ZIMBABWE HUMAN RIGHTS NGO FORUM

A CONSOLIDATED REPORT ON THE FOOD RIOTS 19 — 23 JANUARY 1998

Report compiled by the AMANI Trust on behalf of the Zimbabwe Human Rights NGO Forum

Zimbabwe Human Rights NGO Forum

AMANI Trust
Peace
P O Box 5465
Harare

Catholic Commission for Justice and

P O Box CY 284
Causeway

Legal Resources Foundation
Centre)
P O Box 918
Harare

University of Zimbabwe (Legal Advice

P O Box MP178
Mount Pleasant

Transparency International
Harare

Zimbabwe Women Lawyers Association
P O Box CY 473
Causeway

Zimbabwe Lawyers for Human Rights
P O Box CY 1393
Causeway

ZimRights
P O Box 3951
Harare

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> I would say we were not handled as if we were human beings when I was taken to the police station. I was just handled terribly… I was held like a criminal. Everything was harsh… I used to cry when I was in the cell. Cry for myself. In the evening.. All those I remember very well, I can say ¾ of the days I was in the remand holding cells I wasn't sleeping. I didn't have time to sleep. It was just terrible those days… That was my first time to be held, in such a way, in a such situation. So it made it tough, cause when I start to remember that I was in for nothing. I was in for no reason at all. I was just makes me go wild, I just.. I just don't feel like I'm a person with my rights. I was deprived of my rights. I was assaulted. I was hassled. I was assaulted badly at that time when I think of those days. I ..I just feel I wasn't born. I just feel as if I wasn't existing in this place.
>
> (Survivor from Mabvuku)

1. Introduction

As the Minister of Home Affairs himself commented in his address to the House of 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". [1] 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, thousands of people being arrested and detained 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 formed. This group, a loose alliance of NGOs, provided assistance to detainees, persons complaining of human rights violations and ill-treatment, and produced a report on the riots — ***Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998*** [2] ***—*** 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 organisations call 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.

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

2 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*.

> 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 the 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 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 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 ZHRNF 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 as requested, and since the Government has made no steps to either constitute a commission of inquiry or compensate those who suffered human rights violations, the ZHRNF decided to go ahead and support the request by survivors for civil claims against the Government. To date, 40 suits have been filed against the Zimbabwe Republic Police and the Zimbabwe National Army. The Government, through the office of the Attorney-General, has indicated that it will contest all claims.

The present report is an extension of the original report submitted to the President and Parliament, and, as was indicated in the original report, it was the intention of the Human Rights Forum that a more complete report be compiled. The present report is submitted again with the appeal for an independent commission of inquiry. As will be seen, the facts that have been established make a strong *prima facie* case that the principle of minimum force was exceeded, and it is in the interests of the country that this does not happen again. The publication of the present report has possibly even greater importance in the light of the recent events concerning the role of the military in Zimbabwean civilian life.

2. Background to the Food Riots

This section cannot pretend to be a complete social and political analysis of Zimbabwe prior to 1997, but covers the areas identified by many political observers as being significantly related to the climate of discontent and discouragement felt by the Zimbabwean public at the time of the Food Riots. It also identifies the factors that observers felt were indicative of a crisis of governance in Zimbabwe. The areas are described under various sub-headings below.

Trends in 1997

1997 was a year in which initial expectations of dynamic growth were replaced by a disappointing performance and increasing pessimism about future prospects. Zimbabwe appeared to have turned the corner towards sustainable recovery earlier on in the year. Coming out of an impressive 1996 during which signs of recovery had started to emerge in the last six months, the country started 1997 on a high note with all indicators pointing to an economic upswing.

The major concern to the country earlier in the year was the excessive rains that lashed the land as these threatened to reduce agricultural output. There was however a positive development in that the rains replenished the dams that had run dry due to successive droughts affecting the winter crops which depend on irrigation, and, even though it had been clear that agricultural production would be lower due to the excessive rains, both independent commentators and the Government were already projecting an economic growth rate of up to 5% over the year. The country had earlier on achieved a gross domestic product growth of slightly more than 8% in 1996 on the back of increased agricultural production.

The economic projections for 1997 were soon revised downwards, with the Reserve Bank of Zimbabwe (RBZ) putting it at about 4,5%, and other economic commentators were estimating that the economic growth rate for 1997 could be below 3%. However, the modest recovery in 1996 proved too fragile to withstand the subsequent increases in taxes, interest rates and inflation that took effect at the end of the first half of 1997. Although inflation pressures had largely remained muted during the better part of the year, arbitrary increases in the plethora of Government-administered prices to meet Government's excessive spending requirements triggered a resurgence in inflation, with analysts saying that inflation would round-off 1997 at above 20%.

The monetary authorities had expressed the desire to bring down inflation to around 15% by the end of 1997. The commentators were all agreed that the major factors that destroyed confidence in the year under review were the Government's decision to award ex-combatants gratuities totalling Z$4,5 billion, money that the country could not afford, followed by the designation of in excess of 1 500 large-scale commercial farms which included the country's most productive holdings. With a third of the country's large-scale commercial farmers expecting to lose their land and all farmers being affected by the possibility of a poor season ahead, conditions had turned against business interests throughout the economy.

The biggest casualty of the loss in confidence was the country's currency which plunged to an all-time low in November 1997, by as much as 75% against most major currencies. The spread between buy and sell rates in the money market were at a ludicrous 73%. There were a number of factors that prevailed in November 1997 and provided the backdrop to the collapse of the dollar but, according to Bulawayo-based economist, Eric Bloch, fundamentally, the cause had been the rampant inflation that had prevailed in Zimbabwe since 1982. Other factors included currency speculation amid reports that the country's foreign currency reserves had declined to less than two months import cover.

The monetary authorities were not spared either, as the analysts were adamant that both the RBZ and Government were inexcusably tardy in reacting as the crisis unfolded. Even though the RBZ later intervened in the market to shore up the local currency, the analysts said they were still not clear as to the direction the dollar was likely to take. All were agreed that the current account deficit was unsustainable and would necessitate a retightening of exchange controls.

The RBZ subsequently increased its rediscount rate from 28,5% to 31,5% as a way of reducing speculative pressures on the Zimbabwe dollar. There were fears that the increase in the rediscount rate was the first of many increases with broad expectations of the rate reaching 40% by mid 1998. The high interest rates not only made it impossible for companies that needed money for expansion purposes but also drained away a large proportion of the working capital of private sector employers, while interest payments severely limited employers' abilities to keep pace with inflation.

Despite several recent missions abroad to woo foreign capital, investor interest in Zimbabwe remained disappointing, with the country rated during 1997 as one of the lowest on the list of emerging markets considered as investment opportunities. President Robert Mugabe spoke to investment conferences in London and Paris. Similar missions were previously been held in Europe,

the United States, and the Far East. All were described as successes, but what did not materialise was actual investment.

The Zimbabwe Government tried to portray the country as a serious contender for investment capital, and took steps to attract investors. Among these was the establishment of a national investment centre, which was praised abroad for dealing with applications. There was relaxation of economic rules in respect of imports and exports, labour and price controls, but there was still little investment. Economists argued that this was because of the unstable domestic economic climate, characterised by high interest rates and inflation. Inflation was about 19 percent, while interest rates were hovering around 30 percent.

Foreign investors voiced serious concerns which they saw as being of such great magnitude as to override the investment advantages. At the forefront was the fear of an ever-continuing erosion of the economy, with the attendant high inflation, declining currency values, increasing unemployment, and negative or inadequate economic growth. Coupled with these fears were unfulfilled Government assurances of reduced expenditure, the size of the public service, the magnitude of the defence expenditure, and recent substantial parliamentary and civil service salary increases. There was also concern at the level of corruption (see below).

Said economist Eric Bloch: “Zimbabwe has to address the causes of investor scepticism and the grounds for international investment cynicism, ensuring the projected economic advances while strenuously curbing corruption and energetically welcoming desirable, employment-creating investment".[3]

It was thus clear to most commentators that a situation of crisis was developing in the economy, and that this would have effects upon the socio-economic life of the citizens. The pressures began to mount during the second half of 1997.

The Government, already under siege from war veterans demanding hefty gratuities and pensions, was suddenly engulfed by a crisis of expectations from all fronts: as well as the veterans, the war collaborators and former political detainees also wanted a piece of the cake. The huge civil service was waiting patiently for its annual bonuses at the end of the year, just when Western donors were demanding that the Government take visible measures to cut back on its spending if it wants aid for its reforms, already delayed by lack of funding.[4]

In addition, the Government was under pressure from a private sector increasingly restless about the worsening macro-economic environment, as evidenced by the sudden rise in interest rates and a depreciating currency that threatened to nearly double the cost of imports. On the other hand, the country's balance-of-payments position was worsening, with import cover less than three months, at a time when reserves needed to be boosted in case the country experienced another drought. The Government's immediate concern was to find money, estimated at between Z$3 and Z$5 billion before Christmas 1997, to make lump sum gratuity payouts to an estimated 50 000 ex-combatants, who had only stopped their violent nation-wide protests earlier in the year after securing pledges for the payouts from President Robert Mugabe (see below).

Analysts pointed out that the demands by the veterans could not have come at a worse time, when the Government was battling to cut the fiscal deficit while at the same time boosting expenditure on social services such as health and education, where the state of infrastructural facilities was threatened with collapse. The Government was under pressure from foreign aid donors to maintain its target of achieving a budget deficit of 8,9 percent of Gross Domestic Product (GDP) in the 18 months to December 1998, although still way above its self-imposed target of five percent.

In December 1997, the Government, taking measures to raise revenue to fund liberation war veterans' pensions, announced that it would introduce sweeping cost-cutting measures in the public service during 1998 that would include a freeze in salary increments for Cabinet ministers. The measures were to include a reduction in salary increases and the abolition and/or revision of perks and allowances for senior state officials.[5] These moves followed a public outcry over the

3 Foreign investors stay away from Zimbabwe (*Mail & Guardian*,19 March 1997)

4 Crisis of expectations haunts Zim govt (*Financial Gazette*, 9 October 1997)

5 Govt to introduce sweeping cuts (*Financial Gazette*, 18 December 1997)

Government's runaway spending, especially its propensity for luxury amid worsening poverty for the majority population. The Government was forced to withdraw highly unpopular tax increases and to drop the introduction of a five percent war veterans' levy after parliamentarians overwhelmingly rejected a Bill seeking to effect the increases. The legislators were supported by members of the ruling ZANU-PF party and the general public which staged massive anti-tax protests countrywide. The increases were meant to raise funds to finance the war veterans' gratuities and monthly pensions. Finance Minister Herbert Murerwa, who refused to abolish a sales tax increase of 2,5 percent slapped together with the other taxes now rescinded, said he would announce some measures to generate revenue for the veterans' pension payouts in 1998.

A sullen atmosphere descended on the country which lead to a nation-wide civil protest against these tax increases. Analysts observed that the failure by the Government to arrest the economic decline and the frightening unemployment crisis had combined to create an explosive situation. Left unchecked, they said, the riots could erupt into social chaos that could seriously challenge the Government's political grip on the country and also force the Government to introduce draconian measures to curb civil liberties, in turn earning the country the wrath of donors who are closely watching the unfolding events in Harare. According to most analysts, never in the country's history had public morale and business confidence been so low as at the end of 1997.
The analysts said the key to restoring macroeconomic stability lay in the Government cutting its wanton expenditure on non-productive items, as well as trimming the bloated public service and selling off its loss-making public enterprises. The Government also had to take steps to ensure that inflation and interest rates came down. Government spending as a percentage of GDP had been as high as 40 percent since the launching of market reforms in 1991, while in the same period expenditure on capital projects had been declining as the state diverts much-needed resources to recurrent spending. The state's debt of over $60 billion in 1997 was so huge that experts estimated that it was spending more than $1 billion a month on debt servicing alone, using up much-needed resources required to restore decaying infrastructure in the health and education sectors.

Corruption

Corruption became another burning issue during 1997, most dramatically shown in the war veterans scandal (see below]. Over the years, Zimbabwe had been rocked by a series of scandals involving senior Government, ruling party and military officials. The most dramatic was the misappropriation of enormous sums from the War Victims Compensation Fund, from which top State officials and people close to the ruling party allegedly received funds meant for ex-combatants disabled during Zimbabwe's liberation war in the 1960s and 1970s. Some of the beneficiaries did not qualify for the payouts, according to media reports, and payments from the fund were suspended to allow a probe into the alleged abuses, but were resumed after former freedom fighters took to the streets across the country to object to the freeze.

Another case which analysts saw as an indication of high-level corruption was the decision by the Government Tender Board to award a contract for upgrading the international airport to a company headquartered in Cyprus and whose representative in Zimbabwe is President Robert Mugabe's nephew, Leo Mugabe. Parliament subsequently declined to approve a proposal from the Government to lend the firm about Z$900 million from the state's coffers. YTL, a Malaysian company involved mainly in construction, acquired a 51% share in the Hwange Thermal Power Station - the source of 53 percent of Zimbabwe's energy. YTL's application was approved although it had a smaller asset base and appeared to have less technical know-how than its rivals.

The results of tenders to operate Zimbabwe's first private cellular service and its first cable TV service were also hotly contested. The cable TV contract was awarded to a firm which, the rival bidders claimed, did not have the required capital.

Corruption, already at an alarming level in Zimbabwe, could reach catastrophic proportions unless strong efforts are made to curb it, human rights advocates warned.

> "Corruption in Zimbabwe is now found at every level", says Mike Auret, director of the Catholic Commission for Justice and Peace in Zimbabwe (CCJP), "from the lowest level of the civil service and private industry right up to the highest level. If we don't do something

> about it, it's going to be a very serious problem for Zimbabwe. If we get into the same state as Kenya or Nigeria, it's going to be a sad time".

A Harare workshop in 1997 concluded that the best way to sweep corruption out of the civil service is to clean up the top first before coming to the bottom. Margaret Dongo, independent Member of Parliament for Harare South, outlined cases of alleged corruption in the country. The Bindura town council was suspended early 1997 for corruption. The city of Harare confiscated stands from upcoming indigenous business people and sold them to companies, mostly owned by influential individuals. The Zimbabwe Electricity Supply Authority allegedly appointed allied capital markets to invest its pension funds on the money market and stock exchange. About 23 million Zimdollars was defrauded by the managing director of allied capital markets who bought farms, cars, and started businesses.[6]

Strikes, Poverty and Living Standards

The dissatisfaction felt by many Zimbabweans was given strong expression during 1997. Waves of strikes swept the nation as workers fought to ensure wages high enough to keep them above the poverty line from a variety of employers, including the state. Strikes hit security companies, hotels, restaurants, construction firms, banks, and cement and lime industries. Postal workers conducted a go-slow, whilst railway and clothing workers also engaged in industrial action.

Most workers were demanding wage increases of up to 40 percent. Civil servants who went on strike in 1996 fared somewhat better. In 1996, they were awarded a 36-percent increment, which their unions accepted as fair given the current annual inflation rate of around 20 percent. Most of the workers going on strike in 1997 were at the bottom of the wage ladder, such as security guards, who took home the equivalent of about US$66.45 a month. This was far less than the US$200 which, according to the Consumer Council of Zimbabwe (CCZ), was the least the average family needs for basic subsistence each month.

Most workers in Zimbabwe were severely affected by falling wages over the few years prior to 1997. According to the Standard Chartered Bank of Zimbabwe, real earnings peaked in 1982, but subsequently declined by more than 40 percent and were then below 1965 levels. The Zimbabwe Congress of Trade Unions (ZCTU) blamed the spate of strikes on "ungrateful bosses who have refused to address the plight of the almost destitute majority workers in the country."[7] The ZCTU said that the monthly minimum wage that a worker needed to make a family of five survive was US$227.27, but that about 70 percent of the 1.2 million workers in the formal sector earned less than US$72.70 a month.

Zimbabwe's poorly paid farm labourers also launched a wave of strikes that brought the country's commercial farming sector to its knees. The countryside was hit by two weeks of work stoppages which started in eastern Zimbabwe and then spread to the northern and central regions. Thousands of singing, chanting workers also blocked highways for days, in the biggest disruption to large-scale farming since independence in 1980. The workers, some of whom earned as little as US$29 a month, were demanding US$67.[8]

Another issue that brought people out on the street during 1997 was housing, and the revelations of scandals in the awarding of houses and housing stands angered many Zimbabweans. Zimbabwe was facing a housing crisis in its urban centres, with official figures from the Ministry of Local Government and National Housing putting the national housing waiting list in urban centres in excess of 200 000 names, double the 100 000 figure bandied around in the early 1980s. "Urban migration by rural folk hoping to strike it rich in the big urban centres partly explains the expanding housing waiting lists at municipal housing offices nation-wide," said Local Government and National Housing Minister John Nkomo, whose ministry encompassed the housing portfolio. The Government, obviously unable to come to grips with the magnitude of the housing shortage, moved forward to the year 2020 its target of providing accommodation to all Zimbabweans, initially set to be achieved by the year 2000 amid the euphoria that surrounded the announcement of similar worldwide targets. It was an ambitious

6 Eating the heart out of Zimbabwe (*Mail & Guardian*, 3 December 1997)

7 Strike wave sweeps Zimbabwe (*Mail & Guardian*, 14 July 1997)

8 Zim strike wave brings farms to a halt (*Mail & Guardian*, 15 October 1997)

project that would require billions of dollars in both public financing and private capital, money the cash-strapped Government did not have.[9]

However, perhaps the most stark description of the difficulties facing Zimbabweans came from Government's own study on poverty, "The Poverty Assessment Study Survey" prepared by the Social Development Fund in the Ministry of Public Service, Labour and Social Welfare.[10] The study indicated that 74% of Zimbabweans were poor, with 45% of Zimbabwean households living below the food poverty line. Food shortage was reported as the primary indicator of poverty, followed by shortages of clothing, lack of draught power and inability to send children to school. The study indicated mark decline in the economic well-being of Zimbabweans over the previous 4 years, with 74% now "poor" as opposed to 64% four years previously. This was bolstered by the 1997 annual report of the RBZ which warned that living standards in the country were deteriorating despite Government efforts to pursue economic policies aimed at promoting sustained growth.[11] According to the central bank, average annual economic growth since 1991 had reached 1.8% against the Government target of 5% Gross Domestic Product, while annual population growth had averaged 3%. The bank said there was need for restraint in wage and salary hikes because evidence showed that labour productivity was expected to rise at a reduced rate of about 2% compared with just over five percent in 1996. Failure to take this into account in salary and wage awards would lead to higher inflation levels to the detriment of the economy as a whole.

