

**ZIMBABWE HUMAN RIGHTS NGO FORUM**

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**TORTURE BY STATE AGENTS IN  
ZIMBABWE: January 2001 to August 2002**

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A Report by the Zimbabwe Human Rights NGO Forum

March 2003

The Zimbabwe Human Rights NGO Forum (also known as the “Human Rights Forum”) has been in existence since January 1998 when 9 non-governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998. The coalition’s membership has since increased to 14, with 13 core members and 1 associate member.

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

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

The Human Rights Forum operates a Research and Documentation Unit and offers legal services through the Public Interest Unit of the **Error! Bookmark not defined.** (formerly the Legal Unit of the Human Rights Forum).

Core member organisations of the Human Rights Forum are:

- Amani Trust
- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Gays and Lesbians of Zimbabwe (GALZ)
- Legal Resources Foundation (LRF)
- Transparency International (Zimbabwe) (TI (Z))
- University of Zimbabwe Legal Aid and Advice Scheme (UZ (LAAS))
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender (ZACRO)
- Zimbabwe Association of Doctors for Human Rights (ZADHR)
- Zimbabwe Civic Education Trust (ZIMCET)
- Zimbabwe Human Rights Association (ZimRights)
- Zimbabwe Lawyers for Human Rights (ZLHR)
- Zimbabwe Women Lawyers Association (ZWLA)

Associate Member:

- Nonviolent Action and Strategies for Social Change (NOVASC)

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## **GLOSSARY - ABBREVIATIONS**

CIO	Central Intelligence Organisation
CID	Criminal Investigation Department
MDC	Movement for Democratic Change
NCA	National Constitutional Assembly
NGO	Non-Governmental Organisation
PISI	Police Internal Security and Intelligence
POSA	Public Order and Security Act
SI	Statutory Instrument (subsidiary legislation)
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZBC	Zimbabwe Broadcasting Corporation
ZESN	Zimbabwe Election Support Network
ZNA	Zimbabwe National Army
ZPS	Zimbabwe Prison Service
ZRP	Zimbabwe Republic Police

## **BACKGROUND**

Against the background of the seriously deteriorating human-rights situation in Zimbabwe, there is increasing evidence of the involvement of formal State agencies such as the Zimbabwe Republic Police (ZRP), the Central Intelligence Organisation (CIO) and the Zimbabwe National Army (ZNA) in the perpetration of gross human-rights violations. In recent months, human-rights organisations have seen a dramatic increase in cases in which State agencies are alleged to have committed human-rights violations. This represents a change in the profile of human rights violations, which hitherto have been allegedly committed mainly by Zanu PF supporters, youth militia and so-called "war veterans".

Recent months have also seen increased hostility by the ZRP towards human-rights organisations. Threats have been made against these organisations by senior Ministers and human-rights defenders have been arrested on what appear to be spurious charges. It is noteworthy that the regime is now seeking to implement restrictive legislation against civil society organisations, requiring them to be registered and in important respects controlled, by the State. When these developments are viewed against the mountain of evidence accumulated by civil society organisations on human-rights violations in Zimbabwe, as well as the government's promulgation of amnesties for perpetrators of such violations, they lead to the conclusion that the regime is seeking to prevent the reporting of human-rights abuses and to render the perpetrators unaccountable for their actions. Such attempts to avoid accountability must be roundly condemned by all parties, locally, regionally and internationally.

The current picture is neither surprising nor unexpected. The Human Rights Forum and its members have been issuing reports over the last four years, pointing out the increasing climate of repression and calling upon the government to take serious steps to redress the situation. These calls have fallen on deaf ears. The increasing involvement of State agencies in the perpetration of gross human rights violations is the focus of this document. It will not seek to describe in detail the many cases in which the ZRP, the CIO and the ZNA have been involved in organised violence and torture, but will draw out the major trends by reference to the many reports already published. It will also draw some conclusions from the data available in the past two years.

This report only deals with matters up to August 2002, but it is evident that there have been further cases of police torture since then. Developments subsequent to August 2002 may be dealt with in additional reports of the Human Rights Forum but, as will be seen, the conclusions, based only on a selection of cases from the data up to August 2002, are extremely worrying and require urgent action, both locally and internationally.

## **THE FOOD RIOTS**

The Food Riots, which occurred in the high-density areas round Harare in early 1998, were the most serious outbreak of violence since the end of the Matabeleland emergency in 1987. As the Minister of Home Affairs himself commented in his address to Parliament on 3 February 1998:

“... the just ended three day food riots which came soon after the announcement of the general increase of prices of basic commodities, mealie meal, rice, cooking oil and bread represent the most violent riots the country has experienced since independence”.<sup>1</sup>

Indeed the whole nation was shocked by the food riots; not just by the rioting of ordinary citizens, but also by the violence of the State’s response. Eight deaths, uncounted injuries and thousands of people being arrested and detained, all made an enduring impression on the nation.

The human-rights community of Zimbabwe made strong appeals to government to control the situation and to obey the principle of “minimum force” that needs to be observed when dealing with civilians. Amnesty International made a strong appeal to the Minister of Home Affairs to repudiate his view that the situation required the use of arms of war and the shooting of unarmed civilians.

The human-rights NGOs in Harare swung into action following the many reports of human-rights violations and the Zimbabwe Human Rights NGO Forum (Human Rights Forum) was established. This group, a loose alliance of NGOs, provided assistance to detainees and to persons complaining of human rights violations and ill-treatment. The Human Rights Forum produced a report on the riots — *Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998*<sup>2</sup> — which was forwarded to the President and Parliament in support of the request for an independent Commission of Inquiry. As was stated in the report:

The Human Rights Forum calls upon Government to set up, as soon as possible, an independent Commission of Inquiry headed by a High Court Judge to investigate these allegations of human rights violations. In the interests of transparency and accountability the findings of this Commission must be made public. Pending the setting up of such a Commission, the organisations request Parliament to establish its own Committee to look into these allegations and report its findings to Parliament. In conducting these investigations the Parliamentary Committee should enlist the assistance of the Ombudsman’s office which now has jurisdiction to investigate allegations of human rights abuses on the part of members of the police, army and prison service. Although the Ombudsman may only investigate when complaints have been made to that office, the proposed Parliamentary Committee would be able to refer some of the complainants to the Ombudsman’s office so that their complaints can be investigated by personnel in this office.

Following these inquiries arrangements must be made for compensation to be awarded to all persons found to have suffered human rights abuses without those persons having to bring claims in the courts. Government must also take stern disciplinary action against all those who are proven to have perpetrated human rights abuses to send a clear signal that this sort of misconduct will not be tolerated.

In respect of those who are alleged to have engaged in unlawful violence the law must continue to take its course. However these cases must be dealt with according to the ordinary rules of procedure and evidence which are there to ensure that accused persons receive fair trials. Any cases that were hurriedly processed through the courts in the emotionally charged atmosphere following upon the food riots must be thoroughly reviewed to ensure that no miscarriages of justice have occurred. The sentences in these cases must also be carefully scrutinised to ensure that they were fair and not disproportionate, taking into account that all the relevant factors that have a bearing upon sentence, including the fact that the criminal action may have been an expression of anger and frustration about harsh economic conditions. On the other hand, more deterrent

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<sup>1</sup> Ministerial Statement: Food Riots, *Zimbabwe Parliamentary Debates*, 24, no.53, 2903-2930.

<sup>2</sup> See *Zimbabwe Human Rights NGO Forum (1998), Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998*.

sentences are obviously appropriate for hooligans and criminals who simply took advantage of the troubled situation to commit crimes.

Last but certainly not least, mechanisms must be established to ensure that businesspersons who suffered financial loss as a result of the riots receive compensation or at least soft loans to allow them to re-establish their businesses.

There was no response from either the President or parliamentarians and thus the Human Rights Forum took the step of lobbying the UN Human Rights Committee at its meeting in 1998 to consider the implementation by Zimbabwe of the International Covenant on Civil and Political Rights. When the Committee produced its final report in September 1998, it made a strong statement endorsing the call by the Human Rights Forum for an independent Commission of Inquiry. The UN Committee made two specific recommendations in respect of the Food Riots:

16. The Committee expresses its concern over recent reports of excessive use of force by the police and the army during food riots in 1998. The Committee urges that all cases of alleged excessive use of force committed by members of the police or the army be investigated by an independent and impartial body, that action be taken against those officers found to have committed abuses and that compensation be paid to the victims; the State party should report to the Committee thereon. Intensive training and education programmes in the field of human rights for members of the army and law enforcement officials are recommended. The Committee urges that the list of situations in which the use of lethal force is allowed under domestic law be reduced.

30. The Committee requests the State party to ensure the wide dissemination in Zimbabwe of the Covenant, the State party report and the Committee's concluding observations.

There has been no wide dissemination of the Covenant as requested and, since the government took no steps either to constitute a Commission of Inquiry or to compensate those who suffered human-rights violations, the Human Rights Forum decided to go ahead and support the request by survivors for civil claims to be pursued against the Government. Forty suits were filed against the ZRP and the ZNA. The Government, through the office of the Attorney-General, contested all claims.

The Human Rights Forum published an extension of the original report which it had submitted to the President and Parliament. The second report again appealed for an independent Commission of Inquiry<sup>3</sup>. As was seen in the second report, the facts that were established strengthened the prima facie case that the principle of minimum force had been exceeded and this was further confirmed by the civil cases that were subsequently heard by the High Court. It is noteworthy that the judgments have overwhelmingly supported the views of the Human Rights Forum.<sup>4</sup>

The Human Rights Forum repeated the strong recommendations in the first report but, apart from a single letter from the Minister of Defence, the late Mr Moven Mahachi, the Government has ignored the reports, as well as the UN Committee's recommendations and elected to deal with the matter in the courts.

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<sup>3</sup> See *Zimbabwe Human Rights NGO Forum (1999), A Consolidated Report on the Food Riots 19—23 January 1998, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.*

<sup>4</sup> See for example *Mugadza v Minister of Home Affairs & Anor* HH-140-2001.

## **TORTURE DURING 1999 AND 2000**

The situation did not improve during 1999 and deteriorated massively during 2000. In 1999, there was the notorious case of the torture of the two Zimbabwe Standard journalists, the late Mr Mark Chavunduka and Mr Ray Choto. Despite apparent acceptance by the State that torture had taken place, no action was taken against the perpetrators and indeed no action has taken place to date, even in the face of High Court and Supreme Court rulings.<sup>5</sup>

The Human Rights Forum continued to represent victims from the Food Riots in civil actions and, during 1999 and 2000, added other cases to the list. In several of the cases, the judges of the High Court strongly criticised the conduct of the police<sup>6</sup> and generally the lawyers from the Human Rights Forum, acting for the victims, were able to obtain judgments against the police and the army. These judgments indicated a considerable need for reform in the police and for strong disciplinary action to be taken against the perpetrators. Regrettably, the Human Rights Forum has no evidence that the police took any steps towards reform, nor is there any credible evidence that any disciplinary action was instituted.

The comments of the Legal Unit of the Human Rights Forum in its 1999 annual report are instructive against today's background and provided a serious warning of what has come about:

What has been of even greater concern for human rights in Zimbabwe has been the re-emergence of political torture and the government's attitude to this in 1999. In the wake of the kidnapping and torture of Mark Chavunduka and Ray Choto by the Zimbabwe military all civil society made calls to the government to respect the rule of law, condemn this illegal action and ensure that the perpetrators were brought to book. The Government's contempt for the rule of law even forced judges of the Supreme Court and the High Court into the unprecedented move of writing to the President to express their concern. None of these concerted actions had borne any fruit by the end of the year.

The President, the Attorney-General, senior Ministers and members of the Parliament have all made statements condoning the actions of the military and none have publicly retracted these. Thus the Judiciary remain to some extent at loggerheads with the Executive and the Parliament which does not bode well for the future. The perpetrators remain at large with no credible attempt at investigations as far as this can be established. It was gratifying, however, to see that the Minister of Home Affairs and the Commissioner of Police took very seriously the death threats against Ray Choto and Basildon Peta.

The importance of these attitudes of the President and the government to the torture of Chavunduka and Choto must be seen in relation to the other cases seen in 1999 and also to the riots cases. When government itself shows no will to investigate or control state-sponsored violence and torture it is a signal to all state agencies that a degree of practical impunity exists. This is so crucial in Zimbabwe where impunity for genocide and gross human rights violations have been the norm rather than the exception. In 1999 there was no sense that government saw human rights violations in a serious light.

The cases seen by the Human Rights Legal Unit show a worrying trend in the type of torture now being seen. There is an apparent trend towards the police using forms of torture that are more difficult to detect initially. Here the use of electrical shock and "falanga" or beatings on the soles of the feet must be highlighted and

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<sup>5</sup> See *Chavunduka & Anor v Commissioner of Police & Anor* 2000 (1) ZLR 418 (S), in particular at page 420D.

