



Zimbabwe
HUMAN RIGHTS
N G O F o r u m

On the Days of Darkness in Zimbabwe

**An Updated Report on the Human Rights
Violations Committed between**

**14 January, 2019
to
5 February, 2019**

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Table of Contents

1.0 Introduction	3
2.0 Violations at a Glance	5
3.0 Summary of Violations	5
3.1 Extra-Judicial Killings	5
3.2 Rape and Sexual Assault	6
3.3 Abductions	6
3.4 Displacements	7
3.5 Gunshot Assaults	7
3.6 Other Assaults, Torture, inhuman and degrading treatment including Dog Bites	7
3.7 Harassment, Threats and intimidation	8
3.8 Destruction of Property	8
3.9 Arrests and Detention	9
3.10 Obstruction of Movement	10
3.11 Attacks on Journalists	10
3.12 Invasion of Privacy	11
4.0 Perpetrators Profile	11
5.0 Victim Profile	12
6.0 Geographical Spread	12
7.0 Interventions	13
8.0 Recommendations	14
9.0 Conclusion	15

1.0 Introduction

On 12 January, 2019, President Mnangagwa announced during a press conference that the fuel prices would increase to \$3.11 per litre for diesel and \$3.31 per litre for petrol due to the increased demand for fuel, and illegal black market. Following the announcement by President Mnangagwa, the Forum deployed monitors on 13 January to monitor citizen reactions to the fuel price increase. Our monitors visited Chitungwiza, Kuwadzana, and Harare CBD. The environment was recorded as tense, with one incident of citizens protesting through creating a roadblock in Kuwadzana. The Zimbabwe Congress of Trade Unions (ZCTU) and #ThisFlag movement called for a 3-day national stay away from 14 – 16 January, 2019 in response to the fuel crisis. On the day of the stay-away, protests broke out mainly in Chitungwiza, Bulawayo and Harare’s high density suburbs leading to clashes between the police and the protestors. What followed was a ‘de facto’ state of emergency. In unclear circumstances, the Zimbabwe National Army (ZNA) was unlawfully deployed into the streets and residential areas where they unleashed a reign of terror on anyone they came across. This report details at least 1803 violations committed since January 14, 2019, across the whole country.

The violations of human rights that started as the state’s response to mass protests on 14 January, 2019 following the increase in fuel prices immediately took a widespread systematic character, the dominant actors being the Zimbabwe National Army (ZNA), the Zimbabwe Republic Police (ZRP) and suspected ZANU-PF militia. The systematic and sustained nature of the violations raises fear that this is becoming a case of crimes against humanity. Over the past three weeks, the Zimbabwe Human Rights NGO Forum (the Forum) has documented at least 1803 violations of human rights, the ZNA and ZRP being implicated in all categories of violations. The figures have since increased since the last report by the Forum released on 18 January 2019, as additional and fresh reports were documented. To date, the violations include at least 17 extra-judicial killings¹, 17 cases of rape or other violations of a sexual nature, 26 abductions,

¹ Extrajudicial executions are unlawful and deliberate killings, carried out by order of a government or with its complicity or acquiescence. It includes killings by officers performing law enforcement functions but involving

61 displacements, 81 assaults consistent with gunshot attacks, at least 586 assaults and torture, inhuman and degrading treatment including dog bites, 954 arrests and detention (including dragnet arrests), among other violations.

The violations are systematic, unleashed mainly by male perpetrators whom the victims identified as wearing either military or police attire, armed with AK rifles and or baton sticks, travelling in army and police vehicles. The targets of attack were initially male population in high density suburbs but later become indiscriminate to include women and young girls. Recently credible reports of sexual assault, including rape have emerged. 16 cases of rape and 1 case of sexual assault were documented. There could be more. Cases of abductions and displacements are mainly targeted at civil society leaders and opposition party activists in both urban and rural areas. The attacks by the state media has since widened to include the Law Society of Zimbabwe (LSZ) and the Zimbabwe Human Rights Commission (ZHRC). The LSZ has reported on what appears to be cases of systematic violation of the right to fair trial which seem to be taking place in the Magistrates Courts across the country whereas the ZHRC has raised concern on the human rights violations that ensued during and after the #shutdown.