Taxes and Levies

Taxes and levies were another source of discount during 1997. Already one of the highest taxed populations in the world, Zimbabwean were confronted by the prospect of even further taxation, and this was one of the more obvious causes of social unrest, and the explicit cause of the demonstrations in December 1997. In August 1997, Government proposed a tax on pension funds, which drew sharp criticism from all sectors.[12] There were several rises in the costs of fuels, and, most importantly for the average consumers, rises in the cost of electricity. The levies and taxes even drew fire from parliamentarians themselves, most dramatically when they rejected new taxes imposed by the Government.[13] The higher taxes were part of the Government's efforts to raise the money it needed, without increasing borrowings, to pay monthly pensions to about 70,000 war veterans.

Confident that the parliamentarians would toe the line, Finance Minister Murerwa put the proposed legislation on a fast-track hoping that it would be passed the same day. In fact, the Government had already gazetted the increased sales tax starting from 1 December. Sales tax would have jumped from 15% to 17.5%, and an increase in fuel prices would have doubled tax on electricity from 5% 10%. But instead of approval, Murerwa had to suspend the second reading of the proposed Bill when it became apparent that all the legislators were against it.

The Land Issue

Land has remained a significant political issue since 1980, and well before independence. It re-emerged as a hot political issue in 1997 with Government unveiling its plan to designate over 1000 white-owned farms. However, this was not the burning issue for many ordinary Zimbabwean's that Government claimed, and a study commissioned by the Government itself indicated that people were more interested in jobs in a market economy, and an opportunity to work for a decent living. This information was tucked away in the comprehensive study on poverty released by the Zimbabwean Ministry of Public Service, Labour, and Social Welfare.[14] Members of about 18 000 rural and urban households were interviewed and asked, among other things, what they believed were the main causes of poverty and how they could be combated. One percent of those responding said poverty was caused by a shortage of land. Only 2% said poverty could be resolved by the provision of land.[15]

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9 Dream of housing for all by 2000 crumbles (*Financial Gazette*,15 August 1997)

10 Ministry of Public Service, Labour and Social Welfare (1997), *Poverty Assessment Study survey: Main Report,*. Social Dimension Fund, Harare: Government of Zimbabwe.

11 RBZ warns of continued poor living standards (*Financial Gazette*, 21 August 1997)

12 Pension funds tax comes under fire (*Financial Gazette*, 21 August 1997)

13 Zim's MPs flex muscles over higher taxes (*Mail & Guardian*, 3 December 1997)

14 Ministry of Public Service, Labour and Social Welfare (1997), Poverty Assessment Study survey: Main Report. Social Dimension Fund, Harare: Government Of Zimbabwe.

15 The people don't even want Mugabe's land (*Mail & Guardian*, 1 December 1997)

However, the claims and counterclaims about the need for resettlement went on over the year, with the most clear consequence being a loss of investor confidence.[16] In just four days, the index lost 743.16 points, as investors opted for the money market which is offering higher returns. On November 14 1997, the Zimbabwe dollar traded 25 to the US dollar, and up to 45 Zimbabwean Dollars to the British pound. Previously the Zimbabwe dollar fluctuated between 10 and 12 to the US dollar. All analysts attributed the falls to loss of confidence in the Government, and particularly the very conflicting signals about land acquisition. A resolution adopted at the end of the two-day ZANU-PF conference commended Government for taking bold steps to resolve the land issue, 17 years after the attainment of Independence in 1980. Government planned to acquire at some 1,480 farms for resettlement and commercial farming for indigenous people. However, investigations in the past have shown that senior ruling party and Government officials have benefited from designated farms rather than communal people.

Commercial Farmers Union leaders met the President to present their own scheme to voluntarily sell 300 farms — totalling 1.2 million acres (485,830 hectares) — to the Government. They warned him that his scheme would wreck the economy, which relies on farm exports for 40% of its foreign exchange, which was a view that even the IMF expressed and continues to express.

War Veterans Scandal

No event was followed more avidly and with greater anger than the scandal over the abuses of the War Victims Compensation Fund. Allegations of impropriety in the administration in the Fund had been made over the previous year in the independent press, but the scandal broke in early 1997. The allegations were so severe that President Mugabe ordered an investigation into the alleged misappropriation of millions of dollars of compensation funds. The Commission to Investigate Abuses of the War Victims Compensation Fund, popularly known as the Chidyausiku Commission, rapidly became as high profile an investigation as an earlier predecessor in the 1970s. Although there was concern about the amount that was alleged to have been misappropriated, there was also considerable anger over the number of highly placed and well-paid individuals who had received payments from the fund.

Personalities mentioned on the list included former ZBC staffer Robin Shava (100% disability and Z$483 535); Wilfred Mhanda (29,5% disability and Z$190 879); Vivian Mwashita (94% disability and Z$579 091); B Murahwa (93,2% disability and Z $616 811); Perence Shiri (50% disability and Z$90 249); Joyce Mujuru (55% disability and Z$389 472); and Oppah Rushesha (65% disability and Z$478 166). The president's brother-in-law, Reward Marufu, who left in April 1997 for a diplomatic posting in Canada, is mentioned as having had a 95% disability and was said to have been paid Z$821 668. Police Commissioner Augustine Chihuri is mentioned as having got a 20% disability valued at Z$138 664, with former party stalwart Edgar Tekere said to have received Z$262 162 for a 90% injury. Herbert Mahlaba received Z$272 362 for a 74% injury.[17]

The response of the public was vocal and angry. In July 1997, hundreds of ex-combatants camped outside State House to demand that they too were compensated. The ex-combatants had first gathered outside the Office of the President, from where they threatened to pull him out if he did speak to them. After learning that he was not there, they went to State House, vowing to camp outside it all night if the President failed to address them. He did not oblige, but they dispersed at sunset with a promise to be back.

"We are tired of lies. We want to ask our patron where our money is. We don't want to talk to anybody else because they have been lying to us. They have all lied to us and so we want to hear what Mugabe has to say," they chanted.[18]

The war veterans shunned Mugabe's promise to allocate them some of the 1 772 large-scale white-owned commercial farms he said his Government had identified for compulsory acquisition under the controversial Land Acquisition Act of 1992. They were also unimpressed by Mugabe's offer of a Z$50-million War Veterans Fund to finance business projects for them.[19]

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16 Land row rocks Zimbabwe's exchange (*Mail & Guardian*, 8 December 1997)

17 Mugabe orders probe into war funds scam (*Mail & Guardian*, 4 April 1997)

18 Rage of Mugabe's old soldiers (*Mail & Guardian*, 22 July 1997)

19 Too little, too late for Zim's veterans (*Mail &Guardian*, 15 .August 1997)

The Government was forced to make an undertaking to the International Monetary Fund to submit its plans on how it will raise the estimated Z$5 billion needed to pay war veterans' gratuities. This development followed demands by a high-powered seven-member IMF delegation that Government should make clear how it would raise the funds to pay the ex-combatants without upsetting the 1997/98 eighteen month budget. The amount was almost equal to what the Government realised from personal income tax annually. This was the fourth time that IMF officials had visited the country during 1997, although usually consultations between the Bretton Woods institution and its members states take place annually. The Fund can however initiate additional discussions if a member falls suddenly into serious economic difficulty or is believed to be following policies inimical to the interest of other member states, and observers were quick to point out that this visit by the IMF officials was not just a routine periodic consultation between Zimbabwe and the fund. It came at a time when the country, which had not had an IMF-sanctioned economic policy since the last half of 1995, urgently needed balance of payments support to prop-up its foreign exchange reserves which were said to be at a precariously low level.

The scandal continued to unfold over the year, and all Zimbabweans became aware that there had been serious wrongdoings in the administration of the Fund, that many well-placed people had benefited, and finally that the President had been forced to make a special arrangement for the War Veterans, notwithstanding the possibility that many might be guilty of defrauding the Fund.

Human Rights Issues

Perhaps the most serious issue to emerge during the year was the brutal attack on the Secretary-General of the Zimbabwe Congress of Trade Unions (ZCTU), Morgan Tsvangirai. He was injured when seven men attacked him with undisclosed weapons in the capital of Harare. He was taken unconscious to hospital. According to a union spokesman, a group of unidentified men attacked him with undisclosed weapons in his tenth floor office. The State undertook investigations into the attack but no arrests were made.

Another of the important human rights developments of 1997 was the release by the Legal Resources Foundation of a report on the disturbances in Matabeleland and the Midlands during the 1980s. This report was based on a joint initiative of the Legal Resources Foundation (LRF) and the Catholic Commission for Justice and Peace in Zimbabwe (CCJP). The disturbances of the 1980s had led to sustained allegations of widespread gross human rights violations by Government forces, and, in particular the Fifth Brigade, against ordinary citizens.

Government had earlier commissioned an inquiry into the disturbances — the so-called Chihambakwe Report — but the report was never made public, despite repeated calls for its publication. The report, titled ***Breaking the Silence, Building True Peace: A Report on the Disturbances in Matabeleland and the Midlands, 1980-1988***, dealt with the impact of period on the lives of ordinary people and concluded with a proposal for a Reconciliation Trust to channel funds into community projects. It also stressed the need for a full disclosure of the facts, hitherto swept under the national carpet in the name of unity, in order for reconciliation to work.

The report was based on testimony gathered from more than 1000 people over a five-year period. The commission focused its investigation on two case-study areas, the Tsholotsho and Nyamandlovu districts in Matabeleland North and Matobo in Matabeleland South.

The report offered a chilling recitation of atrocities, describing how villagers would be assembled at a central point — such as a school, or borehole — harangued and subjected to mass beatings which were often followed by killings of those whose names were read from death lists.[20] Several viewpoints were reflected. The Government sought to suggest that dissidents were actively sponsored by ZAPU leaders who were hoping to gain through renewed fighting what they had failed to gain in elections. ZAPU's view was that the heavy-handed Government reaction to the dissident issue, and its targeting of ZAPU as solely responsible, expressed a long-held desire to punish ZAPU and create a one-party state. The South African-sponsored Super-ZAPU was seen as designed to disrupt the newly independent state. And the dissidents' view was that they had been driven to desert the army by persecution of ex-ZIPRA members, finding themselves further persecuted once outside the army and on the run.

20 Grisly trail of Fifth Brigade atrocities exposed (*Mail & Guardian*, 9 May 1997)

The publication of the report produced no official Government response, and even led to conflict between the two organisations that produced the report.[21] In August 1997, the Catholic Bishops Conference abruptly terminated the partnership between the commission and the Legal Resources Foundation. The bishops were upset by publication of the report before the President had responded to it, but it should be noted that there has still been no response up to March 1999.

Demonstration Against Tax Increases (9 December 1997)

As can be seen from all of the above, there was a deteriorating political and economic climate during 1997, and many observers were calling for urgent action by the Government to avoid social unrest and violence. Human rights groups, in particular, made appeals to the President and the Government to take proactive steps to maintain peace and security. Here one of the most clear indications of the seriousness of the situation, and the unconcern by Government resulted in the demonstrations that took place on 9 December 1997.

Throughout the country workers responded to calls by the ZCTU to engage in a peaceful protest against tax and price increases. In Harare, trouble began in the early morning rush hour as armed riot police blocked all major roads leading into the city. The police stopped cars and buses, ordering passengers to return home and clubbing those who refused to do so. Just before 8 am, all commuter omnibuses and public transport ferrying workers from the southern high-density suburbs of Mbare, Highfield, Glen View, Glen Norah, Budiriro, among others, were ordered back by the police. Roads leading into the city from the northern suburbs also met the same fate.

Policemen manning the roadblocks were in an uncompromising mood, telling workers in no uncertain terms they were not to proceed into town. But some people managed to sneak into the city centre, many having to walk long distances. The workers wanted to congregate at Africa Unity Square, venue of several mass protests in recent years. Police descended on about 500 or so workers who had slipped through the roadblocks and assembled at the square. They were teargassed without any questions being asked. As many of them fled in all directions and back home, workers in offices had to leave hurriedly as the biting teargas smoke filled their offices. At this point police were clubbing any individual or groups of people in the vicinity of Africa Unity Square. Some reporters and photographers were also assaulted.

Tired of being teargassed, some groups of people began to pull down road signs and used garbage cans to block roads as the police vigorously pursued their efforts to drive the protesters to the outskirts of Harare. As emotions reached fever pitch much later in the day, hooligans joined in the fray and many buses and private cars were stoned, shops broken into and looted and many people assaulted by the gangs. As Harare licked its wounds and counted the cost of the street battles, human rights bodies unanimously condemned the high-handedness of the police and said their action signalled a breakdown of law and order.
Police Commissioner Augustine Chihuri defended the actions of his men, telling a Harare news conference: "We heard reports that looting of property had started as early as 7 am. Believe you me, we had to exercise our basic function as a police force. Because of the looting which had been reported, we did not have to take chances ... we had to deploy manpower to safeguard property".[22]
Home Affairs Minister Dumiso Dabengwa, speaking in Parliament, made clear the police were actually under strict orders to halt the mass protest because it had been learnt that white farmers and business leaders were backing it.

Human rights organisations, many of whom had observers at the demonstration and the subsequent riot, were quick to condemn the police and the Government.

"The rule of law is breaking down in Zimbabwe and without the rule of law, those human rights still contained in our Constitution are hardly worth the paper they are written on," said the Zimbabwe Lawyers for Human Rights. Condemning “in the strongest possible terms" what it called "the totally unacceptable behaviour of the police", the group said: “Instead of enforcing the law, which they are paid to do, and in a flagrant breach of a High Court order, the police attacked citizens peacefully trying to assemble to exercise their democratic right to protest against excessive taxation. Using teargas, baton sticks and dogs on unarmed Zimbabweans is nothing short of fascism".

21 Zim's bishops won't rock the boat (*Mail & Guardian*, 15 September 1997)

22 *Financial Gazette*, 11 December 1997.

The Catholic Commission for Justice and Peace said the mass protest had been the most successful since Independence 17 years ago. “Had it not been for the police's overzealous approach in Harare, the protests would have been peaceful. People who had come to work were teargassed for no apparent reason. The police were not only being unlawful, but they were in contempt of a court injunction which barred them from interfering with the protests", the Commission said. “What happened yesterday throughout the country was a people simply talking with one voice to their Government and the Government will be well-advised to listen to their concerns", it added.

ZimRights, a leading local human rights watchdog, said the police actions were an assault on people's human rights. “The violent actions of the police, seen on local and international television, translates to a deliberate contempt of court and a violation of basic fundamental human rights of assembly, association and free speech", the body said. The Foundation for Democracy in Zimbabwe “totally condemned the brutal and unprovoked acts of police beatings and teargassing of innocent civilians". A political scientist at the University of Zimbabwe, John Makumbe, commented: “The success of the demonstration indicates the anger of the people. It shows that they are no longer going to allow the Government to do whatever it wishes. The demonstrations indicate that people are far from being happy with the ruling party. We will see more of these as the economic gravy train grinds to a halt". [23]

The Government response was not to look at the causes, but rather to threaten civil society. The Minister of Home Affairs, against the observations of impartial observers who saw police brutality and harassment as the major cause of violence, made statements that earned the condemnation of local and international human rights organisations.

“Let no one tempt the police ... I want to warn the demonstrators who think they want to take to the streets in order to loot and commit acts which are in breach of the law that they stand a danger of being shot at by the police", Minister Dabengwa said to Parliament.

The Government’s view that the strike and the violence were the product of an “unholy alliance” were firmly denied by everyone except Government. Farmers and companies categorically rejected the Government's charges of working together to heighten the strike, pointing out they were also affected by the tax increases which they oppose. Some parliamentarians and political analysts accused the Government of deliberately ignoring the root cause of the nation-wide demonstrations and trying to divert attention by introducing racism.

“This is a clear demonstration of how out of touch with the people this Government is. Surely they don't think that the workers of this country are so gullible and need a white man to tell them that they are over-taxed and should therefore take to the streets. This is an insult to the black people of Zimbabwe," said one ZANU-PF MP who did not want to be named. It was more ironic that the violence was confined to Harare, and that it occurred at the time when the President was making his State of the Nation Address to Parliament.
There were repeated calls for an inquiry into police mismanagement of the demonstration, but these were ignored, and the main comments following the violence came from the Commissioner of Police. His comments did little to reassure observers that Government was taking steps to address either the causes or the consequences of the violence. [24]

This then was the climate before the Food Riots in January 1998. As can be seen from the above analysis, there were many indications that civil disturbances were likely, but no positive response came from Government. Many civil society groups were urging the Government to take strong positive steps to ensure adherence to the rule of law, and to ensure openness and transparency, but these calls fell on deaf ears. Given the history of events during the year and the violence that erupted when the police prevented people from demonstrating in December, few observers were thus surprised when the Food Riots occurred.

23 Police rapped over brutality against protesting citizens (*Financial Gazette,* 11 December 1997)

24 Chihuri defends massive police deployment (*Financial Gazette*, 11 December 1997)

3. The Food Riots — Analysis of Newspaper and Other Reports

This section deals with the reports made of the Food Riots at the time. It was compiled from newspapers, magazines and other reports. The pattern of events is described below in the table, showing the outbreak of rioting reported in the press day-by-day over the week. The Zimbabwe Republic Police (ZRP) have issued their own comment on the Food Riots, published in the June edition of *Outpost*.[25] As a response to the calls by civil society for an in-depth investigation into the Food Riots, the ZRP report is brief in the extreme and considerably less than satisfactory. In the background section of this report, the rises in the prices of food commodities is given pre-eminence, exacerbated, in the view of the ZRP, by consumer activists and "misguided elements". The report does admit, however, that "... there was no formal announcement from any organisation that there would be any demonstration".

Table 1.
Places involved in Food Riots: Reports of incidents

	MON.	TUES.	WED.	THUR.	FRI.	POST-W
	19-1-98	20-1-98	21-1-98	22-1-98	23-1-98	*
LOCATION						
HARARE:						
Braeside				X		
Budiriro		X	X		X	
Central business district (CBD)	X	X	X	X	X	X
Glen Norah	X	X		X	X	
Glen View	X	X	X	X	X	
Graniteside				X	X	
Highfield	X	X				
Kambuzuma				X		
Kuwadzana	X	X			X	
Mufakose	X	X		X	X	
Mabvuku/Tafara	X		X	X	X	X
Mbare	X	X	X	X		X
Southerton	X				X	
Northern Suburbs	X	X	X			
Epworth			X			
Waterfalls				X		
Workington			X			

	MON.	TUES.	WED.	THUR.	FRI.	POST-W
	19-1-98	20-1-98	21-1-98	22-1-98	23-1-98	*
BEITBRIDGE				X		
BULUWAYO	X	X				
CHINOYI			X	X		
CHITUNGWIZA	X	X	X	X	X	
GWERU		X	X	X	X	X
CHEGUTU		X	X	X		
KAROI			X			
MARONDERA				X		
MASVINGO		X	X			

25 Police Report on the Food Riots: Issued by ZR Police General Headquarters, *The Outpost*, June 1998.

MUREHWA				X		
MUTARE			X	X		
MUTOKO				X		
NORTON		X	X	X		
RUWA				X		

As can be seen, the major disturbances took place in Harare, echoing the earlier December 1997 demonstrations. The exact details of all the events is difficult to establish since the reporting was erratic and difficult due to the cordon and search activities being implemented in many areas by the ZRP and the Zimbabwe National Army (ZNA). However, it is possible to gain a flavour of the events through the newspaper reports.

