



Home Office

# **Country Policy and Information Note**

## **Zimbabwe: Opposition to the government**

**Version 3.0**

**April 2018**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis of COI; and (2) COI. These are explained in more detail below.

## Analysis

Analysis involves an assessment of the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – describing these and their inter-relationships and providing an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm;
- A person is able to obtain protection from the state (or quasi state bodies);
- A person is reasonably able to relocate within a country or territory;
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave; and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

Information has been considered up to the “cut-off” date in the country information section. Any other event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the COI was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Analysis

Updated: 17 April 2018

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 A fear of persecution or serious harm by the state or its proxies because of the person's actual or perceived political opposition to the government.

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### 1.2 Points to note

- 1.2.1 Persons involved in actual or perceived opposition activities include members or supporters of political parties, protestors, journalists, civil society activists and teachers.
- 1.2.2 People who may be considered as proxies of the state include the Zimbabwe National Liberation War Veterans Association ('the War Veterans'), the Youth Brigades and Zimbabwe African Union – Patriotic Front (ZANU-PF).

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Assessment of risk

#### a) Opposition party members

- 2.2.1 Opposition parties continue to operate and represent a challenge to the government. However, the political space is controlled by the ruling ZANU-PF which uses the state security apparatus to harass and intimidate those in opposition to it. While levels of politically-motivated violence have generally declined since 2008, these fluctuate and human rights violations committed by the security forces and ZANU-PF supporters against opposition party members continue. There have also been incidents of intra-party human rights violations within MDC and ZANU-PF factions (see [Treatment of opposition to the government](#)).
- 2.2.2 In the case of [CM \(EM country guidance; disclosure\) Zimbabwe](#), heard in October 2012 and promulgated in January 2013, (which modified the Country Guidance in of [EM & others \(Returnees\) Zimbabwe](#), heard in

October 2010/January 2011 and promulgated in March 2011), the Upper Tribunal found that in general there is significantly less politically-motivated violence in Zimbabwe compared with the situation considered by the Asylum Immigration Tribunal in [RN \(Returnees\) Zimbabwe](#), heard in September/October 2008 and promulgated in November 2008. In particular, the evidence does not show that, in general, the return of a failed asylum seeker from the United Kingdom, having no significant MDC profile, would result in that person facing a real risk of having to demonstrate loyalty to ZANU-PF (para 215 (1)).

- 2.2.3 The Tribunal in [CM](#) also found that a person without ZANU-PF connections returning from the United Kingdom after a significant absence, to a rural area of Zimbabwe, other than Matabeleland North or Matabeleland South, may find it difficult to avoid ill-treatment from ZANU-PF authority figures and those they control. Ill-treatment may involve a requirement to demonstrate loyalty to ZANU-PF, with the prospect of serious harm if this is refused. Persons returning to these areas who have shown themselves not to be favourably disposed to ZANU-PF are entitled to international protection, whether or not they could and would do whatever might be necessary to demonstrate such loyalty ([RT \(Zimbabwe\)](#) (para 215 (2))).
- 2.2.4 However, the Tribunal in [CM](#) found that in general those returning to rural areas of Matabeleland North or Matabeleland South would be highly unlikely to face significant ill-treatment from the ZANU-PF and its proxies, including the security forces, even if the returnee is a MDC member or supporter. A person from Matabeleland may, however, be able to show that his or her village or area is one that, unusually, is under the influence of a ZANU-PF chief (para 215 (4)).
- 2.2.5 Those returning to all other rural areas without ZANU-PF connections, after a significant absence, would face a real risk of persecution because of a continuing risk of being required to demonstrate loyalty to ZANU-PF, with the prospect of serious harm if this is refused. However, the situation is not uniform across rural areas and each case will have to be considered on its facts (para 215 (2) and (3)).
- 2.2.6 With regard to urban areas, primarily Harare and Bulawayo, the Tribunal in [CM](#) found that a returnee to Harare will face socio-economic difficulties living in high density areas not faced by persons living in other urban areas and persons perceived to be active in MDC politics may face the risk of targeted reprisals (para 100 of CM referencing para 200 of [EM](#)). However, in general a person returning to a high density area without ZANU-PF connections will not face significant problems unless he or she:
- has a significant MDC profile, which might cause him or her to feature on a list of those targeted for harassment
  - would otherwise engage in political activities likely to attract the adverse attention of the ZANU-PF
  - would be reasonably likely to engage in such activities if it wasn't for a fear that by doing so they would come to the adverse attention of the ZANU-PF ([EM](#), para 215 (5))

- 2.2.7 A returnee to a low or medium density area in Harare will, however, in general face no significant difficulties (EM, para 215 (5)).
- 2.2.8 Returnees to Bulawayo will in general not suffer the adverse attention of ZANU-PF, including the security forces, even if he or she does have a significant MDC profile (para 215 (6)).
- 2.2.9 The political landscape in Zimbabwe has seen some change since [CM](#) was promulgated in 2013 but has remained relatively stable as a result of the threat posed by the state security apparatus and relative weakness of opposition groups. The MDC splintered into three groups though the MDC-T faction remains the main opposition to the government but is less of a political force than it was when [EM](#) and [CM](#) were heard (see [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.2.10 While the government and its proxies continue to subject some members of opposition groups to harassment, discrimination, arbitrary arrest, abduction and physical abuse, it appears to use less overt violence than previously. It also uses intimidation, distribution of food aid, and manipulating the courts, to obtain political influence. Levels of politically-motivated human rights violations have declined since the peak at the 2008 elections but continue to fluctuate. Most violations take place in areas dominated by the ZANU-PF, including Manicaland, Mashonaland and parts of Harare. There is evidence that members of smaller opposition parties face lower levels of official discrimination than the larger MDC factions because they do not represent a significant threat to the ZANU-PF (see [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.2.11 In November 2017, Robert Mugabe was forced by the military to step down as president. This followed a period of internal conflict within the ZANU-PF, during which different factions jockeyed for position to succeed Mr Mugabe. After the military's intervention and Mr Mugabe's 'resignation', Emmerson Mnangagwa, the former vice president who had fled the country, returned and was inaugurated as president on 24 November 2017. President Mnangagwa has since consolidated his position within the ruling party, appointing his supporters to the cabinet while factional opponents within ZANU-PF have been side-lined or expelled (see [Removal of President Robert Mugabe](#)).
- 2.2.12 President Mnangagwa has promised 'free, fair and credible' internationally observed elections, which must be held by 22 August 2018, and has acknowledged the need for the rule of law, economic reform and responsible government. However, he has yet to propose, amongst other things, substantive legislative and security sector reform or devolution of power (see [Removal of President Robert Mugabe](#) and [Treatment of opposition to the government](#)).
- 2.2.13 While the tone of political rhetoric has been more conciliatory since Mr Mnangagwa came to power, there is a lack of clear and cogent evidence that the government has fundamentally changed the political environment or how it treats those opposed to the state (see [Removal of President Robert Mugabe](#) and [Treatment of opposition to the government](#)).



2.2.14 Although the political landscape has improved since CM and EM were promulgated, the findings of the Tribunals in those cases generally continue to apply. A person who is, or perceived to be, a supporter of the MDC-T is in general not likely to be at risk of persecution or serious harm in:

- Low or medium density areas of Harare
- Bulawayo
- Matabeleland generally

2.2.15 However, MDC-T members or those perceived to support the MDC are in general likely to face serious harm or persecution in

- High density areas of Harare
- Rural areas (other than Matabeleland where there have been fewer incidents recorded)

2.2.16 Persons belonging to other, smaller opposition political parties – including MDC-N, MDC-R/Peoples Democratic Party and the National People’s Party – are in general less likely to be of adverse interest to the state and its proxies than supporters of the MDC-T, and therefore are unlikely to be subject to treatment that by its nature and repetition amounts to persecution.

2.2.17 Each case, however, needs to be considered on its individual merits, taking into account the person’s profile, activities, area of origin and proposed area of return, with the onus on the person to demonstrate that may face a risk of persecution.

#### b) [Distribution of food aid and demolition of ‘illegal’ housing](#)

2.2.18 The government has manipulated the organised distribution of state funded food aid and agricultural products, favouring government supporters, and previously demolishing “illegal” houses in an attempt to undermine the political opposition and harass people ([see Distribution of food and agricultural products](#) and [Demolition of housing](#)).

2.2.19 Such treatment, though, would not in and of itself be serious enough by its nature and repetition to establish a claim to asylum.

#### b) [Demonstrations against the government](#)

2.2.20 Demonstrations about the government’s management of the economy are seen by the authorities as politically-motivated, even though people without strong political views have taken part. The police have historically sometimes used excessive force to disperse demonstrators and people have been arrested and detained under public order offences for a few days ([see Protests and demonstrations about the economy](#)).

2.2.21 It is unlikely that a person will be at risk on return purely for having taken part in demonstrations. However, those organising a demonstration may be at risk if the government perceives them to be political agitators. This will depend on their profile, activities and past experiences with the authorities.

#### c) [Human rights defenders and members of civil society organisations](#)

2.2.22 The authorities use legal restrictions to impede or interfere with the activities of civil society organisations and human rights defenders perceived to be

critical of the government. Prominent activists, who are vocal in their criticism of the government, may be at risk of serious harm or persecution (see [Treatment of civil society groups](#)).

#### d) Journalists

- 2.2.23 Despite threats from the government and imposed restrictions, the independent press continues to operate. Some journalists have been harassed, arrested, assaulted, and detained by the security forces, and may face a risk of persecution or serious harm depending on their circumstances (see [Treatment of journalists](#)).
- 2.2.24 It is for the person to show that they would be at risk of serious harm or persecution on return to Zimbabwe, based on their profile and the nature and content of their writing.

#### e) Teachers

- 2.2.25 In the country guidance case of [CM](#), the Upper Tribunal found that those who are, or have been, a teacher are at a heightened risk of ill-treatment (para 215 (10)).
- 2.2.26 However, recent country information indicates that there has been a significant reduction in the level of official discrimination and ill-treatment against teachers since 2008. This ill-treatment has changed from overt violence to harassment and intimidation (see [Treatment of teachers](#)).
- 2.2.27 Teachers are, in general, unlikely to be able to demonstrate that they would face persecution or serious harm solely on grounds of their profession. Each case must be considered on its individual facts.
- 2.2.28 For guidance on assessing risk generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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### 2.3 Protection

- 2.3.1 As the person's fear is of persecution or serious harm at the hands of the state or proxies of the state, they will not be able to avail themselves of the protection of the authorities (see [State security apparatus](#)).
- 2.3.2 For guidance on assessing the availability of protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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### 2.4 Internal relocation

- 2.4.1 Although the person's fear is of persecution/serious harm at the hands of the state they may be able to relocate to mitigate that risk provided that the relocation would not be unreasonable.
- 2.4.2 The Upper Tribunal in [CM](#) found that what is a person's home for the purposes of internal relocation is to be decided as a matter of fact and is not necessarily determined by reference to the place a person regards as his or her rural homeland (para 215 (7)).
- 2.4.3 The Tribunal in [CM](#) found that, in general, it is unlikely that a person with a well-founded fear of persecution in a major urban centre, such as Harare,

will reasonably be able to relocate to a rural area in the eastern provinces if they have no connection to the area (para 215 (7)).

