce their foreign nationality in order to retain their Zimbabwean citizenship, were criticised by legal groups for targeting the approximately 30,000 mostly white dual nationals. [2b]

Asians

6.73 There are some 20,000 people of Asian origin in Zimbabwe. Although they are a smaller group than Zimbabwean whites, in many towns they are more visible than whites because they run shops and factories rather than farms.

During the violence of the campaign for the June 2000 elections, there were reports that racial intimidation was spreading beyond the white-owned farms to include the Asian business community. Pamphlets were reportedly circulated in Bulawayo threatening Indians. **[4a]**

6.74 In April 2002, Andrew Ndlovu, leader of the Liberation War Veterans' Association, warned Zimbabwean Asians that their businesses and lands could be seized. In a report in the State-owned *Herald* newspaper, it was claimed that Asians had exploited black Zimbabweans. The *Herald* reported that Ndlovu had told Asian traders and small business owners to reduce rents, stop trading on currency on the black market, bank their money in Zimbabwe and raise wages.

[5ac] In May 2002, Ndlovu was arrested and charged with extortion and breaching the Public Order and Security Act. He allegedly printed a document entitled "Operation Liberation - Indians Watch Out", accusing the Indian community of sabotaging the economy through illegal currency dealing and ordering Indians to surrender parts of their properties to the government. He was released on bail of Z\$100,000. **[9z]**

Farm workers of Malawian, Zambian & Mozambican origin

6.75 There are between 350,000 and 400,000 farm workers in Zimbabwe, who number up to two million with their families. Most of these people are third generation Zimbabweans whose grandparents came to Zimbabwe from Mozambique, Malawi and Zambia during the colonial era. Many have lost contact with their countries of origin and have lived on white-owned farms throughout their lives. 'War veterans' have targetted these farm workers in their campaign against white ownership of commercial farms. Hundreds of thousands of farm workers have reportedly been displaced along with the white owners of commercial farms when squatters, in what commentators have referred to as ethnic cleansing, have occupied the farms. **[3af][11c]**

6.76 Revisions to the Citizenship Act in 2001, requiring dual nationals to renounce their foreign nationality in order to retain their Zimbabwean citizenship, were criticised by legal rights groups for targeting the many farm workers with origins outside Zimbabwe. **[2b]** A pressure group called the Zimbabwe Citizenship Rights Organisation (ZIMCRO) was formed in late 2001 to campaign against the revisions to the Citizenship Act, which led to citizenship being withdrawn from millions of Zimbabweans with parents born in countries such as Malawi, Zambia and Mozambique. ZIMCRO announced its intention of suing the government over the revisions to the Act **[37f]**

Other Ethnic Minorities

6.77 The Shangaan, Venda and Tonga peoples make up about 2% of the population. The Shangaan and Venda live mainly in the far south of Zimbabwe. In 1985-86 the government introduced teaching in primary schools in these groups' own languages. In 1995 the national radio station began broadcasting programmes in the three minority languages. **[16][27]**

6.78 The Tonga live in north-western Zimbabwe. In the 1950s about two thirds of their population, some 57,000 people (in both Zimbabwe and Zambia) were moved from their ancestral lands to make way for the Kariba Dam. Tonga leaders have claimed that central government investment and relief, including cultural support such as primary school instruction in the Tonga language, has been inadequate. **[16][27]**

RELIGIOUS GROUPS

6.79 Estimates of the percentage of the population that is Christian vary between 55% and 60 to 70%. The Anglican Bishop of Harare heads the Zimbabwe Council of Churches, which has 20 member churches. At the end of 1998 Roman Catholics were estimated to number a little over one million. Bishop Abel Muzorewa, leader of the United Parties and a former Prime Minister, heads the United Methodist Church, which has 45,000 members. There is a small Muslim population, estimated at less than 1% of the population and comprising mainly Asian Zimbabweans. There are 12 mosques in Harare. In recent years Muslims have begun proselytising among the black population with some success. The Jewish population numbered 897 members at the end of 1997. Mugabe has expressed scepticism about the increasing membership of evangelical and indigenous churches and has indicated that he believes that they could be subversive. **[1a][2b][28]**

6.80 Relations between the different religious groups are generally amicable. The Muslim, Jewish, Hindu and Buddhist populations are relatively small and are generally not in competition with Christian churches. There have been complaints by Muslims that private employers have refused them sufficient time to attend mosques on Fridays. **[2b][28]**

6.81 There were continuing reports in 2001 of tensions between mainstream Christian churches and practitioners of traditional indigenous religions. Christian leaders have denounced what they claimed were 'Satanic' practices, which allegedly included drinking human blood and eating human flesh. There were continuing reports of ritual murders associated with traditional religious practices although the government actively enforces the law against ritual murders. **[2b][28]**

6.82 In March 2001, the Reverend Paul Andrianatos, an Anglican priest, was ordered to leave Zimbabwe. Andrianatos had presided at the funeral in 2000 of Martin Olds, a Matabeleland farmer murdered by war veterans during the violence surrounding the land seizures and the election campaign, and in 2001 at the funeral of Martin Olds' mother Gloria, who was also murdered on her farm. At both funerals Andrianatos accused the Government of encouraging lawlessness and violence against white farmers. He stated that after conducting Martin Olds' funeral in 2000 he had been visited by members of the Central Intelligence Organisation who asked him about his comments at the funeral. South African-born Ordinatees, married to a Zimbabwean, had been in the country for seven years. Shortly before presiding at Gloria Olds' funeral he was informed that his work permit would not be renewed. **[20c][3ac]**

CONSCIENTIOUS OBJECTORS & DESERTERS

6.83 Conscientious objection is legally recognised. Section 24 of the 1979 National Service Act provides for exemption from military service on conscientious grounds, such as religious beliefs, if conscription were to be introduced. It is not clear whether this exemption applies to professional serving members of the armed forces. **[21]**

6.84 Military courts deal with disciplinary and court-martial proceedings. Defendants in military courts have the right of appeal to the Supreme Court. Trials in military and courts generally meet internationally accepted standards for fair trials. **[2b]**

HOMOSEXUALS

6.85 Sex between men is illegal in Zimbabwe, although the law makes no mention of sexual acts between women. Zimbabwean law recognises three classes of 'unnatural offence': sodomy, bestiality, and a group of proscribed acts referred to generally as an 'unnatural offence'. The categories make no distinction between consensual and non-consensual acts. There are reported to be fewer than 200 paid-up members of gay organisations in Zimbabwe. **[17][18a][19]**

6.86 Gays and Lesbians of Zimbabwe (GALZ) was established in 1990. GALZ has offices in Harare and Bulawayo and is considering forming a group in Mutare. The organisation reports itself to be relatively well funded and it owns its premises in Harare. GALZ made a submission to the Constitutional Commission in 2000 appealing for the inclusion of a sexual orientation clause in the draft constitution. GALZ has reported that it discussed lesbian and gay

issues with the MDC, which reportedly stated that it would pursue a policy of tolerance towards gays and lesbians. **[18b]**

6.87 In his New Year address on 1 January 2000 President Mugabe criticised homosexuality, describing homosexual relations as an abomination and decadence. In the mid-1990s, when gay rights group GALZ applied to take part in Harare's prestigious international book fair, President Mugabe described homosexuals in a speech as "worse than pigs and dogs". He also called homosexuals "a scourge planted by the white man on a pure continent". Although GALZ participated in the book fair, the following year their stand was attacked and destroyed. **[3v][18a]**

6.88 GALZ claims that police arrest members of the organisation on trumped-up charges and that they are pressured at work and at home to renounce their sexual orientation. The Government has encouraged the media to criticise homosexuality and report it negatively. The state-controlled Herald has published articles that GALZ headquarters is a "pick-up point" for local and foreign homosexuals that offer teenage boys for hire, accusations that GALZ has denied. **[3v][19]**

6.89 GALZ is active in the field of HIV/AIDS and through its support group, GALZ Positive, provides home-based care training for members. In 2000 six workshops on sexual activity within and outside relationships were held in Harare and Bulawayo. **[18b]**

Canaan Banana's Trial

6.90 In 2000 Zimbabwe's former President, the Reverend Canaan Banana, was sentenced to ten years in prison, nine of them suspended, for sexually assaulting and sodomising his bodyguards, one of whom claimed he was forced into a homosexual relationship with Banana in the 1980s. Banana had been convicted by the High Court in 1999 on eleven counts of sexual offences, including two of sodomy, but appealed to the Supreme Court against the conviction. However, the Supreme Court upheld the High Court's ruling. Banana denied being homosexual. The charges brought against him were more to do with rape and abuse of his position than to do with the issue of homosexual rights. In January 2001, Banana, who had been receiving medical treatment for several months, was released from prison. **[3ad][3ae][29]**

POLITICAL ACTIVISTS

6.91 Opposition political activists, particularly those belonging to the MDC,

have been targeted and attacked by Government supporters and war veterans since the parliamentary elections in June 2000. Although the Constitution allows for multiple political parties, Government supporters and security force members have subjected opposition activists to significant intimidation and violence. There were reports in 2001 of a growing number of abductions of MDC activists committed by Government supporters, especially in rural areas where loyalty to ZANU-PF is strongest. Some abductees were tortured and others later were found killed. Members of the security forces also participated in attacks on opposition activists and suspected supporters. **[2b]**

(See also Sections 4.24 - 4.53 for further information on incidences of politically-motivated violence)

JOURNALISTS

6.92 Although the Constitution provides for freedom of expression, the Government restricts this right in practice. Security forces have arbitrarily detained journalists and refused to investigate or punish security force members who, with ZANU-PF supporters, tortured and harassed journalists. *(See Sections 6.5 - 6.30 on freedom of speech and the media for further information on the position of journalists)* **[2b]**