Monday, 19 January 1998

The riots broke out in the early morning hours in the high density suburbs of Harare. Human chains formed as early as 8:45am across streets south of the city centre, marching towards the central business district (CBD). The police were mobilised to stop them with teargas. At least two columns of protestors marched into town from Market Square and Mbare along Mazorodze Road. Police were able to keep them out of the CBD but the area west of Julius Nyerere Avenue and south of Union Avenue became a battle zone as rioters threw up barricades. The few that did get into the CBD were rounded up by the police and taken back to the high density areas.

Rioters, who were mostly women and unemployed youths, threw up barricades on all major roads leading into the city centre. Police put up roadblocks around the city centre and barred commuter omnibuses entry into town. Workers either walked or caught lifts with passing cars. Some of the old emergency taxis made a slight comeback as they were able to negotiate side roads. This only worked in the morning, however, because by the afternoon rioters were forcing people out of their cars. Motorists were stoned and their cars burnt, while other vehicles were overturned if they failed to heed calls to turn back.

Thousands of workers were stranded as they failed to get transport back home. They could be seen walking home on foot by the early evening hours on roads leading to Highfield, Mufakose, Chitungwiza, and Mabvuku. Most commuter omnibuses were stranded in town, and only a few were still running their routes by night time. Many feared facing the rioters.

There was a complete crash of the phone system, including cellular networks like NetOne, at late morning when the looting was occurring. The Posts and Telecommunications Corporation (PTC) said that there was a massive systems fault and managed to get the cellular system up in a few hours, but most groundlines were still out of order all the way into the night. People could not contact their relatives and friends and there was no central point where the concerned public could get information on what was happening and routes they should have avoided. A small non-Governmental paper, the *Mirror*, the independent paper for Masvingo province, reported on 23 January 1998 that a communications authority had pronounced it unbelievable that both land lines and cellphone networks developed faults at the same time. It is technically possible for the PTC to switch off, and this was a possibility as to what happened.

Reports of violence continued in Mbare, Glen Norah, Highfield, and Mufakose (among others). But business was as usual in the more affluent, low density, northern suburbs of the city. Shopping centres like Sam Levy's Village, Westgate, and Fife Ave remained opened and business was brisk.

By late Monday night it was thought that the riots were confined to Harare alone. There were no disturbances reported from other cities and towns. Although, it was reported that some customers in the Nkulumane high density suburb of Bulawayo were stranded when shops at the city's largest complex closed in panic after reports of violent consumer protests against price hikes in Harare. By lunch time most of the shops at the Z$70 million Nkulumane shopping complex had closed. A spokesman said that they had closed following a directive from the Old Mutual Pension Fund which owns the major shopping complex in Chitungwiza that was highly vandalised. Other shopping areas in Bulawayo remained calm.

Press Reports

HARARE

Mbare

Along Mazorodze Road, south-west of the city centre, rioters smashed windows and looted several retail outlets including Matlock Service Station and a Steers outlet. The petrol pumps were vandalised and two commuters omnibuses were stoned and had their windscreens smashed. The tires were removed and the vehicles were left balancing on rocks. Other vehicles in the area were also destroyed as rioters stoned them. The suburb, Mbare, itself was not accessible as youths blocked the roads leading into the area. They were joined by women who looted a food shop along Mazorodze Road. Buses from the rural areas were afraid to enter the area and dropped people 15km outside the city. In an area adjacent to Mbare, Southerton, a vehicle was overturned and a Lobels Bakery delivery van had windows smashed and the bread looted, as was a heavy truck carrying maize. Mazorodze Road was strewn with glass all the way from Manchester Road to the Kopje because of smashed windscreens.

Mufakose

A bottle store was raided but the police dispersed the crowd before it could be looted.

Kuwadzana

There were reports of riots and police in riot gear were dispatched to contain the situation.

Glen View

In Glen View, an Air Force helicopter was summoned to spray teargas as looters invaded the area's shopping centre, Tichagarika, clearing out a dry cleaning shop and breaking into a Spar retail outlet. Residents said that the helicopter hovered in the air for more than three hours and teargas filtered into their homes, causing untold pain for their children who did not understand what was going on.

Mabvuku and Tafara

People gathered early in the morning at the main shopping centre in the Mabvuku/Tafara area. A small group of women, around 6 am, began demonstrating against the recent price hikes by turning away a bread truck. Most people were just watching in amusement and the situation was calm, then for some reason things suddenly got out of hand and tensions rose. The demonstration turned violent and riots and looting began. People went into supermarkets, pharmacies, and butcheries taking things from the shelves and refrigerators. At least one doctor's surgery was broken into and cleaned out of everything. Steel window and door screens and burglar bars were wrenched out of the walls. One bakery was broken into and glass display cases and refrigerators were destroyed. One man was seen with a whole hind quarter of a cow.

A Coca-Cola truck driver escaped before the angry residents stoned his truck before looting the soft drinks he was carrying. At Tsokachena, the biggest shopping centre in the area, residents stoned shops and looted mostly essential goods such as mealie-meal, sugar, and cooking oil. They also broke into shops such as Bata Shoe Company, Power Sales and Marowa bottle store. The looters were youths and women, some with babies strapped to their backs. Bread was strewn all over the place as demonstrators chanted anti-white and Government slogans.

Police were called in and fired teargas into the crowd and the whole area reportedly "exploded" spontaneously. A police truck was destroyed when it was turned on its side and set on fire at the Tafara Post Office. Twenty people were arrested for looting. Three people, including a girl, whose identification and whereabouts could not be established, were shot and injured as part of the crowd they were in allegedly tried to attack the police.

CHITUNGWIZA

Residents of the area converged at Makoni Shopping Centre early in the morning and turned away delivery trucks of bread, mealie-meal and other commodities. The crowds turned rowdy and overturned a bread delivery truck belonging to Aroma Bakeries and threw away all the bread. A marketing car and a Lobels truck were also attacked. All of the shops in Makoni and Chikwanha were destroyed as were the shops at the Town Centre, a large shopping complex owned by Old Mutual Pension Fund. People looted groceries, furniture, food, and small electrical goods. Surgeries were also broken into and cleaned out of drugs and equipment. The police couldn't hold off the rioters and were forced to leave the area. The rioters sang revolutionary songs and chanted slogans against the recent price increases.

Tuesday, 20 January 1998

The atmosphere remained tense in most high density suburbs in Harare and Chitungwiza as food riots continued into their second day. Businesses remained closed in the city centre as did most shops around Harare and Chitungwiza's high density areas. Scattered groups of people hovered around most shopping centres. Police suspected some of the groups were waiting for another opportunity to have a second go at some of the shops looted on Monday night. Others, however, were curious residents who wanted to see the damaged shops but were not being allowed to get closer by the police.

Police, deployed at most sites where there was felt to be potential violence, failed to control the huge crowds who were allegedly hurling stones at them. There were reports at some shopping centres that the police helplessly watched people looting after they had run out of teargas canisters they had been firing to disperse crowds.

Because of the riots most shops in the high density areas were closed, including the tuck shops, and families were beginning to run out of food. In the shops that remained open, especially in the northern suburbs, there was panic buying as people grabbed whatever they could lay their hands on in anticipation of a longer period of rioting. By mid-morning most of the shops had closed fearing that the looters might turn their attentions on them. Transport remained a major problem, with commuter omnibuses dropping off people along Bulawayo Road, where there was minimal violence. People had to complete their journeys on foot. Cars were stoned by youths wielding stones and sticks.

Riots were reported all over the city's high density areas; Kuwadzana, Glen View, Mufakose, Highfield, Mbare and Glen Norah, among others. It was reported that more than 500 people had been arrested in the two days of rioting, with over 200 of them being made in Chitungwiza alone. The Government announced in the evening that the Zimbabwe National Army was being deployed in all parts of Harare and Chitungwiza. The entire army was put on alert in case the situation spread to other towns, which it did (see below).

Press Reports

HARARE

Mbare

It was reported that one woman, on Monday, was mobbed by a gang at the flyover bridge that leads to Mbare and was forced to pay a Z$20 protection fee to save herself from being molested or raped. The gang demanded to know why she and other women were going about their business instead of joining them. The woman allegedly clung to one of the gang members and pleaded for her life. He demanded that she paid a protection fee, which she did. Several motorists had their windscreens smashed and doors ripped off while others lost both their car and money to the youths.

Mufakose

Hundreds of people entered a Spar retail outlet and walked away with food and cosmetics after breaking the glass walls. About eight riot police had been guarding the store. An outlet in the same suburb, Mr Razz, was not spared the looting which some people said went on until the early morning hours. No vehicles were allowed in or out of the suburb. Rioters targeted signposts and street lights, pulling them down.

Kuwadzana

The demonstrators broke into song and dance, denouncing the riot police for preventing them from looting shops, while harassing other people and motorists in Kuwadzana 2. An Air Force helicopter came to the aid of the police who were apparently failing to control the angry crowds. Soldiers in the helicopter threw teargas canisters from the air to disperse the demonstrators, who were, however, undeterred. They continued harassing motorists and blocking all roads from the city centre as human traffic became thicker. As police threw volleys of teargas canisters to the demonstrators in Kuwadzana 2, people were busy destroying property at Kuwadzana 3 and 4 shopping centres.

Glen View

At Glen View 3 shopping centre, during the night, about four grocery shops and a bottle store were looted. Other shops in Glen View 8 were also looted. There were attempts to set the shops on fire.

The police were called on to quell violence that had erupted during the day and rounded up all of the youths who were at Glen View 1 shopping centre. In the afternoon police shot and injured a young man in the leg. He was among a crowd that had formed a circle around Tichagarika Shopping Centre in Glen View 3 shops, which had been looted the previous night. People were reportedly seeking refuge in homes close to the shopping centre which prompted the police to fire teargas canisters into the houses.

Highfield
At Machipisa shopping centre in Highfield two shops were cleaned out. Several arrests were made. Lusaka in Highfield became a no-go area as protesters destroyed traffic lights in all roads leading to Machipisa shopping centre. Two people were shot and injured at Machipisa shopping centre in the evening. One was shot in the hand while the other was shot in the stomach and shoulder. Although an ambulance was called to ferry one of them to the hospital, it never came; the controllers allegedly saying that they could not attend to the wounded because the roads were inaccessible. A *Herald* reporter on leave ended up going to the police station begging that they ferry one of the injured to the hospital and they eventually did. The other man had the bullet removed from his hand by colleagues and refused to go to the hospital because of religious beliefs.

Budiriro
A Budiriro man said some of the shops had survived the looting on Monday, but because of lack of police presence, looters were going for the shops. He complained that the helicopters had been hovering, but no one was taking action to stop the looters.

CHITUNGWIZA
At least two people were reported shot and seriously injured in Chitungwiza on Monday morning when looters laid siege to some shopping centres in the town as armed police kept them at bay with sporadic gunfire and teargas. The two were shot at separate times at St Mary's shopping centre as looters tried to storm shops that had survived Monday's raid that saw, among others, a doctor's surgery and a clothing store smashed and completely cleaned out. One of those shot was taken to Chitungwiza Hospital in a wheelbarrow and the other on a bicycle by sympathisers. Their conditions could not be readily ascertained by late last night.

A Government Nissan truck was torched in nearby Chaminuka Drive by gangs of rioters, part of the looters that were trying to storm the shopping centre. Police, hard-pressed to contain other incidents in the town were, however, generally on top of the situation.

A couple of air force helicopters monitored events over the town throughout the day. By about 5pm when the army had already been deployed at the most dangerous spots, the aircraft and police on the ground had managed to clear the crowds from the near shopping centres, although the situation remained very tense. Traffic was by this time moving relatively unhindered, unlike earlier in the day when certain place were “no-go-areas" for motorists.

The Chitungwiza Council's head office, which on Monday was attacked by a large stone-throwing mob as workers fled, was shut on Tuesday, as were all other council promises throughout the town. Chitungwiza Executive Mayor Joseph Macheka's liquor business in Seke was reportedly looted on Monday night. He was not available for comment.

It was also relatively quiet on Tuesday at the rubbish-strewn Chitungwiza shopping centre, which was attacked on Monday and severely damaged. But the situation was very tense as hordes of mainly youths, some of them mere children, waited ominously at the nearby wrecked Unit D shopping centre for a chance to rush the armed police and again loot the shops. A two-man Herald crew covering the area came under attack from the mob at about 4pm as it chased the car and tried unsuccessfully to head it off.

At Zengeza 2 shopping centre a Spar supermarket belonging, like most of the businesses that suffered damage in the district shopping centres, to an indigenous businessman, was the most severely damaged. Opposite the nearby Zengeza 2 garage, two huge tuck shops known for their wide range of commodities were stripped of everything on Monday night as police battled to protect the Zengeza 2 shopping centre in running skirmishes with looters.

BULAWAYO AND MASVINGO
The shops in Bulawayo and Masvingo closed early, but no violence was reported.

GWERU
Thousands of Gweru residents joined their Harare counterparts when they took to the streets demonstrating. The demonstrations, which were characterised by heavy police presence, including an Air Force of Zimbabwe helicopter, started off peacefully, but later developed into sporadic skirmishes with the police, after some demonstrators started breaking shop windows. By mid-morning most shops and banks had been closed.

CHEGUTU
In Chegutu, the riots left a trail of destruction on Monday night, with goods worth thousands of dollars stolen. More than 100 suspected looters were arrested. A small group of people, mainly youths, started the demonstration at about 5pm when it stormed an Aroma Bakery in the town centre. The demonstrators smashed the bakery's windows and looted a few items before they went on to stone the company's vehicles which were parked at the premises. Three of the delivery trucks had their windscreens shattered.

Police were alerted and some policemen, who had already finished work, had to be re-called. Members of the police quickly moved in and drove the rioters from the town centre to Pfupajena high density suburb. Several teargas canisters were fired to disperse the rowdy group.

A number of shops in the town centre were damaged as the rioters retaliated by throwing missiles at the police and buildings. Windows at some buildings were shattered. Among the damaged shops in central Chegutu were Edgars, Bata and Express Stores. Most of the destruction was in Pfupajena high density area, where many shops had their windows shattered, burglar bars ripped off, and goods stolen. Cutman Supermarket at Pfupajena shopping centre was the most affected. The shop had closed for the day. Rioters first ripped off burglar bars before they smashed the huge windows to gain entry. The supermarket was looted of all the goods. Only bare shelves remained. Even tills were stolen from some shops. The shopping centre was still under police guard by Tuesday afternoon. At the Zimbabwe Mining Development Corporation township and at Muvova shopping centre shops were not spared either. Among other damaged shops in Pfupajena were Zvikomborero Mini-market, Luck Savings Butchery, Nyangani Store and Masanga General Dealer.

The rioters were, however, overpowered. They then retreated to Pfupajena township, where they were joined by larger groups of demonstrators. Chegutu police were busy processing the suspects on Tuesday, whom they asked to identify their loot one after the other. Most of them were able to identify their booty. The running battles between the police and the demonstrators lasted about six hours. The situation in the town was calm throughout the day Tuesday. Shops in the town centre and in the high density suburbs remained closed for the whole day. Only bottle stores and other beer outlets were open.

NORTON
In Norton the situation was calm, with shops in the town centre fully operational. It was also business as usual in the small town's industrial area. However, the situation was unpredictable in Katanga high density suburb, where all shops were closed. More than 200 people were just milling around at Katanga shopping centre while the shops remained closed. Police were on guard to ensure peace prevailed. Two people were arrested at the shopping centre for minor skirmishes.

Wednesday, 21 January 1998

The day began with the papers reporting that everything was normal, and businesses should re-open and workers should return to work. Traffic poured into the city in the morning with the expected jams around 8am. Police and army officers were on guard at shopping centres to ward off looters.

There were reports of house-to-house searches being conducted by the ZRP and the ZNA, with many reports of arrests having been made. There were also the first reports of injuries and deaths, but these were very contradictory and confused, with no clear indication of actual numbers.

Press Reports

HARARE
Glen View and Budiriro
A seven-year-old boy died **of** injuries suffered in the looting stampede at Tichagarika Shopping Centre in Glen View 3 on Tuesday. The boy was identified as Redias Musona of Budiriro. He died on admission to Harare Central Hospital. He was found lying in agony and with injuries believed to have been inflicted by glass or a bottle when a mob retreated from a volley of teargas fire from a helicopter. It is suspected that the mob ran over him. A patrol team from Glen Norah police station in the area whisked him to the hospital where he later died.

Helicopters were not only deployed into Glen View, but also into Budiriro, to ward off rioters who wanted to continue looting. The situation came under control after the army was deployed on Tuesday evening.

Mabvuku and Tafara
Some shop owners in Mabvuku and Tafara began what they were calling “a big clean up” of the debris from smashed shops. Long queues formed outside less damaged shops as children waited to buy groceries, mainly bread and milk. Residents complained of hunger in the aftermath of the two days of rioting. Shops were destroyed and looted of all the food. In town supermarkets remained closed with nowhere to buy the daily essentials.

Epworth
People were reporting being hungry in Epworth because of the looting during the food riots. There was no food left. Some parents decided not to take any chances and kept their children at home. Despite the calm, some schools remained closed. Students at Domboramwari Secondary School said school authorities had closed the school because teachers had failed to turn up due to problems with transport caused by the riots. Local buses, most of them with broken windows from the riots, ferried workers into town. Some motorists unsure of the safety of their cars along the way took buses and left cars behind.

Soldiers recovered tins of beef and beans, packets of rice and empty soft drink crates in maize fields near Domboramwari Shopping Centre. Police briefly held suspects in connection with the alleged loot. A man suspected of having used his truck to carry the loot was questioned and later released.

Thursday, 22 January 1999

Although Harare was much quieter on Thursday, there were still reports of incidents from many suburbs. The major activity was in centres outside Harare. The effect of putting the army into the situation had been a dramatic reduction in incidents. Outside Harare, the unrest continued in areas in Mashonaland West, Mazvingo and the Midlands. Very few incidents were reported from either Matabeleland North or South.

Press Reports

HARARE
Although the Government appealed to schools to open, most school in the high-density suburbs remained closed. Only a few in the low-density suburbs remained open. Some parents had withdrawn their children when the riots began while others were asked to withdraw their children from boarding schools because of food shortages.

Chinyaradzo Children's Home ran out of perishables during the strife forcing the matron, Mrs Stella Mesikano, to ask for police escort to look for mealie-meal. One resident ended up giving five dozen buns to the home for the 63 children housed there. However, Harare Children's Home director, Mrs Maria Sithole, said they had just managed to meet the food demands of the 70 children at the home. The stocks had dwindled to very low levels.