<sup>6</sup> See for example *Musadzikwa v Minister of Home Affairs & Anor* 2000 (1) ZLR 405 (H) and *Mugadza v Minister of Home Affairs & Anor* HH-140-2001.



questions asked. Falanga has not been reported widely before in Zimbabwe<sup>7</sup>, but has been growing in frequency through the 1980s and the 1990s. It has been observed elsewhere that falanga tends to increase as the more obvious methods of torture become detected, or as public pressure against the use of torture grows.

As indicated above, little was done. In fact, the situation continued to worsen in 2000 and the reports of police, CIO and army involvement in gross human rights violations proliferated. During 2000, the Human Rights Forum issued an unprecedented number of reports, making exceedingly serious allegations against the State and State agencies during the year. The only response of the State was for the President to issue an amnesty in October 2000, the major consequence of which was to excuse the epidemic levels of torture. This was despite the overwhelming evidence that gross human rights violations had taken place; that this was attested to not only by local human-rights organisations but also by respected international human-rights organisations; and, that there were serious allegations about partisan policing and failure to apply the rule of law. As the Human Rights Forum commented in its Legal Unit's Annual Report for 2000:

We can only state at this time that the situation has deteriorated far beyond any expectation. The reports of the Human Rights Forum on the pre and post-election violence are adequate testimony to the exceedingly serious deterioration in respect for human rights. These reports stand alone in their condemnation of the human rights violations committed during 2000 and, most seriously, implicate the Government in the condonation, tacit and overt support for the perpetration of gross human rights violations. This requires the Government to take immediate steps to restore the rule of law in Zimbabwe.

Apart from the political violence, however, we have also shown in this report that the general human rights climate has deteriorated very seriously. We have seen an enormous increase in the number of unnecessary shootings by the police and also a greater tendency towards the use of torture, ill-treatment and brutality. The principle of minimum force is clearly not being adhered to and the government must take immediate steps to ensure that the police return to the kind of behaviour expected of a well-disciplined force.

As regards the future, we can only re-iterate our statement made earlier this year:

The Zimbabwe Human Rights NGO Forum wishes to express its concern for the failure by the President and the Government to affirm their serious commitment to the rule of law and additionally for the Government to take positive steps to ensure an end to the political violence. Regarding the rule of law, we note the following:

- 1 The failure by the Government to obey the rulings of the High Court in respect of the rights of citizens to property. All citizens have a right to free and untrammelled use of their property unless lawfully restricted by the State and, until such time as there are proper and lawful mechanisms for changing property rights, the State has a constitutional duty to ensure protection of citizens.
- 2 The failure by the Government to ensure that the Zimbabwe Republic Police carry out their duties under the Constitution and the Police Act. Here it is important to stress the failure of the police to provide protection for persons whose property rights were and are still being infringed through the land invasions.

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<sup>7</sup> See *AMANI Trust (1998), Survivors of Torture and Organised Violence from the 1970s War of Liberation*, Harare: AMANI; See also *CCJP/LRF (1997), Breaking the Silence Building True Peace A Report on the Disturbances in Matabeleland and the Midlands 1980 to 1988*, Harare: Catholic Commission For Justice And Peace & Legal Resources Foundation.

- 3 The failure by the police to investigate crimes such as murder, rape and kidnapping which were committed by supporters of the ruling party and the war veterans during the period preceding the general elections.
- 4 The attacks on the freedom of the press, which constitute a very grave situation and undermine the basic rights of all citizens to have access to information about the nation. These attacks have been made together with the blatant use of hate speech and racist rhetoric by a large number of Government ministers, Zanu PF officials and war veterans which are contrary to the laws of this country. The President and the Government have a constitutional duty to ensure that plurality of views is protected.

We thus call upon the Government to take immediate steps to redress these situations and to institute investigations under the law of all parties who are in breach of the laws as indicated above.

As regards violence, we note the following:

- 1 A very large number of human rights violations have occurred. Torture, cruel and inhuman and degrading treatment continue to be practised on a wide scale and the concerns of the Human Rights Forum expressed in earlier reports seem to have little effect upon the Government and the police. War veterans, members of Zanu PF and its supporters seem to believe that they have the right to infringe on other people's rights without being held responsible or accountable at law. This seems to have been bolstered by the formal impunity contained in the clemency order.
- 2 The Zimbabwe Republic Police displayed indifference to the plight of the victims during the violence and in following up on charges pressed by the victims. This indifference must be strongly condemned.

We repeat our calls for immediate investigations and prosecutions of all persons, irrespective of rank or political party affiliation. We condemn the clemency order and maintain our demand for the setting up of an independent judicial commission to investigate both pre and post-election violence.

## TORTURE DURING 2001

Although there were periods during 2001 when organised violence and torture declined in relation to previous years, it was apparent that organised violence and torture did increase in association with the various parliamentary by-elections that took place. However, there was an absolute increase in organised violence and torture from the middle of the year as the campaign for the Presidential election took off in earnest. As the violence generally increased, so did the number of cases in which members of the police, the CIO and the army were alleged to be the primary perpetrators. This caused the Human Rights Forum to re-examine the evidence it had accumulated from past years. It found that the police, the CIO and the army had been implicated in violence to a far greater extent than it had realised.<sup>8</sup> As commented in the Annual Report of the Legal Unit for 2001:

After a decent stock-take, it is clear that despite our recommendations for the years 1999 and 2000, there has not been any serious attempt by the government to restore the rule of law. Certain individuals still behaved as if they were above the law. We demand a restoration of the rule of law.

In this respect, we reiterate our concern over the failure by the government to ensure that the police carry out their duties in terms of the Constitution of Zimbabwe and the Police Act. During the year, the failure by the

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<sup>8</sup> See *Zimbabwe Human Rights NGO Forum (2001), Who was responsible? Alleged perpetrators and their crimes during the 2000 Parliamentary Election Period*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

police to provide protection to victims of gross human rights violations was a continuing cause for concern. Partisan policing must end and all Zimbabweans must be afforded the equal protection of the law.

We strongly condemn politically motivated violence and intimidation. As Presidential Elections are not far off and violence is likely to flare up, we reiterate the demand we have made since the Zimbabwe Human Rights NGO was formed - that the government should set up an independent Commission of Inquiry to investigate the widespread human rights abuses.

We urge the government to judiciously observe its international obligations for the protection of human rights. In particular, all reports of human rights abuses must be investigated and the suspected offenders must be tried by a court of law. If they are found guilty the offenders must be punished in accordance with the law. It is for this reason that we call upon the government to revoke the General Amnesty of 6 October 2000.<sup>9</sup>

## TORTURE IN 2002

### **POLICE INVOLVEMENT IN ORGANISED VIOLENCE AND TORTURE**

Against this background, it is scarcely surprising that we saw little change in 2002. However, it is surprising that we should have witnessed an absolute increase in organised violence and torture and an absolute increase in cases in which the police were alleged to have been involved. A previous dossier issued by a member of the Zimbabwe Human Rights NGO Forum included 36 cases of police involvement out of a total of 180 cases reported upon<sup>10</sup>. The dossier alleged that the police, the CIO and, to a lesser degree, the Army were all involved in gross human rights violations. Table 1 below shows the trend indicated in this report and it is clear from this evidence that the police are implicated with much greater frequency than in the past.

**Table 1**

#### **Perpetrators identified by victims**

<b>Perpetrator</b>	<b>Percentage</b>
ZanuPF(PF) supporters	46%
Youth militia	29%
Zimbabwe Republic Police	12%
MDC	5%
War veterans	4%
Zimbabwe National Army	2%
Unknown	2%

<sup>9</sup> See Zimbabwe Human Rights NGO Forum (2002), *Annual Report of the Legal Unit for 2001*

<sup>10</sup> See AMANI (2002), *Beating your opposition. Torture during the 2002 Presidential campaign in Zimbabwe*, HARARE: AMANI TRUST.

## ***Analysis of Cases in Appendix 2***

Appendix 2 of this report summarises 80 cases seen by member organisations of the Zimbabwe Human Rights NGO Forum from January 2001 to August 2002, a period that covers the Parliamentary by-elections, the Presidential election and the post-election period. The cases are a sample of all the cases of torture by state agents documented by the Human Rights Forum in the period (numbering over 234 in all). In all the cases the victims provided affidavits about their experiences and most victims could provide witnesses to support their statements. (None of the cases are taken from press reports)

The cases give considerable cause for concern. They indicate that the police are becoming increasingly involved in serious crimes of violence amounting to gross human-rights violations, as defined in contemporary international instruments. The cases also indicate that previously identified perpetrators, who have escaped liability through the various amnesties granted by the President, continue to be involved in gross human-rights violations.

### ***Political Affiliation of Victims of Torture***

Of the victims who reported to the human-rights organisations, 51% stated that they were active members of the MDC and that their membership was the basic reason for the crimes committed against them. A further 32% stated that they were not active members of the MDC: they either had no connection with the party or were merely related to someone who was. However of this 32% stated that the crimes committed against them were related to accusations about their possible MDC membership. Another 20% did not raise MDC membership as a reason for their violation, but in this group were farm workers, persons accused of crimes and persons who got into disputes with the police.

### ***Types of Violations Reported***

The types of violations conform to those reported in all previous reports (see Appendix 1). As can be seen from Table 2 below, torture was reported in virtually all cases, but, it must be pointed out that the cases of torture were accompanied by other forms of abuse, ill treatment or human rights violations. For example, many persons reported being tortured whilst in police custody and this torture was accompanied by unlawful arrest (no proper charge was made) and illegal detention (detention exceeded the statutory limit). The reference to abductions is to cases where the victims were kidnapped by “war veterans”, Zanu PF supporters, or youth militia and were then surrendered or handed over to the police. The term “property offences” refers to the destruction of property or theft of victims’ property.

**Table 2**

#### **Nature of human-rights violations reported**

<b><i>Type of Human Rights Violation</i></b>	<b><i>Percentage reporting</i></b>
Torture	99%
Abduction	7%
Unlawful arrest & illegal detention	62%
Property offences	7%

***Affiliation of Perpetrators***

Since this report deals specifically with human-rights violations by State agents, the overall percentages are not indicative of general trends. As was seen from Table 1 above, the police are the State agents most frequently reported as being responsible for gross human-rights violations. This is clearly shown in Table 3 below.

**Table 3**  
**Perpetrators according to force (ZRP, CIO or ZNA)**

<i>Perpetrator</i>	<i>Percentage</i>
ZRP	98%
CIO	23%
ZNA	10%

If the breakdown is done for the police, it becomes clear, as Table 4 shows, that the uniformed branch of the ZRP is reported as massively the major perpetrator, with other branches implicated to a lesser extent. This is a considerable change from previous years, where, in 1998 to 2000, the CIO, PISI, the Riot Squad and the Support Unit were alleged to be the most common offenders and the uniformed branch tended not be reported as being involved in gross human rights violations. This picture does accord with the public domain reports of transfers of professionally-minded uniformed officers and the reports of “war veterans” and CIO officers being placed in positions of authority.

**Table 4**  
**Perpetrators according to branch of ZRP**

<i>Branch of the ZRP</i>	<i>Percentage</i>
Uniformed branch	61%
CID	14%
Riot Squad	12%
Support Unit	12%
PISI	1%

***Identification of Perpetrators***

In most cases, the identity of the perpetrator was not known (see Table 5 below), although a sizeable percentage (34%) were known. The names of those identified are summarised in Appendix 3.

**Table 5**  
**Cases in which name of perpetrator was known to victim**

<i>Status of report</i>	<i>Percentage</i>
Perpetrator known	34%
Case reported	37%

In a reasonably high percentage of cases, the victim either made a complaint or appeared in a court of law. In two of the cases where the victims made charges to the police, no action has been taken, whilst the perpetrator was acquitted in a third. In another case, the police refused to accept the charge laid by a victim. As regards those cases that came before the courts, usually because the victims themselves had been charged by the police, many victims made complaints about their ill-treatment, but in no case is there any evidence that the magistrates directed any investigation into the victims' complaints. Bearing in mind the recent treatment meted out to magistrates by Zanu PF supporters, this is probably not surprising, but it does bode ill for the rule of law if convictions based upon torture become routine in Zimbabwean courts.

As will be seen from Appendix 3, some of the perpetrators are known. Indeed, at least one of them — Joseph Mwale, a CIO operative — is notoriously known and is mentioned five times in connection with torture in Chimanimani. Implicated in the murders of Tichaona Chiminya and Talent Mabika in Buhera during the run up to the 2000 Parliamentary election, Mwale has yet to be interviewed in connection with these two extra-judicial killings. Indeed, the ZRP has ignored instructions from various High Court judges to investigate these killings and Joseph Mwale in particular. He remains at large and demonstrates completely the practical impunity that currently characterises Zimbabwe.