- 2.4.4 A person from a rural area of Zimbabwe may, however, be able to internally relocate to Harare or Bulawayo depending on the facts of the case (para 215 (8)). However, Shona relocating to Bulawayo (or other parts of Matabeleland) may face ethnic discrimination making internal relocation unreasonable in some cases (see [CM](#) para 215 (7)).
- 2.4.5 Each case will need to be considered on its facts, with the onus on the person to demonstrate that they are unable to relocate.
- 2.4.6 For further guidance on internal relocation generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

- 2.5.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.5.2 For further guidance on certification, see the [Certification of protection and human rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Updated: 17 April 2018

## 3. The political landscape

### 3.1 Overview

- 3.1.1 The Australian government Department of Foreign Affairs and Trade 'DFAT Country Information Report – Zimbabwe' [DFAT 2016 report], published on 11 April 2016, summarised:

'In March 2008, the main opposition party – the Movement for Democratic Change-Tsvangirai (MDC-T) – secured a parliamentary majority in national elections, sparking a wave of anti-MDC violence. Internationally brokered negotiations led to the formation of the Government of National Unity (GNU), or Inclusive Government, in February 2009 – a power-sharing arrangement between the ZANU-PF, MDC-T and the other major opposition party, the Movement for Democratic Change-Ncube (MDC-N). This political settlement temporarily stabilised the economy and reduced the level of open political violence. Although marred by infighting, the GNU agreed the text of a new Constitution and held a referendum on constitutional change in March 2013. Approximately 95 per cent of voters approved the new Constitution, which entered into force in May 2013, though many elements of it have not been implemented.

'The July 2013 presidential and parliamentary elections saw the end of the GNU. ZANU-PF and President Mugabe both claimed a landslide victory in these elections, with President Mugabe winning 61 per cent of the vote and ZANU-PF securing 160 of 210 seats in the National Assembly. Although less violent than the 2008 elections, the 2013 elections were judged by international observers to be neither fair nor credible...

'The MDC-T has splintered and is currently less of a threat to the ZANU-PF. Political violence – mostly in the form of harassment and intimidation – has remained a key feature of the country's landscape.'<sup>1</sup>

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### 3.2 Removal of President Robert Mugabe

- 3.2.1 An International Crisis Group (ICG) report summarised the events surrounding President Mugabe's ousting from power in November 2017:

'After 37 years in power, Robert Mugabe is no longer Zimbabwe's president. Over the course of eighteen days in November, conflict among factions within the ruling party over then-Vice President Emmerson Mnangagwa's bid to succeed the president finally came to a head. The military, intent on preserving interests it felt were threatened by detractors within the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) forced Mugabe to resign; Mnangagwa, who had fled the country fearing assassination, was inaugurated [as President] on 24 November. He quickly consolidated power, appointing a cabinet filled with supporters, including military officers and war

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<sup>1</sup> Australian government, DFAT 'Country Information Report - Zimbabwe', p4, 11 April 2016, [url](#)

veterans. For its part, ZANU-PF dutifully silenced and sidelined his rivals, expelling his fiercest critics. For Mnangagwa, now comes the hard part: he must rescue a failing economy, reinstitute effective governance and set the stage for credible elections in 2018.

‘Both then-Zimbabwe Defence Forces commander, General Constantino Chiwenga and Mnangagwa claimed the military intervention was necessary to preserve the revolution and stabilise the country.’<sup>2</sup>

### 3.2.2 The same ICG report provided further analysis of the causes of the ousting of Robert Mugabe:

‘The back story of Mugabe’s dramatic fall is beginning to emerge; more details will seep out in coming weeks and months. What is clear is that Mnangagwa’s dismissal and subsequent expulsion from ZANU-PF on 6 November, coupled with moves to change the military command, was the catalyst for military intervention. Efforts by Generation 40 (G40) faction members of ZANU-PF to consolidate their position and Grace Mugabe’s [Mr Mugabe’s wife] elevation to vice president also threatened the positions and interests of key members of the security sector. Indeed, tensions between Mugabe and elements in the security sector had been growing for some time, especially in relation to their – and Mnangagwa’s – declining influence in party structures. Since December 2015, Mugabe had twice publicly admonished the military for interfering in internal ZANU-PF politics; Grace Mugabe’s public insults and divisiveness poured fuel on the fire. The G40 faction of younger politicians and Mnangagwa detractors presented another challenge, threatening the status quo and related economic interests, said to include control over the Marange diamond fields.’<sup>3</sup>

### 3.2.3 Once inaugurated as President, Mr Mnangagwa set about appointing a cabinet and setting out his aims:

‘[International concerns about the circumstances of the transition were]... exacerbated by Mnangagwa’s cabinet appointments. ZANU-PF appears intent on buying time to consolidate its position ahead of elections that must be held before September 2018 and that it is determined and well placed to win. There is precedent: after it blatantly rigged the 2008 elections and faced both violence and strong regional and international pressure, the party agreed to share power with the opposition but used the next four years to bolster its hold on power and engineer a huge, albeit highly controversial victory in the 2013 elections. Although Mnangagwa has promised “free and fair” elections, he takes over as an unelected president with a limited timeframe and with a long list of overdue electoral reforms to ensure their credibility. He and his government will need to act fast lest the vote be flawed and fail to deliver the required legitimacy for donors to re-engage and for Zimbabweans to work together on the country’s recovery.

‘...In several respects, President Mnangagwa’s inaugural speech set a new tone. He focused on economic stimulus, rule of law and responsible governance. What he failed to mention was electoral and security sector reform, national healing, devolution of power and reconciliation. And what he

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<sup>2</sup> International Crisis Group (ICG), Briefing 134 (Overview), 20 December 2017, [url](#)

<sup>3</sup> ICG, Briefing 134 (Section II), 20 December 2017, [url](#)

failed to do was reach out to the opposition or ensure the executive was staffed with competent technocrats. The test will be what he does next and how vigilant international actors are in pressing him to head in the right direction, notably by making their support contingent on the holding of credible elections. The new president has asked for patience. He says he needs time to address the country's multiple challenges. This is a reasonable request. However, to achieve his goals, and cement a legacy as the leader who turned Zimbabwe around, he will have to lay the foundation for institutionalising rule of law, respect for the constitution and – of crucial importance in the run-up to the 2018 vote – implementing procedures that can ensure free and fair elections. The military's return to the barracks and the resumption of normal duties by the Zimbabwe Republic Police after five weeks is an important step.'<sup>4</sup>

3.2.4 The ICG also observed President Mnangagwa's initial actions:

'Immediately upon his return, Mnangagwa said that "Zanu-PF will continue ruling no matter what, while those who oppose it will continue barking". Mnangagwa's new administration rewarded key allies in ZANU-PF, brought in more war veterans and even two senior security service chiefs. It did not include opposition elements or external technocrats as had been expected. Although slightly slimmer in size, its composition reflects a large degree of continuity in substance, with at least a third of the cabinet having served in previous Mugabe administrations. Women and youth are poorly represented.'<sup>5</sup>

3.2.5 The [ICG report](#) provides an account of the events leading to and after the ousting of Mr Mugabe based on information available to the ICG.

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### 3.3 Political framework

3.3.1 The Freedom House 'Freedom in the World 2018' report, published in 2018, stated:

'Zimbabwe has a bicameral legislature. In the lower chamber, the 270-seat National Assembly, 210 members are elected through a first-past-the-post system with one member per constituency, and 60 female members are elected by proportional representation. The 80-seat Senate includes 6 members from each of Zimbabwe's 10 provinces who are elected through proportional representation, and 20 appointed members, including 18 traditional leaders and 2 members representing people with disabilities. Members in both houses serve five-year terms.'<sup>6</sup>

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<sup>4</sup> ICG, Briefing 134 (Overview), 20 December 2017, [url](#)

<sup>5</sup> ICG, Briefing 134 (Section IV), 20 December 2017, [url](#)

<sup>6</sup> Freedom House, 'Freedom in the World 2018', 2018, [url](#)

## 4. The political opposition

### 4.1 Overview

4.1.1 There are 75 registered parties as of January 2018<sup>7</sup>. The Central Intelligence Agency (CIA) 'World Factbook' listed the political parties in Zimbabwe and their leaders (list is not exhaustive):

- Freedom Party [Cosmas Mponda]
- Movement for Democratic Change - Ncube (MDC-N) [Welshman Ncube]
- Movement for Democratic Change - Tsvangirai (MDC-T) [Nelson Chamisa]
- National People's Party (NPP) [Joyce Mujuru] formerly Zimbabwe People First or ZimPF)
- Peoples Democratic Party (PDP) [Tendai BITI]
- Transform Zimbabwe (TZ) [Jacob Ngarivume]
- Zimbabwe African National Union-Patriotic Front (ZANU-PF) [Emmerson Mnangagwa]
- Zimbabwe African Peoples Union (ZAPU) [Dumiso Dabwngwa]
- Zimbabwe People First (ZimFirst) [Maxwell Shumba]<sup>8</sup>.

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### 4.2 Political freedom

4.2.1 The United States State Department (USSD) 'Country Report on Human Rights Practices for 2016', published on 3 March 2017, stated:

'The constitution and law provide for freedom of association, but the government restricted this right. Although the government did not restrict the formation of political parties or unions, security forces and ZANU-PF supporters continued to interfere with their activities. ZANU-PF supporters, sometimes with government support or acquiescence, intimidated and abused members of organizations perceived to be associated with other political parties. In addition to intimidation and harassment, ZANU-PF supporters sometimes burned to the ground the homes of individuals perceived to be associated with opposition political parties.'<sup>9</sup>

4.2.2 The USSD human rights report also stated:

'The constitution provides for freedom of assembly, but the government restricted this right.

'The Public Order and Security Act requires organizers to notify police of their intention to hold a public gathering--defined as 15 or more individuals--seven days in advance. Failure to do so may result in criminal prosecution as well as civil liability. The law also allows police to prohibit a gathering

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<sup>7</sup> 'Timeslive', '75 political parties prepare to square up in Mugabe-less Zimbabwe election', 30 January 2018, [url](#)

<sup>8</sup> CIA, 'World Factbook', Zimbabwe, 'Political parties and leaders', 6 April 2018, [url](#)

<sup>9</sup> USSD, human rights report for 2016, Zimbabwe, section 2b, 3 March 2017, [url](#)

based on security concerns but requires police to file an affidavit in a magistrates' court stating the reasons behind the denial. Although many groups did not seek permits, other groups informed police of their planned events, and the police either denied permission or gave no response.

'Authorities often denied requests by civil society, trade unions, religious groups, or political parties other than ZANU-PF to hold public events if the agenda conflicted with ZANU-PF policy positions. There were few reports of political rallies interrupted by opposing political parties.'<sup>10</sup>

#### 4.2.3 A 'Mail & Guardian' article reported on the creation of a coalition of opposition parties in May 2016:

'Smaller opposition parties in Zimbabwe on Tuesday signed a coalition agreement in Harare, dubbed the Coalition of Democrats (CODE) which is expected to see them field and support one candidate for President and other positions, from local government elections up to legislators.