Because of the tranquillity in Harare, the Government said on Wednesday that the defence forces will remain deployed until the situation normalised to its satisfaction, and also dismissed rumours circulating in Harare that some people had been shot by the army as false. It urged those who were

threatened for operating their business to report to their nearest police station. It was reported that goods worth Z$2 million had so far been recovered during the door-to-door searches. Most of the loot included toiletries, blankets, electronic items and clothes. It was reported that police had arrested more than 1 300 people who were believed to have taken part in the food riots in which millions of dollars worth of property was looted or damaged. At least 253 suspects had already appeared in court to answer allegations of public violence while the rest were expected to appear in court. Most of the arrests were made in Glen Norah, Glen View, Mabvuku, Waterfalls, Braeside and Mbare where the riots were mostly concentrated.

Mabvuku
Fifty residents of Mabvuku, comprising mostly women, appeared at the Harare Magistrates' Court on charges of public violence. They were alleged to have been involved on Monday in the food riots against sharp price increases in basic foodstuffs, destroying and looting goods worth Z$50,000 at Kamunhu and Donnybrook **s**upermarkets in Mabvuku. Only Z$10,000 were recovered. The suspects were remanded in custody to February 5 by regional magistrate Mr Cleopas Kashora. They were not asked to plead. Although the alleged looters, who ranged in age from 17 to 77 years, were brought in the courtroom in two groups, they still could not fit into the dock and had to stand in a semi-circle across the front of the packed courtroom. An application for bail by 77-year-old Daniel Master of New Mabvuku on ground of ill-health and that he was just a suspect was denied by the court.

“The police are still investigating and carrying out raids on suspected looters. They have not been able to handle the situation and had to call for support from the army. Therefore, granting you bail would be prejudicing the noble task by the police to retain law and order", said Mr Kashora.

Another group of 32 suspected looters also from Mabvuku suburb appeared before the same magistrate on Wednesday, 21 January 1998. They were remanded in custody to 4 February 1998.

Central Business District
The central business district was a hive of activity as normality returned to the city and most of the suburban shopping centres. Industry, which had also closed due to the riots, opened on Wednesday although there were some who were not sure of the security situation. It was brisk business for most shops as they opened for the whole day for the first time since the riots began on Monday, 19 January 1998. Some shelves were empty as people re-supplied their foodstuffs. However, the shops themselves were not getting supplies to replenish depleted stocks because of the closure of business by industry. Mealie-meal, whose price was at the root of the three-day disturbances, was sold out in major supermarkets. People queued at home industries to either buy or grind maize at hammer mills. Members of the ZNA who were deployed on Tuesday, 20 January, kept guard at most shopping centres.

CHITUNGWIZA
Looters were found after getting drunk on stolen liquor in an office in OK Bazaars at the Chitungwiza shopping centre. Old Mutual, whose Town Centre structure was reduced to ruins, was yesterday assessing the damage to its properties in Graniteside industrial area as well.

“While the damages are fairly extensive, the society will endeavour to have the repairs carried out as soon as practically possible so that normal business may resume", said the society's executive, Mr Graham Hollick, in Harare on Wednesday.

MARONDERA
Police in Marondera said business came to a standstill as a precautionary measure when a rumour swept through the town that a group of people were marching on the town from Harare. However, a roadblock was mounted to prevent people coming to disturb peace in the Mashonaland East town. The roadblock also served to prevent people from relaying goods looted in Harare to their rural homes.

MUTOKO, MUREWA & RUWA
Some shops at Mutoko, Murewa, and Ruwa service centres had their window panes smashed and goods looted during the disturbances.

NORTON
In Norton, a CABS building had window panes shattered and an automated teller machine vandalised when the rioters tried to steal money. Two people were arrested. Officer-in-Charge for Norton Inspector Sam Chionyere said those arrested would appear in court.

BEITBRIDGE
In Beitbridge hundreds of residents took to the streets on Wednesday, 21 January, to demonstrate against escalating food prices. The commercial business sector of this small town shut down but police sealed off the border post. The demonstrations started at the Dulibadzimu bus terminus where about three buses were pelted and damaged while a police Santana had its windscreen damaged extensively. Taxis were hurriedly driven away from the terminus which was deserted within a few minutes. Led by touts and slogan-chanting women the crowd besieged Dulibadzimu police base before attempting to march to town. Police and members of the National Army formed a human wall along the road dividing Dulibadzimu high-density suburb and the town. All demonstrators were turned back and started blocking the roads with stones. Police used teargas to disperse crowds.

“We have made sure the border post remains functional", Chief Inspector Shoko said. It was suspected to the demonstrators were bent on going to the border post to loot the State warehouse.

Police said that those arrested would be charged with public violence. Chief Inspector Shoko said some houses had been hit and damaged by demonstrators who at one time moved from door to door demanding that people join the demonstration. Although police were in control, reinforcements were expected from Gwanda and other Matabeleland South stations.

GWERU
In Gweru, property worth more than $400 000 was either destroyed or looted on Tuesday, said Midlands police spokesman, Inspector Godfrey Madzikanda. He said 49 shops and 41 cars were damaged during the demonstration. By Thursday Police still had not identified the person shot dead by police in Mkoba on Tuesday.

MUTARE
In Mutare, police arrested 74 people in connection with Wednesday's spontaneous demonstration in which goods worth thousands of dollars were looted at one of the city's supermarkets and several cars had their windscreens smashed.

Human rights violations

There were reports in the press of human rights violations being perpetrated by the security forces, although these were described in the press as cases of “Manhandling”.

Although there were isolated cases of the military manhandling suspects and members of the public, the situation had mostly reverted to normal. Staff from the *Herald* saw a group of suspected looters alighting from an army truck at Old Tafara shopping centre. They were in the company of 10 soldiers and three police officers. One soldier ordered those alighting to do so with their loot on their heads, in this case empty crates of beer, and empty beer bottles in their mouths to jump out of the truck. In another incident, the soldiers stopped a commuter omnibus and ordered the eight passengers to alight before telling them to proceed with their journey on foot.

Although welcomed by most peace-loving residents, there were tales of harassment of members of the public as they helped the police conduct door-to-door searches. Residents from Chitungwiza, Mabvuku, Tafara and Kambuzuma complained that even the innocent were being harassed by the military as they helped the police conduct door to door searches.

Friday, 23 January 1998

It was announced in the press that property worth more than Z$4 million had so far been recovered in Harare and Chitungwiza as an extensive search jointly mounted by police and the army widened. The public were reported to have been supplying information to police on the possible areas where looted property was hidden.

“This co-operation from the public has seen us recover property worth $4,44 million since the beginning of the exercise on Monday evening", police said on Thursday, 22 January.

More suspected looters, including a 13-year-old boy, appeared on Thursday at the Harare Magistrates' Courts facing charges of public violence. A court official said on Thursday that the court had decided to remand all other cases to a later date to enable it to clear cases involving public violence. He reported that about 1 300 rioters were arrested in Harare alone. He added that all court officers would be on duty today, Friday 23 January.

Under the guard of armed policemen and soldier, looters filed in long queues into courtrooms. In one courtroom, 31 rioters from Kuwadzana, Graniteside and Mufakose appeared before Magistrate Mr Wilfred Chipato. Mr Chipato had to order half of the audience in the room to follow the proceedings from outside the courtroom to make room for the suspects. Most of the suspects claimed to have been assaulted by the police. They were all remanded in custody to February 6 although they pleaded with the magistrate to be able to report for work, school, or attend to their children. They were not asked to plead. The State alleged that 13 of the 31 arrested persons stoned vehicles, supermarkets and looted at Kuwadzana Shopping Centre. It is also alleged that another five stoned vehicles, broke shop windows and assaulted people in the Graniteside industrial area while the remaining 13 were charged with looting tuckshops and shops in Mufakose.

“… The defence forces will remain deployed until the situation normalises to their satisfaction," said a Government statement. It also said 2 300 arrests had so far been made and goods worth Z$2 million recovered. A cordon and search operation was in progress.

Human rights violations

Police admitted on Thursday that a number of people were shot and some killed during the just-ended Food Riots which began on Monday, but not all of them by police. Ten people were shot and injured by the police during the food riots. Eight of the injured were shot in Harare and Chitungwiza. Gunfire from shop owners and security guards injured five others in Kuwadzana and Chitungwiza. All shooting incidents, in which four people died, during the just-ended food riots will be investigated regardless of who was behind them, police spokesman Superintendent Wayne Bvudzijena said yesterday. In a statement, Supt. Bvudzijena said 12 people were injured by gunshots.

“Even where the shooting was by the police, we will investigate", Supt. Bvudzijena said.

Two of those shot were suspected to have been shot by police, one in Mabvuku and the other in Gweru. A third is believed to have been shot by a shop owner in Chitungwiza and the fourth by security guards in Kuwadzana. It was claimed that the army had not fired a single shot since it's deployment to beef up security in Harare and Chitungwiza's high-density suburbs**.**

In Harare, Redias Musoni (7) of Budiriro was hit by missiles from looters and was rushed to Harare hospital where he died. The missiles were mainly stones and bottles. Calisto Tawanda (30) sustained a broken leg after falling into a disused pit latrine and was conveyed to Parirenyatwa Hospital where he died on admission as a result of excessive bleeding.

Overview

The press reports do not really provide a very good picture of the events, and there has been no subsequent detailed overview of the Food Riots. The press reports have many contradictions and repetitions that make it difficult to get a clear picture. For example, there are very conflicting reports of the number of persons killed and injured, and equally conflicting reports of the numbers of arrests and the damage caused. Given the scale of the disturbances, the calls for a commission of inquiry that could produce accurate documentation of the Food Riots have great significance.

The need for accurate documentation is given added impetus by the ZRP report.[26] The ZRP report attempts to provide an overview of the events, and conforms to the general picture given by the press, but is very unhelpful in its brevity, quite apart from making some assertions that definitely require support. For example, the report claims that businesses were threatened by gangs without

26 Police Report on the Food Riots: Issued by ZR Police General Headquarters, *The Outpost*, June 1998.

stating any justification for this view, and, furthermore, claims that other business received threatening faxes from “pressure groups”: the nature of these pressure groups is unspecified and needs to be if the ZRP report is to have any real value. Most disappointingly, the ZRP makes no reference to deaths or injuries, which clearly are of extreme concern to all.

The report also makes reference to the deployment of the army, “as provided by the Defence Act”, which says very little about who or how this decision was made. It is of paramount importance to understand the decision-making behind the deployment of the army, and civil society would wish to know whether this decision was made by the Minister of Defence, the President, the Vice-Presidents or whoever. Finally, the section on the police reaction is wholly unsatisfactory.

The report asserts that the situation was brought under control “through extensive use of minimum force”, which is clearly at variance with all other reports. The lack of reference to deaths and injuries is unsatisfactory to say the least. The reference to the number of arrests and the value of property recovered is also interesting. The ZRP report claims that property to the value of Z$4 billion was recovered, which needs to be matched with insurance claims and estimates of damages generally.

4. Analysis of Arrests, Charges and Convictions after the Food Riots

This section outlines the findings from an investigation of the legal proceedings taken against rioters in the Harare and Chitungwiza Magistrates’ Courts. It is thus necessarily a select group and cannot claim to be wholly representative of the legal proceedings that took place throughout the Food Riots, and does not include any data from other areas of the country, but the data does cover the areas in which the disturbances were arguably the worst.

It is worth recapping here on the reports emanating from the press. The reports show very conflicting numbers of arrests. According to the *Herald* (22 January 1998), a police spokesman reported that 2,300 person had been arrested in Harare and Chitungwiza alone. A court official (*Herald*, 22 January 1998) reported that over 1,000 persons had been arrested in Harare alone. No Government official has indicated subsequent to these newspaper reports what the final figures were. The ZRP report indicates that 3,000 persons were arrested, but gives no indication of the number finally charged and sentenced.[27]

Harare

As can be seen from the Table below, we report on a total of 750 cases. The cases were drawn from Braeside, Glenview, Harare Central, Hatfield, Mabvuku, Machipisa, Marimba, Southerton, Warren Park, Waterfalls, and a large number from unidentified — “Unspecified” — suburbs.

Table 2
Legal consequences for Food Riots cases in Harare
[n=750]

warrant issued.	withdrawn before plea	withdrawn after plea	remand refused	remand	acquitted	suspend sentence	fined	prison
21	102	38	407	18	45	1	14	84
3%	14%	5%	54%	2%	6%	0.1%	2%	11%

As can be seen, the great majority were discharged either before pleading or at the remand hearing. In fact, 14% were discharged before pleading, 5% were discharged after pleading, and 54% had their remand refused at the remand hearing, making in all 73% being released after periods in excess of three weeks already in remand. In addition, a further 6% were acquitted of the charges. Of the remainder, 13.1% were convicted of the charges, with the great majority receiving custodial sentences. The sentences were generally severe, about 12 months on average, whilst the fines imposed were rather moderate, about Z$250 on average. The data did not allow us to determine the charges for which sentence was imposed, which is a pity as it would be useful to know whether custodial sentences were being imposed for theft or for public violence.

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Table 3
Legal consequences for Food Riots cases: Comparison of different suburbs

	Braeside	Glenview	Harare Central	Hatfield	Mabvuku	Marimba	Unspecified areas	Warren Park
Warrant issued	1	2	0	7	4	1	6	0
Withdrawal before plea	0	3	14	5	36	16	24	4
Withdrawal after plea	2	1	1	11	11	10	2	0
Remand refused	1	226	25	14	66	46	22	7
Remand	2	1	0	6	4	4	0	1
Acquittal	10	6	3	1	3	20	1	1
Fine	0	2	0	0	10	0	2	0
Prison	3	41	3	0	18	0	15	3
Suspended sentence.	0	0	0	0	0	1	0	0
Totals:	**19**	**282**	**36**	**44**	**142**	**98**	**72**	**16**

As can be seen from Table 3 above, there are considerable differences between the different areas, but the general trend is the same: many more people are discharged than convicted.

In the cases from Hatfield, virtually everyone arrested was released unconditionally or remand refused, which was also true for Marimba. There were higher conviction rates in cases from Mabvuku and the Unspecified cases.[28] However, the general trend remains similar in the cases from all the suburbs: many more people were arrested than were convicted, with the vast majority having applications for their remand refused at the remand hearing. There is no data on the outcome for those who had their remand refused, and thus it is not possible to determine how many persons have been subsequently discharged or convicted from this sub-group.

Chitungwiza

The data from Chitungwiza shows a more complete picture. Data were obtained on a total of 681 cases, and, as can be seen from Table 4 below, the picture is very different from the Harare Magistrate's Court.

Table 4
Legal consequences for Food Riots cases in Chitungwiza
[n=681]

Withdrawn before plea	Withdrawn after plea	Wholly suspended sentence	Fined	Imprisoned	Community service	Cuts	Other
310	185	19	0	113	4	33	17
45.5%	27.2%	2.8%	0	16.6%	0.6%	4.9%	1.03%

Firstly, there is a complete absence of information on whether remand was refused for those charged. This would tie in with the press reports of large numbers of persons being brought swiftly before Magistrates in Chitungwiza. Secondly, the state withdrew cases or had cases dismissed against the overwhelming majority (73%) of the cases, so that the arrests were not sustainable on the evidence produced by the ZRP.

Thirdly, there were a very high number of persons given custodial sentences (17%), and this is of great concern if these sentences were given on the basis of warned and cautioned statements produced under duress. This deserves review at the soonest possible date. It is distressing to see that no-one was given the option of a fine, or at least no-one was able to take advantage of this option if it was offered. Fourthly, the number of persons given cuts were all juveniles.

No breakdown was available for the areas of Chitungwiza involved, so the data cannot reflect any distribution for these cases.

Conclusions

28 Unspecified here means that the area could not be established from the court record.

The data from the courts does not support the impression given by ZRP spokesmen to the press at the time, nor does it conform to the report issued by ZRP Police General Headquarters.[29] There clearly are not large numbers of "looters" or people being convicted of violence: **over 70% of the persons arrested could not be convicted on the available evidence before the courts**. The investigations by the ZRP were unable to support credible charges and resulted in very few convictions. It may also be that many of those arrested were arrested by the army, and unsurprisingly, the soldiers of the ZNA were unable to formulate proper charges or carry out proper police duties. This is not to say that there was no theft, looting or public violence, merely that the police work was inadequate to support many charges. The data also supports the notion of "drag-net" arrests, which were alleged by many, and this is of great concern when there are credible allegations of widespread torture and ill-treatment for those detained (see case below).

Table 5
Legal consequences for all cases from Harare and Chitungwiza
[n= 1431]

warrant issued.	withdrawn before plea	withdrawn after plea	remand refused	remand	acquitted	suspend sentence	fined	community service	cuts	prison
21	412	223	407	18	45	20	14	4	33	197
1.5%	28.8%	15.6%	28.4%	1.3%	3.2%	1.4%	0.9%	0.3%	2.3%	13.8%

The number detained is of great concern when it is learned subsequently that so few — only 18% overall — could be convicted in a court of law. Firstly, there are *prima facie* cases of unlawful arrest and illegal detention that need to be considered. Many of these people were detained for periods in excess of two weeks, and suffered considerable hardship during that time and even afterwards. It is important to point out here that a *prima facie* allegation of being a criminal can result in people losing their jobs, being shunned by neighbours and their community, quite apart from the actual hardship experienced during incarceration.

Secondly, detention may well have lead to further human rights abuses. There is virtually no data about the conditions in the prisons at the time of the Food Riots, but it is not difficult to imagine that the injection of a further 2,300 persons into the prisons in and around Harare must have aggravated the existing overcrowding and produced extreme discomfort for all. The Zimbabwe Human Rights NGO Forum has seen only a single person who was imprisoned after the Food Riots, so we do not have good data on the situation in the prisons. However, according to the one report that we do have, this person alleges that there was widespread torture and ill-treatment at the hands of the ZRP in particular.

Thirdly, this leads to concerns about those convicted. Bearing in mind that 78% of those convicted were given custodial sentences this is not a trivial issue. There has been no attempt to establish how many persons may have been subjected to torture or duress, and, since the NGO Forum has received credible reports of persons being convicted on warned and cautioned statements obtained under duress, there must be considerable concern that many persons who were convicted were convicted inappropriately.

Fourthly, there are credible reports that there was interference with the justice process by members of the Government. It is reliably reported that a meeting was held between senior members of the ZRP, the Attorney-General's Office, senior magistrates and possibly some Ministers, at which it was agreed that bail hearings would be delayed and remand hearings postponed. This is given additional significance by the decision of the Attorney-General not to proceed against the Mayor-Elect of Chitungwiza, Mr Macheka, a decision that was roundly condemned by civic society groups and legal groups. The inference here is that there could have been some kind of cover-up for human rights violations.