Another perpetrator, Assistant Inspector Majora, is similarly notorious, but not quite as well known in the public eye. Assistant Inspector Majora was mentioned as having been involved in two cases of torture in the 2000 Parliamentary elections<sup>11</sup> and again during the Chikomba by-election following the death of Dr Chenjerai Hitler Hunzvi in 2001<sup>12</sup>. It is therefore a further indication of the effects of impunity, both formal and practical, that this individual is mentioned again as having been involved in another two cases of torture. Others are mentioned as having been involved in several cases and here Chatapura and Detective Jambwa in Buhera and Tonderai Baranda in Chimanimani seem the most notorious. Again, the alleged actions of these police and CIO officers suggest that they believe that they have immunity from the law.

The issue of impunity has been raised many times in the reports of the Human Rights Forum and, most recently, has been extensively argued by Amnesty International<sup>13</sup>. It is evident that torture is a serious problem in Zimbabwe – the plethora of reports attests to the truth of this statement – and it seems now that State agencies are themselves seriously implicated in torture. Undoubtedly impunity, whether formal in the case of amnesties, or informal in the way that the State refuses to take serious action in respect of any allegation of torture, contributes strongly to the continuance of torture in Zimbabwe. The situation is now reaching critical proportions. When State agencies become major offenders, as the evidence increasingly shows they are, then all are entitled to ask: who will guard the guards?

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<sup>11</sup> See *Zimbabwe Human Rights NGO Forum (2001), Who was responsible? A consolidated analysis of pre-election violence in Zimbabwe*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

<sup>12</sup> See *Zimbabwe Human Rights NGO Forum (2001), Report on Election-related Political Violence in Chikomba*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

<sup>13</sup> See AMNESTY INTERNATIONAL (2002), *Zimbabwe: The Toll of Impunity*, LONDON: AMNESTY INTERNATIONAL.

## CONCLUSION

The only way forward is for strong action to be taken and the recommendations of many groups, both Zimbabwean and international, must be taken seriously. The most sensible recommendations are also echoed from a variety of quarters<sup>14</sup> and can be simply summarised as follows:

- *The international community should carry out independent, impartial investigations into human rights violations and should work with Zimbabwean civil society in such investigations;*
- *Government, regional and international action is needed to reform the Zimbabwe Republic Police in order to promote the accountability and effectiveness of the police;*
- *Government, regional and international action is needed to promote the Zimbabwe judiciary's independence and effectiveness;*
- *The Zimbabwean government should review legislation to repeal or amend those laws that are unconstitutional or violate human rights;*
- *The Zimbabwe government should ratify the Convention Against Torture with alacrity.*

It is evident to all that the Zimbabwe crisis is reaching critical proportions and many are rightly concerned with the looming food crisis and the spectre of mass starvation<sup>15</sup>. However, other aspects of the crisis must be given full attention and the human-rights crisis most of all. Unless the epidemic of gross human rights violations is dealt with there can be little prospect of adequately managing the other aspects of the crisis, including the severe problem of food distribution. Peace depends upon the civilian authorities doing their jobs impartially and within the laws of the country and here the police are fundamental. The evidence suggests a crisis within the police that requires urgent action and such urgent action must take place now if the rule of law is not to disappear completely.

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<sup>14</sup> See AMANI (2002), *The Presidential Election and the Post-Election Period in Zimbabwe*, HARARE: AMANI TRUST; see also AMNESTY INTERNATIONAL (2002), *Zimbabwe: The Toll of Impunity*, LONDON: AMNESTY INTERNATIONAL.

<sup>15</sup> See PHYSICIANS FOR HUMAN RIGHTS (2002), ; see earlier PHYSICIANS FOR HUMAN RIGHTS (2002),

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## APPENDIX 2 : CASES OF TORTURE, ILL-TREATMENT AND DERELICTION OF DUTY BY STATE AGENTS FROM JANUARY 2001 TO AUGUST 2002.

*The cases reported below are a sample of a database containing 234 cases. They are supported by affidavits and medical reports. In some cases the identity of the perpetrators is known and, where possible or the victims agree, cases have been followed up to determine whether police action has been taken or not. Additionally, there are witness statements to support the primary affidavits.*

*However in countless cases victims have been unable to supply the name of the perpetrator. The victims were either unable to remember or did not know the names of those who victimised them. This is not wholly surprising as it is unlikely that one will inquire for a name from their persecutor. The Human Rights Forum has tried to be as accurate as possible with the names but, in some cases, only part of a name or a title was known.*

### 1 04/01/2001

#### **Unlawful arrest and detention; torture**

TS (male, aged 32)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Bikita Police Station, Bikita

*TS is a youth member of the MDC and had gone for campaigning in Bikita. He went to Bikita on 4 January. They had held only one campaign meeting before they were arrested by the ZRP. At the meeting there were CIO operatives pretending to be MDC. After the meeting they went to Maregere Shopping Centre in preparation of a star rally to be addressed by Morgan Tsvangirai. After they had put up posters, a vehicle full of policemen came and asked them where they came from and they told the police that they were from Harare. The police alleged that the MDC youths were the perpetrators of violence and told them to get into the vehicles. The police started assaulting them with open hands and clenched fists. Three of them were taken to Bikita Police Station, the others managed to flee. The name of the police leader was Shumba. They arrived at the station at around 7 pm and Shumba ordered that they be put in cells. The following day, 6 January at 1pm they started interrogating one MDC member after another and ordered them to remove all their clothing including their pants. At first there were three policemen then came another and later four more. The police took turns to assault them. TS was ordered to lie down and they used hoe handles and hands to assault him all over the body. The assaults continued for about four hours before they were taken back to the cells. TS suffered multiple injuries all over the body. 13 of them were released on 13 January and were told they were being taken to Harare. However they were taken to Gonarezhou National Park. They were dropped in pairs about 10 kms apart and were forced to flee into the bush. They managed to get back to the main road at about 2 am and were given accommodation by the Zanu Ndonga MP at Chipinge Filling Station. They were later directed to the MDC MP for Chiredzi North around 9 am on 10 January. He took them to his bottle store where they were provided with food. They spent the next three days there and came back to Harare towards the elections. The case was reported at Bikita Police Station.. TS is currently experiencing severe headaches.*

### 2 04/01/2001

#### **Unlawful arrest and detention; torture**

GC (male, aged 31)

*Place where incident occurred:* Mazungunge Village, Bikita

Alleged Perpetrator: C. Shumba + unnamed

*I am a youth member of the MDC and went for campaign meetings in Bikita on 22 December. There were 52 of us. We were camped at Maregere Business Centre. On 24 December at around 3*

am 3 petrol bombs were thrown at us. Two exploded and several people were injured including myself and I then tried to escape. On 25 December we camped at Pakai's place and mobilised people without hassles. On 30 December we went for a rally at Negovano School and when the youths arrived there were kraal heads who told them that they were being forced to attend MDC meetings by war vets being led by Hunzvi. Hunzvi and his group pitched up and ordered every MDC supporter to leave but we did not. The MDC convoy then arrived and chaos ensued. Three shots were fired into the air by one man in civilian clothing. There were several police officers but violence broke out between Zanu PF and MDC supporters. The police started firing tear gas at us and we managed to escape from the scene. We held a meeting on 3 January which was addressed by Tsvangirai at Matsago Shopping Centre. On 4 January armed police arrived and were ordered to take our bags and separate us into Bikita and Harare residents. We were ordered into the police truck and were allegedly being taken back to Harare for causing the violence. There were 39 of us and we were assaulted as soon as we got into the vehicles. They used baton sticks to assault us. We were taken to Bikita Police Station but no one alighted from the vehicle and we were then taken to Zaka Police Station. We were accused of murdering Gara, the Zanu PF supporter. Our hands were tied behind our backs with handcuffs. I was assaulted under the feet with gun butts. C. Shumba was the ringleader. After the assaults we were put in the police cells and only released on 9 January. We were not given food in the 4 days that we were detained. 13 of the group were taken into a vehicle and were told that they were being taken to Harare. We were ordered to get into another vehicle and were taken to Gonarezhou after they alleged that the vehicle we were in did not have enough fuel. Three of us were first dropped and ordered to go into the bush. We were told that the others would be dropped deeper and deeper in the bush. We walked along the road and managed to meet up with others members of the group who had been the next to be dropped. Using our whistles 11 of us managed to find each other and reunite. We could not locate the other two and so started walking back. After about 5 km we were lucky to see a vehicle which took us to the main road. We arrived at a shopping centre along Chiredzi Road and asked for a phone. We were directed to nearby vehicle where we phoned the MDC MP for Chiredzi who housed and fed us. We were then taken to Masvingo where we were given bus fares to Harare.

### 3 04/01/2001

#### **Unlawful arrest/ detention, torture**

AM (male, aged 23)

Alleged Perpetrator: Shumba + Chimhuka

Place where incident occurred: Madhege, Chief Ziki, Bikita

*I was arrested at Bonnie Pakai's homestead by Riot Police, CID & CIO and driven in a Mercedes Benz lorry to the police station. It was said that I was to be deported back to Harare but I was put in Zaka Police Station instead. We were not put in the charge office but under a tree and guarded at gunpoint. I was accused of being Tsvangirai's bodyguard. They asked me why I moved around with Holland and accused me of having trained with Musekiwa in S.A. I was asked about the NGO's supporting MDC and about its bank account. Shumba is the one who assaulted me. I was beaten with open hands and baton sticks, kicked with booted feet and forced to chew condoms. My shoes were stuffed into my mouth before my jacket was tied around my mouth. Chimhuka took photographs and our particulars. Some of them may have been war vets because they had Zanu PF T-shirts under their shirts. They threatened to dump me in Siya Dam which is infested with crocodiles and with being taken to the DRC. I was lifted up with chains and leg irons. I was refused food for 4 days. There is a court record with Magistrate Zisengwe at Bikita Court.*

**4 04/01/2001****Unlawful arrest/ detention, torture**

GM (male, aged 23)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Madhege, Chief Ziki, Bikita

*I was taken by the Support Unit to Bikita Police Station and later to Zaka Police Station where I was badly beaten up. They asked me why I had resigned from the police and about MDC members being trained in Cuba and South Africa. One officer held me down with his booted foot over my throat while another beat me on the soles of my feet. They beat me and forced me to eat a dirty cloth which they had used for mopping up. I was kept in the cells for one week before being taken to remand prison where we were given food - only boiled spinach.*

**5 04/01/2001****Unlawful arrest/ detention, torture**

KC (male, aged 28)

Alleged Perpetrator: Cosmore Shumba + Leonard Chimhuka

*Place where incident occurred:* Madhege, Chief Ziki, Bikita

*I was taken by members of the riot police to Zaka Police Station where we were interrogated one by one. It was my turn on 5 January and they assaulted me using baton sticks under my feet while I was handcuffed and in leg irons. They pulled my private parts. There were about 11 members of the CIO. They told me to put on a condom which I had in my pocket. They raised me high by the handcuffs which cut into my hand. I was beaten continuously for about 30 mins. During that four day detention from 4 to 8 January, I and the others did not receive any food to eat. They asked me about my relationship with Sekai Holland and about donors. They also took my diary and did not return it. They threatened me with death if Mugabe was removed from power.*

**6 04/01/2001****Unlawful arrest/ detention, torture**

LC (male, aged 23)

Alleged Perpetrator: Shumba + Chimhuka

*Place where incident occurred:* Madhege, Chief Ziki, Bikita

*I was picked up at gun point in Madhege Village at Pakai's homestead by a group of 11 police officers. They beat me and pushed me towards their trucks. As we arrived at Zaka Police Station I was handed over to a group of 40 people who were not wearing uniforms. Because I told them that I was from Buhera they said that I knew all because I was from the same area as Tsvangirai. All my details were taken. They asked me which NGO's were sponsoring the MDC and how much was in the MDC account. They asked me about Sekai Holland's boyfriend and I told them that I did not know anything. I was ordered to go into another room where I was severely beaten while I was handcuffed and in leg irons. They removed my shirt and said that there was evidence that I had been trained and was a traitor. They put a mop in my mouth so that I could not scream. Some of them were wearing ZanuPF T-shirts and PTC overalls. (There were visible handcuff marks.)*

**7 04/01/2001****Unlawful arrest and detention; torture**

LN (male, aged 27)

Alleged Perpetrator: Cosmore Shumba + Leonard Chimhuka + Gavakava

Place where incident occurred: Madhege, Chief Ziki, Bikita (Pakai's Homestead)