The Forum has started the process of pursuing justice and accountability for the victims. At least 24 letters of demand have been issued claiming about USD1,200 000.00 million from the perpetrators. This report updates the [Forum](#) report of the 18th of January 2019 and summarises violations received between 14 January 2019 to 31 January and the interventions of members of the Forum. Key to the compilation of this report is the work done by the Zimbabwe Peace Project (ZPP), Zimbabwe Lawyers for Human Rights (ZLHR), the Counselling Services Unit and the Zimbabwe Association of Doctors for Human Rights (ZADHR) in coordinating emergency response and assisting victims in the line of fire.

a disproportionate use of force to any threat posed, see Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989 1, <https://www.ohchr.org/Documents/ProfessionalInterest/executions.pdf>, Principle 1.

2.0 Violations at a Glance

NATURE	AREAS	PERPETRATORS	TOTAL
Extra-Judicial Killings	Mbare, Mutare, Kadoma, Marondera, Hatfield, Kuwadzana, Chitungwiza	ZNA, ZRP, Protestors	17
Rape	Epworth, Hopley Farm, Bulawayo, Hwange	ZNA, ZRP	16
Sexual Assault Other than Rape	Epworth/Hopley, Hwange	ZNA, ZRP	1
Abductions	Mazowe, Bindura, Epworth, Chikanga, Guruve	Suspected security agents	26
Displacements	Harare, Domboshava, Bulawayo, Epworth, Gokwe	ZNA, ZRP	61
Gunshot Assaults	Harare, Chitungwiza, Domboshava, Bulawayo, Epworth	ZNA, ZRP	81
Other assaults	Harare, Chitungwiza, Domboshava, Bulawayo, Epworth, Chinyoyi, Kwekwe	ZNA, ZRP	586
*Harassment, Threats and Intimidation	Nationwide	ZNA, ZRP	
Destruction of Property, Looting	Harare, Chitungwiza, Domboshava, Epworth, Bulawayo	ZNA, ZRP, Protestors	51
Arbitrary Arrests	Nationwide	ZRP	954
*Obstruction of Movement	Nationwide	ZNA, ZRP	
Harrassment of Journalists	Harare, Bulawayo	ZNA, ZRP	10
Invasion of Privacy, Break-ins	Nationwide	ZNA, ZRP	
TOTAL			1803
*Some violations were nationwide, committed at a scale that we could not quantify at the time of release			

3.0 Summary of Violations

3.1 Extra-Judicial Killings

The total number of extra-judicial killings documented by the Forum is 17. Since January, 2019 the actual number of people who lost their lives remains unknown. In the reported cases, the Forum was able to interact with either families or eye witnesses to the killings. In most cases, the post mortem reports that corroborated eye witness accounts. Some families and witnesses are still afraid to come out. Forum lawyers and doctors from ZADHR accompanied some of the victims throughout the post-mortem process. The remaining case of the a police officer who died of injuries sustained from an attack by the protestors in Bulawayo has been confirmed by the Zimbabwe Republic Police (ZRP). This report withholds the names of the deceased whose details are as follows;

1. TN, male, 36, Mbare, Harare died on 14 January 2019
2. CC, male, 22, Makoni, Chitungwiza, died on 14 January 2019
3. TM, male, 29, Kuwadzana, Harare, died on 14 January 2019
4. TN, male, 53, Epworth, Harare, died on 14 January 2019
5. SN, male, 37, Dombotombo, Marondera, died on 14 January 2019

6. ES, male, 26, Mbare, Harare, died on 14 January 2019
7. TM, Male, [Unknown], Kadoma, died on 14 January 2019
8. AM, female, 32, Bulawayo, died on 14 January 2019
9. EZ, female, [Unknown], Harare, buried on 22 January 2019
10. KR, male, 22, Mbare, died on 27 January 2019
11. IOM, male [Unknown], Warren Park, Harare, died on 23 January 2019
12. TJ, female, Harare, Other details to be confirmed.
13. TB, male, 27, Mbare, died on 30 January 2019
14. TM, male, Glenview, Harare. Still under verification
15. MC, male, [Unknown], Harare, other details to be confirmed,
16. NS, male, 29, Mutare, died on 1 February 2019
17. ND, male 24, Chitungwiza, died on 3 February 2019