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In conclusion, this analysis of very scanty data gives considerable cause for concern. The allegations of drag-net arrests seems borne out by the very high rate of discharges by the justice machinery, more than 70% having the cases against them dismissed. There is also the concern that the lengthy periods of incarceration, apart from being an infringement of civil liberties, may have led to experiences of torture and ill-treatment and much more serious infringements of human rights. There is finally the concern that there may have been political interference in the justice machinery. All of these concerns need to be dispelled by an open investigation into the events around the Food Riots, as was requested by the Zimbabwe Human Rights NGO Forum and the UN Human Rights Committee.[30]

5. The Food Riots — Case study in Mabvuku

Since the press reports were confused and it was difficult to verify events, especially in respect of human rights violations, it was decided to undertake a case study of one area involved in the Food Riots. Mabvuku was chosen because of the frequency with which it had been mentioned in the press reports.

To re-cap what is known about Mabvuku it should be noted that persons from Mabvuku comprised nearly 20% of the arrests seen at the Harare Magistrate's Court, and the suburb had one of the highest percentages (20%) of the persons convicted. There were allegations by Mrs Margaret Dongo in the House of Parliament that the rioting in Mabvuku was precipitated by members of the ruling parties Women's League, and allegations of brutality by the uniformed services in Mabvuku were also made in the House by Mrs Pamela Tungamirai. [31] Since Mabvuku seemed to offer a good example for a case study, it was decided to test the data from the newspaper reports and the courts against interviews in the community.

Methods

A key informant approach was used, taking the contacts from a person who lived in Mabvuku and who knew the area well. The interviewer approached various people known to the key informant and asked the person whether they were willing to be interviewed about the events around the Food Riots. If the person agreed, an appointment was made to conduct the interview. A standardised interview format was used for the interviews, which took the person through the week of the Food Riots, day by day, as well as asking for any other comments or observations that the interviewee wished to make. All interviews were taped and notes were made at the same time. All persons interviewed were read a pro forma explanation about the purpose of the interview, given a guarantee of confidentiality, and asked to sign an acknowledgement that this procedure had been followed. Copies of all instruments used are provided as an Appendix (see Appendix 3).

This procedure generated 12 interviews in all, although a total of 35 persons were approached. Most persons declined to be interviewed, with the major reason being given as fear of getting into trouble with the authorities. This was interesting in itself, and suggests that one of the long term effects of the violence was the creation of a climate of fear, and specifically fear of the police and the army.

The data from the interviews was then compiled and has been used as illustrative of the various human rights themes that emerged from the reports about the food riots. We have not attempted to report the interviews in detail, but the data is available.

The causes of the Food Riots

People had some idea about the strike ahead of the disturbances on Monday, 19 January 1998, which is indicated both by the press reports and the ZRP General Headquarters Report. They were aware both of the reasons and the fact that some "planning" had gone into at least the initial protests.

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30 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*; UN HIGH COMMISSION FOR HUMAN RIGHTS (1998), UN Human Rights Committee: Consideration of Reports Submitted by States Parties under Article 40 of the Covenant. Concluding Observations of the Human Rights Committee: Zimbabwe.

31 Ministerial Statement, Zimbabwe Parliamentary Debates, Vol.24, No.53, 2903-2929.

> It was the prices of food, the high prices of food. So they were not happy about it. I think the mealie-meal had gone up, and this had gone up, So many people were angry about it. So when I came here, I opened here then I went out, I locked the gate, I went to see the situation outside, unfortunately it was when it started happening.
>
> I think it was just a few people. I never got that … People were saying we are … Over the weekend? People were talking about the strike that we were going to have a strike, we are not going to work, this and that.

Most people had a clear idea of the beginnings of the disturbances in Mabvuku, the sequence of actual events as they took place. There was concurrence between those who directly witnessed the beginning, those who came later, and even those who merely heard about the events.

> First Coca-Cola, then Dairy board truck then Tafadzwa, then Bata, Then they came to Prices. Then they were here, they wanted Marowa. So that's when the police came. I think the problem was that there was no police at the time it started. There were only four of they … The crowd was throwing stones at them. They were only four, so they were throwing stones at them so they had to run away. And one Santana was burnt to ashes. That's when the police came, but people had already gone out of there and most of the damage was already done. And most of the stores were looted. There was nothing.
>
> What I can simply say is the first time people were here, destroying the shops. Getting inside the shops. Taking food stuffs. The other ones ... what I remember is that they entered that Bata Shop right over there (points in that direction). I was right over there. So they break and get inside. They first took the shoes which was displayed. Later on they break into the inside, so they were taking pairs of shoes outside.
>
> There was a Coca-Cola van which had come for delivery at the Tsokachena supermarket, then a certain group of guys came and they started taking the drinks from the delivery van. Then within a few hours there was a crowd, a lot of people. Those guys they were taking the drinks and taking them home. So those people in the community saw the drinks and they came to collect them they off- loaded the whole truck, Then from there the crowd was getting bigger and bigger.
>
> I remember it was in the morning, at around 10 when I wanted to go to Chisipite, Kamfinsa I wanted to go see a friend of mine, who was working there. So I came here (to the shops) and there was people all over. I waited for transport around the shopping area. So I waited for transport, some lift, or whatever, buses. By that bus stop there. On the corner, I couldn't get one. So I started to go back to my place. I started walking, walked and walked. The people, they were around these shops. They were telling the shop owner to close. That's what I saw. I didn't come near. I wasn't all that near that I could see what was really happening, around this place. So I just sort of ignored the people. I'm not interested in crowded places, where there are so many people, you know, that start to be violent. So I had to go back, my way home … I saw some people coming. And there were some riots police. The said they were coming here (to the shops) to investigate what was taking place. Stop the people from breaking the stores I think, I didn't have any problems I just went home. I got into a pub. You know that pub, Red Bull, near my place, with some other friends. We started drinking beer. That was around 11. We were there drinking, drinking. Whilst we were in the pub we heard that the other bottle stores, which was near that place, called Makwavarara, they broke in there. I just heard from some people whose I was in the beer hall, drinking with a lot of friends. It was those people who were collecting who had seen the action taking place, telling stories. We said, "Here we are safe"' cause we don't break, we just drink here, no breaking, Drinking -drinking. Then some time when the riot people came, police. Then they fired some tear gas.
>
> On Monday I was at the new stands (in Mabvuku) in a house. The ones right next to Maresa beer hall. We heard a lot of commotion. So I went up, I started to go in the direction of the commotion, and I was told by people, Don't travel there.

One person was not in the suburb on Monday, 19 January 1998, but was in hospital and there witnessed the effects of the riots in the persons being brought in for treatment.

> The riots started on Monday morning, but unfortunately I was in hospital. When I was at Harare Hospital I saw the people coming in injured, you know. They said there was a strike, that people were being beaten, some are being shot not by the police.

As can be seen from the above testimonies, there is general concurrence about the beginnings, and some of these eyewitnesses corroborate the newspaper reports. For example, the looting of the Coca-Cola truck and the Bata shoe store are reported by these persons. The interviews also give an idea of the scale of the riots, and the ways in which the life of the whole city was disrupted. As the person who was in hospital on the Monday pointed out:

> So when we were out, there were no cars, or buses to take us to town, from Harare Hospital. I was in pain that I slept outside waiting for anything which might came, till 7 o'clock. There was a combi that was saying "town, town" So my mother helped in that car, and we take him to town. It was quiet in town. All the streets were full of stones and the stones and things were put on the road blocking the traffic getting in town. So we had to walk from there to get another bus to Mabvuku. We walked and it was quiet, and the police are saying, "Go home, we don't want people here!" was late, half past 8 you know, so we had to look for a bus. Fortunately there was a bus to Mabvuku. They said "We can't go in because the roads are blocked, and the people are burning buses, the combis, everything … there wasn't thing getting into there."

Others pointed out that life continued to be disrupted during the week, not merely on the Monday.

> That, on Tuesday, I come here, and I opened and I closed early because the situation was out of hand. People were still grouping. Some would come and attack the shops. So no one was supposed to be seen. So, Tuesday night, that's when the soldiers started coming to the houses, at night. Then what did you get from the shops, whenever you were seen with anything from the shops they were going to take that and you as well. So, they came and knocked the doors, at my place it was around 12.30 in the evening. They were searching the whole house. If there would find anything they would take you out, then they would… the police would come and collect those people and their items, and take them to the police station. So, on,… this happened on Tuesday, wed they were busy searching every house.

The events

It is evident from the interviews that the riots had an enormous impact throughout the suburb, and also an equal impact upon the people living there.

> I saw a scene of devastation, a scene of chaos…, the police were out of control. That was fairly obvious, and they didn't know what to do and they were thrashing around and grabbing just anybody. There was no clear police plan. The police were… innocent people, I presume, were just thrown into trucks for being there. There was no proof that anyone had rioted. Some people, like me, had just come to see. Or came to see if they could help. And then, of course, tear gas people back too. There was a lot of tear gas in the air so that's really it…. My limit… because my people kept on begging us not to go to the townships, they said, 'They'll burn the car. People are so angry they are just coming at anyone. That's about it, the limit of my involvement."

The disturbances continued on the following day, Tuesday, as several of the interviewees pointed out.

> On Tuesday afternoon there was another man who took a leg of meat and he run with it. Some other women took some beer, Chibuku, they run with them. Some took some sugar, cooking oil, salt, and so many things, and the police came and took them to the police. And then, on Wednesday I didn't see anything. I didn't walk, I was still at home. And the shops, all the shops were closed from Monday up to Wednesday. Ah, they opened the shops on Thursday, but not very open. There was fear about soldiers and there were people who were saying don't work, and don't buy anything. That's what I saw.

Several of the interviewees also make it plain that vigorous searches ensued on the remaining days during that week. Their comments make it clear that both the ZRP and the ZNA were involved in these searches.

> The following day it was Tuesday, I was sleeping because I was in pain. I saw soldiers. They were in. On, Monday night there were those policemen with cars you know just walking everywhere and they were picking up the people …. You know, there was of violence that (Monday) night. So on Tuesday then ugh, I was sleeping at home. Then I heard a knock. Unfortunately I couldn't go to attend that service. But they came in, because the door was not locked. So they came in. So I was in bed.

Overall, the interviews confirm the general impression given in the press reports about Mabvuku and Tafara. The riots began early on Monday, 19 January 1998, but there had been indications over the weekend that there would be a disturbance of some kind. This is also admitted by the ZRP report, but clearly the ZRP had no conception about the likely scale and were woefully understaffed. It does not appear that the claim by the ZRP that "police quickly mobilised and reacted to the situation in all areas" is very accurate, and most interviewees describe a situation of chaos until the intervention by the ZNA on Tuesday afternoon. One interviewee puts the arrival of the ZNA at some time on Tuesday afternoon, 22 January 1998, which seems corroborated by others.

Shootings

In the ZRP report there is no admission of shootings, although they do report the use of tear gas. The ZRP were clearly trying to control the disturbance by conventional means — tear gas and rubber bullets — but this seemed to infuriate the crowds who retaliated. It seems that the retaliation and the determination of the crowds to loot intimidated the ZRP, who then had to resort to increasingly more violent means of control. In one case, the shooting may have been a direct act of revenge by angry policemen, as is alleged by one eye witness below.

> They were using tear gas and they were using some rubber bullets. Yeah, just firing into the crowd. They shot the warning, but people they still wanted to keep on coming to the shopping area, so that's when they had to end up shooting. There was one soldier who was attacked by a stone, So, when I went to the supermarket that's when I heard them talking. "I'm going to revenge someone must die." He had a wound from (the stone.) So I think that the soldier shot the woman.

It is difficult to be certain whether the person doing the shooting was police or army, and the one eye witness does not make a clear distinction between the police and the army.

> She was shot and she fell there. And the soldiers said, "No, we don't want anyone helping her. She must get up on her own and go to the clinic." So the woman stood up on her own and went to the clinic. She was running from there. (The shops) Most of the cops they were standing there, others they were grouping there. So she was running from that side and the soldiers were somewhere here. So they shot her ands she dropped there.

This was not the only person shot, and another eye witness saw the body of a person who had been shot.

> There was another one who was shot but I didn't see how it happened. I just saw him falling there. Then he was carried in a car and he was taken to hospital I think.

The use of tear gas did not seem wholly strategic as alleged by the ZRP report, for, as one witness reports, places where there was definitely no riotous behaviour were tear gassed.

> We said, "Here we are safe because we don't break, we just drink here, no breaking... Drinking -drinking." Then some time when the riot people came, police. Then they fired some tear gas. I think they were firing them to the people who were drinking outside , on… in the bottle store, outside the bottle store... Some ….those tear gas, they come, to disturb us all. The fumes. So, all the people were angry. They climbed the Durawalls, of that pub. Of that beers garden. You know that we scaled... But later on they had gone.

The data here does not bear out the claims of minimum force. Most of the people interviewed reported very widespread use of tear gas, which may also have had an inflammatory effect of the crowds, and certainly this was so in the riots in December 1997, where many observers attributed the violence to the heavy handed actions of the ZRP. Indeed, it has been a frequent accusation by human rights observers that the tendency by the ZRP to quickly resort to tear gas seems to exacerbate rather than ameliorate violence. This would seem to have been the case in Mabvuku during the Food Riots.

Dragnet searches

Since the ZRP were unable to control the looting in any way, the next response would have been normal police inquiries as a follow-up. This did not take place, and instead dragnet searches, with both ZRP and ZNA details, became the order of the day. Normal policing methods do not seem to have been followed, and all witnesses are agreed that these were highly intimidatory, involving assaults and humiliating and degrading treatment. This is a far cry from "manhandling" as alleged by the state media.

> I think it was on Thursday. At this area, they used to go through areas. (pointing to behind the women's centre). So Thursday morning they would not allow people to get out of their yards. They know if they allow people to get outside their yards or their gates. People were kept so they could come and see anyone at home.
>
> So hence there was a reign of terror in Tafara/Mabvuku. I mean, they did door to door. And anybody with anything remotely now was a suspect. And people couldn't prove where they got this 5 kg. There was a lot of questioning of children. And they were totally uncaring whether it was women or pregnant women. That was the thing that shocked me.

As Mrs Tungamirai alleges in Hansard, there were brutalities in Mabvuku and Tafara[32], and this is amply borne out by the views of all of those who were interviewed. This is completely at odds with the assertion by the ZRP that "this was achieved through extensive use of minimum force". [33] In fact, the converse may be asserted: that control was achieved through extensive use of maximum force.

Police brutality

There are numerous reports of police brutality in Mabvuku. This is asserted by all the persons interviewed. The brutality ranged from humiliating and degrading treatment through to torture.

> There were two brothers. They were told to fight each other then and there by soldiers. The other one said "No, I can't fight him, he's my brother." They beat him with a baton stick (three soldiers and three police). They moved together (the soldiers and police). Even if you looked at them they would say "Why are you looking at us?"
>
> There was this other guy who had shouted at them, "Why are you firing tear gas, we didn't act violently with you, we didn't break anything, he, we are drinking safely." He was beaten. He was beaten up. By the police, the riot police. (Question: What did they use? To beat him?)The baton stick. Those black baton sticks. Yes standing, they just hit him anywhere. They didn't feel…. They didn't give a damn what, what place they were hitting on him on the body, just hitting. They just left him like that. They hit him and they just leave him. They didn't take him with them, And they had gone.
>
> One of the policemen. I'm not quite sure if he was a soldier, or a policemen also. But the other police was wearing blue. Blues. You, know those blues. The riot police. And they were all armed. And they stopped me. I had finished my beer. I had just about a quarter to finish my beer. And they said "You, come here!" I didn't argue with them. Then they asked me " Where are you coming from?" I said I'm coming from the beer hall. "Which beer hall are you coming from?" They said. The Red Bull, it's open. They said, "No there is no beer garden, beer place, which is open today. There is no bar which is open today. Everywhere is closed."

32 Ministerial Statement, Zimbabwe Parliamentary Debates, Vol.24, No.53, 2903-2929.

33 Police Report on the Food Riots: Issued by ZR Police General Headquarters, *The Outpost*, June 1998.

> I said, No, I had to tell them that public bar was open, The Red Bull bar. And it was open. So many people were there drinking, together. So we started arguing and they stated hitting using their guns, the butts, They hit me, I said, No, you can hit me but I'm telling you the truth. That's the only truth I can tell you. I said, If you want I can accompany you to that public bar. And you can talk to the people who were there, the manager, and whoever, they know me. Everyone there, they know me. They saw me, I was drinking beer since afternoon, since morning. They said, "You are talking shit, you are giving us shit, so you have to learn a lesson." They hit and hit. I said, No, it's okay. You are going. Then on one way when we were going to the police camp they said "You are going to a police camp." When met this other police truck. They stopped it. Then we got in that car. On our way to the police, when we were still outside, we did u- turn, it was coming to the other side, so we had to do a u-turn so that he can go to the police camp.

These brief extracts convey an impression of highly intimidatory behaviour by the ZRP, and this is given all the more substance when the next section, that concerned with those requesting assistance from the NGO Forum, is read.

Army brutality

It also clear that the ZNA were involved in the commission of human rights violations, and this is of greater concern because soldiers do not generally have training in the use of minimum force. The decision to deploy soldiers therefore must require an extremely serious situation to justify the risk of exceeding minimum force.

> So I was standing outside on the veranda, watching through the Durawall, on top of the Durawall. They were no mercy those soldiers, I tell you. They whipped the person and the step on his head and whip him until he said anything which he doesn't do. Sometimes, the soldiers would say that day "Get inside". So I was taking the bench which I was stepping on. They said "Get inside or I will come there". So I was afraid to be whipped with that whip so I got inside and I opened the curtain and I was peeping through the window, to see what was they doing. They were harsh. They hit a person without anything, even, they would say "You were there", then they would say, no I was at school. The kids just small kids, they were kicked so that they could tell, "No , my father got there and loot, such things" . So they come to the houses, they slap a kid so that he'd say out everything that was brought by his parents at home that day, or other relatives or what. And they said, "Just show us where they put it". That 's when they took the person and put them right over there at the shops. They were carried with the things they loot and eh, that person will not… far evidence they took those things and they were kept so that they kept them from the shops and go to the police station with them. That's what I remember.