*There were about 9 people. They took me from Pakai's homestead to Zaka Police Station. I was handed over to the CIO's. They asked me to tell them who killed Bernard Gara, who Sox was and where we were being trained. They removed all my clothes and blindfolded me with an MDC T-shirt around my face. I was also handcuffed and put in leg irons. They started beating me under my feet with the butt of a gun and a baton stick. They also used fists to hit me across my ribs and diaphragm. They pulled by private parts. I was beaten for almost 45 minutes. I was also asked about which NGO's sponsored the MDC and it's aspirations, especially with regards to the presidential elections. They wanted me to be an informer for \$10 000. We were in the cells for 4 days without eating.*

**8 04/01/2001****Unlawful arrest and detention; torture**

IK (male, aged 28)

Alleged Perpetrator: Cosmore Shumba + Leonard Chimhuka, Gavakava + Moyo

Place where incident occurred: Madhege, Chief Ziki, Bikita

*I was taken by members of the Support Unit of Fairbridge, Bulawayo, to Zaka Police Station, they said they were taking us back to Harare because we did not come from Bikita West. We were filmed by the ZBC and later interviewed about our personal details. I was taken to room 4 and blindfolded. I was interrogated about MDC and the NGO's sponsoring it as well as the meeting between Tsvangirai and Dhlakama; MDC bank accounts and aspirations of mass action; they also asked where we were trained. We were beaten by the CIO. I was beaten with sticks and open hands and kicked with feet and lastly my private parts were pulled. I have developed a chest problem and have pain on my private parts, stomach and chest. I was further assaulted in the CIO rooms numbering from 6 to 11. There were about six individuals. They also used gun butts to hit me on the soles of my feet. In the four days we were detained we were only supplied with drinking water. On Saturday a man calling himself the Chief Commander came insulting us and said, "I don't bloody care if you don't eat". The member in charge of Zaka Police Station refused to see us saying he was not part and parcel of the goings on. On 7 January we were released into CID custody and charged with public violence. An ID parade was conducted but nobody identified us. In our statements we denied the charge of malicious injury and were headed back to our cells. On Monday 8 January we were taken to Bikita Magistrates court and told the Magistrate about our ill-treatment. From court we were taken to Masvingo on remand. On 17 January we went back to court and were remanded on \$100 bail to 14 February.*

**9 04/01/2001****Unlawful arrest and detention; torture**

BC (male, aged 24)

Alleged Perpetrator: Cosmore Shumba + Leonard Chimhuka + Moyo

Place where incident occurred: Madhege, Chief Ziki, Bikita

*I was tortured and ill-treated by members of the riot police and CIO members at Zaka Police Station. I was assaulted with clenched fists and open hands as well as with booted feet on my chest and struck with baton sticks. They confiscated my particulars and stuffed mops into my mouth.*

*After that I was detained in the cells for four days without food. We were then taken to Bikita Court on 8 January.*

## **10 11/01/2002**

### **Torture (blunt violence); property damage**

BC (male, aged 33)

Alleged Perpetrator: Mnangagwa

*Place where incident occurred:* Murehwa Centre

*I was found with four MDC cards and was taken to Murehwa Police Camp. I slept in the cells and the next morning was taken for interrogation. After I had admitted that I was an MDC member and was further questioned until 4pm, then taken back to the cells. At around 7pm another Defender came and they brought me back to Harare. They took me to my house and carried out a search there, intimidating my wife in the process. They found my MDC cards and reports (I am an MDC security officer). They said I was being assisted by a soldier to get guns and went to his house and also carried out a search there. They found a magazine and an empty cartridge there. The beatings then got worse. They took us both into the bush and demanded that we tell them where the guns were. We told them that we did not know anything about any guns. From my home the two of us were taken to Marondera and detained there for a night. On the next day we were interrogated and told to admit to the offence of possessing the firearms or else we would die. We admitted to the offence. We were taken to court on Monday 14 January. I saw some other accused persons who gave advice not to plead guilty. We were charged with possession of firearms and the soldier was charged for selling them to us.*

## **11 15/01/2001**

### **Torture**

EC (male, aged 23)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Mutikizizi Business Centre, Bikita

*The victim was assaulted by members of the ZRP at Mutikizizi Business Centre for allegedly disturbing their peace. He was having drinks with fellow MDC members at Mutikizizi Business Centre when the police arrived and started beating them with sticks, booted feet, baton sticks and gun butts. He was assaulted all over the body and sustained multiple injuries. He could not identify where the police came from and did not report the matter. He was unable to seek medication.*

## **12 18/01/2001**

### **Torture; unlawful arrest**

SM (male, aged 30)

Alleged Perpetrator: Superintendent Majongosi + Inspector Chinduzha

*Place where incident occurred:* Gokwe Centre, Gokwe

*He was assaulted with fists, sticks, bottles and had beer poured over him. Taken to ZRP Gokwe to Superintendent Majongosi, who tried unsuccessfully to force client to write "Kabila afa kwasara Mugabe(Kabila is dead, Mugabe is next)". He did not take any action despite the fact that the assailants were there. Released around 7 pm. On 23 January arrested by Insp. Chinduzha for allegedly saying "Kabila afa."(Kabila is dead). The Public Prosecutor refused to prosecute for lack of evidence.*

**13 04/02/2001****Unlawful arrest; torture**

IK (male, aged 23)

Alleged Perpetrator: unnamed

*Place where incident occurred:* St Mary's Police Station

*IK is the MDC Secretary, Chitungwiza Province. Was assaulted on 4 February and some of his assailants are Blessing, Munyaradzi, Musekiwa, Simango and two others who had been assaulted at an MDC rally in St Mary's. These officers are attached to PISI. Used baton sticks, broomsticks, whips, booted feet and open hands. Arrested on the 4 February around 4 pm and taken to St Mary's. Taken to Harare Central police the following day around 3.30 pm where he spent a night. Was assaulted under the feet by one police officer. Was forced to sign a docket at St Mary's. At one time a gun was pointed at him and was threatened with death. Released on Tuesday 6 February on \$1000 bail by the High Court. At St Mary's the police officers allegedly invited the army to come and assault him. Suffered multiple injuries all over the body.*

**14 14/02/2001****Torture**

DM (male, aged 35)

Alleged Perpetrator: Inspector Majora + unnamed

*Place where incident occurred:* Chikomba, Sadza

*He was stabbed by Zanu PF supporters in the armpit. When he went to make a report to ZRP, Sadza, he saw his assailant already there. He was summoned into an office by the officer-in-charge, Majora, who assaulted him for supporting the MDC. DM was assaulted with a plank by Majora while another officer assaulted him with a whip. They accused him of dishing out red cards to people. The cards belonged to his late sister, RM who was murdered in Bikita West. The police officers took DM to his homestead and continued to assault him, leading to his sustaining multiple injuries.*

**15 10/03/2001****Political victimisation; torture**

PZ (male, aged 25)

Alleged Perpetrator: Assistant Inspector Majora + Constable Mhukayesango + John Mugadza

*Place where incident occurred:* Sadza Growth Point

*He was approached when he was bathing, assaulted by ZRP officer Majora while naked, put on clothes as assaults continued. Majora tried to break his hand against the corner of the Defender. At the charge office received a hard beating while the other officers were looking on. Dragged around the charge office, shirt and pair of trousers torn, pair of sandals, watch and \$70 lost. Verbally abused for intending to go to Harare and give evidence in the electoral petitions. Testicles are now painful from being pressed against the pillar of the veranda. A CZ pistol was forced into mouth, he was then beaten with sticks, flat timber, fists and open hands. Other assailants included Constable Mhukayesango and John Mugadza. Released at about 2200 hrs. Was bleeding from mouth and nose.*



**16 12/03/2001****Unlawful arrest; torture**

NC (male, aged 28)

Alleged Perpetrator: Assistant Inspector Majora + Constable Nyoni + Constable Penzura + Constable Ennia

*Place where incident occurred:* Sadza Police Station

*Taken by Mr. Moses Zhakata to Sadza Police Station. The aim was to get NC to relinquish MDC membership and assume that of Zanu PF. Taken to Asst. Insp. Majora's office. Asked about his going to Harare and where he was staying in Harare with other MDC supporters. Assaulted with an axe handle and big log. During assault Constables Nyoni, Ennia and Penzura (a war vet) all participated in the assault with clenched fists, booted feet and demanded the money he had been given by Tsvangirai. Pocket knife and watch taken. Chased out of office after he started bleeding from the nose. Inspector Mpofu was in his office throughout incident, laughed and told him to go and collect MDC cards and T-shirts. Went to Sadza Hospital for treatment on the same day. Asst. Insp. Majora followed him to hospital and harassed hospital workers on the charge of interfering with political issues. Then treated in Harare for the injuries sustained.*

**17 07/06/2001****Torture; unlawful arrest**

SM (male, aged 19)

Alleged Perpetrator: Ngonidzashe Mungofa + unnamed

*Place where incident occurred:* Chiwaridzo Police Station

*Zanu PF and MDC supporters had a clash earlier on. After about a week when we were at the township, a mob of Zanu PF supporters including five police officers descended on us. The police brought me down, assaulted me with booted feet and batons and then took us to the police station. Our hands were handcuffed to our backs and we were further assaulted with handcuffs and batons. I was detained for five days without being charged. Eventually on the day of our release some policemen arrived and asked why we had not been charged with the assault of a policeman. They forced us to sign admission of guilt forms and to pay \$500. They warned us of further assaults if we continued to support the MDC.*

**18 07/06/2001****Torture; unlawful arrest and detention**

ND (male, aged 19)

Alleged Perpetrator: Ngonidzashe Mungofa + unnamed

*Place where incident occurred:* Chiwaridzo Police Station, Bindura Police Camp

*Assaulted by ZRP officers at Bindura who alleged that ND had verbally abused and harassed a police officer. Taken to Chiwaridzo Police Post and assaulted for nearly 30 minutes using baton sticks. Assaulted all over the back and especially the neck. One of the policemen trampled on ND's neck with boots. They were then transferred to Bindura Police Camp and detained there overnight. At around 12 am a member of CID armed with a gun came and started assaulting the three of them with booted feet. ND's head was bashed against the door. Detained for five days and tortured again on the last day of their detention. The other two detained appeared in court on 11 June minus ND. ND made to pay \$80 admission of guilt fine before being taken to court. ND sustained multiple injuries all over his body including his chest.*

**19 01/07/2001****Property destruction; torture (blunt violence)**

KG (female, aged 27)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Bindura

*When the MDC president held a rally in Bindura, the victim attended. That evening a group of Zanu PF supporters went to her home and stoned the house. They broke all the windows, but the victim managed to escape. Two days later when she was on her way to a conference in Musana, they met the police on arrival. They were forced back into their truck. The police used rifle butts to push them back into the truck. She was injured on her wrist.*

**20 06/07/2001****Unlawful detention; torture**

WM (male, age unspecified)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Harare, Warren Park Shopping Centre

*On 6 July at Warren Park Shopping Centre, six ZANU (PF) youth accused the victim of being an MDC Chairman and instructing MDC youth to attack the police with stones. Before he answered them they kicked him all over his body resulting in the loss of four teeth. They stole \$500 from his trousers and destroyed his watch. He fell down during the attack and lost consciousness for about 15 minutes. Upon regaining consciousness he realised they had taken him to a police camp. The police made the same allegations that the Zanu PF youth had made. He was threatened and experienced verbal abuse. He was handcuffed whilst bleeding from the mouth and nose. He was kept in a cell for a whole day and night. He was allowed to return home at 10 a.m. to receive medical treatment. He suffers severe pain in left shoulder and unable to move it properly.*

**21 13/07/2001****Unlawful arrest and detention; torture**

GM (male, aged 26)

Alleged Perpetrator: Dzimbanhete + Mandeya + Musoni + Mhaka + Zishiri + unnamed

*Place where incident occurred:* Bindura & Mount Darwin, Rushinga

*Abducted in Bindura together with 26 other MDC youths by war vets armed with pistols. The war vets were reportedly wearing police uniforms and took them to Bindura Police Station. The youths were searched for arms of war but nothing was found. At Bindura Police Station they were assaulted by police officers who claimed to be members of the Support Unit and war vets. They used wooden sticks to beat them on the soles of their feet. They were then placed in the cells but were later driven to Rushinga where the assaults continued from around 6 pm until 9 pm. Forced to give them their names. At around 12:15 am they dropped them off in groups along the Rushinga Road. They walked to Mt. Darwin. Along they way they were assaulted by groups of war veterans who are stationed at each of the shopping centres along the route. They managed to board a bus but were forced off because they did not have bus fares. The war vets had taken all their money. GM sustained injuries to his back and to the soles of his feet.*

**22 13/07/2001****Kidnapping; unlawful arrest and detention; torture**

MT (male, aged 22)