'The agreement was signed by Democratic Assembly for Restoration of the Economy (DARE) President, Gilbert Dzikiti, MDC-N President, Welshman Ncube, Mavambo Khusile Dawn (MKD) President Simba Makoni, Renewal Democrats President, Elton Mangoma, and Zimbabwe United for Democracy (ZUNDE) President Farai Mbire.

'People's Democratic President, Tendai Biti and ZAPU Secretary for Information and Publicity, Mjobisa Noko were at the signing ceremony and gave solidarity messages although they did not sign the agreement.

'The MDC led by Morgan Tsvangirai, which is the biggest opposition party in the country, and the newly formed Zimbabwe People First led by deposed Vice President, Joice Mujuru, were conspicuous by their absence.'<sup>11</sup>

#### 4.2.4 The Freedom House 'Freedom in the World 2018' report stated:

'Political parties may generally form without interference, and there were some 75 registered political parties in Zimbabwe at the end of 2017, many of which had newly formed ahead of the 2018 general elections. However, new and opposition parties face obstacles in their operations. State newspapers and broadcasting institutions tend not to cover opposition candidates. Opposition gatherings often draw a heavy police presence compared to the ruling party's rallies, and police often impose restrictions on opposition activities.'<sup>12</sup>

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### 4.3 Movement for Democratic Change-Tsvangirai (MDC-T)

#### 4.3.1 The MDC-T remains the main opposition party in Zimbabwe despite suffering two significant splits since 2005 (the MDC-Ncube broke away from the MDC-T in 2005 and MDC-Renewal separated from the MDC-T in 2014-15). The headquarters of the MDC-T is in Harare but it has

<sup>10</sup> USSD, human rights report for 2016, Zimbabwe, section 2b, 3 March 2017, [url](#)

<sup>11</sup> 'Mail & Guardian', 'Smaller Zimbabwe opposition parties launch coalition', 31 May 2016, [url](#)

<sup>12</sup> Freedom House, 'Freedom in the World 2018', Zimbabwe, [url](#)



offices in most major population centres in Zimbabwe. MDC-T membership is strongest in Harare, Bulawayo, and the Matabeleland North and South provinces. Party recruitment occurs at the branch level.<sup>13</sup>

4.3.2 The leader of MDC-T, Morgan Tsvangirai, died on 14 February 2018.<sup>14</sup> The MDC-T elected a new leader, Nelson Chamisa, on 1 March 2018.<sup>15</sup>

4.3.3 The MDC-T has formed alliances with other political parties, as noted in a Zimbabwe 'Herald' (state-run newspaper) article, dated 12 August 2017: 'MDC-T leader Morgan Tsvangirai last week formed an alliance with six other smaller political parties. The coalition will operate under the banner of MDC Alliance, with Tsvangirai as its leader.'<sup>16</sup>

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#### 4.4 MDC Alliance

4.4.1 MDC Alliance was formed in August 2017 after the realisation by the country's opposition parties that they needed to work together. Currently, the alliance is composed of MDC-T, People's Democratic Party, Transform Zimbabwe, MDC, Multiracial Christian Democrats (MCD), ZimPF and Zanu Ndonga<sup>17</sup>.

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#### 4.5 MDC-Renewal and the People's Democratic Party

4.5.1 MDC-Renewal formed on 26 April 2014 as a breakaway faction of the MDC-T. Led by the former MDC-T Secretary General, Tendai Biti, and the former MDC-T Treasury-General, Elton Mangoma, MDC-Renewal formed a coalition with the MDC-Ncube under the United Movement for Democratic Change (UMDC) on 1 March 2015. The UMDC splintered on 24 March 2015 because of ideological differences between the groups' leaders. MDC-Renewal split on 3 June 2015, with Elton Mangoma leaving the party to form and lead the Renewal Democrats of Zimbabwe (RDZ).<sup>18</sup>

4.5.2 On 10 September 2015, Tendai Biti established the People's Democratic Party (PDP) to replace MDC-Renewal. The PDP has described itself as a social democratic party committed to a broad range of socioeconomic and electoral reforms.<sup>19</sup>

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#### 4.6 MDC-Ncube

4.6.1 The MDC-Ncube is one of two parties to emerge from the MDC following the MDC's split in 2005. Led by Welshman Ncube, the MDC-N's powerbase is Bulawayo. The MDC-N has become a fractured and marginalised political

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<sup>13</sup> DFAT, p11, 11 April 2016, [url](#)

<sup>14</sup> 'Daily Telegraph', 'Zimbabwe opposition leader Morgan Tsvangirai dies', 14 February 2018, [url](#)

<sup>15</sup> 'Daily News', 'Chamisa wins election as new MDC president', 2 March 2018, [url](#)

<sup>16</sup> 'Herald', 'A coalition of zeros', 12 August 2017, [url](#)

<sup>17</sup> OpenParly, 'Is MDC Alliance in disarray', 26 January 2018, [url](#)

<sup>18</sup> DFAT, p11, 11 April 2016, [url](#)

<sup>19</sup> DFAT, p11, 11 April 2016, [url](#)

force since the July 2013 elections, where it gained one parliamentary seat based on proportional representation. Welshman Ncube only received 2.68 per cent of the Presidential vote.<sup>20</sup>

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#### 4.7 National People's Party (formerly Zimbabwe People First)

4.7.1 Infighting within the ZANU-PF party led to the formation of splinter groups within and outside the party. Joice Mujuru, who was replaced as vice president in 2014, and expelled from ZANU-PF, emerged as the leader of a breakaway faction, Zimbabwe People First (ZPF), during 2015.<sup>21</sup> In March 2017, Joice Mujuru changed the name of the ZPF party to the National People's Party.<sup>22</sup>

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#### 4.8 Social media inspired groups

4.8.1 An International Business Times report, “‘We are at the tip of the end of President Mugabe” Zimbabwe's Tajamuka campaign says’, dated 29 July 2016, stated that:

‘Since May 2016, a flurry of citizen or civil activism movements have been rising and spreading, and are calling for much yearned social, political and economic change – areas where they believe standard opposition politics have not delivered as hoped. The country has been rocked by two peaceful campaigns known as #ThisFlag and #Tajamuka – both of which have vowed to protest until Mugabe steps down.’<sup>23</sup>

4.8.2 The Freedom House ‘Freedom on the Net 2017’ report stated:

‘Citizens have increasingly turned to digital tools to engage in activism and mobilize for political and social issues in the past few years. WhatsApp has become particularly popular for organizing and sharing information, especially during the #ShutDownZim protests beginning in July 2016, which urged citizens to stay at home from work for two days in protest of the government’s alleged negligence and mismanagement of the country. During the protests, WhatsApp became inaccessible for several hours, leading to strong suspicions of deliberate government interference, particularly given various threats that had been made by public officials against social media...The protests were inspired by the #ThisFlag social media movement launched by Pastor Evan Mawarire through his spoken word commentary that criticized Zimbabwe’s state of affairs in a YouTube video that went viral in April 2016. Throughout 2016 and 2017, Mawarire continued to post critical commentary on his social media pages, including via livestream, to call attention to the ongoing governance issues in Zimbabwe, leading to his arrest on several occasions...

‘Many other social and political activists turned to social media to livestream or report on public events such marches and civic meetings. In one

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<sup>20</sup> DFAT, p12, 11 April 2016, [url](#)

<sup>21</sup> Freedom House, ‘Freedom on the World 2017’, Political Rights, Zimbabwe, 31 January 2017, [url](#)

<sup>22</sup> ‘Herald’, ‘Mujuru changes party name to National People’s Party’, 3 March 2017, [url](#)

<sup>23</sup> International Business Times, “‘We are at the tip of the end of President Mugabe” Zimbabwe's Tajamuka campaign says’, 29 July 2016, [url](#)

successful campaign, online mobilization and digital activism was credited with saving the creative community space and tech hub, Moto Republik, from the Harare City Council's plans to demolish the building in March 2017... An innovative structure built out of scrap containers, the tech hub had been the nerve center of recent online activism, including the @OpenPartyZim, #ThisWeek, Zambezi News, as well as other youth online media platforms.'

<sup>24</sup>

#### 4.8.3 The Freedom House 'Freedom in the World 2018' report stated:

'In October 2017, the ministry for Cyber Security, Threat Detection, and Mitigation was established, with the government saying it was needed to respond to threats against the state posed by the purported abuse of social media. Soon after, police arrested Martha O'Donovan, a project manager for the online station Magamba TV and a U.S. citizen, for a tweet that allegedly insulted Mugabe. She was charged under the CLCRA with subversion and insulting the president, and was free on bail at year's end.'

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## 5. State security apparatus

### 5.1 Overview

#### 5.1.1 The USSD human rights report for 2016 stated:

'The constitution provides for a National Security Council (NSC) composed of the president, vice president, and selected ministers and members of the security services. The NSC, chaired by the president, is responsible for setting security policies and advises the government on all security-related matters. The ZRP [Zimbabwe Republic Police] is responsible for maintaining internal law and order. The Department of Immigration and the ZRP are primarily responsible for migration and border enforcement. Although the ZRP is officially under the authority of the Ministry of Home Affairs, the Office of the President controlled some ZRP roles and missions. The Zimbabwe National Army and Air Force constitute the Zimbabwe Defense Forces under the Ministry of Defense. The armed forces are responsible for external security, but the government sometimes deployed them as a back-up to the police as a show of force.'

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### 5.2 The police

#### 5.2.1 The DFAT 2016 Zimbabwe report noted:

'Headquartered in Harare and organised provincially, estimates of the size of the ZRP, including reserves, range from 40,000-60,000, though there are no official figures. Specialist and support roles include the ZRP Law and Order Section (riot police); the Police Support Unit (a paramilitary branch); the Criminal Investigation Department; and the Police Internal Security and Intelligence unit. Numerous ZRP units suffer from inadequate training and

<sup>24</sup> Freedom House, 'Freedom on the Net 2017', Zimbabwe, 14 November 2017, [url](#)

<sup>25</sup> Freedom House, 'Freedom in the World 2018', Zimbabwe, [url](#)

<sup>26</sup> USSD, human rights report for 2016, section 1d, Zimbabwe, 3 March 2017, [url](#)

chronic under-funding, which has resulted in equipment and personnel shortages. Corruption in the ZRP is likely to exist at all levels.’<sup>27</sup>

5.2.2 The DFAT 2016 Zimbabwe report also noted:

‘Reliable sources informed DFAT that the ZRP is a highly partisan force. Top police commanders are appointed, and expected to support ZANU-PF; political affiliation can impact on the effectiveness of police investigations, particularly in cases involving criminal and political violence; and ZRP personnel regularly use the POSA [Public Order and Security Act] to restrict freedom of assembly and expression in support of ZANU-PF interests.’<sup>28</sup>

5.2.3 The USSD human rights report for 2016 stated:

‘Implicit assurances of impunity and a culture of disregard for human rights contributed to police use of excessive force in apprehending and detaining criminal suspects. Ignorance of the provisions of the constitution also compromised the quality of police work. Police were ill equipped, underpaid (frequently in arrears), and poorly trained, particularly at the lower levels. A lack of sufficient fuel and resources reduced police effectiveness. Poor working conditions, low salaries, and high rates of dismissal resulted in corruption and high turnover. The government changed pay dates for security forces on a month-to-month basis.