TEACHERS

6.93 Government supporters and war veterans have targeted teachers in the political violence that has taken place in Zimbabwe since the 2000 parliamentary elections. In June 2000 there were 200 reported attacks on schools. Teachers were dragged from classrooms, beaten and stripped naked in front of their students. Health care workers were also attacked and nurses were raped. No action was taken against the perpetrators of these attacks. After the June 2000 parliamentary elections, Government supporters continued to target teachers who they suspected of supporting the opposition, although there were fewer attacks in 2001 than in 2000. **[2b][9i]**

6.94 In January 2001, approximately 100 war veterans reportedly forced striking civil servants in Masvingo, the majority of them teachers, to return to work. The war veterans warned the teachers that they would lose their jobs if they did not return to work. The war veterans reportedly placed three of the teachers under citizen's arrest and took them to a police station, where the police released them quickly. Most of the striking teachers resumed work after the threats. In May 2001, ZANU-PF supporters reportedly chased teachers and civil servants from their jobs in Matabeleland North because they were

suspected of supporting the MDC. [2b]

6.95 In April 2002, it was reported that at least 50 schoolteachers in the Makoni North and Chimanimani districts, suspected by local ZANU-PF and war veteran officials of being MDC members, had been advised not to report for their duties. ZANU-PF officials had written to school headmasters instructing them to expel certain teachers. [9i] It was also reported in April 2002 that more than 500 teachers and MDC polling agents had been forced to flee the Zaka and Gutu districts of Masvingo province as ZANU-PF youth activists had embarked on a witch-hunt against suspected MDC supporters. Some teachers in schools in Zaka had been told not to return to their schools next term. [9w]. On 10 May 2002 approximately 30 teachers were assaulted and forced from their workplace in Buhera. [9ai].

6.96 On this same date, 10 May 2002, the Progressive Teachers Union of Zimbabwe (PTUZ) said that it had recorded over 107,000 cases of extortion, 20 incidents of murder and 190 cases of rape between February 2001 and April 2002. The number of cases of extortion are high because some teachers were targeted several times. This, they claim, is because teachers are perceived to be supporters of the MDC. [47].

6.97 The secretary-general of the PTUZ, Raymond Majongwe, gave himself up to police on 9 October 2002, after hearing that they were looking for him. His union had been on strike since 8 October 2002, demanding a 100 percent pay rise. Mr Majongwe was prosecuted under the new controversial Public Order and Security Act (POSA), making it an offence for “any person who, acting in concert with one or more other persons, forcibly invades the rights of other people”. Mr Majongwe's lawyer, Tererayi Gunje said that, after seeing him on the night of 9 October, Mr Majongwe had been seriously injured, after being beaten. Gunje also said Majongwe could not sit on his own. He was released on 15,000 (Zim dollars) bail on 11 October 2002. [3bn][3bo].

6.98 The state controlled media described the strike by the PTUZ as illegal. On 14 October 2002, the government dismissed 627 teachers belonging to the PTUZ from their posts. [9aj][10n]

6.99 The report of the Commonwealth Observer Group that observed the March 2002 presidential election noted incidents in which teachers had been attacked, including one in Mashonaland East in which a school principal was dragged from his school and clubbed to death because of his association with the MDC. [9n]

6.100 The Zimbabwean Human Rights Forum noted that by October 2002, violence against teachers occurred in eight out of ten provinces, the exceptions being Bulawayo and Harare. The Forum also documented 238 individual cases of abuses against teachers by ZANU-PF militias and since January 2001 such violence, combined with other forms of abuses such as abduction, unlawful arrest and detention has resulted in the closure of 30 schools. **[11e]**.

NATIONAL YOUTH SERVICE

6.101 In 2001 the government established the Border Gezi National Youth Training Centre in Mount Darwin, Mashonland. Named after the former Minister for Youth, the training centre was the first across the country. National Youth Service (NYS) was reported to last for 3 months and entail self-defence, patriotism and entrepreneurial skills, amongst others. The government stated NYS would be compulsory for those seeking to enter employment, receive tertiary training and, as of February 2002, enter college or university. However, reports claim that youths that were trained in 2001 have been used to terrorise the political opposition. These same youths have since admitted that they only received military training. In this respect, claims have been made that the NYS scheme was only a ploy, it's real purpose was as a front to mobilise ZANU-PF youths to campaign for the party. **[37h][43]**.

6.102 The fate of the National Youth Service Training Programme is unclear. In June 2002, following reports that the programme had been abandoned after the ZANU-PF "victory" in the Presidential polls in March earlier that year, the director of the programme - David Munyoro - stated that he could neither confirm nor deny that it had been terminated. Munyoro did confirm that no youths had enrolled since March 2002. **[37h]**. Despite this, on 21 September 2002, The Herald, a pro-government paper reported that 1,870 graduates of the programme had secured employment, mainly with state bodies, such as the armed forces, the Prison Service and the state Grain Marketing Board. **[23b]**

6C. HUMAN RIGHTS - OTHER ISSUES

LAND REFORM

6.103 During the colonial era, white settlers forced many black Zimbabweans off their ancestral lands. Although independence and majority rule were the major cause of the guerrilla war, the issue of land ownership was also a significant contributing factor. According to Government figures, some 4,400

white Zimbabweans owned 32% of agricultural land, around 10 million hectares. One million black Zimbabwean peasant farmers farm around 16 million hectares. Many of the farms owned by whites were purchased after 1980 with certificates of no interest from the government; these farms were therefore not seized from the original African occupants. **[3ab][32]**

6.104 Whites own much of the highly productive land in fertile areas with better rainfall whereas black-owned land is often in drought-prone regions. While it is the case that whites own a disproportionate share of the better agricultural land, there are concerns that redistributing land from the efficient, mainly white-owned, commercial farming sector to people without adequate planning and management will be disastrous for Zimbabwe's economy. **[3ab]**

6.105 Following independence in 1980 a programme of land reform was begun, based on the 'willing seller, willing buyer' principle. The United Kingdom has provided £44 million since 1980 for land reform. However, in the 1990's much of the redistributed land has ended up in the hands of Zimbabwean Government ministers and officials rather than the landless peasants who were supposed to benefit from the redistribution programme. The British Government and other international donors have therefore refused to support further land reform unless the process becomes more transparent. **[3ab][5x]**

6.106 In 1997 President Mugabe promised to seize 1,500 mainly white-owned farms without compensation. The International Monetary Fund forced him to withdraw his threats in 1998 and abide by the constitutional requirement to pay compensation for acquired land. In 1999 the Government bought only 50 farms. **[3ab][5x]**

6.107 A land conference was held in 1998 and a 10-year programme of land redistribution was agreed between farmers, the Zimbabwean and British governments and other donor countries. However, the Zimbabwean Government broke the agreement later in 1998 when it published a list of 800 farms for compulsory acquisition. Farmers were able to appeal against the proposed seizures and the programme was halted. Frustrated by this, President Mugabe pushed through a constitutional amendment in February 2000 that removed farmers' rights to compensation. **[5x][32]**

6.108 Mugabe has tried to exploit the unresolved land issue in an attempt to restore his falling popularity. In a pattern of electoral violence, a campaign of farm occupations began in February 2000. Squatters, claiming to be war veterans, occupied 1,000 white-owned farms and five white farmers were murdered in the violent run-up to the June 2000 parliamentary elections. The

war veterans also attacked many black farm workers. The police did little to apprehend the perpetrators of the violence. **[3e][3f][5e][5x][5y]**

6.109 At a meeting of Commonwealth ministers held in Abuja, Nigeria in September 2001 Zimbabwe signed an agreement aimed at resolving the land issue. The agreement provided for the ending of illegal occupations of white-owned farms, end politically motivated violence and a return to the rule of law in return for financial assistance to fund land reform. The United Kingdom agreed to provide £36 million to compensate white farm-owners whose land would be redistributed. ZANU-PF approved the Nigerian-brokered deal, but representatives of war veterans who have spearheaded the farm invasions since 2000 announced that they did not feel bound by the Abuja deal.

[3al][3am][3as]

6.110 In October 2001 a group of ministers from Commonwealth countries visited Zimbabwe to investigate allegations of human rights abuses and assess the implementation of the Abuja land agreement. They heard that since the agreement had been made farm occupations had continued, rule of law was still being flouted and political violence was still evident even though all parties remained committed, in public, to the agreement. **[3an][3ao]**

6.111 Following the Abuja agreement, a presidential decree amending the Land Acquisition Act was issued in November 2001 giving the Government the power to seize the land of mainly white commercial farmers with immediate effect. The Commercial Farmers' Union described the decree as contrary to the Abuja agreement. **[2b][3ar][3aw]**

6.112 Under the terms of the presidential decree, farmers who were issued with land acquisition orders were not allowed to work their land in any way. If they do they face fines or two years imprisonment. Farmers served with acquisition orders will have to stop farming immediately and remain confined to their houses, which they will have to vacate after three months. The decree is backdated to May 2000. Welshman Ncube, MDC Secretary -General, described the decree as unconstitutional, politically vindictive and economically disastrous. By the end of 2001, approximately 1,000 of the 4,000 commercial farmers in Zimbabwe had received acquisition orders for their farms. Also in November 2001, the Government announced a ban on humanitarian agencies distributing food aid, saying that such groups were using the aid as a pretext to campaign for the opposition. **[2b][3ar][3aw]**

6.113 It was reported in November 2001 that the army had offered farms and land to all serving soldiers in exchange for their support and loyalty to President