Alleged Perpetrator: Dzimbanhete + Mandeya + Musoni + Mhaka + Zishiri

Place where incident occurred: Bindura & Mount Darwin, Rushinga

*Abducted in Bindura together with 26 other MDC youths by war vets armed with pistols. The war vets were reportedly wearing police uniforms and took them to Bindura Police Station. The youths were searched for arms of war but nothing was found. At Bindura Police Station they were assaulted by police officers who claimed to be members of the Support Unit and war vets. The police used wooden sticks to beat them on the soles of their feet. They were then placed in the cells but were later driven to Rushinga where the assaults continued from around 6 pm until 9 pm. Forced to give them their names. At around 12:15 am they dropped them off in groups along the Rushinga Road. They walked to Mt. Darwin. Along they way we were assaulted by groups of war veterans who are stationed at each of the shopping centres along the route. They managed to board a bus but were forced off because they did not have bus fares. The war vets had taken all their money.*

**23 01/08/2001****Unlawful arrest and detention; torture**

SP (male, aged 42)

Alleged Perpetrator: unnamed

Place where incident occurred: Norton

*In August villagers from Mhondoro, believed to be supporters of the MDC, burnt down huts belonging to settlers on the farm where SP was employed. Later on SP was picked up by Norton Police who alleged that he had led the attack on the settlers. They further accused him of having colluded with the owner of the farm, in leading the attack. SP was detained for four days without being taken to court and was also denied food. Having been arrested on Tuesday, SP was released on Friday without any charges being preferred against him. A month later a group of about 12 soldiers came to the farm and assaulted SP and all the other foremen. SP was assaulted with logs and sustained multiple injuries all over his back and on the back of his legs. He was threatened against seeking medical attention and against reporting the matter to the police. He reported on 3 December to Norton Police Station; no arrests made so far.*

**24 25/10/2001****Assault**

MS (male, age unspecified)

Alleged Perpetrator: Chief Inspector Chinyoka

Place where incident occurred: Chisumbanje, Chipinge South

*Victim is the MDC ward Chairman. Chief Inspector Chinyoka picked him up from his work place on charges of unlawful possession of arms of war. He was detained at Chisumbanje Police Station where he was handed over to the central intelligence personnel based at Chisumbanje. They then drove him away from the station in a blue Mazda Pick up truck, registration no. 657-412 C, to a place where he was put in a room and stripped naked. He was assaulted for being an MDC supporter and hence of being in possession of arms of war. They released him on condition that he surrender his MDC membership cards and T-shirts at a rally at Checheche on 26 October which was to be addressed by Elliot Manyika. He was also to state that he had defected from the MDC. He did not turn up at the rally.*

**25 31/10/2001****Political intimidation; displacement; torture**

CG (male, age unspecified)

Alleged Perpetrator: unnamed

Place where incident occurred: Murehwa

*The victim ran away from his home after the CIO and police had come to his home. They did not find the victim and came back after a few days, but still did not find him. The victim had been to Harare to testify in the election petitions. He claims that he had heard that they wanted to arrest him. In April 2000 the victim was abducted at Zimbabwe Ex-Combatants (ZEXCOM) and assaulted with rubbers, sjamboks and baton sticks. He was released to go home and cook for the children. That is when he escaped to the next village. On 18 November he heard from a neighbour that his 8-year-old son had been sexually abused.*

**26 14/11/2001****Torture (blunt violence & falanga); unlawful arrest & detention**

DM (male, aged 36)

Alleged Perpetrator: unnamed

Place where incident occurred: Harare Central Police Station, Highlands Police Station

*About seven men arrived at my home and introduced themselves as police officers. They asked us to open up, myself and SC (see below). The men had obviously climbed over the gate and were not in uniform. One of them identified himself to SC and produced an ID. They asked us to open the doors and the thoroughly searched our house - every nook and cranny was searched. All MDC membership cards, campaign material, files etc were confiscated as well as about 40 party constitutions. We were then asked to carry all the material outside to a blue 323 and a white Nissan Sunny parked outside. At no point did these officers produce a warrant or tell us that we were under arrest. We were force-marched to the car and taken to Highlands Police Station. They gave us pieces of paper and told us to write our autobiographies. I wrote less than half a page and was told that that was not enough. All along these officers were liaising with police personnel at Highlands Police Station. They accused us of not being comprehensive enough and began interrogating us. We were asked why we had joined the MDC and where our party portfolios, families and relatives were. They even retrieved the numbers from my phone and asked for my PIN number. They questioned us about the operations of our party, who and how many whites provided the party in our province with money. In the meantime SC was in custody at Highlands Police Station. When I indicated that no white person I knew had given us money, they began beating me and alleged that I knew that the MDC was sponsored by whites. They used a sjambok made of hippopotamus skin to hit me on the head. After that they handed me over to the custody of a police officer at the reception. The ordeal had lasted about 5 hours. After they had interrogated SC they took us to Harare Central Police Station. They had bought sadza at Rhodesville and one of them offered me sadza. I had no appetite and I refused. At Harare Central they took us to the CIO offices in the basement. They then indicated that the time they had been waiting for had arrived. They said they now wanted us to tell them the truth and stop messing around. They also indicated that there was a way of us being implicated in the murder of Cain Nkala. SC was then taken out. I told them that I didn't know anything about the murder of Nkala. They severely tortured me, beating me with a sjambok underneath the feet. They rotated the administration of the beatings among themselves. In the meantime they were saying "munhu ngashandwe"(beat him up badly). I lost all power to cry out. They further inquired as to how much was in the provincial account. They asked about vehicles that were allegedly bought by a certain Puzey for the MDC as well as what farmers had offered the MDC money. This lasted from about 3pm till 11pm. After that SC was called in and I was taken into another room. I was asked to salute a picture of Mugabe on the wall as well as toyi-toyi and chant Zanu PF slogans. After the beatings, both of us were taken together*

*under guard and they indicated that they would then brief their boss upstairs. SC was then released on the same day having sustained severe injuries. I was taken to Matapi Police Station where I was put in a cell with seven other inmates. We were denied drinking water. Four of them came for me at around 9 am. They took me to a Nissan Sunny and blindfolded me and asked me to lie down. They took me to a room in an area I couldn't identify. I was interrogated further on the same issues as before and then I was asked whom I would vote for between Tsvangirai and Welshman Ncube. They also asked me what I thought about Masundire's leadership in the province and what role I had played in his suspension, i.e., what information I had given to the Commission of Inquiry into the factionalism that took place. I was also asked who we would make the MDC mayoral candidate and among the members of the police and army, who supported the MDC. I was further beaten with a sjambok. At around 2pm, they went through the files they had seized and questioned me about each piece of correspondence. I was further slapped, knocked about and booted. They threatened me, saying that I could disappear and that I was lucky to be going back in one piece. In the evening, I was blindfolded and taken back to the officer in charge, Law and Order section, who asked me to write a statement regarding the death of Nkala. He took my fingerprints and then asked me to sign the statement. I was refused the services of a lawyer. Before I was released the CIO officers involved said that I should not talk to the press and that I should take that seriously. They said my wife would be in trouble if I talked to the press. I was taken home in a white defender and passed by the officer-in-charge at Morris Depot before proceeding home. I went to the Avenues Clinic but left as soon as my case had been reported. I am scared for my life. I have stopped going to work. They said that if I wanted to go back to work I should be prepared to campaign for Zanu PF.*

## **27 14/11/2001**

### **Torture (blunt violence); unlawful arrest**

SC (male, aged 36)

Alleged Perpetrator: unnamed

Place where incident occurred: Harare Central Police Station, Highlands Police Station

*Some police knocked on the door and as the district chairperson I thought I heard some of our youths had committed some offence. My wife opened the door for them. They handed over a laminated ID in black and white with ZRP written on it. There was no picture on it and the name was blurred. There were seven officers in civilian clothing. They demanded all MDC material that they alleged belonged to the police. A whip was used to assault me all over. They asked for the MDC material and we handed over 7 MDC membership cards, about 5 000 fliers. They also took away a portrait of Tsvangirai, letters and minutes. They searched for a gun that they alleged we had in our possession and persisted in beating me up. They had a cream 323 and a Nissan Sunny and asked us to lug the material over to their cars. They did not say they were arresting us. DM went in the sunny and I went in the 323. Two of them sat in front and I had 1 guy in the back with me. We (DM was included, see above) were taken to Highlands Police Station where we were ordered to write down our life history, party activities, structures and names of party office holders. We were in the meantime handcuffed to each other. I was intimidated and harassed. We were detained for about seven hours before they took us to Harare Central Police Station. Then we were driven back to Highlands. At Highlands, uniformed police officers supplied the men who had abducted us with an interrogation room and materials for interrogation. It was in the CIO department, I think it was opposite room 2. We were required to remove our shoes and sit on the bare floor. They asked us why we supported the MDC, whether we knew about war, what Mugabe was and what Tsvangirai was and that if we didn't know what war was, they were going to show us because we were sell-outs. DM was escorted outside. I was asked to sit with my legs stretched out in front of me and they beat me with a whip. They said that after this experience I would go back home and buy a Zanu PF card. I was instructed to simulate sitting in a chair and was made to do this for about one and a half hours. I was told to chant Zanu PF slogans. At this stage my feet were swollen and extensively bruised. Blood was oozing all over my body. An old woman was sent over to bind my wounds but this failed to stem the bleeding. They then handed me to the officer in*

*charge. A docket was opened. The officer in charge inquired as to what had happened but then no criminal charge was laid on me. Two of the guys who had been involved in assaulting me were asked to take me home. The Nissan Sunny was used to take me home. They told me to clean the blood from my clothes and warned me against reporting to the press. When I arrived home a friend of mine, KM was there and ferried me to hospital. They referred us back to the police for a referral letter, which I obtained.*

## **28 15/12/2001**

### **Torture**

BD (male, aged 72)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Derera Village, Murehwa

*Assaulted with fists and boots by police. He was taken by the police to Rockland base where he slept for two nights. Then transferred to Marondera Police Station on 17 December until 19 December. He was deprived of food at their base. He was then taken to hospital in Marondera on 18 December. He was accused of stealing cattle from neighbouring farms. The case is still to go to court and date was given.*

## **29 01/01/2002**

### **Assault, abduction**

MG (male, aged 48)

Alleged Perpetrator: Tembedza (ZRP Marange)

*Place where incident occurred:* Rural: Mutare West

*Victim is the MDC security personnel in Mutare East. He was approached by the named persons whilst at Gilford Mutsago's village in Mutare West. They arrived in a police defender truck and asked for Gilford Mutsago with whom they wanted to discuss political issues. When he failed to meet their demands, he was severely assaulted and detained for five days. Victim appeared before Mutare magistrate court and was remanded out of custody on \$ 300 bail.*

## **30 05/01/2002**

### **Kidnapping and abduction; torture (blunt violence)**

GM (male, age unspecified)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Cleveland House, Harare

*The victim and five others were taken from Cleveland House to Harare Central Police Station where he was interrogated by people who were not in uniform. He was accused of being an NCA member and was beaten with baton sticks on his buttocks. He was bundled into a car and driven to Warren Park, Hatcliffe and back to the station, where he was beaten up with open hands on his left ear. He was released at 5 pm..*

## **31 27/07/2002**

### **Torture(Blunt violence): property damage**

JM (male, aged 31)

Alleged Perpetrator: unnamed

*Place where incident occurred: Murambinda Police Station*

*On the 20th of July 2002 at about 0500 hrs, the riot police and regular unit came to the victim's house with the CIO. They knocked on the door and windows. When the victim opened they immediately began to beat him up demanding that he produces weapons he was given by Morgan Tsvangirai. They also beat up his wife and brother for about an hour then took the victim to their vehicle where they beat him up some more. He was taken to Buhera ZRP where he was tortured continuously for 3 days. He was put in prison in Rusape for 2 weeks before bail was posted.*

### **32 13/01/2002**

#### **Torture; unlawful arrest and unlawful detention**

JS (male, aged 33)

Alleged Perpetrator: Chimedza + unnamed

*Place where incident occurred: Kwekwe, Amaveni*

*JS was assaulted by the police for allegedly being involved in violence that had taken place at Amaveni. The victim was arrested for allegedly being involved in the violence that had taken place at Amaveni bus terminus. There were six police officers (one female and five male); they were using baton sticks to assault him while his head was in the toilet in the cells. The officers concentrated their beatings on his waist. One of them hit him on the testicles when he fell down in the cell. The torture lasted for three days from 13 to 16 January, when he was released. His alleged victim came on 14 January and denied that JS was the assailant, but he was still kept in the cell. JS was not charged and the police refused to record a statement from him. One of the officers advised him to leave Kwekwe as there was a threat to his life.*