3.2 Rape and Sexual Assault

The Forum received a total number of 17 cases of sexual assault including rape. Owing to the personal nature of the violations, most victims are afraid to come forward. The perpetrators identified by the victims are ZNA officers who either directly raped the victims or instructed other people to do so in their presence. 15 of the cases received were from Harare particularly Epworth and Hopley. One of the cases was received from Hwange. Efforts are underway to provide the victims with medical assistance and psycho-social support. 1 case of aggravated indecent sexual assault was reported in Hopley. The victim was forced by armed ZNA Officers to perform oral sex on one of the soldiers.

3.3 Abductions

26 reports of abductions were received from 14 January to 31 January, 2019. Suspected security agents who could not be accurately identified were responsible for the abduction of 26 people since 14 January 2019. Though some victims have resurfaced, there are some whose whereabouts remain unknown to this date. Reports were mainly received from Mazowe, Bindura, Epworth, Mazoe North, Chikanga, and Guruve.

3.4 Displacements

Displacement happened around the country and at grand scale. We may never know the number of people displaced. However, at least 61 people were reported to have been displaced by violence. These displacements are related to the continuous harassment, threats and intimidation by alleged state security agents. Of the 61 people who have been displaced, 59 were male whilst 2 were female. In Domboshava alone, 15 people were displaced as a result of receiving threats from alleged security agents. In most recorded incidences, the families of the displaced are also victimized to coerce them to reveal the location of their loved ones. Such reports have been received from Harare, Chitungwiza and Bulawayo. ZRP, CIO and ZNA officers have been identified as the major perpetrators.

3.5 Gunshot Assaults

Apart from the reported cases of extrajudicial killings at the hands of ZRP and ZNA officers, the Forum verified 81 cases of gunshot related assaults from Harare, Chitungwiza, Marondera, Bulawayo, Gokwe and Epworth. In some incidences, victims had lodged bullets in their bodies and they had to undergo surgery, whilst some are yet to receive medical treatment.

3.6 Other Assaults, Torture, inhuman and degrading treatment including Dog Bites

Cases of assaults, torture, cruel, inhuman and degrading treatment were witnessed at a shocking scale such that the actual number is not possible to ascertain. The cases documented are only of those people who sought help from members of the Forum. The total number of documented cases of torture, assaults including dog bites are 586. The cases could be more. The reports were received mainly from Harare, Bulawayo, Chitungwiza, Marondera, Chinhoyi, Karoyi, Mutare and Epworth. The majority of the reports cited security sector personnel as the main perpetrators. The largest volume of reports was received during the joint ZNA and ZRP crackdown on suspected protestors. The crackdown included door to door raids which resulted in the assault and torture of women, children, people with disabilities and the elderly. 63 women

came forward with reports of varying degrees of assault, including *falanga*². 339 men also indicated aggravated indecent assault and torture by soldiers and police in riot gear using baton sticks, fists, metal rods and rifle butts. In some reported incidents, protestors were also identified as perpetrators of violence.

3.7 Harassment, Threats and intimidation

Harassment, threats and intimidation happened country wide at a scale too vast to quantify. The whole nation was terrorised by the ZNA and ZRP offices. Armed men were seen all over the place harassing anyone they came across. The strong presence of military personnel and their involvement in communities and civilian affairs, including roaming the streets in full military gear and the presence of armed soldiers in public transport are factors that have led to the intimidation of citizens.

3.8 Destruction of Property

There was widespread destruction of property during #shutdown, since 14 January 2019. Protestors looted retail outlets and fuel service stations, as well as burning police stations, Tollgates, a ZUPCO bus, vehicles including police vehicles. These incidences were reported from Bulawayo, Harare, Chitungwiza (Makoni police station), Marondera, Domboshava, and Epworth. After the protests, reports of destruction of property by ZNA and ZRP officers were received. In a verified incident from Dzivarasekwa, police in riot gear fired 6 teargas canisters into a residential home. Property, including a wardrobe, bed and blankets were destroyed as a result of the heat emitted from the teargas canisters. In total, 51 reports of destruction of property were received and verified.