Mugabe in the presidential election. Land requests from soldiers will be separated from those of civilians and will be given priority. **[4p]**

6.114 In November 2001, the Government announced, with immediate effect, maximum sizes for commercial farms and said that any farm exceeding the new limits would be sub-divided. The new regulations apply to the remaining mainly white-owned farms that had not already been listed for government seizure. In rich, arable farming areas farms will be limited to a maximum of 250 ha and on poorer cattle-ranching land the limit will be 2,000 ha. Economists warn that the new regulations would destroy the viability of some of Zimbabwe's most productive farms. **[3ar]**

6.115 In December 2001 the Zimbabwe Supreme Court ruled that the Government's land acquisition and resettlement programme was lawful and stated that the rule of law prevailed in commercial farming areas invaded by pro-Government militants. This removed the last legal obstacle preventing the Government from processing claims to white-owned farms; previously the Court had prohibited the Government from acquiring white-owned land until it produced a workable programme of land reform. The Court censured a lawyer who said the Court had been packed with newly appointed judges and who asked Chief Justice Godfrey Chidyausiku, a former Government deputy minister, to withdraw from the case because of his support for land reform. The Court cleared the Government, found guilty by previous courts of breaking the law by allowing violent farm invasions, saying that the Government had taken steps to restore law and order. The Supreme Court order effectively removed any legal recourse available to commercial farmers. **[2b][4q][3ax]**

6.116 In January 2002, the pro-Government *Herald* newspaper listed recipients of land redistributed from white farmers. Several ZANU-PF officials were named, as were six MPs, five from ZANU-PF and one from the MDC. Six *Herald* reporters also received land. So far, 100,000 people have received land from the 8.5 million ha that the Government plans to take from white farmers. **[3ax]**

6.117 In early January 2002, 26 white farmers were forced off their farms in Mashonaland Central by armed mobs of Government supporters. Most of the farmers fled to Harare. These occupations violated the presidential decree of November 2001 that gave farmers three months to vacate their homes once they receive an eviction order. **[38b][39]**

6.118 Following a successful legal challenge to an eviction order, the government tightened the land reform laws in September 2002. In the case in

question, a farmer used the defence that as the bank, who hold the bond to his farm, had not been notified of the eviction order the government breached the law. The Justice Minister, Patrick Chinamasa, acknowledged this flaw. Under the new law, the government's failure to inform the bondholder would not render the eviction orders invalid. Bondholders would have 30 days to respond to the order and those farmers who's previous notice to leave had expired would get 7 days notice. **[10l]**

6.119 In October 2002, the CFU estimated that there were 4,000 commercial farmers on their own land in April 2002. Now they put the figure at 600. Also in October 2002, the Farm Community Trust of Zimbabwe estimated that 250,000 farm workers had been made jobless by the evictions. Despite this a survey of agricultural land indicates that in Mashonaland East, only 50.5 percent of the confiscated land, allotted for redistribution, had actually been occupied by new settlers. **[46]**

Food shortages

6.120 As a result of a drought combined with the government's attempts at land reform, 6.7 million people, over half of Zimbabwe's population, are at risk of starvation and will require food aid by December 2002. International organisations are responding to this crisis by providing grain to Zimbabwe. However, government interference in the distribution of food aid has forced the World Food Programme (WFP) to suspend distribution in the Insiza district. WFP state that activists from the ruling ZANU-PF party have been distributing food in an unauthorised manner and would not tolerate the handing out of aid on a partisan basis. **[3bk]**.

6.121 In Chimanimani, eastern Zimbabwe, at the polling stations during the local council elections, ZANU-PF were seen to be handing out maize to people who had just voted for them. The MP for Chimanimani, the MDC's Roy Bennett, came to the polling station and photographed the scene. It was then that Mr Bennett was arrested. **[9af]**

6.122 The Zimbabwean government have also ordered Save the Children and Oxfam to stop distributing food provided by WFP and, in Save the Children's case, their own food. The latter group were told to stop distributing aid in Binga, the only rural area that was won by the MDC in the September 2002 local elections, and in Chimanimani. **[34d][10m]**

HIV/AIDS

6.123 Zimbabwe has one of the highest rates of HIV/AIDS prevalence in the world. The impact of HIV and AIDS on Zimbabwe saw life expectancy fall from 70 years to less than 41. An estimated 1,500,000 people, a quarter of Zimbabwe's adult population, were infected with HIV/AIDS at the end of 1999. Over 2,000 people a week die of AIDS in Zimbabwe. It was estimated that there were over 620,000 orphans under 15 at the end of 1999 who had lost their mother or both parents to AIDS. The number of tuberculosis cases has risen five-fold since 1995, about two thirds of whom are HIV-positive. **[2a][22][24][25][45].**

6.124 Treatment for infections related to HIV is available. On 27 May 2002 the government announced a 6 month State of Emergency with regard to HIV/AIDS. This was a move which attracted commendation from international organisations such as Medicin Sans Frontieres (MSF). MSF indicated that such a move would lead to a fall in the cost of anti-retroviral (ARV) drugs, a treatment which can prolong the life of a patient with HIV/AIDS. This is because, by declaring a state of emergency, the Zimbabwean government takes advantage of the Doha Declaration, an international trade agreement which allows individual states to decide when an emergency has arisen, and then override patent laws in such emergencies. This negates the need for the government to purchase expensive branded ARV's. This means that the price of the first-line AIDS treatment cocktails, which are recommended by the World Health Organisation, will fall from (US)\$1,168 to (US)\$412, per patient per year. **[23d][45]**

6.125 Some ARV's are currently available for free in Zimbabwe. In April 2002 the government announced that 35 out of the total of 59 registered health centres across the country distribute the drug Nevirapine free of charge. This ARV cuts the risk of a pregnant woman passing the virus to her child by half. The aim was to expand this service to all major, and half of district hospitals by the end of 2002, and nation-wide by 2003. A German pharmaceutical company called Boehringer Ingel-heim, which makes Nevirapine, is providing the drug free of charge for 5 years. **[23c][10j]**. However, the Zimbabwean NGO, Women and AIDS Support Network (WASN) threatened to take the government to court if it did not start the systematic distribution of Nevirapine. WASN wants all health centres in the country to have the drug by 1 December 2002, substantially sooner than the government's target. Currently of the 600,000 births per year in Zimbabwe, 200,000 expectant mothers are HIV positive and 30 percent, over 55,000, give birth to HIV positive babies. **[37j]**.

6.126 In September 2002, Glaxo-SmithKline announced that it will supply the Zimbabwean government with ARV's at a reduced cost. The cuts are up to 33 percent of the cost of HIV/AIDS treatment and up to 38 percent of the cost of

malaria treatments. Under the scheme, the drug Combivir is reduced by 15 percent to (US)\$1,70 per day, Retro-viris down by 25 percent to (US)\$1.20 per day and Trizivir is down by 33 percent to (US)\$4.45 per day. **[37k]**.

6.127 Treatment for most opportunist infections, e.g. tuberculosis, is state funded but there is increasing evidence of drug shortages. Other treatment is beyond the reach of most people. The usual range of drugs is available but often monotherapy is prescribed, for cost reasons. **[26]**

6.128 Government policy on HIV/AIDS focuses on prevention, treatment of opportunistic infections and home-based care. There is a national AIDS levy, a 3% tax, but this is not intended to cover shortages in regular state expenditure. **[26]**

6.129 President Mugabe's views on homosexuality can affect the rights of people who become infected with HIV/AIDS, e.g. prisoners. Overcrowding and poor sanitation aggravate outbreaks of HIV/AIDS-related illnesses among prisoners. **[2a][26]**

6.130 Recent political violence is expected to contribute to a worsening of the HIV/AIDS situation. Hundreds of women and girls have reportedly been raped at bases set up by ZANU-PF militias in the run-up to the March 2002 presidential election. Women and girls have been gang-raped in the ZANU-PF bases, described as torture camps, which will have exposed them to HIV infection. **[9I]**

WITCHCRAFT

6.131 Belief in witchcraft is strong and witch-hunting is a thriving business in rural communities. A number of ritual murders, seen as a form of witchcraft, have come before the courts. **[20b]**

6.132 The 1890 Witchcraft Suppression Act, dating from the early colonial era, criminalises witchcraft and carries penalties including imprisonment; anyone accusing another of witchcraft is subject to a fine or three years' imprisonment and a witch hunter may face seven years in gaol. The law reportedly defines witchcraft as the practice of sorcery without reference to the consequences intended by the practitioner. It is also an offence to brand another person a witch. Since 1997 the Zimbabwe National African Traditional Healers' Association has proposed amendments to the 1890 Act that would redefine witchcraft in terms of intent to cause harm including illness, injury or death. Mainstream Christian churches have, however, opposed any such change to

the legislation and human rights groups have also generally supported the existing witchcraft laws. These laws have been used particularly to protect people, primarily women, accused of causing harm to people or crops in rural areas where traditional religious practices are strong. **[2b][20b][28]**

6.133 There is some tension between the government and indigenous churches because of the churches' opposition to Western medical practices that result in the reduction of avoidable childhood diseases and deaths. Some members of indigenous churches believe in healing through prayer alone and refuse to have their children vaccinated. **[2b][28]**

ANNEX A - CHRONOLOGY OF EVENTS

1890 - British Colony of Southern Rhodesia established; subsequent influx of white settlers, mainly from United Kingdom and South Africa

1953 - Southern Rhodesia united with Northern Rhodesia and Nyasaland, also British territories, to form the Central African Federation (CAF)

1962 - white voters in Southern Rhodesia vote into power the Rhodesia Front party, committed to maintaining white rule and achieving independence from UK