‘The constitution calls for a government body to investigate complaints against the police. Despite this provision, there were no internal or external entities to investigate abuse by the security forces. Authorities reportedly investigated and arrested corrupt police officers for criminal activity but also punished or arrested police officers on arbitrary charges for failing to obtain or share illicitly gained funds.’<sup>29</sup>

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### 5.3 Armed forces

5.3.1 The Global Security website noted:

‘The Zimbabwe Defense Forces is under the command of the president, who is the commander-in-chief of the Defense Forces. He is assisted by the Minister of Defense, who is responsible for the administrative and logistical support of the Defense Forces, and the commander of the Defense Forces, who maintains operational control of the Defense Forces. Subordinate to the commander of the Defense Forces are the commander of the Zimbabwe National Army (ZNA) and the commander of the Air Force of Zimbabwe.’<sup>30</sup>

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### 5.4 Central Intelligence Organisation (CSO)

5.4.1 The USSD human rights report for 2016 stated: ‘The Central Intelligence Organization (CIO), under the Office of the Vice President, is responsible for

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<sup>27</sup> DFAT, p18, 11 April 2016, [url](#)

<sup>28</sup> DFAT, p18, 11 April 2016, [url](#)

<sup>29</sup> USSD, human rights report for 2016, section 1d, Zimbabwe, 3 March 2017, [url](#)

<sup>30</sup> Global Security, ‘Zimbabwe Defense Forces (ZDF),’ 17 November 2016, [url](#)

internal and external security. All security sector chiefs report directly to the president, who is commander in chief of all security services.’<sup>31</sup>

- 5.4.2 The USSD report also stated: ‘CIO agents and informers routinely monitored political and other meetings. Authorities targeted persons deemed to be critical of the government for harassment, abduction, interrogation, and physical abuse.’<sup>32</sup>

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## 5.5 Other pro-ZANU-PF groups

- 5.5.1 The DFAT 2016 Zimbabwe report noted that the state-sponsored Zimbabwe National Liberation War Veterans Association (ZNLWVA) and the Youth Brigades are the country’s main militia groups:

‘The ZNLWVA comprises approximately 30,000 active and 10-15,000 inactive members. The Youth Brigades, also known as “Green Bombers”, were established as part of the National Youth Training Service in 2001. There are approximately 15,000 Green Bombers...

‘DFAT is aware of recent media reports which indicate that ZANU-PF is seeking to increase the size of the Youth Brigades. A number of militia groups are allegedly linked to key political players. Many of these groups are reported to include security personnel, and they have been widely used to protect Through threats and intimidation, local chiefs and ZANUPF loyalists also compelled individuals, mostly in rural areas, to contribute money toward President Mugabe’s birthday celebrations.’<sup>33</sup>

- 5.5.2 Regarding traditional leaders, the USSD human rights report for 2016 stated:

‘Through threats and intimidation, local chiefs and ZANU-PF loyalists also compelled individuals, mostly in rural areas, to contribute money toward President Mugabe’s birthday celebrations...While the law obliges traditional chiefs to be impartial, in rural areas ZANU-PF used traditional leaders to mobilize voters and canvass support. In return traditional leaders continued to receive farms, vehicles, houses, and other benefits.’<sup>34</sup>

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## 6. Treatment of opposition to the government

### 6.1 Overview: levels of violence

- 6.1.1 DFAT reported in April 2016:

‘The political environment in Zimbabwe remains repressive despite the country experiencing a period of relative calm since general elections in July 2013. This calm is largely attributable to the pervasive threat of the state security apparatus, and to the lack of strong political opposition because key opposition groups have splintered. However, the state-sponsored security

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<sup>31</sup> USSD, human rights report for 2016, section 1d, Zimbabwe, 3 March 2017, [url](#)

<sup>32</sup> USSD, human rights report for 2016, section 2a, Zimbabwe, 3 March 2017, [url](#)

<sup>33</sup> DFAT, p18, 11 April 2016, [url](#)

<sup>34</sup> USSD, human rights report for 2016, section 1f and 3, Zimbabwe, 3 March 2017, [url](#)

apparatus remains intact and continues to harass and intimidate civil society organisations, activists and opposition party members.’<sup>35</sup>

6.1.2 DFAT also observed, focusing on events in 2015, that:

‘The level of politically motivated violence in Zimbabwe has declined significantly since 2008 as a result of the stabilising effect of the [Government of National Unity] GNU; a deliberate change in tactics by ZANU-PF; and the MDC-T’s loss in the 2013 elections, which fractured and severely weakened the country’s main opposition party. But levels of politically motivated violence fluctuate and appear to have increased in 2015.

‘The MDC-T has splintered twice since 2005 and boycotted every by-election in 2015. In this context, the state-sponsored security apparatus has shifted its focus from overt physical violence to more subtle forms of intimidation. These new tactics include manipulating courts; vote rigging; intimidating journalists and civil society activists; manipulating the distribution of food and agricultural products in rural areas; and using land distribution and housing destructions to establish political and electoral influence.

‘According to the Zimbabwe Human Rights NGO Forum, there were 1,606 cases of harassment and intimidation in 2015, with more incidents in the lead-up to by-elections in June and September. The perpetrators were mostly ZANU-PF supporters targeting white farmers, MDC-T and MDC-N members, and ZANU-PF members perceived to be aligned with former Vice President Joice Mujuru... This has continued in 2016, with 140 reported cases of harassment and intimidation in January alone.

‘Credible sources have told DFAT that inter-party harassment and intimidation currently largely targets low-profile opposition party members and supporters and is most prominent in Mashonaland province. In rural areas, ZANU-PF uses its patronage network of village chiefs to manipulate the distribution of government-funded food and agricultural products. There are regular and credible reports of ZANU-PF distributing these goods at party meetings or requiring recipients to possess ZANU-PF identity cards. This has occurred throughout Zimbabwe, particularly in Mashvingo province and areas where there is perceived support for opposition parties, including Matabeleland and Midlands provinces. On 21 November 2015, village leaders and a ZANU-PF ward chairperson in Bindura North distributed fertilizer exclusively to those who attended ZANU-PF meetings. This form of harassment reportedly increases during election periods.’<sup>36</sup>

6.1.3 DFAT also observed that despite a change of tactics, i.e. less overt violence against opposition: ‘...physical violence – and the threat thereof - remains a feature of the political landscape in Zimbabwe. Inter-party violence is most common during election periods and political rallies – particularly those perceived to be contrary to ZANU-PF interests... Official rhetoric also highlights the on-going threat of violence from the state-sponsored security apparatus.’<sup>37</sup>

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<sup>35</sup> DFAT, para 3.15, 11 April 2016, [url](#)

<sup>36</sup> DFAT, paras 3.19-3.22, 11 April 2016, [url](#)

<sup>37</sup> DFAT, paras 3.24, 11 April 2016, [url](#)

6.1.4 The Zimbabwe Human Rights NGO Forum (ZHRNGOF) documented 2,315 human rights violations in the period January 2016 to January 2017, the large majority of incidents (over 80%) were of 3 types of violation: harassment and intimidation (854 cases); arbitrary arrests (682); and 'torture' (333; 197 of which took place in July 2016 during nationwide protests<sup>38</sup>). The police 'accounted for 60% of the violence that occurred, followed by ZANU-PF, which accounted for 32%, ZNA [Zimbabwean National Army] 3% Municipal police 2%, CIO 2% and mixed state agents 1%.'<sup>39</sup>

6.1.5 The ZHRNGOF continued to report incidents of 'organised violence and torture' into 2017, documenting 142 victims of violations between January and May 2017<sup>40 41 42 43 44</sup>.

6.1.6 The Freedom House 'Freedom in the World 2018' report stated:

'Antigovernment demonstrations were not as widespread in 2017 as in 2016, when authorities had responded to a popular protest movement with massive crackdowns. Nevertheless, a number of demonstrations took place in 2017 and state security forces continued to employ excessive force to disperse protestors. Opposition and civil society activists were arrested and charged with crimes such as "subversion" and "insulting the office of the president."

'In November, after Mugabe was placed on house arrest by the military, thousands of people took to the street to demand his resignation without incident. But in December, several people in Matabeleland were assaulted and arrested by security forces for demonstrating against President Mnangagwa, raising concerns about continued repression following Mugabe's fall from power.'<sup>45</sup>

6.1.7 The Zimbabwe Peace Project (ZPP) December 2017 monthly monitoring report noted:

'There have been messages of peace and reconciliation from key political figures raising hopes that this may help towards fighting polarization and also promote tolerance. President Mnangagwa has called for peace and forgiveness while War Veterans Secretary General Victor Matemadanda has asked for tolerance describing the political arena as a market place of ideas where people win or lose through their ideas. These pronouncements are encouraging as the nation gears for the 2018 elections.

'However there have been arrests of activists on charges of undermining the authority of the President. Some of these activists have been allegedly assaulted by ruling Zanu PF activists who claim to be defending President

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<sup>38</sup> Zimbabwe Human Rights NGO Forum (ZHRNGOF), 'Report 2016-2017' (p5), [url](#)

<sup>39</sup> Zimbabwe Human Rights NGO Forum (ZHRNGOF), 'Report 2016-2017' (p8), [url](#)

<sup>40</sup> ZHRNGOF, Organised Violence & Torture (OVT) Report January 2017, p4, 14 February 2017, [url](#)

<sup>41</sup> ZHRNGOF, OVT Report February 2017, p4, 20 March 2017, [url](#)

<sup>42</sup> ZHRNGOF, OVT Report March 2017, p4, 10 April 2017, [url](#)

<sup>43</sup> ZHRNGOF, OVT Report April 2017, p4, [url](#)

<sup>44</sup> ZHRNGOF, OVT Report May 2017, p4, 13 June 2017, [url](#)

<sup>45</sup> Freedom House, 'Freedom in the World 2018', Zimbabwe, [url](#)

Mnangagwa. A worrying trend of Zanu PF taking matters in its own hands threatens peace especially as the 2018 elections approach.’<sup>46</sup>

6.1.8 The ZPP has produced monthly human rights reports covering the period when Robert Mugabe was ousted from the presidency in November 2017, to February 2018, reporting a continuing numbers of incidents but which fluctuated significantly. The number of incidents of violence by different perpetrators (state security forces, ZANU-PF, MDC and unknown actors) and victims (opposition and ZANU-PF) ranged from a low of 124 recorded incidents in December to a peak of 245 in January 2018 with the other months somewhere in between<sup>47 48 49 50</sup>.