### **33 09/02/2002**

#### **Kidnapping and abduction; torture**

WM (male, aged 27)

Alleged Perpetrator: Usayi

*Place where incident occurred: Chiweshe, Chombira*

*WM was assaulted by war veterans who asked him to produce a Zanu PF membership card. When he was unable to produce it he was labelled a sell-out. WM was then taken to the Zanu PF base at Jaji. He was taken there by a police officer who was using a police vehicle. He was locked up in a room by the police officer. Other suspected MDC supporters were also brought there and locked up. The group was then taken to Chombira Police Station where they were locked up and detained overnight. WM managed to escape the following morning. He sustained injuries to his ribs and right hand. He managed to identify one of his assailants, Usayi, who works at Chikurubi Prison. Usayi is the one who assaulted him the most.*

### **34 09/02/2002**

#### **Unlawful arrest, unlawful detention, assault**

BN (male, aged 18)

Alleged Perpetrator: Sergeant Dube

*Place where incident occurred: Matopo Police Station, Bulawayo*

*The complainant states that the police came to his home on 8 February looking for him, They were acting on a tip-off from Killian Ndlovu to the effect that the complainant had broken into Snikiwe Nyathi's home and stolen radio speakers. They were further informed that he had stolen solar panels at Tohwe Secondary School and at the clinic. The complainant*

*denies having committed these offences. The police could not find him and the complainant had to report to the police station together with Killian Ndlovu. They were both detained up to Tuesday 12 February. During that period the complainant reports that he was severely assaulted by the police all over his body and feels pain on his back. He was sent to court on Tuesday 12 February but was acquitted for lack of evidence linking him to the commission of the offences. On his way back home the police assaulted him. They beat him up to try and get information from him regarding the activities of other criminals. The following are officers that the complainant named as having participated in the beating: Sergeant Dube and a CID officer named Moyo, both from Matopo Police Station.*

### **35 12/02/2002**

#### **Abduction**

MB (male, age unspecified)

Alleged Perpetrator: unnamed

Place where incident occurred: Mutare South

*Victim is the MDC District Chairperson for Mutare South. About 6 uniformed members of the Zimbabwe Republic Police arrived at his house while his wife was there alone and informed her that they wished to speak with her husband and that when he came home he should go to Mutare Charge Office. When victim received this message he proceeded to Mutare Police Station, taking with him Victor Dhliwayo, Majinje, Mahute and the MDC Provincial Youth Chairperson along as witnesses. When they arrived at about 10.00am they were told by Constable Chituku that the Police Officer Ziki who wished to see him was out of the office attending a meeting so he waited for the police officer. At about 12.00 pm Ziki arrived and stated that he wished to speak with victim privately but the other attendees objected as they wished to remain as witnesses. As a result, their names and identity numbers were taken down. When the Police officer was questioned as to the reason for victim to be called to the police station, he replied that the reason was political. Finally a compromise was reached that one witness would be allowed to remain with victim. Upon agreeing to this, he and Mahute were put into a police defender pick up by a plain clothes police officer by the name of Stanley Shumba. Also in this vehicle were two other plain-clothes police officers. The other two witnesses Victor Dhliwayo and Shadreck Majinje were told that Mahute and victim were taken to the main camp in Mutare. But the police did not proceed to the main camp in Mutare, instead they drove over Christmas Pass and towards Hillcrest College. At this stage they began to fear that they were being taken by the police to a war veteran base camp, as had happened to a number of other MDC activists in the past. Just before Hillcrest College, Manjinje jumped out of the vehicle and fell face down on the asphalt, seriously injuring himself. On noticing this, the police vehicle stopped and he was put back in the vehicle. Victim was then instructed that Manjinje and himself were to remain in the vehicle and they were driven to the hospital. At the hospital, victim ran from the police after they had dropped Majinje off at Mutare General Hospital. Manjinje suffered serious head injuries with several lacerations and bruises on the back. At no time did the police mention that they were arresting any of them. The matter was reported at Mutare police Station.*

### **36 23/02/2002**

#### **Torture (blunt violence & falanga)**

HC (male, aged 40)

Alleged Perpetrator: unnamed

Place where incident occurred: Marondera

*The victim was taken from his home on 23 February after his home was searched by plain clothes policemen. This was after an earlier visit by three MDC activists. The victim is an MDC campaigner, activist and head of the 'Support Group' which assists in funding and providing*



*logistics such as vehicles and other resources. He was taken to Marondera Police Station where he was accused of being involved in an arson attack on a Zanu PF Nissan Hardbody Twin Cab. The victim was accused of having attended a meeting on 21 February to plan the attack. He was threatened with death by officers who were all in a state which suggested the prior consumption of narcotics or alcoholic substances. He was beaten on the soles of his feet and ankles whilst an officer stood on his knees. He was whipped across the back and received an open hand blow to the face. Was kept in one of the CID offices until 4.30 pm on Sunday 24 February. At dawn was taken to the police cells and charged with malicious injury to property. Was taken to Macheke Police Station with two others. Detained there until 26 February when they were transferred back to Marondera. Taken to court that day, case was postponed till the next day. Next day remanded in custody until 14 March. Application for bail was made to the High Court and was granted on 8 March. He was released around 4.30pm.*

### **37 24/02/2002**

#### **Torture**

DS (male, adult)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera Police Station

*Victim is the MDC security officer for the Mwacheta Area. Members of the ZRP Police approached him at his home in Mwacheta, Chipinge South. They were terrorising MDC supporters on instructions from war veterans. They accused him of being an MDC supporter and training MDC youth. They then took him to Chipangayi Police base where war veterans and the police tortured him. He sustained internal wounds.*

### **38 27/02/2002**

#### **Torture (blunt violence & sexual torture & falanga); unlawful arrest and detention**

JPG (male, aged 21)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Braeside Police Station

*The victim was picked up while walking along Chiremba Road around 12 midnight. Taken to police station. Alleged that he had broken into a house and stolen a TV. Spent the following day, Tuesday, at the police station. Taken to cells at night. Wednesday taken to a room and beaten on the knees, back, soles of feet, left ear and hand. They used a rubber cane and electric wires. Taken back to cells and spent the night there. Thursday around 11 am released and told to come back on Saturday at 8 am. Was assaulted by two police officers, one of them detective Zvaita. Was asked to strike an inmate with open hands and ordered to expose penis, asked if he had a STI..*

### **39 28/02/2002**

#### **Torture; abduction**

ZZ (female, aged 31)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Guzha Shopping Centre, Chitungwiza

*I was captured in Chitungwiza at about 8pm by Zanu PF supporters and taken to their base in Unit N. They handcuffed me and chanted Zanu PF slogans. Some of them were in police uniform and used gas lighters to burn my skin. This went on until 0900 hrs the following day, when I escaped.*

**40 01/03/2002****Torture**

AZ (male, aged 33)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Client's home was burnt down on 17 June by Zanu PF youths who were under the leadership of B. Makuve (war vet). Client's two-roomed house and one thatched house worth \$600 000 were destroyed. The police took no action. He was forced to flee his home because of some threats from Zanu PF youths and war veterans. All these threats affected him mentally and physically. Client was assaulted by a group of war veterans. He was a youth chairman at Ward level for the MDC. Was at the local shops with a friend when he was struck on the head with a brick and fell down. The men disappeared from the scene. The perpetrator is by the name Nomore Hokonya who stays in the neighbourhood. Was denied medication at first but then given pain killers only. On 26 May, the client and his friend were taken by police for contravening the Public Order and Security Act. They were held at Buhera Police Station for four days, kept in cells. These four days were some of the hardest ones the client had ever encountered in his life. They were called one by one into the torturing cells where client was told to strip off all his clothes and lie on his stomach for the heavy lashings with baton sticks and naked wires with nuts at the end. The war veterans were directing orders to the riot police and CID for the torture mainly because his colleagues were of the opposition faction which has shaken everyone, even the top officials of the ruling party. They were not given food or medical aid for the injuries sustained. Client even urinated blood for about five days but the officials adamantly refused to have him treated. On 30 May, they were taken to court on allegations of contravening POSA. Client was charged and was accused of committing murder, three rape cases, housebreaking, armed robberies, arson to mention but a few. There were no victims, no witnesses to testify that the client and his friend had committed these falsely alleged crimes - these allegations were all imposed on them for being supporters of the opposition and being denied the right to claim their stolen vote of March 2002. In the court they were served with 24 days in remand. In remand life was again sour for them because they were regarded as dangerous citizens/ devils. The prison cells were overcrowded and food was little. They were then given bail on 12 June. Their bail was then paid on 17 June and they were delayed only to be released at around 9 pm. Officials refused to give them travelling warrants from Rusape so they walked from Rusape to Buhera. Because of the bail condition they had to leave Buhera, fearing the danger and riot that could be caused by the police. Client went to the headquarters for assistance as they had many problems with shelter, food, medical aid etc. Things did not come up to client's expectations as they were from prison and had no fixed decent place to stay. Client feels his life is still threatened as he is now a destitute and a refugee in his own country. Whilst they were in remand, client's wife was beaten up and forced to flee her home to seek refuge in Bulawayo with her young sister. She miscarried due to beatings from the riot police. Client was told that his wife had to seek medical attention from a private doctor and the bills are not yet paid, only consultation fees were paid. She also wrote a letter saying their young son was sick-chivanhu (suffering from diseases allegedly caused by ancestral spirits). She also said life has become so harsh. She was forced to stop her career as a temporary teacher because she is an MDC activist.*

**41 05/03/2002****Kidnapping and abduction; torture**

CS (male, aged 26)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Marlborough, Mount Hampden Training Centre

*I was taken from my home and handcuffed by Zanu PF youths (±20). They took me to Mt Hampden Centre where I was beaten and accused of selling the country. I was made to lie prone and beaten*

*with a wire and stick on my buttocks. I was beaten while people on training there watched. The police came but did not take a statement from me. Instead they took me to Marlborough Police Station then to Harare Central Police Station, where I was detained overnight then released after paying a \$100 fine.*

#### **42 08/03/2002**

##### **Unlawful arrest and detention; torture**

SR (male, aged 30)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Dombotombo, Marondera

*Victim was one of the Zimbabwe Election Support Network (ZESN) drivers on the way to Marondera Hotel to meet the ZESN observers' team. Two Defenders overtook them and blocked them. They were asked why they had the observers' stickers yet they had no accreditation. The occupants of the vehicle got out and were assaulted by Zanu PF youths wearing Zanu PF T-shirts. They were assaulted with fists, booted feet and open hands in the presence of police officers. The victim was assaulted on his face, nose and lower lip. Lost receipts, a C25 cell phone, a watch and \$41 300. The victim was made to drive car to Marondera Central Police Station. He is now being accused of scribbling MDC on a Tenda bus and distributing MDC fliers. Was detained until 9 March and was only released when the police realised that there was no offence committed.*

#### **43 08/03/2002**

##### **Assault**

CM (female, age unspecified)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Rural : Marange, Mutare West

*Victim was an MDC polling agent at Domboshava Primary School during the Presidential elections. On 8 March, she was arrested by the ZRP and detained at ZRP Marange on the charge that she was suspected to have poisoned food with the intention of killing Zanu PF supporters. At the station, she was questioned in connection with the allegations and was severely assaulted such that she sustained injuries all over the body.*

#### **44 09/03/2002**

##### **Torture**

CC (male, aged 45)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Harare, Kuwadzana

*I am a local observer and I was at the polling station in Kuwadzana when the riot police had been trying to control the crowd since 10 am. At 3:20pm they started randomly beating up people. One of them came from behind me and beat me with a baton stick on my back and then on my chest. I am in pain and am unable to lift things. When I tried to make a report to the police they dismissed it as a political issue and refused to take a statement.*

**45 10/03/2002****Torture; unlawful arrest and unlawful detention**

GN (male, aged 26)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Harare Central Police Station

*I was taken by two CID men to Harare Central Police Station where they beat me with baton sticks and booted feet . They also slapped me all over the body. I was released at around 6:30 pm. On 12 March, I was taken again and interrogated during which I was slapped around. I was accused of supporting the opposition and having given a report to the Japanese Observers. I was released at around 9 pm.*

**46 11/03/2002****Torture**

SB (male, aged 32)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Harare, Borrowdale (outside State House)

*SB was driving along Tongogara Avenue due west and wanted to make a right into 6th Street. He was stopped by soldiers and told to go to the booms at the corner of 7th Street and Josiah Tongogara. They pointed guns at him and threatened to shoot. He was told to get out of the car and lie down and was then beaten on the buttocks, back and on the ribs with truncheons. Taken to Central Police Station where his particulars were taken. He was then told to go. The soldiers accused him of showing MDC signs.*

**47 13/03/2002****Kidnapping and abduction; torture**

MK (female, aged 38)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Hatcliffe