> The following day it was Tuesday, I was sleeping because I was in pain. I saw soldiers. They were in. On, Monday night there were those policemen with cars you know just walking everywhere and they were picking up the people ….? You know, there was of violence that (Monday) night. So on Tuesday then ugh, I was sleeping at home. Then I heard a knock. Unfortunately I couldn't go to attend that service. But they came in, because the door was not locked. So they came in. So I was in bed. (Question: Who was they?)The soldiers with the red berets. I don't know which battalion is that one, I don't know. But they put red berets. So they came in and pulled off my blankets and said "get out of the bed. The blankets and the pillows are the things you have taken from the shops". I said, But I'm not sick, I didn't go anywhere, and I was in hospital yesterday. They said, " No, you are lying, Wake up and show us the cupboards and the wardrobes". So I had the receipts, you know, so each time I usually keep my receipts, so that I know my budget for the next month. So I showed them and they said okay, "you must go back". They said, " I don't think you are sick, maybe you don't want us to beat you because of the goods you have stolen from the shops". So I said okay. Then they went. Those ones went and I went to bed. Then at about 10 the same day came another group of them. They were soldiers again. But there were about — soldiers and 2 policemen, in the evening. So they said, 'We want the things you have taken from the shops". So I said , I didn't go to the shops. So they gave me the other name of somebody. They said, " We were told that this man is straying here and he has been to the shops". I said, It's only me and my son stays here. And my son is here, he was sleeping in his bedroom. And now he's 12. So I don't know if he's the one you are looking for. They said

> "No, he's not the one, we are looking for a big man". I said, Nobody is staying here". But they wanted to beat me . So I said, who was he, or what happened? They said, "nothing", so they woke up my child. They said, " How many of you are staying here". He said, "Only me and my mother who are staying here. My brother is at school". They were pushing him and holding his collar saying, "tell us, tell us, we want to beat him" . I said, "I said you must's beat my son because he is going to school. You are going to disturb him. He's writing this year, I don't want you to beat my son". So they said ,"You mustn't tell us what to do because we are the people who are asking thing s and we are going to beat this one". So I said started pushing the solider out, then to harassing son. I was so scarred I didn't want them to harass my son . So they said, "Okay". So the other policemen said to the soldier, "No , leave this one, talk to the mother". I just wanted to explain that I wasn't there either. My son was there but he was at school. And what they told me is he came early because my son is afraid. He doesn't want …… he's afraid of violence. So he was at home. But they said, "No, you tell us the truth. We want the thieves you took from the shops". So I took 5 litres of cooking oil and said that was the one which was taken. I said, "If you want you can take it". So the police took the cooking oil to the car. But I don't know what they discussed because later on they brought the cooking oil back. They said, "You can have it, and tomorrow we are coming back you can give us any other information". The following day again, Wednesday, they came again. But a different group also. But they were about 15 now, They were walking around harassing all the people.
>
> Because the army have been dragging people, taking them away, questioning them and searching the houses. I think there was one house where they told me they come to this little girl and they said, "Have you eaten meat this week?" And the little 6 or 7 year old girl, and she said, "yes yesterday". And then they decided that the family had stolen the meat cause … and so they drive the mother away. And accursed her of looting from the shops. And they were really most evasive, the army. Again overtime I tried to exit…… cause also given the p… to the edge, saying, "How did you get in?" One of our students, saw an old man with a new hat coming off a bus. They made the man take the hat off and jump on top of it. And for ages. I saw somebody with a jacket being made to roll on the ground in the jacket, in the dirt. And obviously he hadn't stolen the jacket although they were trying to get him to confess. Generally we were advised we were white, to stay out of the townships. So, my visits, were mainly to the sick and the dying, The whole I said to the army, at one stage, I said to the army, "you know, you are trainees to fight the enemy, these people are not your enemy. They are your own people". But they were, they were like people hungry for action. They've got the DRC now, but they had no action then. They were very tough with people. There was teargassing again that day as well out near the shops, and the Tafara shops as well. We had only thought it was the Mabvuku shops but it Tafara shops were an awful mess . The looting and the rioting had been bad, but… given the poverty of the people, the dispiriting of the people, you can understanding. So, really it's the people on the street who suffered you want to contact. I am afraid that they are afraid to testify. I spoke to several this morning, clearly who suffered, people who were taken off to the cells and prisons. But they just wasn't …they just too afraid. It's really a police state. That's I saw lots of cases of seeing the army being more brutal, I didn't see the police being brutal. I saw the army being brutal.

It is quite clear that the ZNA were involved in human rights violations, ranging from humiliating and degrading treatment through to extreme brutality.

Brutality in detention

Detention is one area in which it has been very difficult to establish the scale of human rights violations. Given the very large number of arrests and the subsequent discharge of most persons, it is obviously important to ascertain.

> Yes, and they took us to some other offices, some other rooms around that place. And they were treating us in a harsh way . We were beaten, I was also beaten. They were giving us slaps. I was being slapped, more than four times, for answering him when he asked, "how many of you say that they are not guilty?" Then I raised my hand, I was one of these. I was near to him so he has to hit me, very hard. He hit me, with his hand. He just slapped me. He said, "How can you say you are not guilty, or you yourself, so you are telling us that the police they don't know what they are doing. They just took you like that?" And I didn't answer

> because I was afraid I was going to be bitten till death. I had to shut up. I had to keep quiet. I was hit…. You know up to now my ears, they don't hear nicely. I've got a problem. I don't know… I kind of hear some words, when you ask, when you are talking to me, I'm having problems with my family. They something, my wife, she says something, I have to have her repeat it again, She must repeat sot that I can get what she's saying. On that day, on that Wednesday, it was a harsh day.

[Question: Can you tell me a bit about the interrogation?]

> What happened when they were asking you question? They were asking us what happened. Why we has acted violently. I was always telling them that you should excuse me because excuse myself because I wasn't involved I don't know anything, I just don't know about what acting violently with the police or throwing stones of whatever, which was violent, I wasn't involved. I was just not involved. So I don't know nothing. So I was bitten with a broomstick again....All over the body. They just didn't came where they hit me. The just hit. And, then often some of the people they were scared. They were scared to death. They had seen some examples which were set on us. So they were so scared that they even admitted throwing stones and doing some foolish thing of which some of these they didn't do...There was another guy. They were about four more guys with me. We were the first people to raise our hands up when we were asked, "How many of you say that they are not guilty of the offences?" That's when we were beaten, because we were the first four, not knowing of some other people which had been beaten in other rooms cause we were put in different rooms. So we were put in like, 20 in a room, cause we were many. More than a hundred I tell you, more than 200 in the cells at central prison. So they were taking us into some rooms different rooms. So we could hear some other hiding, in some other rooms. We could hear some other people being beaten, in some other rooms around there. Surrounding the rooms which we were in….

Humiliating and degrading treatment

Humiliating and degrading treatment was reported by several informants, which accords with both the newspaper reports of "manhandling" and the reports of the victims seen by ZHFNF (see next section).

> It was rainy season. Men were told to sit on wet ground if they were wearing new clothes from the shops. Even innocent people, or men that were drinking beer. There were two brothers. They were told to fight each other then and there (by soldiers). The other one said "No, I can't fight him, he's my brother". They beat him with a baton stick (three soldiers and three police). They moved together (the soldiers and police). Even if you looked at them they would say, "Why are you looking at us?"
>
> And others they were made to lie down or carry stones. Others were ….. Even if you are putting on a suit they would make you to sleep in the drain, because there is dirty water. Many people … aye ….. it was terrible.
>
> We did have blankets. But the place was filthy. They were all with lice. All those lice…. It was really bad. From that I'm having problems with my body. I have to scratch, and when I scratch all the time. I bathe everyday, but I always scratch, and when I scratch I get these, these scabs come out. It's itching all the time (shows me his skin).

Court hearings

Again evidence about court proceedings are also important, and here two persons had interesting observations about the justice process.

> But I, my, I've got my Auntie. Uh, she's now in jail. From Budiriro, Budiriro. She's eh, she's abnormal (points to her head), but they just took her. They said, the police said, "you have taken something?" She just said yes (imitating someone mentally not quite right). But she's not normal. And they take her to the jail. And she's now in jail....She is ill. Very, very ill...She had no lawyer.

> And Thursday morning we were given some tea, with a piece of bread. And that is the day which I was taken to court, with some other guys from this area...to Rotten Row Court, on Thursday. And when we got there we were charged with allegations. The Magistrate just read allegations said that "You are being charged of destroying shops and stores worth so much amount". He just told us as we were around 21, we were taken to court when we were 21, we had about 4 women, old ladies. The rest were men. We were all from this section, Mabvuku and Tafara. So we were being charged of, we were being alleged of throwing stones and destroying stores and shops. And said on charge was, The value of everything which was destroyed was around $40 000, it was worth $40 000 if I'm not mistaken. And they said, no it was worth S60 000. They said $40 000 was recovered, cause $40 000 was discovered. So we were not given any option. We were not given any mitigation weren't given any mitigation. We were just told that "You are remanded in custody until to the 19th of February". And then we were taken to remand holding cells.

Overview

Clearly all these interviews can only be taken as indicative and corroborative, and we make no claims that this is definitive research. Such research was beyond the capacity of the Human Rights Forum, and should be the province of a full scale commission of inquiry. However, the data does indicate that there were human rights violations on a far greater scale than is suggested by either the press reports or the ZRP report. It is also worth commenting that most people refused to be interviewed for fear of one kind or another, and this is perhaps one of the most distressing consequences of the Food Riots: that the actions of the ZRP and the ZNA may have contributed to a climate of fear or reprisals.

The *prima facie* evidence from these reports indicates that shootings, dragnet searches, police and army brutality, brutality in detention and humiliating and degrading treatment took place. It would appear that these took place on a large scale, and the presumption is that the principle of minimum force was exceeded. It is now for the State to rebut this presumption by recourse to proper investigation rather than mere assertion that violence was minimum.

6. Human Rights Violations and Physchosocial Consequences for Survivors during the Food Riots

This section deals with the cases that were referred to members of the Zimbabwe Human Rights NGO Forum, and are based on detailed interviews with all the clients. This section reports only on those persons who have been assisted by the Zimbabwe Human Rights NGO Forum, and thus represents the most accurate detail about the events and the effects of the Food Riots. As will be seen, the data from these people corroborates all the information gathered from the interviews in Mabvuku, and sheds considerable doubt upon the claims that there were no human rights violations perpetrated during the disturbances. Furthermore, most of the persons reported upon in this section have instituted claims for damages against either the ZNA or the ZRP or both.

All persons had lengthy interviews with health workers and legal practitioners. All clients completed the following instruments or schedules during their assessments[34]:

1. **Human Rights Reporting Form.**
2. **Demographic Information**
3. **Self-Reporting Questionnaire (SRQ-8)**
4. **Trauma Questionnaire**
5. **History of Violence**
6. **Clinician Administered PTSD Scale (CAPS)**

Additionally, medical reports were obtained from medical practitioners and physiotherapists where the clients had seen these personnel. Where possible, witnesses were interviewed and affidavits obtained from them. All this data was compiled on to a database, and the following results are derived from the database.

34 Copies of all these instruments are given in the Appendices (see Appendix 4).

All the cases described above were comprehensively assessed as part of their claims for damages. As indicated in the previous section, comprehensive assessments were completed on all the persons seen. The results can thus be compared with other research carried out on survivors of organised violence and torture (OVT), but it should be pointed out that most previous research has dealt with a chronic rather than acute cases.

Detailing the psychosocial consequences is important when it is considered that the only other official report on the Food Riots, that issued by the ZRP General Headquarters, makes no mention of human rights abuses or even the scale of injuries suffered. It is also important to stress that the cases reported below are only indicative of the kinds of injuries and disorders suffered by survivors, and there is no data to indicate the scale. It would be necessary to carry out a study of clinic records and hospital outpatient records to get a clearer picture of the suffering experienced by ordinary citizens on Zimbabwe. Such a study would be able to test the assertion made by the ZRP that the principle of "minimum force" was observed. The victims assisted by the Human Rights Forum are drawn from a wide number of the areas affected during the Food Riots, but, as can be seen from Table 6 below, the breakdown is reflective of the areas in which human rights violations were reported or the violence was reportedly high. The largest number came from Mabvuku and Tafara.

Table 6
Areas from which Riots victims were drawn

Budiriro	2
Chitungwiza	1
Epworth	1
Kuwadzana	1
Mabvuku	8
Mbare	3
Mufakose	3
Mutoko	1
Seke	4
St Mary's	1
Sunningdale	1
Tafara	7
Zengeza	8

The press reports indicated that men, women and children were all affected by the violence, and this is again corroborated by the results of the Mabvuku case studies. As can be seen from Table 7 below, more men than women were affected, and most were young persons (mean age 26.9) as opposed to other groups of survivors. This is not a comment of any consequence however, and it would be expected that current victims would be young. As also might be expected of a young group, there were a large number of single persons and relatively few widowed or divorced persons.

Table 7
Demographic characteristics of Riots Victims
[n=42]

GENDER:	
male	30
female	14
AGE:	27.5[9.9]
MARITAL STATUS:	
single	15
married	16
divorced	3
widowed	1
EMPLOYMENT:	
employed	28
unemployed	16

A high number were unemployed, and this may be important in making this group more vulnerable to civil disturbance since they were more likely to be at home and possibly more vulnerable to arrest for this reason. Additionally, there were students and pupils affected.

Of those who were employed, most had formal employment. It is also worth commenting that several members of this group became unemployed as a consequence of either the injury or the period spent away from work as a result of the injury. This is reflected in the claims for damages.

Table 8
Forms of Employment amongst Riots Victims
[n=28]

Student	4
Pupil	3
Vendor	2
General Hand	3
Formal employment	9
Self-employed	7

One complaint was brought on behalf of a deceased person, whilst 13 were complaints about injuries due to bullet wounds (see Table 9 below). The majority brought complaints about assaults, some of whom experienced these assaults during detention.

Table 9
Complaints by victims of Food Riots
[n=44]

Death	1
Bullet wounds	13
Assaults	30
Detention	11

It is significant that the report issued by ZRP General Headquarters makes no mention of deaths or injuries due to gunshot wounds, and the ZNA, according to press reports, claims that no shots were fired by members of the ZNA. Furthermore, there is no mention in the ZRP report of complaints of assaults nor that any investigations are pending charges of assaults.

As can be seen from Table 10, the majority of the human rights violations took place in people's homes, and only 6 persons reported being involved in incidents near the shopping centres where the looting was taking place. This gives strength to the assertions that human rights violations took place during the dragnet operations that ensued. From the testimony given by the victims, most were injured by the ZRP or the ZNA during these operations.

Table 10
Place where human rights violation took place
[n=44]

At home	28
Near home	5
Shopping centre	6
In community	4
At work	1

As can be seen from Table 11, most person were injured by members of the Zimbabwe Republic Police, but a large number were also injured by members of the Zimbabwe National Army. Some were injured by more than one branch — uniform branch and support unit of the ZRP — or more than one agency — ZRP and ZNA.

Table 11
Alleged perpetrators of human rights violations

Zimbabwe National Army	16
Zimbabwe Republic Police	23
Riot Squad	2
Criminal Investigation Department	1
Support Unit	4

The medical complaints of these survivors were split between those who had been shot — death, bullet wound and amputation — and those who had been assaulted — fracture, pain. Two person complained that they had lost employment as a result of the injuries sustained. One man, for example, sustained permanent disability — loss of function in his arm — as a result of a bullet wound, and was unable to continue his employment as a driver due to the disability.

Table 12
Medical complaints of victims of Food Riots
[n=42]

death	1
bullet wound	10
amputation	1
fracture	4
pain	12
loss of job	3
epilepsy	1

As regards the deaths, the Zimbabwe Human Rights NGO Forum has only been able to obtain information on the follow-up to one death, that of Kudzai Ndlovu who was shot and killed in Gweru. The public inquest, which was concluded in March 1999, revealed a wholly unsatisfactory situation. The presiding magistrate noted that no satisfactory investigations were conducted in order to reveal the identity of the perpetrator, and went so far as to state that the ZRP in Gweru were actually stifling investigations. He then recommended that the investigations should be taken over by an independent team of investigators from a different town. This is clearly at variance with the assertions of Superintendant Bvudzijena and the ZRP's own report.

Torture

Torture can be defined according to various different definitions, the most common of which are the definitions contained in the UN Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment and Punishment (UN.1984) and the Declaration of Tokyo (WMA.1975). The latter has remained the most complete statement about torture yet produced by the medical profession.

As the WMA definition states:

> For the purpose of this Declaration, torture is defined as the deliberate, systematic or wanton infliction of physical or mental suffering by one or more persons acting alone or on the orders of any authority, to force another person to yield information, to make a confession, or for any other reason. (World Medical Association,1975)

According to this definition, a very large number of persons experienced torture during the Food Riots. This can be seen from the interviews in Mabvuku and in the cases currently being assisted by the Zimbabwe Human Rights NGO Forum.

Torture can be classified in various ways, but is by no means synonymous with physical abuse only. The AMANI Trust, one member of the Human Rights Forum, has considerable experience with torture in Zimbabwe, and has provided evidence of the very number of persons who experience long-term, persistent psychological disorders as a consequence of both physical assault and psychological

torture.[35] The classification used by the AMANI Trust can be briefly described as set out below, but a more comprehensive explanation can be found elsewhere[36].

Impact Torture	**physical abuse and deprivation**
Psychological Torture	**sensory overstimulation and psychological abuse**
Witnessing	**witnessing of torture or executions**

In addition, disappearances should be mentioned, for this is a method of traumatising political opponents and communities which is being used more frequently. However, we do not deal with disappearances here because this was not mentioned by any informants or in the press.

Obviously physical assaults can lead to long-term disability and persistent pain, but what is less well-known is the very frequent long-term consequence of psychological disorders. Post-Traumatic Stress Disorder (PTSD) is the most common acute disorder, but Depression, Somatisation Disorder and even Brief Reactive Psychosis are common long-term consequences as well as PTSD. It is also common for survivors to have a combination of physical and psychological disorders. As regards the life consequences of psychological disorders due to OVT, social and occupational functioning are frequently affected, with survivors having their social relationships, including disruption to the family, and their work life impaired to a degree. The degree that a person is affected depends upon the severity of the trauma, the frequency of the trauma, and the vulnerability of the person.[37] Table 13 below shows the reported frequencies of the various torture types reported by the survivors seen by the Zimbabwe Human Rights NGO Forum.

Table 13
Mean frequency of Torture types reported by Food Riots victims
[n=42]

Physical abuse	1.3
Deprivation	0.7
IMPACT TORTURE	2.02
Sensory overstimulation	0.21
Psychological abuse	1.5
PSYCHOLOGICAL TORTURE	1.7
Witnessing assaults	1.2
Witnessing executions	0
WITNESSING TORTURE	1.2

The group did not report frequencies of torture as high as previous groups (AMANI.1998), which again is unsurprising since most had only one encounter with the Police or the Army. Impact Torture was reported much more frequently than other forms, and, of the forms of Impact Torture, beatings were the most frequently reported.

Psychological abuse was reported with the greatest frequency. One important factor in the pattern of abuse is that most of this group were tortured outside of detention.

Table 14
Unconsciousness reported by Food Riots victims
[n=42]

35 AMANI Trust (1998), *Survivors of Torture and Organised Violence from the 1970s War of Liberation*, HARARE: AMANI; REELER,A.P.(1994), Is torture a post-traumatic stress disorder? *Torture*, 4, 59-65; REELER, A.P. (1995), Trauma in Mozambican refugees: Findings from a training programme for refugee workers, *Torture*, 5, 18-21; REELER, A.P. (1998), Epidemic violence and the community: A Zimbabwean case study, *Community Development Journal*, , 33, 128-139; REELER, A.P (1998), Compensation for Gross Human Rights Violations: Torture and the War Victims Compensation Act, *Legal Forum*, 10, 6-21.