6.1.9 The ZPP’s February 2018 report noted:

‘As the 2018 harmonised elections draw closer, according to a roadmap released by the Zimbabwe Electoral Commission (ZEC), expected anytime between July 21 and August 22, 2018, what is happening in political parties is disturbing as it does not by any measure foretell free, fair and credible elections. The death of Tsvangirai [on 14 February 2018] heightened tensions in the opposition MDC-T as the Vice Presidents jostled for the ultimate position in the ‘cockpit’...

‘... Zanu PF deepening factions and conflicts reveal that factions [...] did not disappear with the seismic political shift in November 2017. In some communities while the supposed victors from November 2017, Lacoste faction, seek to consolidate their power and influence and regrettably punishing perceived G40 members, the influence of the ‘icon’ Robert Mugabe seems to be real. There are reports that in some communities in the Mashonaland provinces in particular Mashonaland Central some citizens claim they are not aware that former president Mugabe has been replaced... Even the former president is reported to have broken his silence since November and claimed that his family is being ill-treated by the new administration. The tensions among citizens at the local level are increasing and might to come to a head in the run up to the elections as some citizens report the deployment of the military, a situation similar to that of 2008 when gross acts of violence were perpetrated.’<sup>51</sup>

6.1.10 The ZPP’s monthly reports, which document human rights violations as well as providing commentary on events, are available on reliefweb:

<https://reliefweb.int/updates?source=10308>.

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## 6.2 Arrest, detention and excessive force by state

6.2.1 The Armed Conflict Location & Event Data Project (ACLED), which collates data from publicly available sources, produced a graph of reported violent incidents covering the period 1998 to January 2018, which provides a guide to

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<sup>46</sup> Zimbabwe Peace Project (ZPP), December 2017 report, [url](#)

<sup>47</sup> ZPP, November 2017 report, [url](#)

<sup>48</sup> ZPP, December 2017 report, [url](#)

<sup>49</sup> ZPP, January 2018 report, [url](#)

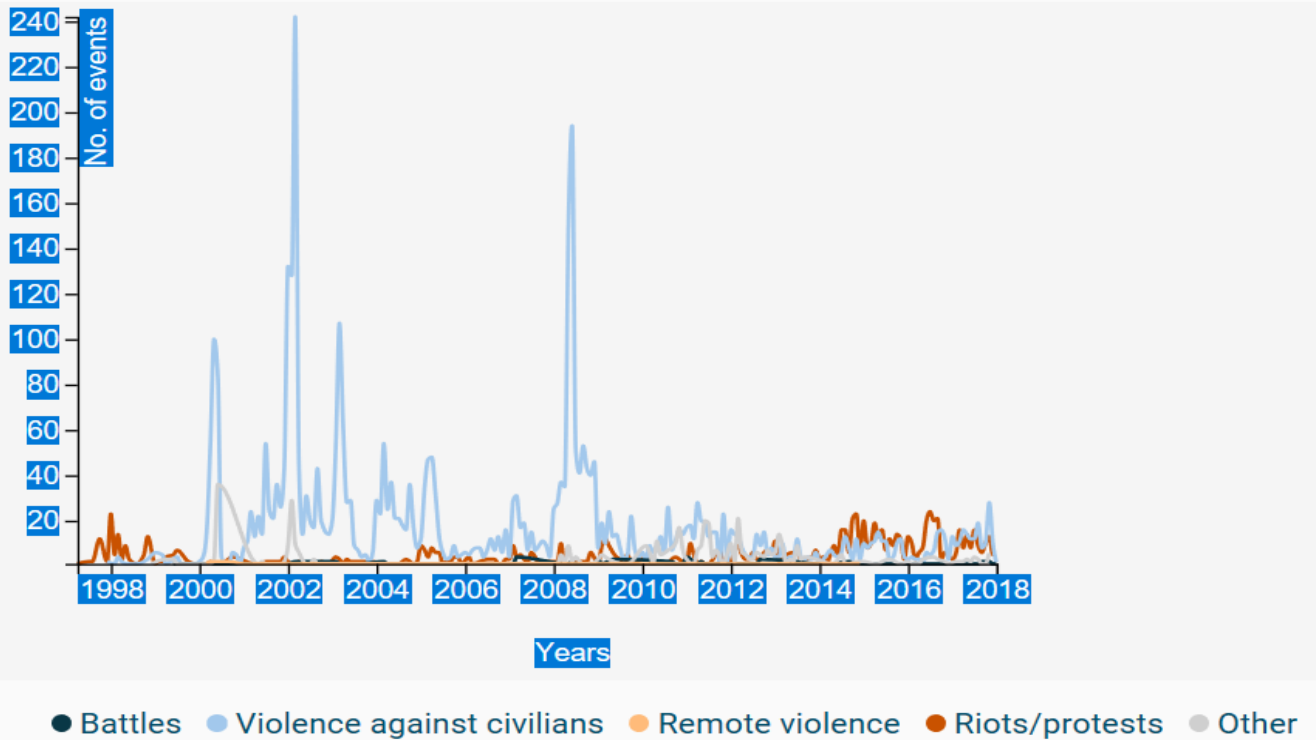
<sup>50</sup> ZPP, February 2018 report, [url](#)

<sup>51</sup> ZPP, February 2018 report, [url](#)



the levels and context of violence. However, it does not identify the nature, perpetrators and motivations of the violence:

#### EVENTS OVER YEAR

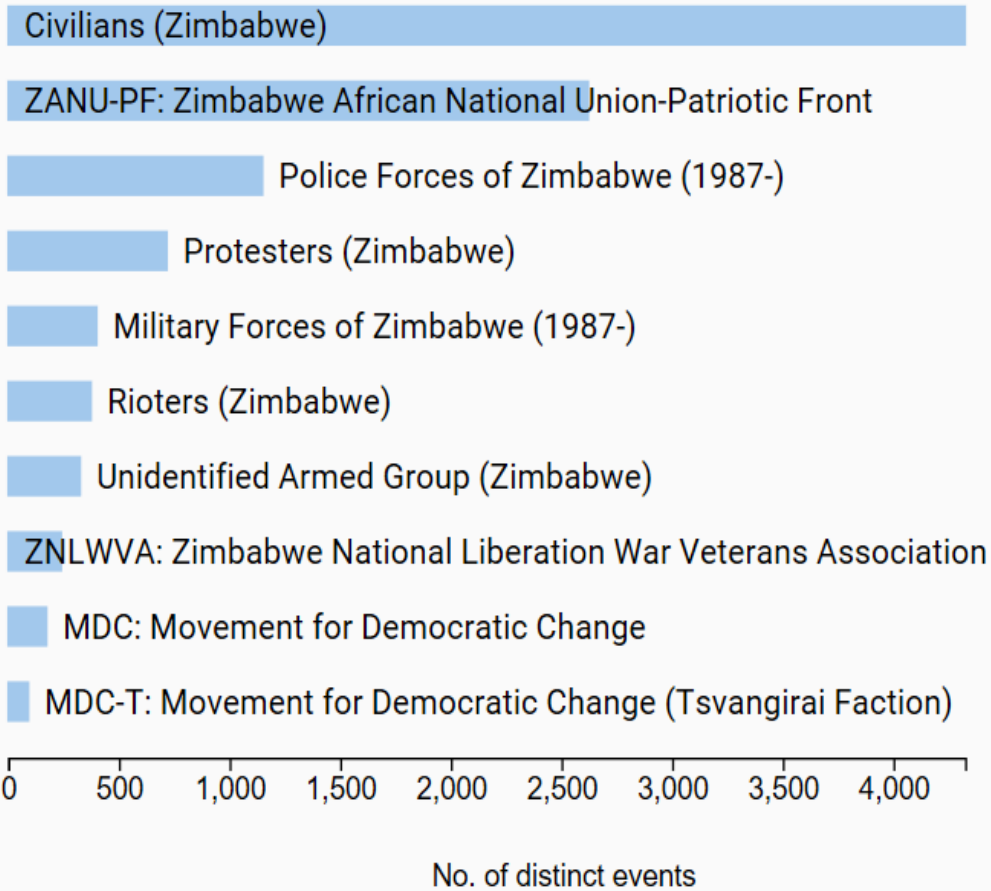


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6.2.2 ACLED also provide a graph of the incidents which are reported to have been committed by particular actors. However, no timeframe is provided, although the volume of incidents would suggest it corresponds to graph above, covering the period 1998 to 2018:

<sup>52</sup> ACLED, Zimbabwe - Dashboard, undated, [url](#)

## ACTORS BY EVENT FREQUENCY



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- 6.2.3 The Zimbabwe Dashboard on ACLED is interactive and provides further data, as well as being regularly updated.
- 6.2.4 According to ACLED, the main known perpetrators of violence are ZANU-PF members and the police, with violence tending to be concentrated in Harare, Mashonaland and Manicaland. Whilst many of the reported incidents are concentrated in the main urban areas (Harare and Bulawayo), there is also violence in rural areas.
- 6.2.5 The USSD human rights report for 2016 stated:  
 ‘The government enforced security laws in conflict with the constitution. Security forces arbitrarily arrested and detained persons, particularly political and civil society activists perceived as opposing the ZANU-PF party. Security forces frequently arrested large numbers of persons during antigovernment protests. State security agents often arrested opposition activists from their homes at night, refused to identify themselves, and used unmarked and untraceable vehicles.’<sup>54</sup>
- 6.2.6 The USSD human rights report for 2016 also stated:

<sup>53</sup> ACLED, Zimbabwe - Dashboard, undated, [url](#)

<sup>54</sup> USSD, human rights report for 2016, section 1d, Zimbabwe, 3 March 2017, [url](#)

‘There were reports of individuals arrested for political reasons, including opposition party officials, their supporters, NGO workers, and civil society activists. Authorities held many such individuals for one or two days and released them. Political prisoners and detainees did not receive the same standard of treatment as other prisoners or detainees, and prison authorities arbitrarily denied access to political prisoners. There were reports police beat and physically abused political and civil society activists while they were in detention.’<sup>55</sup>

6.2.7 The USSD report also noted:

‘On August 24 [2016], opposition supporters held a demonstration against police brutality that turned violent when police fired tear gas and water cannons to disperse the crowd. The police used force against passersby not involved in the protest, including one American citizen who was hit with a baton by police. On August 26, police used tear gas and batons to disperse a crowd of demonstrators who gathered for a march calling for electoral reforms. Even though opposition leaders received High Court approval to proceed with the demonstration, police dispersed protesters using tear gas. Less than one week later, the government passed Statutory Instrument 101a, banning all demonstrations in the Harare Central Police District during a two-week period...’<sup>56</sup>

6.2.8 The Human Rights Watch ‘World Report 2018’, published in 2018, covering events in 2017, stated: ‘Police abuse continued, using excessive force to crush dissent. Human rights defenders, civil society activists, journalists, and government opponents were harassed, threatened or faced arbitrary arrest by the police. Widespread impunity for abuses by the police and state security agents remained.’<sup>57</sup>

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### 6.3 Violence committed by ZANU-PF and militias

6.3.1 The USSD human rights report for 2016 stated:

‘ZANU-PF trained and deployed youths to harass and disrupt the activities of opposition political party members, labor groups, student movements, civic groups, and journalists considered critical of ZANU-PF.