1963 - UK dissolves CAF; Northern Rhodesia and Nyasaland granted independence by UK under majority rule administrations, as Zambia and Malawi respectively

1963 - black nationalist opposition splits and Zimbabwe African National Union (ZANU) led by Reverend Ndabaningi Sithole breaks away from Joshua Nkomo's Zimbabwe African People's Union (ZAPU)

1965 - Rhodesia Front Prime Minister Ian Smith makes illegal unilateral declaration of independence (UDI) for Southern Rhodesia from UK, renaming the territory Rhodesia

1976 - ZAPU and ZANU combine their military efforts in the Patriotic Front (PF) alliance

1979 - Ian Smith's administration concludes an 'internal settlement' with some

black nationalists; Bishop Abel Muzorewa becomes first black Prime Minister of 'Zimbabwe-Rhodesia'

12/1979 - Lancaster House constitutional conference in London, attended by all parties including the PF produces independence settlement for Rhodesia; whites to be guaranteed 20 seats in new 100-seat parliament

2/1980 - Robert Mugabe's ZANU-PF party wins 57 out of 80 'common roll' seats and Nkomo's PF (ZAPU) wins 20 seats; Bishop Muzorewa's UANC party wins only 3 seats and Rhodesia Front wins all 20 seats reserved for whites

18.4.1980 - Independence of Zimbabwe - Robert Mugabe of ZANU-PF becomes Prime Minister and Reverend Canaan Banana becomes President, with ceremonial duties only

1982-87 - insurgency in Matabeleland; Government sends mainly Shona Fifth Brigade to quell dissent - thousands killed during *Gukuruhundi* pacification campaign, causing resentment of Government by the Ndebele

1987 - reconciliation between ZANU-PF and ZAPU ends Matabeleland conflict; ZANU-PF and ZAPU merge, keeping ZANU-PF name; reserved seats for whites abolished; Prime Minister Mugabe becomes executive President

1988 - amnesty proclaimed in Matabeleland, leading to rapid improvement in security; Edgar Tekere expelled from ZANU-PF for persistent denunciation of party leadership and policies

1989 - Edgar Tekere founds Zimbabwe Unity Movement (ZUM) in opposition to ZANU-PF

3/1990 - Mugabe wins Presidential election, polling 2.03 million votes against ZUM's Edgar Tekere's 413,840; ZANU-PF wins 117 of the 120 contested seats in parliamentary elections, with ZUM taking 20% of the vote and two seats

8/1990 - Joshua Nkomo becomes Vice-President, in addition to existing Vice-President Simon Muzenda

1994 - ZUM merges with Bishop Muzorewa's UANC; Muzorewa forms United Parties grouping later in year

4/1995 - ZANU-PF wins decisive victory in general elections, although eight opposition parties boycott polls - ZANU-PF takes 118 seats and Sithole's ZANU-

Ndonga two

10/1995 - Sithole charged with conspiracy to assassinate Mugabe

3/1996 - Mugabe wins Presidential elections with nearly 93% of the vote, but turnout less than 32%

7/1997 - criminal charges brought against former President Canaan Banana for alleged sexual assault against a former male employee

12/1997 - Sithole found guilty of plotting to kill Mugabe and sentenced to two years' imprisonment, but released on bail pending appeal

11/1998 - Banana convicted on 11 charges of sexual assault, sentenced to ten years' imprisonment in 1/1999 - most of the sentence suspended but Banana to serve a minimum one-year in prison

7/1999 - Vice-President Joshua Nkomo dies

5/2000 - Former President Canaan Banana ordered to serve a year in prison for sexually assaulting a male bodyguard

6/2000 - MDC wins 57 of 120 directly-elected seats in parliamentary elections marred by a violent campaign, perpetrated mainly by Government supporters against the opposition MDC and white farmers that leaves 37 people dead

11/2000 - ZANU-PF holds Marondera West in by-election

2000 - Reverend Ndabaningi Sithole, leader of ZANU-Ndonga, dies

1/2001 - ZANU-PF wins Bikita West in by-election from MDC; campaign marred by violence

1/2001 - Canaan Banana reportedly released from prison

4/2001 - 6/2000 election results in Buhera North, in which ZANU-PF's candidate was declared the winner over MDC leader Morgan Tsvangirai, and in Hurungwe East nullified by High Court; by-elections pending

7/2001 - ZANU-PF holds Bindura in by-election with increased majority; violent campaign and MDC candidate detained by police

9/2001 - MDC wins Bulawayo mayoral elections with landslide majority; ZANU-PF holds Makoni West and Chikomba parliamentary seats in by-elections with increased majority - results emphasise rural-urban political divide

3/2002 - President Mugabe re-elected President for six-year term in controversial election following a violent campaign; EU and USA apply selected sanctions against the Zimbabwean Government and officials; Zimbabwe suspended from Commonwealth for one year because of election fraud and violence

- Introduction of the Access to Information and Protection of Privacy Act.

28-29/9/2002 - local council elections. Won by ZANU-PF after a campaign condemned by rights groups. ZANU-PF are also victorious in the Hurungwe West by-election, but similar criticisms are levelled at the ruling party.

ANNEX B - POLITICAL ORGANISATIONS

Zimbabwe African National Union-Patriotic Front (ZANU-PF) - governing party of Zimbabwe since independence in 1980; mainly Shona-based but includes Ndebele and whites, led by President Robert Mugabe; holds 61 of the 120 directly-elected seats in Parliament (by-elections pending in Buhera West and Hurungwe East, where ZANU-PF election wins overturned by High Court 4/2001) and, with Presidential appointees and Chiefs, effectively holds 91 seats out of 150 in total

Movement for Democratic Change (MDC) - official opposition since 6/2000 when it won 57 seats in Parliament (subsequently lost one seat in a by-election); formed 1999; multi-racial party with Shona, Ndebele and white MPs; led by Morgan Tsvangirai, former Secretary-General of Zimbabwe Conference of Trade Unions (ZCTU)

ZANU-Ndonga - formerly ZANU-Sithole, led by the late Reverend Ndabaningi Sithole until his death in 2000, won one parliamentary seat (Chipinge South) in 6/2000 elections

United Parties - led by Bishop Abel Muzorewa, former leader of UANC, founded 1994

Zimbabwe Union of Democrats (ZUD) - led by Margaret Dongo, MP for

Harare South until June 2000; fielded 16 candidates in 6/2000 elections but did not win any seats

ZAPU (or ZAPU 2000) - a minor Ndebele-based party that contested, unsuccessfully, some seats in Matabeleland in the 6/2000 elections; split into two factions in run-up to 3/2002 presidential election

Conservative Alliance of Zimbabwe - successor to the Rhodesia Front, supported by sections of the white population

Liberty Party of Zimbabwe (LPZ) - minor Ndebele-based party led by Canaan Moyo; fielded 13 candidates in Matabeleland in 6/2000 elections but achieved very few votes; a breakaway group, which contested 9 seats in 6/2000, styles itself simply the Liberty Party

Zimbabwe African People's Union (ZAPU) - mainly-Ndebele party led by the late Joshua Nkomo that, with ZANU, fought white rule in the 1970s; merged with ZANU-PF in 1987

Rhodesia Front - governing party of Rhodesia to 1979, renamed the Republican Front after independence in 1980 and then the Conservative Alliance of Zimbabwe

Patriotic Front - alliance of Mugabe's mainly-Shona ZANU and Nkomo's mainly-Ndebele ZAPU that fought together against white rule in the 1970s

United African National Council (UANC) - former party led by Bishop Muzorewa, won three seats in pre-independence elections in 1980, merged with ZUM 1994

Zimbabwe Unity Movement (ZUM) - founded by ZANU-PF's former Secretary-General Edgar Tekere 1989, won two seats in Manicaland in 1990 elections, merged with UANC 1994

ANNEX C - PROMINENT PEOPLE

- **Robert Gabriel Mugabe** - Shona, first Prime Minister of independent Zimbabwe 1980-87, first executive President 1987 to present, leader of governing ZANU-PF party

- **Morgan Tsvangirai** - Shona, President of opposition MDC, previously Secretary-General of Zimbabwe Conference of Trade Unions (ZCTU) and onetime ZANU-PF party official
- **Gibson Sibanda MP** - Vice-President of MDC and leader of MDC MPs in Parliament
- **Simon Vengayi Muzenda** - ZANU-PF, one of two Vice-Presidents of Zimbabwe
- **Joseph Msika** - ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Joshua Nkomo after his death in 1999
- **Professor Jonathan Moyo MP** - Ndebele, ZANU-PF Minister of State for Information & Publicity
- **Professor Welshman Ncube MP** - Ndebele, Secretary-General of MDC, MP for Bulawayo North and Shadow Home Affairs Minister
- **David Coltart MP** - white Zimbabwean, prominent human rights lawyer, MDC MP for Bulawayo South and Shadow Justice Minister
- **Chenjerai 'Hitler' Hunzvi MP** - leader of war veterans in farm occupations, elected as ZANU-PF MP for Chikomba in 6/2000; died in car accident 6/2001
- **Ian Douglas Smith** - Prime Minister of colonial Southern Rhodesia in 1960s, declared illegal independence (UDI) of Rhodesia from UK in 1965, PM until 1979
- **Joshua Nkomo** - Ndebele, leader of ZAPU until party's merger with ZANU-PF in 1987, Vice-President of Zimbabwe 1990 until his death in 1999
- **Reverend Canaan Banana** - first, non-executive, President of Zimbabwe 1980-1987; sentenced to a year in prison in 2000 for sexually assaulting a male employee, Released from prison January 2001
- **Bishop Abel Muzorewa** - Prime Minister of "Zimbabwe-Rhodesia" under power-sharing 'internal settlement' in 1979, former leader of UANC, leader of United Parties since 1994, United Methodist Church's Bishop of Zimbabwe
- **Reverend Ndabaningi Sithole** - former leader of ZANU, latterly leader of small ZANU-Ndonga party, died 2000