36 AMANI Trust (1997), *Assessment of the Consequences of Torture and Organised Violence: A Manual for Field Workers (revised*), HARARE: AMANI.

37 REELER,A.P.(1994), Is torture a post-traumatic stress disorder? *Torture*, 4, 59-65;

>30 minutes	30-60 minutes	60-120 minutes	<120 minutes
7	1	1	1

A very high proportion (24%) of the group reported unconsciousness, but most of these reported unconsciousness of less than 30 minutes. For the majority of those reporting unconsciousness, this was associated with gunshot wounds, but two members reported unconsciousness following assaults. Unconsciousness is important to identify, both because of its association with long-term disability and its status as an indicator of the severity of the assault.

Table 15
Symptoms reported by Food Riots victims on the Present Health Status Questionnaire(PHSQ) [n=42]

PHSQ(tot)	PHSQ(psy)	PHSQ(phys)	PHSQ(sleep)
13.7	5.8	6.7	2.3
6.9	4.2	3.6	2.3

The group as a whole reported very high numbers of symptoms after the alleged torture. The mean number of symptoms reported was 13.7[s.dev 6.9], and this was a mixture of both psychological and physical symptoms. People with ordinary psychological disorders have been shown to present with high numbers of symptoms — about 3 according to most Zimbabwean studies[38] — and this group has a considerably higher number of symptoms. This is probably due to the combination of physical and psychological injuries.

The scores obtained from the Self-Reporting Questionnaire (SRQ-8) and the Harvard Trauma Scale (HTS) additionally show that this group has experienced psychological problems as a consequence of their alleged torture. The SRQ-8 is a psychiatric screening instrument, and all scores in excess of 4/8 are strongly indicative of clinically significant psychological disorder. Fifteen (36%) members of the sample reported scores in excess of 4/8, which is lower than other Zimbabwean samples, but is undoubtedly due to the fact that most people experienced only a single experience.

The sample reported more experiences of trauma than witnessing or hearing stories on the Harvard Trauma Scale. Only 7 (47%) persons of the clinically disordered group showed signs of PTSD, but this was a much higher percentage than other Zimbabwean studies, and undoubtedly reflects the acute nature of the psychological distress. PTSD would be more strongly expected as an immediate consequence of OVT than other forms of disorder.

We have not reported details of the personal experience of any of these cases, since all these cases are sub judice, but the general data corroborates the reports from the Mabvuku interviews. The sample reports overwhelmingly experiences of gross human rights violations, and, distressingly, most have physical, psychological and social difficulties as a consequence of their experience.

All these cases are currently awaiting the outcome of their civil suits, and the Civil Division of the Attorney-General's Office has indicated that it will contest all the cases. Here we would comment this is unsatisfactory in the light of the UN Human Rights Committee's recommendations that all cases of gross human rights violations should be paid compensation, and that it is legalistic of the Government to insist upon court proceedings before any award of compensation. We are certain that this was not the intention of the UN committee.

Furthermore, we would point out that the cases reported upon here represent a small proportion of the persons who likely experienced gross human rights violations. If, as noted above, more than 70% of the persons seen in the Harare Magistrate's Court were unconditionally discharged, and the

38 HALL, A., & WILLIAMS, H. (1987)(a), Hidden psychiatric morbidity. Part I: Study of prevalence in an outpatient population at Bindura Provincial Hospital, *Central African Journal Of Medicine*., 33, 239; REELER,A.P., WILLIAMS,H., & TODD,C.,H.,(1993), Psychopathology in Primary Care patients: A four-year study in rural and urban settings, *Central African Journal Of Medicine*, 39, 1-8; PATEL, V., TODD, C., WINSTON, M. ET AL (1997), Common mental disorders in primary care in Harare, Zimbabwe: associations and risk factors, *Brit.J.Psychiat*., 171, 60-64.

evidence of the conditions in detention (see above in Section 5) was that gross human rights violations were perpetrated on a massive scale, then the numbers will be clearly much higher. Even more important, when the evidence suggests that gross human rights violations were perpetrated on a massive scale within the communities without arrests taking place, then the numbers affected will be in the region of many thousands. Of course this is assertion based upon extrapolation and no substitute for detailed analysis, but this is of course what the Human Rights NGO Forum has continually requested from the President and the Government: an independent commission of inquiry. Importantly, this has also been requested by the UN Human Rights Committee.

As can be seen from this section, the human consequences of the Food Riots were not trivial and the suffering continues unaddressed for an unknown number of ordinary Zimbabwean citizens caught up in a terrible disturbance. They require a better response from the Government than either ignoring the problem or offering a mendacious report such as that offered by the Zimbabwe Republic Police.

7. Conclusions and Recommendations

The conclusions and recommendations outlined in the report published on 10 March 1998 remain as relevant today as then, and the results of this more detailed report merely vindicate these earlier views[39].

Firstly, as stated in the initial report, it remains evident that in Zimbabwe there is a highly volatile and unstable social environment. This stems from gross discontent with very harsh economic conditions and massive levels of unemployment. As we hope we have demonstrated, the disturbances were predictable and, indeed were predicted by many commentators. More recent analyses of the Zimbabwean situation make many of the same points as we have in our analysis of the background.[40] Unless these problems are properly addressed, there is bound to be increasing levels of social instability.

Secondly, in this sort of environment, ill-conceived measures by Government that worsen economic suffering will inevitably lead to some sort of backlash. As can be seen from the analysis of the economic and other factors preceding the Food Riots, these factors have strong implications for public order. It is noteworthy that there have been riots subsequent to the Food Riots, and that these riots were determined in the main by economic factors and the Government's ill-conceived policy in dealing with the economic issues.

Thirdly, whilst the Government has the duty to maintain law and order, if Government responds to public dissatisfaction with brutal repression or unrestrained and indiscriminate use of force, then it is likely that there will be increasing tension and, probably, counter violence. Even where there is unrest and disorder, there are still basic internationally recognised constraints on the use of force to ensure that fundamental rights are not unnecessarily and unjustifiably violated. Here it is important to note that the Zimbabwe Republic Police has made no attempt to investigate abuses, and the single case that we have been able to follow up indicates rather a reluctance, even obstructiveness, by the ZRP to investigate.

Fourthly, these international instruments categorically lay down that political and civil unrest may not be used as justifications for human rights violations. One of the underlying reasons for this approach is that if human rights violations are permissible during times of civil unrest many human rights abuses will be likely to be committed and this will only serve to worsen the situation rather than solving the problems. The use of excessive force is thus not only illegal, but will also lead to more people feeling aggrieved, especially where innocent persons are affected. For the same reasons, basic safeguards to ensure that persons brought before the courts are fairly dealt with must not be dispensed with during times of civil unrest.

Fifthly, on 9 December 1997, the police used indiscriminate force against demonstrators, who at least initially were exercising their lawful right to demonstrate peacefully. Rather than facilitating peaceful protest, the police created the very conditions that allowed criminal elements to exploit the situation to engage in unlawful acts. However, when these unlawful activities occurred, the police obviously

39 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*

40 Conflict Revention Network (1998), Zimbabwe: A Conflict Study of a Country without Direction, SWP-CPN Briefing Paper, STIFTUNG WISSENSCHAFT UND POLITIK- CONFLICT PREVENTION NETWORK.

had to respond and take appropriate action. Appropriate action was not, however, the use of indiscriminate or unrestrained force as advocated by the responsible Minister. The use of inappropriate force against legitimate protest probably created strong resentment against the ZRP, and this was another factor that led to the escalation of violence in January 1998.

However, when the Food Riots started on 19 January 1998, the law enforcement agencies were faced with the unenviable task of trying to contain large scale violence and to protect people and property from attacks. It is evident that the police did not have the capacity to contain the situation and that additional resources had to be called in. The Government was thus forced to call in the army. This led to the situation being brought under control, but not before a number of people had been killed or injured by the use of firearms, some of whom were innocent civilians. Regrettably the Minister of Home Affairs, by publicly stating that the police would not hesitate to shoot people engaged in looting or trouble-making, seemed to send a message to the law enforcement agencies that they should use maximum force on an indiscriminate basis. Thus instead of fatal force being reserved as a last resort measure where there was no other option, the impression was created that shooting would be resorted to whether or not it was necessary and justified.

Sixthly, the involvement of the military in the aftermath of the Food Riots was very questionable. Soldiers are not trained to investigate crime. The nature of their training makes them entirely unsuitable for use in this role. The reports received clearly establish that army personnel took very brutal measures against people. Some of this brutality was aimed at forcing people to confess to looting; some was aimed at intimidating people. After people were beaten, there were often verbal warnings that they would receive even worse treatment if they caused any further trouble. It was not only the army that used these strong arm tactics. There have been many reports of police officers unlawfully using beatings and torture to obtain information about the whereabouts of looted property and to extract confessions of looting. The police and the army used dragnet methods to try to locate looted property and those responsible for this.

In the worst affected areas house to house searches were conducted without warrants: this is confirmed by the cases being represented by the Zimbabwe Human Rights NGO Forum, and also by the reports from the residents of Mabvuku. Whilst this may have led to the arrest of some wrongdoers, it also resulted in the harassment of many persons who had not been involved in any looting. Arrests were also made on a dragnet basis leading to many innocent persons being unlawfully arrested and detained together with the guilty. As can be seen from the analysis of the Court data, most people (72%) were discharged as the evidence could not sustain a prosecution. The dragnet approach was bad policing, and even if this could be laid at the door of the military, it remains the responsibility of the State to ensure that responsible and effective policing occurs in all situations.

Seventhly, the use of such methods, and the hurried processing of some of the cases through the courts, has also created a considerable risk of miscarriages of justice. The whole process of justice seems to have been undermined by the failure to deal with these cases using the ordinary legal rules and principles, and the allegations of political interference in the process of justice require detailed examination to ensure that no person was unfairly charged or, more importantly, incorrectly sentenced, especially on warned and cautioned statements obtained under duress. As was seen above, there are prima facie grounds for accepting that statements were obtained under duress and even under torture.

As a result the Zimbabwe Human Rights NGO Forum wishes to repeat the recommendations made earlier in the report published on 10 March 1998:

1. Commission of Inquiry

It is necessary for 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. We would note here that this call has been additionally made by the United Nations Human Rights Committee[41], and we wish to endorse the recommendations of this Committee.

41 UN HIGH COMMISSION FOR HUMAN RIGHTS(1998), UN Human Rights Committee: Consideration of Reports Submitted by States Parties under Article 40 of the Covenant. Concluding Observations of the Human Rights Committee: Zimbabwe

2. Parliamentary Committee
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.

3. Compensation
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.

4. Review of proceedings against those charged with unlawful violence or looting
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 the 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 sentences are obviously appropriate for hooligans and criminals who simply took advantage of the troubled situation to commit crimes.

5. Criminal proceedings against perpetrators
As recommended by the United Nations Human Rights Committee, criminal proceedings should be brought against all those who have committed gross human rights violations. The Zimbabwe Human Rights NGO Forum endorses this view, and further points out that Zimbabwe has a very poor record of dealing with the perpetrators of such violations. The Government needs to send a strong signal that human rights violations will not be tolerated, that all perpetrators will be brought to justice, and, by so doing, make it clear to the country as a whole that it is seriously committed to the defence of human rights and the principle that no person is above the law.

6. Compensation for losses to businesses
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.

In conclusion, we would wish to point out that it is unacceptable for the Government to avoid any inquiry. The basis of a stable and democratic society requires that all actions of the Government be open to public scrutiny, especially where events have led to loss of life and widespread civil disturbance as is the case in the Food Riots. It is insufficient for Government or any of its agencies to merely assert that the principle of minimum force has been obeyed without testing this assertion in an open and public manner. Zimbabwe is in crisis, and it is incumbent upon the Government to take the steps to reduce both crisis and the conditions for crisis. Government is not the law, nor is it above the law, and it should set the example to the nation of open criticism by public inquiry.

Appendix 1
Glossary of Terms used in the Report

CBD	Central Business District
GDP	Gross Domestic Produce
HR Forum	Zimbabwe Human Rights NGO Forum
NGO	Non-government organisation
OVT	Organised violence and torture
PTC	Posts and Telecommunication Corporation
PTSD	Post-traumatic stress disorder
RBZ	Reserve Bank of Zimbabwe
ZNA	Zimbabwe National Army
ZRP	Zimbabwe Republic Police

Appendix 2
Internationally accepted rules in relation to the use of force and firearms

United Nations Code of Conduct for Law Enforcement Officials (adopted by the United Nations General Assembly in 1979)

These powers apply to the exercise of police powers and when police powers are exercised by military personnel or state security forces they also apply to them.

Article 3
Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Article 5
No law enforcement official may inflict … or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, *nor may any law enforcement official* invoke superior orders or *exceptional circumstances such as … a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment*.

Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (adopted by the United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990)

These principles apply even where there is internal political instability or a public emergency.

Law enforcement officials should only employ force and firearms if other means are ineffective. When the use of force and firearms is unavoidable, law enforcement officials must exercise restraint and act in proportion to the seriousness of the offence. They must also minimise injury and respect and preserve human life. The Government must ensure that law enforcement officials are punished under the criminal law for arbitrary and abusive use of force and firearms.

Only where it is not practicable to disperse non-violent but unlawful assemblies by methods other than the use of force, may law enforcement officials use force but they must only use the minimum amount of force necessary.

The law enforcement officials may only use firearms to disperse violent assemblies where less dangerous means are not practicable. When they use firearms, they must use them only to the minimum extent necessary.

International Covenant on Civil and Political Rights

Zimbabwe is a party to this Covenant.

Article 7
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. …

Article 9
1. Everyone has the right to liberty and security of person. No person shall be subjected to arbitrary arrest or detention. …

Article 10
1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Article 17
1. No one shall be subjected to arbitrary or unlawful interference in his privacy, family or home…

United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Zimbabwe is still not a State Party to this Convention.

Article 1
1. For the purposes of this Convention the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or any other person acting in an official capacity.

Article 2
1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.
2. *No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any public emergency, may be invoked as a justification of torture.*

Constitution of Zimbabwe

Section 15
A person may only be deprived of his liberty in connection with a criminal offence upon reasonable suspicion of him having committed the offence.

Section 15
A person may not be subjected to torture or to inhuman or degrading punishment or other such treatment.

Section 17
… A person may only be subjected to the search of his person or his property in connection with a criminal offence where there are reasonable grounds for believing that the search or entry into the premises is reasonably necessary for the investigation or detection of a criminal offence.

Appendix 3
Structured Interview format used in the Mabvuku survey

Date **Location of Interview**:

1. Interviewee was briefed on AMANI Trust, and why the interviews are being carried out.
YES **NO**

2. Interviewee, interviewer, and interpreter/translator signed the confidentiality agreement.
YES **NO**

3. Interviewee was told that interview would be transcribed, and agreed or didn't agree
AGREENOT AGREE

4. Interviewee was told that interview would be tape recorded, and agreed or didn't agree
AGREENOT AGREE

5. Start Time of Interview

6. Age

7. Sex Male Female

8. Area of Residence

9. What happened on the first day of the riots, Monday, January 19, 1998?

10. What happened on the second day of the riots, Tuesday, January 20, 1998?

11. What happened on the third day of the riots, Wednesday, January 21, 1998?

12. What happened on the fourth day of the riots, Thursday, January 22, 1998?

13. What happened on the fifth day of the riots, Friday, January 23, 1998?

14. What happened on the sixth day of the riots, Saturday, January 24, 1998?

15. What happened on the seventh day of the riots, Sunday, January 25, 1998?

16. Is there anything else you'd like to add to what you have told me? (feelings, opinions, complaints etc.)

17. Self Reporting Questionnaire[SRQ-8]

Respond YES or NO to each of the following questions.

1. Do you sleep badly? YES ____ NO ____

2. Do you cry more than usual? YES ____ NO ____

3. Do you find it difficult to enjoy your daily activity? YES ____ NO ____

4. Do you find it difficult to make decisions? YES ____ NO ____

5. Is your daily work suffering? YES ____ NO ____

6. Are you unable to play a useful part in life? YES ____ NO ____

7. Has the thought of ending your life been in your mind? YES ____ NO ____

8. Do you feel tired all the time? YES ____ NO ____

TOTAL SCORE

Observations:

Finish Time of Interview **Signed**

Appendix 4
Instruments used in the Psycho-Social Assessment of Food Riots Victims

1. **Human Rights Reporting Form.**
2. **Demographic Information**
3. **Self-Reporting Questionnaire [SRQ-8]**
4. **Trauma Questionnaire**
5. **History of Violence**
6. **Clinician Administered PTSD Scale [CAPS]**

Demographic Information

Name:..... **Sex:.....**

Date of birth:..... **Age:.....**

Marital Status:

Married: **YES/NO** **Length of marriage:.....**

Type of marriage:

(civil marriage): **YES/NO**

(traditional marriage): **YES/NO**

(polygamous marriage): **YES/NO**

If not married:

Single: **YES/NO**

Divorced: **YES/NO**

Widowed: **YES/NO**

Children:

Number of own children:.....

Number of dead children:.....

Education: **Employment:**

Nil education:..... **Employed(as what?).....**

Primary/Secondary/Tertiary **Unemployed(how long?).....**

Self Reporting Questionnaire (SRQ-8)

Read each statement aloud to the patient. Patients should be asked to respond YES or NO to each question. Try to restrict discussion about each question during testing: you may wish to discuss the answers after the test as whole has been given.

YES NO

1. Do you sleep badly?
2. Do you cry more than usual?
3. Do you find it difficult to enjoy your daily activity?
4. Do you find it difficult to make decisions?
5. Is your daily work suffering?
6. Are you unable to play a useful part in life?
7. Has the thought of ending your life been in your mind?
8. Do you feel tired all the time?

TOTAL SRQ-8 SCORE

Trauma Questionnaire

You should ask the following questions of every client who scores 2 or more on the SRQ-8 and reports a history of trauma. Remember that the client may be suffering from a traumatic disorder, and thus be very sensitive about talking about the experience. You should therefore always follow the GUIDELINES indicated in the manual.

Part one: trauma events

Please ask whether the client has ever experienced, witnessed, or heard stories about any of the following events:

E - experienced **W** - witnessed **H** - heard stories **N** - none

1. Lack of food or water		**E**	**W**	**H**	**N**
2. Ill health without access to medical care	**E**	**W**	**H**	**N**	
3. Lack of shelter	**E**	**W**	**H**	**N**	
4. Imprisonment	**E**	**W**	**H**	**N**	
5. Serious injury	**E**	**W**	**H**	**N**	
6. Caught up in combat		**E**	**W**	**H**	**N**
7. Rape	**E**	**W**	**H**	**N**	
8. Forced isolation from others	**E**	**W**	**H**	**N**	
9. Being close to death		**E**	**W**	**H**	**N**
10. Forced separation from family members	**E**	**W**	**H**	**N**	
11. Murder of family or friends	**E**	**W**	**H**	**N**	
12. Unnatural death of family or friends	**E**	**W**	**H**	**N**	
13. Murder of stranger or strangers	**E**	**W**	**H**	**N**	
14. Lost or kidnapped	**E**	**W**	**H**	**N**	
15. Severe beatings	**E**	**W**	**H**	**N**	
16. Torture	**E**	**W**	**H**	**N**	
17. Motor traffic accident		**E**	**W**	**H**	**N**
18. Industrial accident	**E**	**W**	**H**	**N**	
19. Natural disaster(flood, fire, etc)		**E**	**W**	**H**	**N**
Specify:.....					
20. Any other situation that was very frightening or you felt that your life was in danger		**E**	**W**	**H**	**N**
Specify:.....					