*MK was taken from her home at around 5am and taken to Borrowdale Police Station. They alleged that she and others had been committing public violence in Hatcliffe. MK is the MDC cell treasurer. She was placed in a cell where she was assaulted with baton sticks and open hands. She was assaulted by two ZRP officers. Was released two days later on 15 March with no statement having been taken and no charges having been preferred against her.*

**48 22/03/2002****Torture**

JC (male, aged 24)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Chitungwiza Police Station

*The victim met a group of 15 police officers whilst coming from the Chitungwiza MDC offices. He was asked where he was coming from and why he was wearing an MDC t-shirt. He was then taken to the police station and asked to lie prone. Two officers beat him with baton sticks on the buttocks and legs. A report was made at Chitungwiza Police Station.*

**49 24/03/2002****Torture (blunt violence)**

MJ (female, aged 39)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Budiro

*The victim was at home after the evening meal. A child was sent to close the gate. At the gate the child was ordered by riot police to go back into the house. After a few minutes the victim heard people crying from the next room and when she went to investigate she found the whole passageway full of riot police. She was ordered by one officer to go back into her room. After a while another officer called for her to come out. The riot police started to assault her with open hands; booted feet and baton sticks, there were about eight of them. Outside they started taking turns to beat her and another girl. The assault only stopped after one of the officers ordered the eight to stop. The victim doesn't know why they were assaulted.*

**50 29/03/2002****Abduction and kidnapping; property related; torture**

MM (female, aged 36)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Victim's home

*The victim and her husband heard a knock at the door. The knock was from a policeman. When her husband opened the door, he was confronted by four members of the police all dressed in riot gear. One of them was armed. They asked him why he wasn't going outside to investigate the commotion at his neighbour's house. Before he could reply about 50 people forced their way into the house, saying that they were looking for a gun that was used to shoot one of their members. The couple was assaulted with fists, booted feet and sticks. The group destroyed a TV and radio. They also damaged a wardrobe. They burnt important documents including birth, marriage and educational certificates. The group also assaulted children that were in the house. The couple was then taken to Sizinda Hall in a car that already had their neighbours. The victim's husband was further assaulted with sticks and a hose-pipe. The victims were then taken to an unknown place where they were released after police intervention. The victim sustained swollen limbs and bruises and also experiences back and chest pains. Her husband sustained head and back injuries. He also has heavy bruises on his arms and feet and was not able to walk for three days.*

**51 05/04/2002****Torture (blunt violence & sexual torture)**

AJ (male, aged 34)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Dandamera Township, Concession

*Police officers knocked at the victim's door and while he was dressing they forced their way into the house. They struck his wife with open hands and baton sticks. They asked where MDC mealie meal, cards and T-shirts were. JA and his wife gave the police the T-shirts and cards that they had. He was handcuffed and beaten on his back with baton sticks. He was put in a truck that already had six other people. His ears and testicles were pulled with pliers. They were driven to Concession Police Station where they were put in cells. The next morning the police took statements. One police officer brought petrol bombs and claimed that they belonged to the victims. The victim was later taken to Bindura where he spent the night. While there CID took a statement. The victim and others were taken to court on 7 April and were allowed \$8000 bail each. The case was to be heard on 25 April. The victim's right hand is weak while his left hand has no sensation.*

**52 12/04/2002****Unlawful arrest and unlawful detention; torture**

CM (male, aged 41)

Alleged Perpetrator: Constables Gumbo, Mapete, Chinembiri and Chirere

*Place where incident occurred:* Chipinge

*The victim and 14 others who are part of a football team were taken from their workplace by police officers from Chimanimani on allegations of assaulting a police officer, Constable Mapete, whom they had caught red-handed puncturing their vehicle's wheels on 9 April. They had effected a citizen's arrest and took him to Junction Gate Police Post. Mapete was left at the police post but they understand that he was not charged but released. After a week they were then rounded up and taken to Chimanimani where they were ill-treated, assaulted and drenched in water. Spent the whole night wet and ordered to sleep on the floor. One Constable Gumbo alleged that they were MDC supporters and should be punished. The police were using booted feet, open hands, sticks and slashers. The victims were also forced to uproot grass using their hands by members of ZNA who also forced them to perform military exercises. Eleven of them were released around 4.15 pm on Saturday and had to go on foot 50-60 km, the whole night. The other four were detained until Tuesday 16 April. Of the four, two were charged and paid a \$500 fine each.*

**53 27/04/2002****Torture, unlawful arrest, unlawful detention**

KD (male, aged 32)

Alleged Perpetrator: Chagugudza, Simango and Joseph Mwale

*Place where incident occurred:* ZRP Chimanimani

*Client and 22 others were arrested and detained at ZRP Chimanimani from 27 April -30 April on allegations that they had petrol-bombed a house belonging to a Central Intelligence Organisation agent called Mwale. No formal charges were preferred against the client. They were denied food for the first 24 hours in detention and assaulted using open hands, booted feet for the entire period of the detention. Every night before they slept buckets of water and urine were poured on the floor and blankets. The police, ZNA officers and C.I.O agents hurled obscene language and abuse at them. They were denied access to a lawyer when they requested to use a phone to contact one.*

**54 26/05/2002****Torture**

MC (male, aged 27)

Alleged Perpetrator: Detective Jambwa, Nyanyire and Onenyika

*Place where incident occurred:* Buhera North

*Was arrested on 26 May on allegations of arson. Was also alleged to have attended an illegal MDC meeting at Makuvise in Buhera. The house, which was allegedly set on fire by client, belonged to one Mbwende who is a Zanu PF supporter. He appeared in court on 12 June and was out on bail of \$12 000. In the court client was also charged under POSA. Officers Nyanyire, Onenyika and Jambwa, all based at Buhera Police Station assaulted him. Used fists, baton sticks, open hands and chains to force them to confess to the arson charge. Sustained injuries under the feet and buttocks. He was to appear again on the 26 July.*

**55 26/05/2002****Torture**

LZ (male, aged 29)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*I went to attend an MDC youth meeting in Makuvise Village on the 24 May. Two days after I had attended that meeting I was arrested by the police while I was at Buhera Bottle Store. They assaulted me without even informing me of the reasons for the assault. I was ordered to get into their vehicle and was taken to Gwevo Business Centre and later (at ±21.00 hrs) to the police station. They accused me of having attended an MDC meeting where we had discussed the burning down of Zanu PF supporter's houses. I was taken to court on 29 May. At this point the allegation had changed and I was charged with arson, rape, robbery and attempted murder. From court in Rusape I was sent to Rusape Prison where I was held until 17 June. I was released having paid bail.*

**56 26/05/2002****Torture (blunt violence)**

CC (male, aged 25)

Alleged Perpetrator: Constable Mahuwa and Detective Jambwa

*Place where incident occurred:* Buhera

*Client was picked by the Buhera police for allegedly inciting other people to be violent in the area. Taken to ZRP Buhera and assaulted with baton sticks and booted feet. They used the falanga method. He was detained for several days at Buhera cells. He was taken and appeared in court at Rusape on 29 May. Remanded in custody to 17 June. Client was being charged with arson, assault and also under POSA. He was granted \$4 000 bail and is to appear in court on 26 July.*

**57 06/06/2002****Torture; property related; unlawful arrest**

MW (male, aged 28)

Alleged Perpetrator: Inspector Muyambo and Detective Jambwa

*Place where incident occurred:* Murambinda, Murambinda Growth Point

*WM is a district secretary for the MDC in Murambinda. On 6 June, the police support unit under the guidance of Murambinda Officer, Inspector Muyambo, came to his residence and demanded MDC material, MDC bank statements and weapons. Amongst the officers he also identified a Detective Jambwa from ZRP Buhera. He was taken to the police station where a cloth was tied around his eyes. He was ordered to lie down, beaten on the buttocks, under the feet and in the ribs. On 18 June they returned and cut his fence down and broke down the door in order to gain entry to his premises. He was struck across the face and taken to the police station where MDC material was demanded from him once again. On 26 June, the police came once again and searched his house. In the process they damaged the VCR, colour TV and radio. They confiscated video-tapes, a copy of the Presidential election voters roll and a file that contained the names of all the MDC executive members.*

**58 09/06/2002****Torture**

JM (male, aged 24)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*I was taken from my house by the police, accused of rape and attempted murder. They took me to the police station where they detained me for a few days. I was then taken to Murambinda Court where I was remanded in custody for a week, after which we went back to court and I was granted bail. While in custody at Buhera Police Station I was assaulted with baton sticks on my legs, soles of my feet and on my back.*

**59 10/06/2002****Torture**

JC (male, aged 49)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Client was arrested at a beer drink for being an MDC supporter. Was assaulted all over the body and under the feet with baton sticks by the police, who were attached to the Support Unit based at Buhera Police Station. Client was taken to Buhera ZRP where he was beaten and then ordered to go and sit outside. Client suffered bruises all over the body and under the feet. Managed to escape from their custody and then to Harare. Spent a day in police custody. Came to Harare on 11 June.*



**60 13/06/2002****Torture; unlawful arrest and detention**

MC (male, aged 38)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Employed as a security guard at the homestead of Morgan Tsvangirai (MDC President) in Buhera. About 10 policemen from Buhera Police Station arrived in a Defender vehicle at the homestead. MC was bathing at the time, but the police ordered him out of the bath and started to assault him while he was naked. They used baton sticks, booted feet and open hands in the assault. He was dragged for about 100 metres. He was handcuffed and then given some clothes to put on but could not do so as he was in handcuffs. He was then taken to Buhera Police Station where the assaults continued. He was told that he was allowing the whites to re-colonise Zimbabwe. He sustained bruises on his thighs and back. He was detained at the police station and only released on 17 June.*

**61 13/06/2002****Torture; unlawful arrest and detention**

MM (male, aged 32)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Employed as a security guard at the homestead of Morgan Tsvangirai (MDC President) in Buhera. About 10 policemen from Buhera Police Station arrived in a Defender vehicle at the homestead and began conducting a search, saying they were looking for weapons of war. MM was assaulted with batons, booted feet and open hands. He was accused of causing havoc in the area. He was taken to the police station where the assaults continued throughout the whole night and the following day. He was detained there without charge and released on 17 June. He sustained abdominal and leg injuries.*

**62 16/06/2002****Torture**

RM (male, aged 36)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Murambinda

*Was assaulted by people clad in police uniforms. Suspects that they were youths at Border Gezi training centre. They were using baton sticks to assault him all over the body except for his head and his chest. Client was alleged to be holding a post within the MDC hierarchy and it was said that he was going to receive a truck from the opposition party. Fifteen people came to the school where he stays. They were all armed with rifles and asked client what his name was and what post he held within the MDC. When he denied that he held any post, he was ordered to lie down and was assaulted. He was left for dead. The youths barred anyone who wanted to render assistance to client who could not even walk to the hospital. Client's wife and child witnessed the assault and escaped through the window. Client couldn't identify anyone amongst the group. Case was not reported.*

**63 17/06/2002****Torture**

CM (female, aged 34)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Was assaulted by members of the ZRP from Buhera. They had come from Harare and set up tents at the station. Came to client's home and demanded to see her husband, BH, who is the youth chairman in the area. He was away, so they started assaulting the client (wife) with baton sticks all over her body. She fell unconscious. The assailants stayed at the client's home the whole night but her husband did not turn up. He had escaped and the wife did not know of his whereabouts. She alleges members of the CIO persistently came looking for him and also harassed the client. They left client's place on 18 June around 8 am. The case was not reported. Client suffered injuries to the arms and all over her body. Client doesn't have accommodation and has been staying with a relative since 19 June.*

**64 24/06/2002****Torture**

HS (male, aged 32)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera Police Station

*The victim was approached by men, one of whom was carrying a pistol. They ordered the people present to produce identity cards. The victim, with his uncle, was ordered to go to the car. They were taken from Shambamu Business Centre to Buhera Police station where the CIO poured cold water all over him and assaulted him under the feet with capped baton sticks. He was also beaten on the back on the back and bashed several times against the wall. They forced his head inside the toilet. They then fled to Harare from Buhera as the Support Unit officers had come looking for him again.*

**65 27/06/2002****Torture**

DM (male, aged 48)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Paramilitary police arrived at my home in Buhera at around 01.00hrs. They apprehended me as I attempted to escape. They demanded my MDC register and cards. I told them that my seniors had taken them away but they didn't believe me and hence they proceeded to search my bedroom and ransacked everything. When they failed to find anything, I was ordered to lie down and was beaten on my buttocks with a stick. They told me that they were going to come back and that I must have the registers when they returned.*

**66 12/07/2002****Torture**

CM (male, aged 62)