- **Margaret Dongo** - leader of Zimbabwe Union of Democrats (ZUD), MP for Harare South until lost seat in 6/2000 elections
- **Edgar Tekere** - former ZANU-PF Secretary-General, expelled from party 1988 for denouncing plans for one-party state, founded opposition Zimbabwe Unity Movement 1989 and unsuccessfully challenged Mugabe for Presidency in 1990
- **Tarugarira Wilson Khumbula MP** - ZANU-Ndonga MP for Chipinge South, the only MP not from ZANU-PF or MDC elected in 6/2000

ANNEX D - PARLIAMENTARY ELECTION RESULTS JUNE 2000

(AVAILABLE IN HARD COPY ONLY - see source document [7])

Note:

- Marondera West was held by ZANU-PF in a by-election in November 2000
- Bikita West was won by ZANU-PF from the MDC in a by-election in January 2001
- Bindura was held by ZANU-PF in a by-election in July 2001
- Makoni West was held by ZANU-PF in a by-election in September 2001
- Chikomba was held by ZANU-PF in a by-election in September 2001
- In April 2001, the High Court overturned the results in Buhera North and Hurungwe East, both declared ZANU-PF victories in June 2001; by-elections are pending in both constituencies
- In January 2002, the High Court overturned the result in Seke, which was declared an MDC victory in June 2000.

ANNEX E - MDC CANDIDATES & MPs, JUNE 2000 & MDC LEADERSHIP &

SHADOW CABINET

MDC CANDIDATES & MPs, JUNE 2000

57 seats were won by the MDC in the June 2000 parliamentary elections. All MDC candidates are listed below in order of constituency, with those elected MPs underlined and in Italics. A list of all MDC MPs, in alphabetical order of surname, follows.

MDC candidates June 2000 by constituency:

HARARE

BUDIRIRO *Gilbert MUTIMUTEMA*

CHITUNGWIZA *Fidelis MHASHU*

DZIIVARASEKWA *Edwin MUSHORIWA*

GLEN NORAH *Priscilla MISIHAIRAMBWI*

GLEN VIEW *Paul MADZORERE*

HARARE EAST *Tendai Laxton BITI*

HARARE CENTRAL *Michael Theodore Hayes AURET*

HARARE NORTH *Getrude Bavier Lottie STEVENSON*

HARARE SOUTH *Gabriel CHAIBVA*

HATFIELD *Tapiwa MASHAKADA*

HIGHFIELD *Munyaradzi GWISAI*

KAMBUZUMA *Willias MADZIMURE*

KUWADZANA *Learnmore Judah JONGWE*

MABVUKU *Justin MUTENDADZAMERA*

MBARE EAST *Tichaona Jephtha MUNYANYI*

MBARE WEST Donemore Sasi MAKUVAZA

MUFAKOSE Paulina MPARIWA

ST MARY'S Job SIKHALA

ZENGEZA Tafadzwa Basilo MUSEKIWA

BULAWAYO

BULAWAYO N.E. Welshman NCUBE

BULAWAYO SOUTH David COLTART

LOBENGULA Fletcher DULINI

MAKOKOBA Thokozani KHUPHE

MPOPOMA Milton GWETU

NKULUMANE Gibson SIBANDA

PELANDABA Jeffrey KHUMALO

PUMULA-LUVEVE Esafu MDHLONGWA

MANICALAND PROVINCE

BUHERA NORTH Morgan TSVANGIRAI

BUHERA SOUTH Stephen Seven MAAMBIRE

CHIMANIMANI Roy Leslie BENNETT

CHIPINGE NORTH Messias MATEWU

CHIPINGE SOUTH Elijah MAGAA

MAKONI EAST Nicholas MUDZENGERERE

MAKONI NORTH Valentine Tinodyanavo ZISWA

MAKONI WEST Elisha Remus MAKUWAZA

MUTARE CENTRAL Innocent Tinashe GONESE

MUTARE NORTH Giles MUTSEKWA

MUTARE SOUTH Sydney MUKWECHENI

MUTARE WEST Tambaoga NYAZIKA

MUTASA Evelyn MASAITI

NYANGA Leonard Ringisai CHIREWAMANGU

MASHONALAND CENTRAL PROVINCE

BINDURA Elliot PFEBVE

GURUVE NORTH Allan McCORMICK

GURUVE SOUTH Gift CHIMANIKIRE

MAZOWE EAST Shepherd Leonard MUSHONGA

MAZOWE WEST Biggie Township CHIGONERO

MOUNT DARWIN NORTH Ephraim Hondo PFEBVE

MOUNT DARWIN SOUTH Godfrey Donnie MUMBAMARWO

MUZARABANI Timoth MUKWENGWE

RUSHINGA Joel MUGARIRI

SHAMVA Joseph MASHINYA

MASHONALAND EAST PROVINCE

CHIKOMBA Peter KAUNDA

GOROMONZI Leonard Chiutsi MAPURANGA

HWEDZA Pearson TACHIVEYI

MARONDERA EAST Didymus MUNENZVA

MARONDERA WEST Shadreck CHIPANGURA

MUDZI Israel KARONGA

MUREHWA NORTH Musarurwa MUDZINGWA

MUREHWA SOUTH Ward NEZI

MUTOKO NORTH Gents CHINOMONA

MUTOKO SOUTH Derek MUZIRA

SEKE Tumbare MUTASA

UZUMBA MARAMBA PFUNGWE Bonomali MARERE

MASHONALAND WEST PROVINCE

CHEGUTU Philemon THAMBATSHIRA

CHINHOYI Silas MATAMISA

HURUNGWE EAST Richard CHAZA

HURUNGWE WEST Tsvangwa KANHEMA

KADOMA CENTRAL Austin Wilson MUPANDAWANA

KADOMA EAST Richard Emmanuel MOYO

KADOMA WEST Edward NGOMA

KARIBA Lucas Gombe SIGOBOLE

MAKONDE Robert RUZIVO

MHONDORO Hilda MAFUDZE

ZVIMBA NORTH Hamilton GOMBA

ZVIMBA SOUTH Titus NHEYA (murdered December 2001 - see Section 3.43)

MASVINGO PROVINCE

BIKITA EAST Edmore MARIMA

BIKITA WEST Amos Munyaradzi MUTONGI (died November 2000 - seat won by ZANU-PF in subsequent by-election)

CHIREDDZI NORTH Moses MARE

CHIREDDZI SOUTH Patrick Tsumele alias MAPENGO

CHIVI NORTH Bennard CHIONDENGWA

CHIVI SOUTH Alex Elias MASHAMHANDA

GUTU NORTH Chrispen Zvouno MUSONI

GUTU SOUTH Rensom MAKAMURE

MASVINGO CENTRAL Silas Joseph MAN'ONO

MASVINGO NORTH Joseph MUTEMA

MASVINGO SOUTH Zachariah Isaac RIOGA

MWENEZI Luciah MASEKESA

ZAKA EAST Ratidzo Richard MUGWAGWA

ZAKA WEST Charles MUSIMIKI

MATABELELAND NORTH PROVINCE

BINGA Joel GABHUZA

BUBI-MGUZA Jacob Thabani MATSHAZI

HWANGE EAST Cephas NYONI

HWANGE WEST Jealous SANSOLE

LUPANE David MPALA

MATABELELAND SOUTH PROVINCE

BEITBRIDGE Seyiso MOYO

BULILIMA-MANGWE N. Moses Mzila NDLOVU

BULILIMA-MANGWE S. Edward Tshotsha Moyo MKHOSI

GWANDA NORTH Paul Temba NYATHI

GWANDA SOUTH Paulos Matjaka NARE

INSIZA George Joe NDLOVU

MATOBO Lovemore MOYO

NKAYI Abednico BHEBHE

TSHOLOTSHO Mtoliki SIBANDA

UMZINGWANE Nomalanga Mzilikazi KHUMALO

MIDLANDS PROVINCE

CHIRUMANZU Gideon MAKUMBE

GOKWE CENTRAL Edson NYATHI

GOKWE EAST Timothy MADZORI

GOKWE NORTH Sibangani MALANDU

GOKWE SOUTH Lameck MUYAMBI

GOKWE WEST Edgar SITHOLE

GWERU RURAL Renson GASELA

GWERU URBAN Timothy Lancaster MUKAHLERA

KWEKWE Blessing CHEBUNDO

MBERENGWA EAST Sekai HOLLAND

MBERENGWA WEST Mufandaedza HOVE

MKOBA Stanley Bethel MAKWEMBERE

SHURUGWI Lucia Gladys MATINENGA

SILOBELA Abednico Mathe MALINGA

ZHOMBE Anna MTISI

ZVISHAVANE Farai MARUZANE

MDC MPs (in alphabetical order of surname):