‘For example, on January 19, police disrupted an MDC-T meeting in Mbare. Several ZANU-PF youths entered the complex and reportedly assaulted MDC-T participants, injuring five.’<sup>58</sup>

6.3.2 The USSD human rights report for 2016 also stated:

‘ZANU-PF supporters--often with tacit support from police or government officials--continued to assault and mistreat scores of persons, including civil society activists and known opposition political party members and their families, especially in Harare neighborhoods and nearby towns. Presidential Spokesman and Information Ministry Permanent Secretary George Charamba threatened to deploy ZANU-PF militia on antigovernment

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<sup>55</sup> USSD, human rights report for 2016, section 1e, Zimbabwe, 3 March 2017, [url](#)

<sup>56</sup> USSD, human rights report for 2016, section 1e, Zimbabwe, 3 March 2017, [url](#)

<sup>57</sup> Human Rights Watch, ‘World Report 2018’, Zimbabwe, 18 January 2018, [url](#)

<sup>58</sup> USSD, human rights report for 2016, section 2b, Zimbabwe, 3 March 2017, [url](#)

protesters instead of regular police. Violent confrontations between youth groups of the ZANU-PF (known as “Chipangano”) and opposition political parties continued, particularly in urban areas. ZANU-PF supporters were the primary instigators of political violence.

‘On September 26, media reported ZANU-PF activists tortured and detained peaceful marchers at ZANU-PF headquarters, including MDC-T legislators protesting against Mugabe, before releasing them to police.’<sup>59</sup>

### 6.3.3 The Freedom House ‘Freedom in the World 2017’ report stated:

‘The ruling party uses state institutions as well as violence and intimidation to punish opposition politicians, their supporters, and critical political activists. In October 2016, MDC-T lawmakers reportedly received threatening text messages warning them not to disrupt Mugabe’s annual speech to Parliament. In 2016, the opposition People’s Democratic Party (PDP) repeatedly accused ZANU-PF of coercing traditional chiefs into intimidating opposition supporters on its behalf. In September, the Zimbabwe Human Rights Commission released a report alleging that the government uses food aid politically, giving it to supporters and denying it to areas where support for opposition parties is strong.’<sup>60</sup>

### 6.3.4 The DFAT 2016 report noted:

‘Inter-party violence is most common during election periods and political rallies – particularly those perceived to be contrary to ZANU-PF interests. On 1 November 2015, MDC-T supporters and ZANU-PF youths clashed in Hopley, South Harare, destroying a number of homes and businesses in the area despite the reported presence of ZRP personnel. Official rhetoric also highlights the on-going threat of violence from the state-sponsored security apparatus. On 29 September 2015, Zimbabwe’s National Army Director for Civil-Military Relations, Colonel Charles Matema, publically announced that the Zimbabwe Defence Force (ZDF) was prepared to ‘eliminate’ insurgent threats, highlighting the 2007 ‘attempt by the MDC to topple’ President Mugabe as an example of such a threat.’<sup>61</sup>

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## 6.4 Protests and demonstrations about the economy

### 6.4.1 The Freedom House ‘Freedom in the World 2017’ report, covering events in 2016, noted:

‘Freedom of assembly and association are guaranteed in the constitution but are subject to restrictions. In 2016, citizens increasingly engaged in public protests at which they decried economic difficulties and poor governance, and demanded electoral reforms. Prominent protest movements included This Flag and Tajamuka, both of which heavily employed social media to spread their messages and organize protest actions, including a July strike that shut down normal activities across large parts of the country. In response, the police and army violently dispersed numerous protests, drawing sharp rebukes from various governments and civil society

<sup>59</sup> USSD, human rights report for 2016, section 1c, Zimbabwe, 3 March 2017, [url](#)

<sup>60</sup> Freedom House, ‘Freedom in the World 2017’, Zimbabwe, 31 January 2017, [url](#)

<sup>61</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

organizations. Hundreds of demonstrators were arrested and charged with criminal offenses under the CLCRA, and at the end of 2016, over 100 people who had protested against the government were awaiting trial on trumped-up charges, according to Zimbabwe Lawyers for Human Rights. Three activists were reportedly abducted and tortured by state security agents in the fall.

'The POSA is routinely used by the police to deny protest permits. In October 2016, the Harare High Court upheld a 30-day ban on protests. While many opposition and grassroots protests were dispersed, large ZANU-PF rallies were permitted to take place.'<sup>62</sup>

6.4.2 The International Crisis Group (ICG) report, 'Confrontation in Zimbabwe Turns Increasingly Violent', dated 6 October 2016, stated:

'Under the banner of the National Electoral Reform Agenda (NERA), eighteen opposition parties including the two most influential, Movement for Democratic Change-Tsvangirai (MDC-T) and Joice Mujuru's Zimbabwe People First (ZPF), have embarked on a series of protests that state security services are determined to stamp out. On multiple occasions in August and September [2016] police have resorted to tear gas and water cannon to disperse anti-government demonstrations; in late August the police introduced a ban on protests in Harare. They subsequently defied a court ruling overturning the ban by extending it to mid-October.'<sup>63</sup>

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## 6.5 Distribution of food and agricultural products

6.5.1 The Zimbabwe Human Rights Commission (ZHRC) stated at a press conference of 7 September 2016:

'...the Commission proceeded to investigate complaints of alleged discrimination in the distribution of agricultural inputs and food aid in some constituencies that include Bikita East, Buhera North, Mazoe Central and Muzarabani North and South as well as Zvimba South...

'The long and short of the findings or outcomes of the investigations was that there was unbridled maladministration on the part of some public officials who were allegedly performing their duties partially and with bias against persons of particular political affiliations in contravention of the provisions of the Public Service Regulations SI 1/2000 which requires public officials to be apolitical and discharge their duties impartially and objectively.

'In all the five districts covered by the investigations, community leaders such as Village Heads, Headmen, Village Secretaries and District Administrators and in the case of Bikita East the Councillors who are all members of the ruling party were alleged to be biased in favour of members of their own party and against members of the opposition whom they told openly that those affiliated to the opposition would never get food aid.'<sup>64</sup>

6.5.2 The DFAT 2016 report noted:

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<sup>62</sup> Freedom House, 'Freedom in the World 2017', Zimbabwe, 31 January 2017, [url](#)

<sup>63</sup> ICG, 'Confrontation in Zimbabwe Turns Increasingly Violent', 6 October 2016, [url](#)

<sup>64</sup> ZHRC statement on reported food aid cases, 7 September 2016, [url](#)

'In rural areas, ZANU-PF uses its patronage network of village chiefs to manipulate the distribution of government-funded food and agricultural products. There are regular and credible reports of ZANU-PF distributing these goods at party meetings or requiring recipients to possess ZANU-PF identity cards. This has occurred throughout Zimbabwe, particularly in Mashvingo province and areas where there is perceived support for opposition parties, including Matabeleland and Midlands provinces.' <sup>65</sup>

6.5.3 In its November 2016 update the Zimbabwe Peace Project noted that:

'During distributions of aid, claims are made that aid coming from government schemes is provided for Zanu PF supporters only. For instance, this report states how some opposition activists were blacklisted from receiving aid in Muzarabani North. In a sign of desperation some opposition supporters in Bubi crossed the floor to join Zanu PF to ensure that they get aid. With the impending Zanu PF conference people have also been coerced into contributing varying amounts of money towards transport fares for Zanu PF members to attend the party conference slated for Masvingo in December. As a result food and other aid violations record the highest statistics.' <sup>66</sup>

6.5.4 The USSD human rights report for 2016 noted: 'In September [2016] the Zimbabwe Human Rights Commission announced ZANU-PF was interfering in the distribution of government food aid for personal political gain at the expense of deserving beneficiaries. An NGO reported that more than 122 incidents of partisan distribution of food aid took place across the country from January to July.' <sup>67</sup>

6.5.5 A Zimbabwe 'Newsday' report, 'Zapu confronts village heads over unfair food distribution', dated 14 February 2017, stated: 'Reports abound that traditional leaders, working in cahoots with Zanu PF supporters, deny suspected opposition party supporters in rural areas food aid, despite President Robert Mugabe's public pronouncements that no one would be denied food.' The article reported on members of Zapu confronting village heads in Bulilima East constituency, accusing them of denying opposition party supporters food aid.' <sup>68</sup>

6.5.6 The Zimbabwe Human Rights NGO Forum noted that in the third quarter of 2016:

'The distribution of food aid continues to be politicized, selective and discriminatory. In most cases, traditional leaders and councillors distribute the food. While the government has persistently denied partisan distribution of food, an investigation conducted by the Zimbabwe Human Rights Commission (ZHRC) between May and August 2016 revealed evidence of partisan distribution of food by District Administrators, village heads, headmen and village secretaries in Bikita East, Mazowe Central, Muzarabani North and South and Buhera North. The investigations also unearthed

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<sup>65</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

<sup>66</sup> ZPP, 'Human Rights Violations Monthly Monitoring Report: November 2016', undated, [url](#)

<sup>67</sup> USSD, human rights report for 2016, section 1f, Zimbabwe, 3 March 2017, [url](#)

<sup>68</sup> 'Newsday', 'Zapu confronts village heads over unfair food distribution', 14 February 2017, [url](#)

unbridled maladministration on the part of District Administrators in contravention of SI 1/2000, which requires public officials to be apolitical. Ruling party members were the major perpetrators of violations in food distribution.’<sup>69</sup>

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## 6.6 Demolition of housing

- 6.6.1 DFAT reported in April 2016 that: ‘In urban and peri-urban areas, government authorities have demolished so-called “illegal” households in order to dilute political opposition in high density suburbs. This constitutes a significant form of harassment of “ordinary” people in Zimbabwe, and is most prominent in Mashonaland Central and high density areas in Harare.’<sup>70</sup>
- 6.6.2 The Freedom House ‘Freedom in the World 2017’ report, covering events in 2016, noted: ‘Property rights are not respected. In January 2016, the government demolished the homes of over 100 families who resided on land intended for the expansion of Harare International Airport. In response to the residents’ subsequent lawsuit, the High Court ruled the following month that the demolitions, which took place without notice and without a court order, were illegal.’<sup>71</sup>

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## 6.7 Violence and discrimination against MDC-T activists

- 6.7.1 Regarding the MDC, the DFAT 2016 report stated:

‘Credible sources have told DFAT that MDC-T members are subject to a greater level of official discrimination than members of other opposition parties because of the MDC-T’s status as the country’s main opposition party. This affects senior and low-level party members. On 8 October 2015, the ZRP arrested an MDC-T supporter for publically criticising President Mugabe for reading the wrong speech during the State of the Nation Address in Parliament in August; and on 8 November 2015, the ZRP arrested a MDC-T MP, Eric Murai, and 16 party supporters for holding an unlawful public gathering. Harassment of senior MDC-T party members currently mostly takes the form of legal proceedings targeting their economic interests, such as court proceedings against party Secretary-General Mwonzora.

‘MDC-T members are subjected to occasional violence, mostly from ZANU-PF youths and supporters. The situation in 2016 therefore contrasts with practices in earlier years, when senior members were at greater risk of physical violence. In March 2007, ZRP personnel arrested and assaulted MDC-T leader, Morgan Tsvangirai, in Harare for attempting to attend a prayer meeting authorities had deemed to be an illegal gathering.