Alleged Perpetrator: Officer-In-Charge Mlambo

*Place where incident occurred:* Buhera

*Client went to the local shops at Murambinda where he was assaulted by Zanu PF youths. He reported the assault at Murambinda ZRP. On instructions from the Officer- in-charge, Mlambo, he was beaten on the legs, chest, back and shoulders with baton sticks. He was in police custody until 2 August , when he appeared in court on charges of attempted murder and arson. No medication was administered to the client.*

**67 14/07/2002****Torture**

CM (male, aged 23)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Police officers from the Support Unit, Buhera Branch came looking for client's brother and demanded to know who had known him. They ordered client to go with them to their offices. Started interrogating client and assaulting client under the feet on their way. They also used open hands and booted feet. Now he has problems with hearing. Was left for dead in the bush. Spent some days sleeping in the bush and then escaped to Harare.*

**68 14/07/2002****Torture**

BC (male, aged 34)

Alleged Perpetrator: Chatapura

*Place where incident occurred:* Buhera

*Was arrested by the police on allegations that he was part of a group which burnt down one Mukurunje's house (a Zanu PF member). Was taken to ZRP Murambinda where he spent a week from 14 July to 2 August , when he appeared in court. He was charged with attempted murder and granted bail. He was to appear in court again on 2 October. He was assaulted all over the body with baton sticks and one of the assailants is Chatapura from Murambinda ZRP. The victim had injuries all over the body. The case was reported.*

**69 14/07/2002****Torture**

GM (male, aged 29)

Alleged Perpetrator: Chatapura

*Place where incident occurred:* Buhera

*Client is an MDC Ward chairman in Buhera. He was assaulted by members of the ZRP support unit on allegations of arson. They alleged that the client was part of a group, which burnt down a shop belonging to Bernard Makuwe, a war vet. The victim could not identify the culprits. On 14 July he was again assaulted with baton sticks and was detained the whole night, only to be released the next morning. On 14 July he was again arrested and assaulted by one Chatapura and*

*others, with sjamboks and baton sticks, on allegations that he took part in the burning down of Makurunje's home. Victim suffered ankle, knee and body injuries. He spent several days bleeding from the nose. The victim appeared in court on 18 July and was remanded in custody to 2 August. He was to appear in court in October on charges of attempted murder. The victim was assaulted for three consecutive days from 14 to 16 July.*

**70 14/07/2002**

**Torture**

DM (male, aged 30)

Alleged Perpetrator: Chatapura

Place where incident occurred: Buhera

*Members of the ZRP police and CID from Mutare assaulted the victim on allegations of arson, claiming that client was part of a group, which set on fire a house belonging to Mukurunge, a Zanu PF official. The victim was taken to Murambinda ZRP where he was assaulted under the feet with baton sticks and he managed to identify one Chatapura. He now complains of pains in one of his testicles. He was taken to court on 14 July, where he was remanded in custody. Was granted bail on 2 August and is to appear in court again. He is not sure of the dates. The victim is being charged with attempted murder.*

**71 14/07/2002**

**Torture**

NG (male, aged 47)

Alleged Perpetrator: Chatapura

Place where incident occurred: Buhera

*The victim was assaulted by members of the support unit for allegedly inciting MDC youths to burn down Bernard Makuwe's home. On 14 July another house belonging to Mukurunye was burned. Victim, also the vice district chairman, was arrested and assaulted by members of the ZRP from Murambinda. Was taken to Buhera and assaulted by Chatapura and his colleagues, then released the following day. They took him to Murambinda ZRP that same day where he was remanded in custody to 2 August, released on bail and was to appear on 2 October. Client is being charged with attempted murder. They were using baton sticks to assault the client on the butt and under the feet, ankles and back.*

**72 15/07/2002**

**Torture**

TB (male, aged 34)

Alleged Perpetrator: unnamed

Place where incident occurred: Murambinda Police Station

*9 support unit officers from Inyathi, Rusape, took the victim away on allegations of being involved in the bombing of a house belonging to the local staffing officer, V.J Mukurunge. The victim was detained at Murambinda Police Station for 3 days and he was severely assaulted using baton sticks, booted feet and clenched fists all over his body. Further details of the police officers involved are not known.*

**73 22/07/2002****Unlawful arrest and detention; torture (blunt violence)**

AD (male, aged 31)

Alleged Perpetrator: Mashingaidze

Place where incident occurred: Sadza

*Client was approached by one war veteran Peter Njanjari, who threatened him and ordered him to go back and stay in Harare where Tsvangirai garnered more votes than Mugabe. Njanjari threatened to burn down his homestead if he continued to live in Chikomba. One Alex Zimunya also joined in threatening him. This happened on 19 July. On 22 July around 4 am, police officers called Mashingaidze and Wyne, based at Sadza Police Station, forced open the client's door, handcuffed him and arrested him on allegations of threatening to burn down Njanjari's home. He was detained for two days at the police station and no food was served and then he was taken to Chivhu CIO section. Later taken by the CIO and beaten up with baton sticks on the buttocks, under the feet and on the chest. He was also interrogated. He was released on 26 July but was told he was to be taken in custody any time. Client then fled to Harare.*

**74 22/07/2002****Torture**

LL (male, aged 30)

Alleged Perpetrator: Mahachi

Place where incident occurred: Seke

*Client was assaulted by one officer Mahachi who is based at CID Chitungwiza. Client was fixing a friend's car in Unit N when the said officer alleged that he had stolen a car part which the client was selling. Was taken to the C.I.D offices at Chitungwiza, Makoni shops, office number F30/31 and assaulted under the feet with an electric cable. Was assaulted for about an hour then forced to do 'press ups': about 50 of them. Mahachi confiscated the car part (which was second hand) and ordered client to go home and report to him the following day. Client could hardly walk because of the bruises under the feet and suspects that he suffered a dislocation on the left foot. Case not reported. Was not formally charged and no statement was recorded.*

**75 28/07/2002****Attempted Murder**

MM (male, aged 21)

Alleged Perpetrator: unnamed

Place where incident occurred: Barbourfields Stadium, Bulawayo

*At about 17.00 hrs MM was coming out of Barbourfields stadium after watching the match (soccer) between Highlanders and Dynamos. He saw a policeman standing on a pavement near the entrance into the stadium. The police detail was carrying a pistol, which he then used to fire shots at the crowd. The victim alleges that he saw one man getting shot in the head and dying on the spot. At the same time he tried to run away but he was shot on the leg. The victim made a report at Mzilikazi Police Station. Some police officers assaulted him at the camp. He also managed to hold on to the bullet that he was shot with.*

**76 28/07/2002****Assault; torture**

MK (female, aged 28)

Alleged Perpetrator: unnamed

*Place where incident occurred:* Buhera

*Victim is the MDC youth organiser at ward level in Buhera. She had gone to the local shops when one Leonard Shoko, a Zanu PF youth, came up to her and alleged that she was a sell out because she belonged to the MDC. She was threatened with unspecified action. She was also assaulted by a member of the Support Unit using open hands and fists, on allegations that she was part of a group that was causing havoc in the area, assaulting people and burning down houses. That same evening police officers from Buhera came to her house. Fortunately, victim had spotted them from a distance and hid in a bed of flowers. They harassed her parents and children, demanding to see her. They left but returned on two other occasions the same night but client had sought refuge next door. She escaped to Harare via Chivhu.*

**77 18/08/2002****Torture**

JM (male, aged 32)

Alleged Perpetrator: Tonderai Baranda, Joseph Mwale and unnamed

*Place where incident occurred:* Pachedu Farm, Chimanimani

*The victim was assaulted by army and police officers that came to their farm and ordered them to come for census. When they were at the place where there were census officers, they were grouped into those who had ID's and those who did not. The victim did not have one. The army and police officers started assaulting client and others with baton sticks and sjamboks on the buttocks and back. He suffered injuries on the back and buttocks. They alleged that the workers at the farm were hindering resettlement but they had to vacate the farm so that the settlers would farm. Were ordered to go back home for census and never to tell anyone that they were beaten. He could identify one Joseph Mwale (CIO) and Baranda Tonderai amongst the group.*

**78 18/08/2002****Torture**

TM (male, aged 26)

Alleged Perpetrator: Tonderai Baranda and Joseph Mwale

*Place where incident occurred:* Charles Wood Farm (Pachedu), Chimanimani

*Members of the army and police force assaulted the victim, allegedly for being an MDC chairman. Client is an MDC activist in the area. Four army officers and one police officer beat him up. The police officer is from Chipinge ZRP but victim does not know the name. They used baton sticks and gun belts to assault the client. He was drenched in water and was ordered to put his hands up and his head down. The assailants alleged that the victim and others were refusing to move away from a farm, which had been acquired for resettlement. After the assault they vowed to come back for more assaults. Victim suffered a right hand fracture and back injuries. Was also assaulted under the feet. Amongst the group were Joseph Mwale (CIO), Tonderai Baranda (based at Nyanyadzi) and Raymond (CIO).*

**79 18/08/2002****Torture**

PM (male, aged 21)

Alleged Perpetrator: Tonderai Baranda, Mwale

*Place where incident occurred:* Charles Wood Farm (Pachedu Farm)

*One police officer and an army officer came to client's home when a census officer was interviewing him. He was ordered to go and attend a meeting, which the army, the CIO and police had called for at their farm. The farm belongs to Roy Bennett, the Chimanimani MP. Were told that the farm had been acquired for resettlement. They were put into groups, those with IDs and those without. Client had his ID and he was accused of being part of a group that was harassing the war vets and sending herds of cattle to the settlers' fields. One CIO called Mwale assaulted the victim and others with a sjambok and then army officers and police officers took their turns to beat client with sticks, booted feet and open hands. They threatened to beat them for the whole day if they didn't reveal Roy Bennett's secrets at the farm. They were ordered to go for the census and the assailants confiscated one farm vehicle together with one Makaza, the head of the security guards. Some of the army officers were from Chipinge.*

**80 18/08/2002****Torture**

ZM (male, aged 32)

Alleged Perpetrator: Tonderai Baranda and Joseph Mwale

*Place where incident occurred:* Pachedu Farm, Chimanimani

*A group of soldiers and three ZRP officers from Chimanimani came to Pachedu Farm and rounded up everyone on the pretext that they were going to conduct a census. They were put into two groups, those with and those without IDs. Those with IDs were sent home. The victim didn't have an ID and their group was labelled "MDC supporters". They were assaulted with baton sticks. The victim suffered a fracture on the right hand. The assailants alleged that the farm was compulsorily acquired and they saw no reason why they were still working for the white farmer. One of them was ordered to chant anti-MDC slogans. The workers were threatened with unspecified action if the soldiers were to come back and find out that they were still on the farm. No report was made. The victim managed to identify one Mwale and Tonderai Baranda based at Chimanimani ZRP.*

### APPENDIX 3 : NAMED PERPETRATORS AND STATION

Where the victim was able to provide the rank of the perpetrator this is given below, however, in instances where the rank is not known the name of the officer is given unaccompanied by rank.

District	Station/ Police Post	Rank (where known)	Name of Perpetrator	No of cases in this report where perpetrator named
Bikita	Bikita		Cosmore Shumba	6 cases
			Leonard Chimhuka	6 cases
			Gavakava	2 cases
			Moyo	2 cases
Bindura	Chiwaridzo		Ngonidashe Mungofa	2 cases
Buhera	Buhera		Chatapura	4 cases
		Detective	Jambwa	3 cases
		Constable	Mahuwa	1 case
		Inspector	Muyambo	1 case
		Officer in Charge	Mlambo	1 case
			Nyanyire	1 case
	Onenyika	1 case		
Bulawayo	Matopo	Sergeant	Dube	1 case
Chikomba	Sadza	Constable	Ennia	1 case
		Assistant	Majora	2 cases
		Inspector	Mashingaidze	1 case
			Mhukayesango	1 case
		Constable	Nyoni	1 case
		Constable	Penzura	1 case
	Constable			
Chimanimani	Chimanimani		Chagugudza	1 case
			Joseph Mwale (CIO)	5 cases
			Simango	1 case
			Tonderai Baranda	4 cases
Chipinge	Chisumbanje	Chief Inspector	Chinyoka	1 case
Chipinge	Junction Gate Police Post	Constable	Chinembiri	1 case
		Constable	Chirere	1 case
		Constable	Gumbo	1 case



		Constable	Mapete	1 case
Gokwe	Gokwe	Superintendent	Majongosi	1 case
		Inspector	Chinduzha	1 case
Kwekwe	Amaveni Police Station		Chimedza	1 case
Harare	Chitungwiza		Mahachi	1 case
Mazowe	Chombira, Chiweshe		Usayi (ZPS)	1 case
Murehwa	Murehwa		Mnangagwa	2 cases
Mutare	Marange		Tembedza	1 case