AURET Michael Theodore HayesHarare Central

BENNETT Roy LeslieChimanimani

BHEBHE AbednicoNkayi

BITI Tendai LaxtonHarare East

CHAIBVA GabrielHarare South

CHEBUNDO BlessingKwekwe

CHIREWAMANGU Leonard RingisaiNyanga

COLTART DavidBulawayo South

DULINI FletcherLobengula

GABHUZA JoelBinga

GASELA RensonGweru Rural

GONESE Innocent TinasheMutare Central

GWETU MiltonMpopoma

GWISAI MunyaradziHighfield

JONGWE Learnmore JudahKuwadzana

KHUMALO JeffreyPelandaba

KHUMALO Nomalanga MzilikaziUmzingwane

KHUPHE ThokozaniMakokoba

MADZIMURE WilliasKambuzuma

MADZORERE PaulGlen View

MAFUDZE HildaMhondoro

MAKUVAZA Donemore SasiMbare West

MAKWEMBERE Stanley BethelMkoba

MALINGA Abednico MatheSilobela

MAN'ONO Silas JosephMasvingo Central

MASAITI EvelynMutasa

MASHAKADA TapiwaHatfield

MATEWU MessiasChipinge North

MATSHAZI Jacob ThabaniBubi-Mguza

MDHLONGWA EsafuPumula-Luveve

MHASHU FidelisChitungwiza

MISIHAI RAMBWI PriscillaGlen Norah

MKHOSI Edward Tshotsha MoyoBulilima-Mangwe South

MOYO LovemoreMatobo

MPALA DavidLupane

MPARIWA PaulinaMufakose

MUKAHLERA Timothy LancasterGweru Urban

MUKWECHENI SydneyMutare South

MUNYANYI Tichaona JephtaMbare East

MUPANDAWANA Austin WilsonKadoma Central

MUSEKIWA Tafadzwa BasiloZengeza

MUSHORIWA EdwinDzivarasekwa

MUTASA TumbareSeke (result overturned by High Court January 2002)

MUTENDADZAMERA JustinMabvuku

MUTIMUTEMA GilbertBudiroro

MUTONGI Amos MunyaradziBikita West (died November 2000 - seat won by ZANU-PF in subsequent by-election)

MUTSEKWA GilesMutare North

NCUBE WelshmanBulawayo North East

NDLOVU George Joelnsiza

NDLOVU Moses MzilaBulilima-Mangwe North

NYATHI Paul TembaGwanda North

NYONI CephasHwange East

SANSOLE JealousHwange West

SIBANDA GibsonNkulumane

SIBANDA MtolikiTsholotsho

SIKHALA JobSt Mary's

STEVENSON Gertrude (Trudy) Bavier LottieHarare North

[source - Government of Zimbabwe: official Website - see source document [7]]

MDC LEADERSHIP & SHADOW CABINET

(This information supplements that at Section 4.9 - 4.10)

Leadership of the MDC:

President Morgan Tsvangirai

Vice-President Gibson Sibanda MP

Secretary-General Welshman Ncube MP

Deputy Secretary-General Gift Chimankire

Chairman Isaac Matongo

Treasurer Fletcher Dhulini

Shadow Cabinet:

The MDC announced a 16-member Shadow Cabinet in November 2000. The Shadow Cabinet Ministers, all MPs, are:

Finance & Economic Planning Tapiwa Mashakada

Defence Giles Mutsekwa

Education Fidelis Mhashu

Health Blessing Chebundo

Home Affairs Welshman Ncube

Justice David Coltart

Foreign Affairs Tendai Biti

Labour & Social Security Pauline Gwanyanya

Industry & Commerce Fletcher Dulini

Energy Silas Mongono

Transport & Communications Hilda Suka Mafudze

Local Government & Housing Paul Themba Nyathi

Lands & Agriculture Renson Gasela

Gender, Youth & Culture Evelyn Masaiti

Mines Joel Gabbuza

Environment & Tourism Moses Mzila Ndlovu

[Source - MDC Website - see source document [12c]]

ANNEX F - MDC POLICIES & PARTY SYMBOLS & SLOGANS

MDC POLICIES

(This information supplements that at Section 4.9. See hard copy of source documents [12a] and [12b] for full MDC manifesto and policy press release of 26.2.2001)

The MDC has identified five main priority policy areas:

1. Restoring economic stability, economic growth and job creation:

- rationalise government expenditure, cutting ministerial posts from 52 to 15
- broaden the tax base and reduce tax evasion
- privatise parastatal businesses
- tackle debt burden
- stabilise the currency, promoting exports through tax incentives
- discourage non-essential imports
- a social contract, covering pricing policy, incomes and employment policy

2. "People-driven" land reform:

- acquire 6-7m ha of land for resettlement
- acquire under-utilised, derelict, multiple-owned and corruptly acquired land
- set up a non-partisan Land Commission, involving all interest groups
- create basic infrastructure in all rural areas - roads, water, clinics, schools

3. Accountable and transparent government, and fighting corruption:

- clear separation of powers
- independence of the judiciary
- executive accountable to Parliament
- a Bill of Rights, based on fundamental freedoms in international treaties
- free and regular elections at all levels using proportional voting
- set up a Corruption Commission to monitor working of government and officials

4. A "People's Constitution":

- repeal Presidential power to directly appoint 20 MPs
- repeal Presidential power to amend electoral laws without Parliament's consent
- fair system of financing of political parties and media coverage
- more open government
- decentralise central government functions and powers
- a National Integration & Justice Commission to resolve ethnic and racial issues
- strengthen the powers of traditional leaders, in partnership with elected institutions
- reverse direct government control of the media
- establish an independent Media Commission
- deregulation of the airwaves

5. Health:

- set up a National Health Board to integrate health standards
- AIDS to be declared a national emergency, tackled with an AIDS strategy
- guarantee district hospitals in all urban and rural areas

[Source - MDC Website - see source documents [12a] & [12b]]

MDC SYMBOLS & SLOGANS

The MDC's symbol is an open hand, palm outstretched. The party's slogan during the June 2000 parliamentary election campaign was "Chinja Maitiro, Maitiro Chinja" in Shona and "Guqula Izenzo, Izenzo Guqula" in Ndebele. The closest English translation is "Now is the time, fight for change, support the Movement".

(See source document [12f] for an illustration of the symbol - hard copy only)

ANNEX G - CABINET LIST, AUGUST 2002

President Mugabe

Vice-Presidents Msika and Muzenda

Ministers and Ministers of State:

Special Affairs in the President's Office: John Nkomo

Lands, Agriculture & Rural Resettlement: Dr Joseph Made

Defence: Dr Sydney Sekeramayi

Environment & Tourism: Francis Nhema

Justice, Legal & Parliamentary Affairs: Patrick Chinamasa

Transport & Communications: Witness Mangwende

Local Government, Public Works & National Housing: Ignatius Chombo

Finance & Economic Development: Herbert Murerwa

Health & Child Welfare: David Parirenyatwa

Home Affairs: Kembo Mohadi

Foreign Affairs: Stan Mudenge

Public Service, Labour & Social Welfare: July Moyo

Higher & Tertiary Education: Swithun Mombeshoro

Education, Sports & Culture: Aeneas Chigwedere

Energy & Power Development: Amos Midzi

Mines & Mining Development: Edward Chindori-Chininga

Rural Resources & Water Development: Joyce Mujuru

Youth Development, Gender & Employment Creation: Elliot Manyika

Industry & International Trade: Samuel Mumbengegwi

State Enterprises & Parastatals: Paul Mangwana

Information & Publicity: Prof. Jonathan Moyo

Small & Medium Enterprises Development: Sithembiso Nyoni

Science & Technology Development: Olivia Muchena

Land Reform Programme: Flora Bhuka

National Security: Nicholas Goche

[Source - IRIN News - see source document [10g]]

ANNEX H - REFERENCES TO SOURCE MATERIAL

[Part I](#)

[Part II](#)

[Part III](#)

ANNEX H - REFERENCES TO SOURCE MATERIAL

[1] Europa Publications Ltd

(a) Africa South of the Sahara 2002, 31st Edition, London September 2001

(b) Africa South of the Sahara 1997 26th Edition, London September 1996

(c) World Yearbook 2003, 2002

[2] United States Department of State, Bureau of Democracy, Human Rights, and Labor

(a) 2000 Country Report on Zimbabwe, February 2001

(b) 2001 Country Report on Zimbabwe , March 2002

(c) Press statement. Zimbabwe: Nationwide Local Elections, 27 September 2002.

[3] British Broadcasting Corporation (BBC), BBC News Online:

(a) Profile: Zimbabwe's strongman Mugabe, 15 February 2000

(b) Mugabe accepts referendum defeat, 15 February 2000

(c) Zimbabwe parties: who's who?, 16 June 2000

(d) Fugitive farmer becomes MP, 27 June 2000

(e) Court blow for Zimbabwe veterans, 19 April 2000

(f) Fifth white farmer killed, 1 June 2000

(g) Winners & losers, 27 June 2000

(h) Zimbabwe court boosts opposition, 26 April 2000

(i) Zimbabwe amnesty on election violence, 10 October 2000

(j) Blast at Zimbabwe opposition HQ, 12 September 2000

(k) MDC offices raided again, 15 September 2000

(l) Zimbabwe opposition by-election defeat, 27 November 2000

(m) Zimbabwe's controversial bills, 8 January 2002

(n) Tight security ahead of Zimbabwe poll, 2 January 2001

- (o)** By-election boost for Mugabe, 15 January 2001
- (p)** Zimbabwe violence spirals, 27 November 2001
- (q)** Zimbabwe's top judge told to go, 27 February 2001
- (r)** Mugabe man named top judge, 9 March 2001
- (s)** Zimbabwe rejects lawyers' criticism, 23 April 2001
- (t)** Madness of Matabele deaths, 2 July 2000
- (u)** Zimbabwe tightens citizenship laws, 27 March 2001
- (v)** Homosexual & hated in Zimbabwe, 12 August 1998
- (w)** Mugabe tightens hold on media, 4 April 2001
- (x)** Zimbabwe newspaper bombed, 28 January 2001
- (y)** Why I left Zimbabwe, 19 February 2001
- (z)** Mugabe opponents predict early poll, 20 February 2001
- (aa)** Zimbabwe press on defamation charges, 5 April 2001
- (ab)** Who owns the land, 26 April 2000
- (ac)** Priest ordered out of Zimbabwe, 11 March 2001
- (ad)** Banana loses sodomy case appeal, 29 May 2000
- (ae)** Banana slips out of prison, 30 January 2001
- (af)** 'Thousands of blacks' evicted in Zimbabwe, 30 August 2001
- (ag)** Mugabe opponent charged, 15 December 2001
- (ah)** Zimbabwe arrests revive media crackdown fears, 20 August 2001
- (ai)** Mugabe's party wins key Zimbabwe poll, 30 July 2001