‘DFAT assesses that all MDC-T members face a moderate level of official discrimination throughout Zimbabwe. MDC-T members and their families

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<sup>69</sup> Zimbabwe Human Rights NGO Forum, ‘Quarterly Political And Human Rights Violations Report, July - September 2016’, October 2016, [url](#)

<sup>70</sup> DFAT, para 3.23, 11 April 2016, [url](#)

<sup>71</sup> Freedom House, ‘Freedom in the World 2017’, Zimbabwe, 31 January 2017, [url](#)

also suffer indirectly from the government's partisan distribution of food and agricultural products, as well as its demolition of illegal households. MDC-T members face a moderate threat of violence from ZANU-PF supporters.'<sup>72</sup>

6.7.2 With regard to MDC-N, DFAT observed that:

'The National Constitutional Assembly (NCA) formed in March 2014 as a coalition between the NCA and the Movement for Democratic Change 99 (MDC-99). The NCA emerged as a political party in September 2013, advocating for constitutional and land law reform. MDC-99 formed in 2010 as a breakaway faction from MDC-N...DFAT assesses that these opposition parties presently face a low level of official discrimination because they do not presently pose a significant threat to ZANU-PF, but are subjected to the same restrictions on their freedom of expression and assembly.'<sup>73</sup>

6.7.3 The Zimbabwe Peace Project (ZPP) recorded 245 violations in January 2018. Manicaland had the highest recorded violations for January with 62, followed closely by Mashonaland Central with 60 and Masvingo with 38. ZANU-PF perpetrated the violence in 85.8% of the incidents.<sup>74</sup>

6.7.4 In February 2018, the ZPP reported:

'Zanu PF was responsible for close to 46% of the violations mainly because of demanding of serial numbers, victimisation of G40 members and marginally harassing of opposition party supporters. The MDC-T was responsible for close to 28% of the violations mainly attributed to the succession disputes in the party. There was an occasional harassing of Zanu PF supporters. Both parties were responsible for hate language, which is breeding ground for conflicts at the local level.'<sup>75</sup>

6.7.5 However, ZHRNGOF has not published reports on human rights violations since Emmerson Mnangagwa become president in November 2017.

6.7.6 CPIT has not been able to find information indicating a significant and durable change in trends of human rights violations since Robert Mugabe was forced to step down from the presidency (see sources cited in [Bibliography](#)).

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## 6.8 Violence and discrimination against other political groups

6.8.1 The DFAT report noted that ZANU-PF supporters allegedly abducted and violently assaulted six People First supporters in Chitungwiza in December 2015.<sup>76</sup> The DFAT assessed that supporters of People First face a moderate risk of violence from ZANU-PF supporters and a moderate level of official discrimination because of the party's potentially wide support base. <sup>77</sup>

6.8.2 DFAT assessed that the less significant opposition parties: 'presently face a low level of official discrimination because they do not presently pose a

<sup>72</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

<sup>73</sup> DFAT, paras 3.37-3.38, 11 April 2016, [url](#)

<sup>74</sup> ZPP, Monthly Report: January 2018, [url](#)

<sup>75</sup> ZPP, Monthly Report: February 2018, [url](#)

<sup>76</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

<sup>77</sup> DFAT, pages 10-11, 11 April 2016, [url](#)



significant threat to ZANU-PF, but are subjected to the same restrictions on their freedom of expression and assembly.’<sup>78</sup>

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## 6.9 Intra-party violence

6.9.1 The ZPP observed in its January 2018 report covering December 2017:

‘The tensions between the G40 and Lacoste factions of ZANU PF seem to be continuing in communities with no easy solution in sight. From reports received in the month under review citizens perceived to be G40 are being targeted in all manner and sorts. When former Vice President Joice Mujuru was expelled from ZANU PF citizens perceived to have been her supporters suffered abuse to the extent of being denied food and other aid when distributions were conducted in communities. History seems to be repeating itself with G40 loyalists. Food aid should not be used to settle political scores rather standards for food aid distributions should be followed. Tensions are also growing between aspiring candidates as primary elections draw closer.’<sup>79</sup>

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## 6.10 Appropriation of land

6.10.1 A ‘Timeslive’ report, ‘Land invasions “halted” in Zimbabwe’, dated 31 January 2018, stated:

‘Zimbabwe has effectively halted land invasions, a major climb-down from a policy that contributed to human rights abuses, lawlessness and economic meltdown.

‘During President Robert Mugabe’s era, there was a policy within Zanu PF and government to get rid of the last remaining white commercial farmers, replacing them with landless locals.

‘But the first signs of change emerged when Robert Smart returned to his Lesbury Farm 200 kilometres east of Harare in December. He returned to the country escorted by the army which had just led a successful mission to persuade former president Robert Mugabe to step aside.

‘This was followed by a meeting between new deputy minister of finance Terrence Mukupe and white commercial farmers who fled to Zambia at the height of the chaotic land invasions. The farmers declared their interest to return home.

‘Government told provincial land officers in a notice this week: “Please be informed that the Ministry of Lands, Agriculture and Rural Settlement has directed that all remaining white farmers be issued with 99-year leases.”

‘Under the previous arrangement, white farmers had five-year leases that could be revoked if an indigenous person expressed interest in the land they occupied.’

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<sup>78</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

<sup>79</sup> ZPP, Monthly Report: January 2018, [url](#)

'In one such example, a doctor in the United Kingdom, Sylvester Nyatsuro, took over a lucrative tobacco farm owned by Philip Rankin.

'The latest developments have been welcomed by the Commercial Farmers Union (CFU) of Zimbabwe.

"It's positive to offer farmers longer terms and security. We haven't seen the actual offer letters but the previous ones were clear that a lot of power remained with the minister. But what the new offers should do is restore confidence in property rights," said CFU director Ben Gilpin.

'Last year many landowners had already started leasing their farms to white commercial farmers because of a lack of capacity. But President Mugabe warned that doing so was in aid of a calculated comeback...

'The new 99-year lease agreements will protect companies such as South African sugar giant Tongaat Hullet.

'The company's plantations have been subject to invasions by locals in the Masvingo area despite being protected under a Bilateral Investment Promotion & Protection Agreement (BIPA) between the two countries.

'Some farmers in the past successfully sued the government of Zimbabwe at the Southern African Development Tribunal, through rights group AfriForum.

'This resulted in the auctioning of a Cape Town mansion belonging to the government of Zimbabwe.

'More than 4,000 white commercial farmers were displaced and less than 300 remain in Zimbabwe.'<sup>80</sup>

#### 6.10.2 The Freedom House 'Freedom in the World 2018' report stated:

'Land rights in Zimbabwe are poorly protected. In rural areas, the nationalization of land left both commercial farmers and smallholders with limited right to their land. In a move meant to address the scarcity of formal titles to land, the Minister of Lands announced in October 2017 that resettled black farmers would be given 99-year leases and white farmers, 5-year leases. Separately, in March, over 100 families who had lived on a parcel of land for nearly two decades were forcibly evicted by riot police, reportedly because Grace Mugabe wanted to establish a wildlife preserve there. The Zimbabwe Human Rights Commission condemned the evictions as unconstitutional because they were not sanctioned by the courts, and alternative accommodation was not provided to those evicted.'<sup>81</sup>

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## 7. Treatment of civil society groups

### 7.1.1 A March 2016 briefing paper (covering the period January 2012 – December 2015) for a United Nations Universal Period Review by the International Service for Human Rights (ISHR), Zimbabwe Lawyers for Human Rights (ZLHR) and Lawyers for Lawyers, Zimbabwe (ZLFL), noted:

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<sup>80</sup> 'Timeslive', 'Land invasions "halted" in Zimbabwe', 31 January 2018, [url](#)

<sup>81</sup> Freedom House, 'Freedom in the World 2018', Zimbabwe, 2018, [url](#)

'The Public Order and Security Act (POSA), which regulates public gatherings, demonstrations, and marches, continues to be applied to disrupt the activities of HRDs [human rights defenders] and CSOs [civil society organisations]. The POSA requires notification for 'public gatherings'; places restrictions on speech and advocacy activity, especially where the speech or advocacy is critical of government policy or focused on politically unpopular causes; and requires written notice of five to seven days in advance of a demonstration. In addition the police often 'misinterpret' these provisions and harass members of opposition political parties and CSOs who hold private meetings by requiring that they notify the police every time they want to hold a meeting even if it does not constitute a public gathering.' <sup>82</sup>

7.1.2 The report further noted that during the reporting period at least 38 CSOs were targeted by state actors through 'raids, visits or search of offices, and/or seizure of property.' <sup>83</sup>

7.1.3 The Human Rights Watch 'World Report 2018', published in 2018, covering events in 2017 stated:

'On September 24, police arrested and charged rights activist Pastor Evan Mawarire with "subverting a constitutional government," which carries a maximum 20-year prison sentence. Mawarire is a prominent critic of the government and leader of the #ThisFlag campaign, which organizes protests against the government for failing to address Zimbabwe's rights problems and failing economy. Mawarire was released after three days. The police previously arrested Mawarire in February on the same charge of subverting a constitutional government. A court had cleared him of similar charges in July 2016.' <sup>84</sup>

7.1.4 The DFAT report stated:

'Although Zimbabwe has an active civil society sector, NGOs are subject to a range of legal restrictions under the POSA [Public Order and Security Act], AIPPA [Access to Information and Protection of Privacy Act], Criminal Law (Codification and Reform) Act (CLCRA) and Private Voluntary Organisations Act ('PVO Act'). According to Zimbabwe Lawyers for Human Rights, police arrested 1,390 female human rights defenders between March 2013 and March 2015 for staging street protests or advocating for political and socioeconomic reform. Authorities have also used state-controlled media organisations to undermine NGOs which criticise government policies. On 8 August 2015, The Herald published an article claiming that Western countries are using NGOs to 'impose puppet governments in Africa.' On 16 October 2015, Zimbabwe's First Lady, Grace Mugabe, publically accused NGOs of being involved in 'sinister' activities.

'Under the PVO Act, NGOs must register with the Registrar and PVO Board. Credible sources have told DFAT that registration procedures are complex, lengthy and partisan, with the PVO Board often giving vague reasons for

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<sup>82</sup> International Service for Human Rights (ISHR), Zimbabwe Lawyers for Human Rights (ZLHR) and Lawyers for Lawyers, Zimbabwe (ZLFL), 'The Situation Of Human Rights Defenders, Zimbabwe', March 2016, [url](#)

<sup>83</sup> International Service for Human Rights (ZLHR) and Lawyers for Lawyers, Zimbabwe (ZLFL), 'The Situation of Human Rights Defenders, Zimbabwe', March 2016, [url](#)

<sup>84</sup> Human Rights Watch, 'World Report 2018,' 18 January 2018, [url](#)

rejecting applications. Penalties for operating an unregistered organisation include fines and imprisonment. The Act also allows authorities to suspend the activities of NGOs or inspect 'any aspect of their affairs or activities.'