Total Trauma Score
Experience Score
Witness Score
Heard Stories Score

Part Two: personal description

Please indicate the most hurtful or terrifying events that you have experienced, if any. (Please specify where and when these events occurred)

Please indicate the most hurtful or terrifying events that you have experienced, if any, when you were outside the country. (This applies only to refugees or survivors who were refugees)

Part Three: head injury

1. Did you experience any of the following?

	YES	NO	DATE
Drowning			
.....			
Suffocation			
.....			
Blow to the head			
.....			

2. Did you lose consciousness?
   If yes, for how long were you unconscious? (tick as applicable)

   Less than 30 minutes 30-60 minutes 60-120 minutes more than 120 minutes

Part Four: Present State of Health Questionnaire

The following questions describe the client's possible present state of health. Read each one carefully and ask the client to describe how much the symptoms have bothered him or her in the past week.

	YES	NO
(1) Headache		
(2) Dizziness		
(3) Impaired concentration		
(4) Impairment of memory		
(5) Impairment of hearing		
(6) Numbness or pins and needles in arms/legs		
(7) Reduced strength in arms or legs		
(8) Pains in shoulders or arms		
(9) Pains in legs, including feet		
(10) Backache		
(11) Chest pain		
(12) Palpitations		
(13) Abdominal pains		
(14) Nausea		
(15) Vomiting		
(16) Diarrhoea		
(17) Constipation		
(18) Pain on urination		
(19) Male pain in the genitals, female pelvic pain		
(20) Lacking control on urination or defaecation		
(21) Convulsions or loss of consciousness in the last month		
(22) Menstrual disturbances		
If "yes", circle by number:		
1. Absence of menstrual periods		
2. Too frequent periods		
3. Bleeding between periods		
4. Very heavy bleeding during periods		
State duration of disturbances in months.....		
(23) Sleep disturbances		
If "yes", circle by number:		
1. Difficulty in falling asleep		
2. Early wakening		
3. Disturbed sleep		
4. Nightmares		

TOTAL SCORE
PSYCHOLOGICAL SCORE [1,2,3,4,11,12,13,14,16,23]
PHYSICAL SCORE [5,6,7,8,9,10,15,17,18,19,20,21]

History of violence questionnaire

Description of incidents:

Was the violence witnessed by adults in the family?

YES NO

Was the violence witnessed by children in the family?

YES NO

Was any violence experienced by other family members?

YES NO

Dates of incidents:

(i) .....
(ii) .....
(iii) .....
(iv) .....
(v) .....

PHYSICAL ASSAULTS:

Slapping or kicking or punching	**YES**	**NO**
Blows with rifle butts, sticks, whips, irons	**YES**	**NO**
Exposure to extreme cold or heat	**YES**	**NO**
Hanging or suspension	**YES**	**NO**
Prolonged standing or crouching	**YES**	**NO**
Submarine,immersion,asphyxiation, strangling	**YES**	**NO**
Burnings	**YES**	**NO**
Electrical shocks	**YES**	**NO**
Rape	**YES**	**NO**

Total number of Physical Assaults

DEPRIVATION:

Deprived of food,comfort or communication	**YES**	**NO**
Incommunication,minimal food and comfort, overcrowding for more than 2-3 days	**YES**	**NO**
Lack of water (more than 48 hours)	**YES**	**NO**
Immobilization,restraint,total darkness (more than 48 hours)	**YES**	**NO**
Lack of sleep (less than 4 hours per night) for 5 days or longer	**YES**	**NO**
Lack of needed medication or medical care for more than 48 hours	**YES**	**NO**

Total number of Deprivation

SENSORY OVERSTIMULATION:

Constant noises	**YES**	**NO**
Screams and voices	**YES**	**NO**
Powerful lights	**YES**	**NO**
Constant lighting	**YES**	**NO**
Special devices	**YES**	**NO**
Drugs	**YES**	**NO**

Total number of Sensory Overstimulation

PSYCHOLOGICAL TORTURE AND ILL TREATMENT:

Verbal abuse	**YES**	**NO**
Threats against person	**YES**	**NO**
False accusations	**YES**	**NO**
Abuse with excrement	**YES**	**NO**
Sexual abuse (without violence)	**YES**	**NO**
Menaces against own life and family	**YES**	**NO**
Simulate execution	**YES**	**NO**

Total number of Psychological torture

WITNESSING VIOLENCE, ILL TREATMENT OR TORTURE:

Assaults:

YES NO

If "yes", circle by number:
1. Slapping, kicking or punching
2. Blows with rifle butt, sticks, whips, or irons
3. Hanging or suspension
4. Prolonged standing or crouching
5. Submarine, immersion, asphyxiation or strangling
6. Burnings
7. Electrical shocks
8. Rape
9. Other forms, specify:.....

Executions:

YES NO

If "yes", circle by number:
1. Beating
2. Shooting
3. Stabbing, cutting
4. Hanging, strangling
5. Burning
6. Other forms, specify:.....

Total number of Witnessing:.....

ASSESSMENT OF POST TRAUMATIC STRESS DISORDER

Form 2 - One-Week Symptom Status Version

INSTRUCTIONS:

The time frame for each symptom is the past week. Using the prompt questions or comparable alternatives, and appropriate follow-up questions, first the **FREQUENCY** over the past week of the identified questions. Next, using the same method,evaluate the **INTENSITY** of symptom occurrence.

The descriptors for the anchor points of both the frequency and intensity dimensions can be read to the patient in arriving at the most accurate rating.

A. The Traumatic Event:

B. The Traumatic Event is persistently re-experienced:

(1) recurrent and intrusive distressing recollections of the event

Frequency
In the past week, have you experienced unwanted memories of the event, without exposed to something that you reminded you of the event? Did these memories occur while you were awake, or only in dreams? (Exclude if menories only occur during dreams) How often?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

Intensity
At their worst, how much distress did these being memories cause you? Did these memories cause you to stop what were doing? Are you able to dismiss the memories if you try?

0 None
1 Mild, minimal distress
2 Moderate, distress clearly present but still manageable, some disruption of activities
3 Severe, considerable distress, marked disruptionof activities, difficulty dismissing memories
4 Extreme, incapacitatingdistress, unable to continue with activities unable to dismiss memories

(2) intense psychological distress at exposure to events that symbolize or resemble an aspect of the traumatic event, including anniversaries of the trauma

Frequency In the past week, have you become upset when you were exposed to things that remind of the event? (For example, males for rape victims, sounds of helicopters for war victims) How often?

0 Never
1 Once
2 Two or three times

Intensity At its worst, how much distress or discomfort did exposure to these reminders cause you?

0 None
1 Mild, minimal distress
2 Moderate, distress clearly present, but still manageable

3 Four or five times
4 Daily or almost daily

3 Severe, incapacitating distress
4 Extreme, incapacitating

(3) sudden acting or feeling as if the traumatic event were recurring(includes a sense of reliving the experience, illusions, hallucinations, and dissociative/flashback episodes, even those that occur upon awakening or when intoxicated)

Frequency In the past week, have you acted or felt as if the event was happening again? How often?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

Intensity At its worst, how much did it seem that the event was happening again? How long did it last? What did you do while this was happening?

0 Not at all
1 Mild, more realistic than just thinking about the event
2 Moderate,definite but transient dissociative quality;still aware of surroundings
3 Severe, strongly dissociative quality, but retained some awareness of surroundings
4 Extreme, complete dissociation, no awareness of surroundings, possible amnesia for the episode

(4) recurrent distressing dreams of the event

Frequency
In the past week, have you had unpleasant dreams of the event? How often?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Nightly or almost nightly

Intensity
At their worst, how much distress did these dreams cause you? Did they wake you up? What were you feeling when woke up? How long does it take you to get back to sleep?

0 None
1 Mild, minimal distress, did not awaken
2 Moderate, woke in distress, but went back to sleep
3 Severe, considerable distress, difficulty in returning to sleep
4 Extreme, overwhelming or incapacitating distress, could not return to sleep

C. Persistent avoidance of stimuli associated with the trauma or numbing of general responsiveness (not present before the trauma)

(5) efforts to avoid thoughts or feelings associated with the trauma

Frequency
In the past week, have you tried to avoid thinking about the event? Have you tried to avoid feelings related to the event? How often?

0 Never
1 Once
2 Two or three times

Intensity
How much effort did you make to avoid thoughts or feelings related to the event? (rate all attempts at cognitive avoidance, suppression, and reducing awareness with alcohol or drugs)

0 None
1 Mild, minimal effort
2 Moderate, some effort, avoidance

3 Four or five times
4 Daily or almost every day

definitely present
3 Severe, considerable effort, marked avoidance
4 Extreme, drastic efforts at avoidance

(6) efforts to avoid activities that arouse recollections of the trauma

Frequency
In the past week, have you tried to stay away from situations or activities related to the event? How often?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

Intensity
How much effort did you make to avoid activities or situations that remind you of the event? (rate all attempts at behavioural avoidance)
0 None
1 Mild, minimal effort
2 Moderate, some effort, avoidance definitely present
3 Severe,considerable effort, marked avoidance
4 Extreme, drastic efforts at avoidance

(7)inability to remember an important aspect of the trauma (psychogenic amnesia)

Frequency
In the past week, have you been unable to remember important parts of the event? How much of the event have you had difficulty remembering?
0 None, clear memory
1 Few aspects of events not remembered (less than 10%)
2 Some aspects of the events not remembered (approx 20-30%)
3 Many aspects of event not remembered (approx 50-60%)
4 Most of event not remembered (more than 80%)

Intensity
How much difficulty did you have in recalling important parts of the event?

0 No difficulty at recalling event
1 Mild, minimal difficulty recalling event
2 Moderate, some difficulty could recall event with concentration
3 Severe, considerable difficulty recalling event
4 Extreme, completely unable to recall event

(8) markedly diminished interest in significant activities

Frequency
In the past week, have you been less interested in important activities? As compared to before the event,how many activites have you lost interest in?
0 No loss of interest
1 Few activities (less than 10%)
2 Several activities (20-30%)
3 Many activities (50-60%)
4 Most activities (more than 80%)

Intensity
At its worst, how strong was your loss of interest in these activities that once gave you pleasure, such as sports, hobbies, or social activities?

0 No loss of interest
1 Mild, only slight loss of interest, probably would enjoy after starting activities
2 Moderate, definite loss of interest, but still some enjoyment of activities
3 Severe, marked loss of interest
4 Extreme, complete loss of interest, does not engage in activities intentionally

(9) feelings of detachment or estrangement from others

Frequency
In the past week, have you felt distant or cut off from those around you? Is thisdifferent from how you felt before the event? How much of the time

Intensity
At their worst, how strong were your feelings of being being distant or cut off from others? Who do you feel closest to?

have you felt this way?

0 None of the time
1 Very little of the time (less than 10%)
2 Some of the time (20-30%)
3 Much of the time (50-60%)
4 Most or all of the time (more than 80%)

0 No feelings of detachment or estrangement
1 Mild, occasionally feels "out of synch" with others
2 Moderate, feelings of detachment clearly present, but still feels some interpersonal contact or belonging with others
3 Severe, marked feelings of estrangement from most people; may confide in only one person
4 Extreme, feels completely detached from others; not close with anyone

(10) restricted range of affect, e.g., unable to have loving feelings

Frequency
In the past week, have you had periods where you felt emotionally numb or had trouble experiencing feelings such as love or happiness? Is this different from how you felt before the event? How much of the time have you felt this way?

0 None of the time
1 Very little of the time (less than 10%)
2 Some of the time (20-30%)
3 Much of the time (50-60%)
4 Most of the time (more than 80%)

Intensity
At their worst, how strong were your feelings of emotional numbness? (in rating this item include observations of range of affect displayed in the interview)

0 No emotional numbing
1 Mild, slight emotional numbing
2 Moderate, emotional numbing present but still able to experience emotions
3 Severe, marked emotional numbing in at least two primary emotions
4 Extreme, feels completely unemotional

(11) sense of foreshortened future, e.g., does not expect to have a career, marriage, children, or a long life

Frequency
In the past week, have you had times when you felt that there is no need to plan for the future, that somehow your future will be cut short? Is this different from how you felt before the event? How much of the time have you felt this way?

0 None of the time
1 Very little of the time (less than 10%)
2 Some of the time(20-30%)
3 Much of the time (50-60%)
4 Most of the time (more than 80%)

Intensity
At its worst, how strong was this feeling that your future will be cut short? How long do you think that you will live? How convinced were you that you will die prematurely?

0 No sense of foreshortened future
1 Mild, slight sense of foreshortened future
2 Moderate, sense of foreshortened future present, but no specific prediction about longevity
3 Severe, marked sense of foreshortened future; may make specific prediction about longevity
4 Extreme, overwhelming sense of foreshortened future; completely convinced of premature death

D. Persistent symptoms of arousal (not present before the trauma)

(12) difficulty in falling or staying asleep

Frequency
In the past week, have you had any problems falling or staying asleep? Is this different from the way you were sleeping before the event? How often have you problems sleeping?

Intensity
(Ask probe questions and rate overall sleep disturbance) How long did it take you to fall asleep? How many times did you wake up in the night? How many hours total did you sleepeach night?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Nightly or almost everynight

0 No sleep problems
1 Mild, takes slightly longer to fall asleep, or minimal difficulty staying asleep (up to30 minutes loss of sleep)
2 Moderate, definite sleep disturbance, with clearly longer latency to sleep or clear difficulty staying asleep (30 to 90 minutes loss of sleep)
3 Severe, much longer latency to sleep ormarked difficulty staying asleep (90 to 180 minutes loss of sleep)
4 Extreme, very long latency to sleep or profound difficulty staying asleep (greater than 180 minutes loss of sleep)

SLEEP ONSET PROBLEMS? Y N
MID SLEEP WAKENING Y N
EARLY AM WAKENING Y N

(13) irritability or outbursts of anger

Frequency
In the past week, have there been times when you felt unusually irritable, or expressed feeelings of anger and acted aggressively? Is this different from how you felt or acted before the event? How often
have felt or acted this way?

Intensity
How angry were you? In what ways did you express or show anger?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

0 No irritability or anger
1 Mild, minimal irritability, raises voice when angry
2 Moderate, irritability clearly present, easily becomes argumentative, but can recover quickly
3 Severe, marked irritability, becomes verbally or physically aggressive when angry
4 Extreme, pervasive anger, episodes of physical violence

(14) difficulty concentrating

Frequency In the past week, have you found it difficult to concentrate on what you were doing or on things going on around you? Has your concentration changed since the event? How much of the time have you had difficulty concentrating?

Intensity How difficult was it for you concentrate? (In rating this item include observations of concentration and attention in the interview)

0 None of the time
1 Very little of the time (less than 10%)
2 Some of the time (20-30%)
3 Much of the time (50-60%)
4 Most or all of the time (more than 80%)

0 No difficulty with concentration
1 Mild, only slight effort needed to concentrate
2 Moderate, definite loss of concentration, but could concentrate with effort
3 Severe, marked loss of concentration, even with effort
4 Extreme, complete inability to concentrate

(15) hypervigilance

Frequency
In the past week, have you been especially alert

Intensity
How much effort did you make to try to be

or watchful, even though there was no obvious need to be? Is this different from how you felt or acted before the event? How much of the time have you been alert or watchful?

0 None of the time
1 Very little of the time (less than 10%)
2 Some of the time (20-30%)
3 Much of the time (50-60%)
4 Most or all of the time (more than 80%)

aware of everything around you? (In rating this item include observations of hypervigilance during the interview)

0 No hypervigilance
1 Mild, minimal hypervigilance, slight heightening of awareness
2 Moderate, hypervigilance clearly present, watchful in public
3 Severe, marked hypervigilance, very alert, scans environment for danger, exaggerated concern for safety of self, home or family
4 Extreme, excessive hypervigilance, efforts to ensure safety consume significant time and energy, and may involve extensive safety-checking behaviours, marked guarded behaviour during interview

(16) exaggerated startle response

Frequency
In the past week, have you experienced strong startle reactions to loud, unexpected noises, or to unexpected things that you saw? Is this different from how you were before the event? How often has this happened?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

Intensity
At their worst, how strong were these startle reactions?

0 No startle reaction
1 Mild, minimal reaction
2 Moderate, definite startle response, feels "jumpy"
3 Severe, marked reaction, sustained arousal
4 Extreme, excessive response, overt coping behaviour

(17) physiological reactivity upon exposure to events that symbolize or resemble an aspect of the traumatic event

Frequency
In the past week, have you experienced any physical reactions when you were faced with situations that reminded you of the event? (Listen for reports of symptoms such as racing heart beat, or muscle tension, but do not suggest symptoms to patient) How often?

0 Never
1 Once
2 Two or three times
3 Four or five times
4 Daily or almost every day

Intensity At their worst, how strong were these physical reactions?

0 no physical reaction
1 Mild, minimal reaction
2 Moderate, physical reaction clearly present, reports some discomfort
3 Severe, marked physical reaction, reports strong discomfort
4 Extreme, dramatic physical reaction, sustained arousal

GLOBAL RATINGS

(18) Impact on Social Functioning

Have the symptoms you've told me about affected your social life?
Rate the overall impact that the PTSD symptoms have had on the patient's social functioning, taking

into consideration impressions of the patient's behaviour, as well as his/her report provided at other times during the interview.

0 No adverse impact on social functioning
1 Slight/mild impact on social functioning, some impairment
2 Moderate impact on social functioning
3 Severe impact on social functioning
4 Extreme impact on social functioning

(19) Impact on Occupational Functioning

Are you working now? Have the symptoms you've told me about affected your work or your ability to work?

0 No adverse impact on occupational functioning
1 Slight/mild impact on occupational functioning, some impairment
2 Moderate impact on occupational functioning, significant impairment, intermittant employment
3 Severe impact on occupational functioning, chronically unemployed
4 Extreme impact on occupational functioning, not employed since event

(20) Global Improvement

0 Asymptomatic
1 Very much improvement
2 Moderate improvement
3 Slight improvement
4 No improvement or insufficient information

(21) Global Severity

0 Asymptomatic
1 Slight/mild symptoms, little functional impairment
2 Moderate symptoms, but functions satisfactorily with effort
3 Severe symptoms, limited functioning even with effort
4 Extreme symptoms, pervasive impairment