(aj) Mugabe's opponents threaten boycott, 25 September 2001

(ak) Zimbabwe's political divide deepens, 12 September 2001

(al) Text of Zimbabwe agreement, 7 September 2001

(am) ZANU-PF approves land deal, 18 September 2001

(an) Delegation divided over Zimbabwe, 27 October 2001

(ao) Commonwealth team visit farms, 26 October 2001

(ap) Court victory for Mugabe opponent, 20 November 2001

(aq) Voice from Zimbabwe: A family's ordeal, 15 January 2002

(ar) Harare limits farm sizes, 19 November 2001

(as) Zimbabwe heads for isolation, 25 November 2001

(at) Zimbabwe delays media law debate, 15 January 2002

(au) Mugabe backs down on media law, 16 January 2002

(av) How loyal is Zimbabwe's army?, 10 January 2002

(aw) Zimbabwe's angry white farmers, 13 November 2001

(ax) Mugabe supporters get land, 4 January 2002

(ay) MDC seeks to overturn poll, 12 April 2002

(az) Rival rejects Mugabe win, 13 March 2002

(ba) Zimbabwe offered carrot & stick, 20 March 2002

(bb) Zimbabwe opposition MP shot, 8 February 2002

(bc) 'War cabinet' for Zimbabwe, 26 August 2002

- (bd)** Zimbabwe official 'removed' from UK, 27 July 2002
- (be)** Zimbabwe's other presidential candidates, 7 March 2002
- (bf)** Zimbabwe MP dead in prison, 22 October 2002
- (bg)** Zimbabwe Supreme Court Judge quits, 2 March 2002
- (bh)** Jail term for Zimbabwe minister, 18 July 2002
- (bi)** Zimbabwe judge charged, 16 September 2002
- (bj)** Retired judge held in Zimbabwe, 13 September 2002
- (bk)** Food aid halted in Zimbabwe district, 18 October 2002
- (bl)** EU Ban grounds Zimbabwe official, 27 July 2002
- (bm)** Zimbabwe arrests condemned, 2 May 2002
- (bn)** Zimbabwe union leader 'tortured', 10 October 2002
- (bo)** Zimbabwe union leader released, 11 October 2002

[4] *The Independent* newspaper (UK):

- (a)** Zimbabwe Asians are next to face race threats, 10 April 2000
- (b)** Mugabe offers compensation for 25,000 civil war killings, 19 October 1999
- (c)** Mugabe sacks editors of State-run newspapers, 23 March 2001
- (d)** The sound of defiant laughter gets under Mugabe's skin, 21 August 2001
- (e)** Zimbabwe police help the looters, claim farmers, 15 August 2001
- (f)** White farmers freed but barred from their homes, 21 August 2001
- (g)** Zimbabwe promises to allow election observers, 12 January 2002
- (h)** Nation on the brink, 20 January 2002

- (i)** Mugabe sweeps in draconian laws to silence opponents, 12 January 2002
- (j)** Mugabe says UK backs opposition 'terrorists', 19 November 2001
- (k)** Mugabe violence forces opponents to go into hiding, 24 November 2001
- (l)** Zimbabwe students fight with riot police, 28 November 2001
- (m)** Mugabe militias seal town for 'recruiting drive', 8 January 2002
- (n)** Journalists accused of torture and kidnapping, 20 November 2001
- (o)** Mugabe brands reporters 'terrorists', 24 November 2001
- (p)** 'Loyal' Zimbabwean soldiers given farms, 15 November 2001
- (q)** Mugabe's land grab is declared legal by Supreme Court, 5 December 2001
- (r)** Mugabe signs law setting five years in jail for critics, 24 January 2002
- (s)** Zimbabwe passes draconian media law, 1 February 2002

[5] *The Daily Telegraph* newspaper (UK):

- (a)** Ndebele youth in defiant mood, 24 June 2000
- (b)** Trade unionist who could be next President, 16 February 2000
- (c)** Mugabe's party hails his land-grab Bill as victory over colonialism, 7 April 2000
- (d)** 'Mugabe militia killing opposition supporters', 27 December 2001
- (e)** Farmer went down fighting after dawn raid by 70 squatters, 19 April 2000
- (f)** Map of results, 28 June 2000
- (g)** MP is forced into hiding after defeating Mugabe aide, 28 June 2000

- (h)** Big wins for four whites in MDC, 28 June 2000
- (i)** Poll defeat of Mugabe opponent declared unlawful, 27 April 2001
- (j)** Gunmen ambush father & son as Mugabe talks of war, 14 December 2000
- (k)** Zimbabwe opposition MP beaten by soldiers, 6 February 2001
- (l)** Night brings terror to Zimbabwe opposition, 14 March 2001
- (m)** Man is first to be charged over white farm murders, 31 March 2001
- (n)** Mugabe's mobs storm 'white' factories, 7 April 2001
- (o)** Anarchy in Harare as mobs storm businesses, 26 April 2001
- (p)** MDC turns to terror in Zimbabwe, 12 January 2001
- (q)** Zimbabwe attack on white judges, 6 June 2000
- (r)** Judge's departure edges Zimbabwe into despotism, 4 March 2001
- (s)** Visiting lawyers condemn Mugabe, 23 April 2001
- (t)** Mugabe thugs attack whites in march, 2 April 2000
- (u)** Mugabe threat to whites shocks ex-guerrilla chief, 27 October 2000
- (v)** Armed Zimbabwe police shut independent radio station, 6 October 2000
- (w)** Zimbabwe pulls 200 troops out of Congo, 5 April 2001
- (x)** Dispute has dogged the country since arrival of Rhodes's pioneers, 28 April 2000
- (y)** Farmers blame Mugabe for squatter invasion, 29 February 2000
- (z)** International protests accuse president of gagging independent reporters, 28 June 2001
- (aa)** Mugabe mob attacks whites, 8 August 2001

(ab) ZANU-PF opens campaign with barbed wire torture, 15 January 2002

(ac) Mugabe prepares to turn on Asian traders, 25 April 2002

[6] *Mail & Guardian* newspaper (South Africa) - The untold story of Mugabe's death squads, 2 May 1997

[7] Government of Zimbabwe, official Website - full June 2000 election results

[8] Cable News Network (CNN):

(a) Zimbabwe opposition leader Chamisa arrested, 6 February 2001

(b) Zimbabwe's Mugabe urges blacks to 'Strike fear in heart of white man', 15 December 2000

(c) Violence erupts at Zimbabwe rally, 20 January 2002

(d) Zimbabwean journalists accused of defaming Mugabe, 5 April 2001

(e) Zimbabwe editor arrested over story, 15 April 2002

[9] *Daily News* newspaper (Zimbabwe):

(a) Police crack down on MDC leaders, 23 February 2001

(b) ZAPU's Madlela fears for his life, 7 January 2002

(c) Tsvangirai faces terrorism charge, 30 April 2001

(d) Armed police raid MDC offices, 27 April 2001

(e) Post poll violence grips Bikita West, 23 January 2001

(f) MDC district vice chairman murdered, 25 December 2001

(g) ZANU-PF goes on the rampage, 14 January 2002

(h) Any takers for the hangman's job?, 26 Feb 2002

(i) ZANU-PF orders expulsion of 50 teachers, 25 April 2002

- (j)** Trial of Chinhoyi farmers opens, 24 April 2002
- (k)** Tsvangirai charged with treason, 21 March 2002
- (l)** Increased political violence worsens HIV/AIDS pandemic, 16 April 2002
- (m)** MDC members sacked from Shamva mine, 27 April 2002
- (n)** Commonwealth observers denounce ZANU-PF violence, 27 March 2002
- (o)** Rigging evidence mounts, 1 April 2002
- (p)** Fresh allegations of vote rigging against Mugabe, 4 April 2002
- (q)** ZANU-PF, MDC meet today, 3 April 2002
- (r)** Ncube accuses Moyo of lying on talks agenda, 13 April 2002
- (s)** US places Anglican bishop on blacklist, 29 March 2002
- (t)** Mugabe signs Public order Bill, 24 January 2002
- (u)** Commonwealth Observer Group report blasts ZBC, 27 March 2002
- (v)** Daily News vendors assaulted, 23 March 2002
- (w)** 1,000 flee ZANU-PF terror in Zaka, Gutu, 2 April 2002
- (x)** Nyarota arrested, 16 April 2002
- (y)** MDC MPs flee Manicaland, 25 March 2002
- (z)** War vets leader granted bail in extortion hearing, 20 May 2002
- (aa)** 36 MDC candidates pull out of poll after threats, 2 September 2002
- (ab)** ZANU-PF supporters detain MP, 6 September 2002
- (ac)** Chaos, threats mar rural council elections, 29 September 2002

(ad) Jongwe arrested, 22 July 2002

(ae) Chinamasa, Moyo not the nation, 22 July 2002

(af) Food-for-vote, 3 October 2002

(ag) Two inmates die in overcrowded prison, 4 October 2002. Via AllAfrica.com

(ah) Police raid Tsvangirai's home, 5 August 2002

(ai) Teachers assaulted in Buhera, 10 May 2002

(aj) Teachers' dismissal condemned, 16 October 2002

[10] Integrated Regional Information Networks(IRIN), United Nations Office for the Co-ordination of Humanitarian Affairs:

(a) MPs deplore ban on opposition rallies, 7 March 2001

(b) Signs of progress - ZimRights, 22 January 2002

(c) Opposition denies killing leading war veteran, 15 November 2001

(d) Civil rights march thwarted, 21 November 2001

(e) Opposition leader freed after short detention, 14 December 2001

(f) Warning of more political killings, 27 December 2001

(g) New cabinet list, 27 August 2002

(h) Troops home soon, say military, 29 August 2002

(i) Zimbabwe begins troop withdrawal, 6 September 2002

(j) Zimbabwe: Government defends HIV/AIDS programme, 2 October 2002

(k) Zimbabwe: MDC protests clampdown, 2 October 2002

(l) Zimbabwe: Amendment to land reform law closes loophole, 24 October 2002.