'The type and level of harassment and intimidation of CSOs, activists and human rights lawyers has changed since 2008. Earlier, individuals at all levels were more likely to experience harassment, arbitrary arrest and enforced disappearance. While this has declined, the National Prosecution Authority has brought legal proceedings against all major CSOs in Zimbabwe, and regularly prosecutes individual human rights lawyers for contempt of court and obstruction of justice. Human rights organisations have told DFAT that since 2013 authorities have mostly targeted high-profile human rights advocates through surveillance, arrests and spurious legal proceedings. ZRP personnel assaulted and detained the leaders of the October 2014 'Occupy Africa Unity Square' movement in Harare. The disappearance in March 2015 of Occupy Africa Unity Square leader, Itai Dzamara, is significant given Dzamara's vehemently anti-Mugabe stance during the protests (see 'Enforced or Involuntary Disappearances' below).

'The Government has also harassed and intimidated prominent members of vendors' advocacy groups, which have become increasingly vocal in their attacks on the Government for failing to follow through election promises to create millions of new jobs. On 12 July 2015, Municipal Police arrested the Director, Chairperson and other members of the National Vendors Union Zimbabwe (NAVUZ) in Harare for allegedly defying a Government directive to vacate land they were using for 'illegal' markets.'<sup>85</sup>

#### 7.1.5 The USSD report covering events in 2016 stated:

'A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Such groups were subject to government restrictions, interference, monitoring, confiscation of materials and documentation, and other forms of harassment. Major domestic NGOs included the Zimbabwe Human Rights NGO Forum, Zimbabwe Election Support Network, ZLHR, Zimbabwe Peace Project, ZimRights, Students Solidarity Trust, Heal Zimbabwe Trust, and Women and Men of Zimbabwe Arise.

'The government harassed NGOs it believed would expose abuses by government personnel or that opposed government policies, and it continued to use government-controlled media to disparage and attack human rights groups. State media reporting typically dismissed the efforts and recommendations of NGOs critical of government, accusing the NGOs of seeking regime change.'<sup>86</sup>

#### 7.1.6 The summary of stakeholders' submissions to the Universal Periodic Review prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Zimbabwe, 23 August 2016, included the following submissions:

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<sup>85</sup> DFAT, 11 April 2016, [url](#)

<sup>86</sup> USSD, human rights report for 2016, section 5, Zimbabwe, 3 March 2017, [url](#)

- ‘human rights defenders continued to face harassment, violence, arbitrary arrest and malicious prosecution - [ISHR (International Service for Human Rights)]
- ‘human rights defenders, particularly those working on issues of corruption, public accountability and democratic governance, have been subjected to intimidation and harassment by the Central Intelligence Organization - FLD [Front Line Defenders, Dublin].’<sup>87</sup>

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## 8. Treatment of journalists

### 8.1.1 The USSD human rights report for 2016 stated:

‘The government continued to arrest, detain, and harass critics, and journalists practiced selfcensorship....

‘The government restricted freedom of the press. The Ministry of Media, Information, and Publicity exercised control over state-run media. High-ranking ZANU-PF officials used these media to threaten violence against critics of the government.

‘Despite threats and pressure from the government, independent newspapers continued to operate.

‘Security services also prevented journalists from covering events that would expose government excesses. On January 7, Presidential Spokesman and Information Ministry Permanent Secretary George Charamba threatened to take action against privately owned media outfits, warning journalists against reporting on allegations of security sector officials interfering with ZANU-PF internal succession politics. Information Minister Christopher Mushohwe also warned journalists not to write on security sector issues.

‘The Media Institute of Southern Africa-Zimbabwe Chapter (MISA-Zim) issued a statement criticizing the “ongoing police onslaught” against journalists during nationwide protests and demonstrations. MISA-Zim reported police assaulted or harassed more than 12 journalists from local and international media organizations while covering demonstrations between July 6 and September 12. On August 26, police arrested and detained photojournalist James Jemwa for more than five days at Chikurubi Maximum Prison for covering demonstrations in Harare.’<sup>88</sup>

### 8.1.2 Amnesty International’s Report for 2016/17 stated: ‘Journalists faced harassment, arrest and assault while covering protests. The Media Institute of Southern Africa (MISA) recorded assaults on 32 journalists between January [2016] and September [2016].’<sup>89</sup>

### 8.1.3 In its ‘Freedom on the Net 2017’ report covering the period June 2016 – May 2017, Freedom House reported:

<sup>87</sup> UN Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Zimbabwe, 23 August 2016, A/HRC/WG.6/26/ZWE/3, paragraph 58, available at: [url](#)

<sup>88</sup> USSD, human rights report for 2016, section 2a, Zimbabwe, 3 March 2017, [url](#)

<sup>89</sup> Amnesty International, ‘Amnesty International Report 2016/17’, 22 February 2017, [url](#)

'Online journalists and ICT users faced regular harassment, intimidation, and violence for their online activities in the past year.

'During the July 2016 antigovernment protests, journalists were reportedly arrested and forced to delete images covering the demonstrations as part of an effort to suppress reporting and sharing of information via social media. Before arresting Evan Mawarire, the pastor who had inspired the protests, police raided his home, reportedly in search of subversive materials. The raid and Mawarire's subsequent arrest were seen as an attempt to disrupt the pastor's calls for protest on social media.

'In January 2017, the offices of the Media Centre, an NGO that promotes the use of social media and offers space for internet access to journalists and civil society groups, were broken into and ransacked. Though the suspects remain unknown, the attacks followed numerous police visits to the Centre during which police questioned employees about the Centre's activities.'<sup>90</sup>

#### 8.1.4 The Human Rights Watch 'World Report 2018' stated:

'In 2017, several journalists and activists were subject to arbitrary arrest, harassment, and intimidation while participating in protests or reporting on demonstrations.

On July 28 [2017], the Media Institute of Southern Africa (MISA, Zimbabwe) led a journalists' march to the Harare Central Police Station protesting police assault on three journalists of the privately owned NewsDay daily newspaper. Police had assaulted journalists Obey Manayiti, Shepherd Tozvireva, Abigail Mutsikidze, and their driver, Raphael Phiri, the previous day for allegedly taking photographs of the police beating protesters in Harare.

'On June 22 [2017], police in Rusape, 170 kilometers east of Harare, arrested and briefly detained freelance journalists Garikai Chaunza and Frank Chikowore, who were investigating forced evictions at Lesbury farm in Rusape. The journalists said police ordered them to delete all pictures they took at the farm before being released. In the same month, Harare police summoned and interrogated NewsDay editor Wisdom Mdzungairi and reporter Everson Mushava over a story they published about alleged ZANU-PF party infighting.

'State media remains partisan in favor of the ruling ZANU-PF party while limiting coverage of opposition political parties. The government has not repealed or amended the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act (POSA), and other laws that severely restrict basic rights and infringe on freedom of expression.'<sup>91</sup>

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## 9. Treatment of teachers

### 9.1.1 The Freedom House 'Freedom in the World 2017' report stated:

'Political pressure on teachers and academics has eased in recent years, though the state still responds with force to student protests. Prominent

<sup>90</sup> Freedom House, 'Freedom on the Net 2017', Zimbabwe, 14 November 2017, [url](#)

<sup>91</sup> Human Rights Watch, 'World Report 2018,' 18 January 2018, [url](#)

academics rank among the government's most vociferous critics, and some are allowed to operate with little interference. Mugabe serves as the chancellor of all eight state-run universities, and the Ministry of Higher Education supervises education policy at universities. Nevertheless, there is respect for academic freedom in many government institutions.' <sup>92</sup>

9.1.2 The 2016 DFAT report stated:

'Teachers in Zimbabwe have historically been well-regarded and predominantly middle-class. Since 2000, however, the ruling party has discriminated against teachers because of their actual or perceived support for opposition parties. These perceptions have reportedly emerged because schools have been used to hold political meetings during election periods and because teachers appointed as electoral officers reported cases involving ZANU-PF electoral fraud during national elections from 2000-2008.

'There has been a significant reduction in the level of official discrimination against teachers since 2008. This discrimination has also changed from overt violence (no teachers have been killed since 2008) to other forms of harassment and intimidation. The authorities reportedly removed several teachers from their positions during the 2013 elections; and police allegedly arrested and assaulted three members of the Rural Teachers Union of Zimbabwe on 4 January 2016. Credible sources have told DFAT this harassment and intimidation is most prominent in Mashonaland East, West and Central, Masvingo, and Manicaland provinces.' <sup>93</sup>

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## 10. Freedom of movement

10.1.1 DFAT considered the potential for relocation and concluded that 'there are no major restrictions on internal relocation for MDC-T members'. It also noted:

'The Constitution guarantees the right to freedom of movement and residence within Zimbabwe. Credible sources have told DFAT that internal relocation involving opposition party members was most prevalent in 2008, when up to 300 MDC members were killed, although there were some reports of political opponents relocating from the Mashonaland provinces during national elections in 2013. DFAT assesses that opposition party members who relocate within Zimbabwe would not be subjected to adverse attention solely because of their place of residence, including in Harare and Bulawayo. DFAT understands that opposition party members in Bulawayo are less subjected to harassment and intimidation than elsewhere in Zimbabwe.' <sup>94</sup>

10.1.2 The USSD human rights report for 2016 stated:

'The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted these rights...

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<sup>92</sup> Freedom House, 'Freedom in the World 2017', Zimbabwe, 31 January 2017, [url](#)

<sup>93</sup> DFAT, pages 10-11, 11 April 2016, [url](#)

<sup>94</sup> DFAT, page 20, 11 April 2016. [url](#)

'Police made in-country movement difficult by regularly mounting checkpoints nationwide along most major routes. In urban areas a single road could have several roadblocks in the span of a few miles. Despite court injunctions against "on-the-spot" fines, police levied fines for minor offenses ranging from five to several hundred dollars and demanded immediate payment...The constitution provides the right for citizens to enter and leave the country and the right to a passport or other travel documents.'<sup>95</sup>

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<sup>95</sup> USSD, human rights report for 2016, section 2d, Zimbabwe, 3 March 2017, [url](#)



# Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- The political landscape
  - Overview
  - Removal of President Robert Mugabe
  - Rise of Emmerson Mnangagwa
  - Political framework
- The political opposition
  - Movement for Democratic Change (MDC-T)
  - MDC-Renewal and Renewal Democrats Zimbabwe (RDZ)
  - People's Democratic Party (PDP)
  - MDC-Ncube
  - National People's Party (formerly Zimbabwe People First)
  - Social media inspired groups
- State security apparatus
  - The police
  - Armed forces
  - Central Intelligence Organisation
- Treatment of those opposing the government
  - Overview of political violence
  - State-sponsored violence, arrest, detention and excessive use of force
  - Violence committed by ZANU-PF supporters
  - Protests and demonstrations about the economy
  - Distribution of food and agricultural products
  - Demolition of housing
  - Violence against MDC-T activists
  - Violence and discrimination against other political groups
- Treatment of civil society groups, journalists, teachers
- Freedom of movement

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **17 April 2018**

## Changes from last version of this note

Updated country information.

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