(m) Zimbabwe: WFP suspends food aid in Insiza district, 10 October 2002

(n) Zimbabwe: Teachers fired for striking, 15 October 2002

[11] *Zimbabwe Independent* newspaper(Zimbabwe):

(a) MDC wins two electoral appeals, 27 April 2001

(b) More purges at State media, 16 March 2001

(c) Disaster strikes on farms - ethnic cleansing - mass displacements, 31 August 2001

(d) Farm mayhem spreads to Mash. East, 24 August 2001

(e) Politically related deaths now over 150, 4 October 2002

[12] Movement for Democratic Change(MDC), Zimbabwe, official Website:

(a) MDC Manifesto

(b) Press Release: Re-focusing on the MDC's priorities, 26 February 2001

(c) Press Release: Shadow Cabinet announced, 9 November 2000

(d) Roll of Honour, MDC e-mail 11 December 2001

(e) MDC MP attacked, beaten, stabbed, MDC Press Release 14 January 2002

(f) Symbol and slogan(undated)

[13] British High Commission, Harare, Zimbabwe - information on the Liberty Party, 8 November 2000

[14] Amnesty International:

(a) Annual Report 2000: Zimbabwe(covers 1999)

(b) Press Release AFR 46/01/99 - Press freedom in Zimbabwe, 13 January 1999

(c) Annual Report 2001: Zimbabwe(covers 2000)

(d)The Death Penalty Worldwide: Developments in 2001, April 2002

(e)Press Release ARF/46/046/2002 - Zimbabwe: Local elections marred by state-sponsored violence, 1 October 2002.

(f) Open letter to President Mbeki, ARF/46/047/2002 - Zimbabwe: Appeal to President Mbeki on African Day on Human and Peoples Rights, 21 October 2002.

(g) Press Release ARF/46/039/2002 - Zimbabwe: Political violence intensifies ahead of September local elections, 8 August 2002

[15] United Nations Economic & Social Council, Committee on Economic, Social & Cultural Rights, 16th Session, Summary Record of the 9th Meeting, Geneva 2 May 1997

[16] World Directory of Minorities, Minority Rights Group International, London 1997

[17] Department of Gay & Lesbian Studies, University of Utrecht, Netherlands 1994

[18] International Lesbian & Gay Association(ILGA), ILGA Website:

(a) World Legal Survey 1999

(b) Africa 2000 Report

[19] *Los Angeles Times* newspaper(USA) - Zimbabwe's gays go 'out' at great risk, 27 July 1998. Via ILGA website.

[20] *Zimbabwe Standard* newspaper(Zimbabwe):

(a) Journalists protection body raps Mugabe, 30 April 2000

(b) Zinatha seeks amendment of Witchcraft Act, 11 March 2001

(c) Priest ordered to leave Zimbabwe, 11 March 2001

(d) EU gives Zimbabwe one week, 13 January 2002

(e) ZAPU backs Tsvangirai, 6 January 2002

(f) Polling agents restricted, 20 January 2002

(g) Zimbabwe: Electoral commission confirms run-up to poll “marred by violence”, 29 September 2002. Via BBC Monitoring.

[21] War Resisters' International - Refusing to Bear Arms, a World Survey of Conscription & Conscientious Objection to Military Service, London September 1998

[22] World Bank, Washington, January 1999 - Zimbabwe National Health Strategy Support project

[23] *The Herald* newspaper(Zimbabwe).

(a) Retail prices of drugs continue to rise, 8 February 2001

(b) Zimbabwe Press Review, 21 September 2002, Via BBC Monitoring

(c) HIV positive pregnant women get free drugs, 11 April 2002. Via AllAfrica.com

(d) Emergency declared, 28 May 2002. Via AllAfrica.com

[24] *New Scientist* magazine(UK) - HIV devastates a continent, 17 October 1998

[25] UNAIDS/World Health Organisation Working Group on Global HIV/AIDS & STI Surveillance - Epidemiological Fact Sheet on HIV/AIDS & Sexually Transmitted Infections, Zimbabwe, 2000 Update

[26] British High Commission, Harare, Zimbabwe - information on HIV/AIDS, 20 December 2000

[27] Die Volker Afrikas Atlas, Geographischer Dienst, Germany 1998 - map of ethnic groups of Zimbabwe(hard copy only)

[28] United States Department of State, Bureau of Democracy, Human Rights, and Labor - 2000 Annual Report on International Religious Freedom: Zimbabwe, September 2000

[29] Panafrican News Agency(PANA)

(a) Former Zimbabwean President Gets One-Year Jail Sentence, 30 May 2000

(b) Ruling ZANU-PF win Zimbabwe's council polls, 3 October 2002. Via Reuters Business Briefing.

(c) Charity Homes Worry About Rising Number of Orphans, 26 February 2001

[30] Committee to Protect Journalists(CPJ), New York, USA:

(a) Africa 2000: Zimbabwe Country Report

(b) 2001 News Alert, 23 August 2001

(c) 2002 News Alert, *Zimbabwe: US journalist acquitted but ordered to leave country*, 15 July 2002

(d) On a Rampage, 11 July 2002

(e) Zimbabwe: Journalists' lawyer argues for referral to higher court, 22 July 2002

[31] National Constitutional Assembly(NCA), Zimbabwe - Zimbabwe Constitution, Chapter 10A(accessed from NCA Website, April 2002)

[32] UN High Commissioner for Refugees, Centre for Documentation & Research - Zimbabwe: A Strategy of Tension(WriteNet paper No. 04/2000), Geneva July 2000

[33] Amani Trust, Bulawayo, Zimbabwe - Bulawayo City Council Elections: 1999 & 2001, An Overview(first draft), September 2001

[34] *The Guardian* newspaper(UK):

(a) Mugabe takes a stride into tyranny, 10 January 2002

(b) Pro-Mugabe militias kill four rival activists, 28 December 2001

(c) Editors tell Mugabe to withdraw threats, 27 November 2001

(d) Mugabe stops charities' famine work, 17 October 2002

(e) Zimbabwe MP's tortured in new wave of terror, 8 February 2002

[35] Zimbabwe Human Rights NGO Forum - Political Violence Report, December 2001

[36] *The Times* newspaper(UK) - Tsvangirai ignores Mugabe threat, 17 December 2001

[37] *Financial Gazette* newspaper(Zimbabwe):

(a) Brutal attack numbs Lupane, 17 January 2002

(b) Media Bill debate shelved, 17 January 2002

(c) 10,000 soldiers deployed to campaign for Mugabe, 17 January 2002

(d) High Court nullifies MDC win, 24 January 2002

(e) Political violence kills 16 in March, 11 April 2002

(f) Pressure group to sue government, 7 February 2002

(g) ZANU-PF militias stifle MDC poll campaign, 5 September 2002

(h) Zimbabwe: Compulsory national youth service programme's future uncertain, 6 June 2002. Via BBC Monitoring.

(i) South Africa: Forced to flee their homes, 10 October 2002. Via Reuters Business Briefing.

(j) Government gets ultimatum on AIV/AIDS drug, 13 June 2002. Via AllAfrica.com

(k) Zim to benefit from UK firms AIDS, Malaria drug price cuts, 12 September 2002. Via AllAfrica.com

(l) Zimbabwe: ZFTU has no right to stand for workers, 3 August 2001. Via Africaonline.com

(m) War vet charged with murder of MDC official, 9 May 2002

[38] News24(South Africa):

(a) Zim MP's stomach slit open, 15 January 2002

(b) Mobs drive off 26 farmers, 8 January 2002

[39] Associated Press news agency - Zimbabwe party office burns down, 14 January 2002

[40] *The Gulf Today* newspaper(Dubai, United Arab Emirates)- Three murderers hanged in Harare, 5 June 2002

[41] *The Sunday Mail* newspaper(Zimbabwe) - Cabinet announced, 25 August 2002

[42] *The Herald/All Africa Global Media via COMTEX*. Zimbabwe: ZANU-PF routs MDC. 2 October 2002. Via Reuters Business Briefing

[43] Zimbabwe: Mugabe comments on colonialism, National Youth Service programme. 24 November 2001. Via BBC Monitoring

[44] Reporters Sans Frontières. Zimbabwe. *Guardian journalist wins court victory but gets deportation order*, 25 July 2002

[45] Médecins Sans Frontières. Zimbabwe government takes emergency action against HIV/AIDS, 29 May 2002

[46] South African news agency SAPA. Zimbabwe: Only half of seized lands in East Mashonaland being used - paper, 21 October 2002

[47] Africaonline.com. Zimbabwe: Now teachers targeted, 10 May 2002