Police have reported that the arsonists who burnt the ZUPCO bus were arrested and that they were ZANU PF supporters. The Forum did not verify this report independently. However, residents reported that soldiers and police broke into their homes and if there were any groceries, they demanded receipts and failure to produce one would lead to assaults and arrest and the groceries would be confiscated.

² Being beaten on the sole of the feet with a hard object.

3.9 Arrests and Detention

Post-protest retribution by the ZRP and ZNA officers resulted in the warehouse arrest and detentions of over 954 people across the country, including children between 9 to 16 years. The highest recorded arrests were in Harare followed by Bulawayo, then Midlands. There were also many arrests in Mashonaland West provinces.

Arrest Breakdown by Province

Province	Total
Bulawayo	237
Harare	297
Manicaland	33
Mash Central	21
Mash East	37
Mash West	105
Masvingo	10
Mat North	8
Mat South	19
Midlands	187
Grand Total	954

Fig 1: Total Cases and People Arrested/Detained Per Province by 06 February 2019.

Source: Zimbabwe Lawyers for Human Rights

Among the arrested were human rights defenders, labour leaders, opposition activists, vendors, commuter omnibus drivers and members of the general public going about their normal business. These arrests were followed by a wave of mass trials, with serious undermining of fair trial rights by the judiciary. Some of the victims arrested during this blitz were denied medical assistance and they have spent more than 10 days in custody.

Trends of arrests:

- Dragnet arrests/ detention, when the police working in common purpose with the military are not clear on what they want to do, for instance the arbitrary raiding, arrest and detention of the 28 victims who were receiving treatment at

a facility in Harare on 21 January 2019. The 28 were later dumped on the streets by the police after spending the entire day at Harare Central police station without any charges preferred against them.

- Mass arrests of groups of as big as 60, who would have been rounded by the police either from their homes or at market places;
- Police arresting to investigate, instead on investigating first and then re-arresting
- Harassment and or targeting of relatives or friends to put pressure on those that the police want to arrest but cannot locate as a way to force those targeted to hand themselves over to the police.
- The police made use of a database to arrest anyone who they would have profiled and arrested before in relation to political activity. As a result many opposition activists who had been arrested before, were also targeted and arrested, even if they were not at the scene of protests.

3.10 Obstruction of Movement

Obstruction of movement was a nationwide violation of rights perpetrated at a grand scale making it difficult to quantify. There were many cases of obstruction of movement received for the period 14 January to 28 January, 2019. These were received from Harare, Chitungwiza, Bulawayo, Epworth, and Domboshava. During the first day of the protests, demonstrators blocked streets with boulders and burning tyres and in some instances directly threatened citizens with assault and damage to property. This restricted the freedom of movement for the general public. In the days that followed, ZRP and ZNA mounted roadblocks on major roads throughout the country. They also harassed people going about their business, in some locations in the high density suburbs of Harare and Bulawayo, Chitungwiza and Epworth. De facto curfews were established in most parts of these areas.

3.11 Attacks on Journalists

There were 10 cases reported alleging attacks of journalists by army and police officers. It was reported that soldiers and police in riot gear detained and harassed 7

journalists in Harare despite having produced their press cards. It was also reported that 3 journalists were assaulted in Bulawayo by soldiers whilst filming the protests and the subsequent violence. One of the cases documented under extra-judicial killings is the case of a journalist who was shot by the military while covering the crackdown.

3.12 Invasion of Privacy

There was a wide scale of invasion of privacy which is impossible to quantify. Numerous reports on invasions of privacy have also been reported. The Forum has recorded from 10 incidences of raids and searches by the police and army without proper legal documentation. In Highfields and Dzivarasekwa, there were reports of ZRP and ZNA officers conducting door to door raids and searches without search warrants. Furthermore, the ZRP raided a medical facility where victims of military and police brutality were receiving medical assistance. Individuals were also subjected to degrading searches by state security agents at roadblocks that were established throughout the country. In other circumstances, citizens were detained for up to 5 hours for one reason or the other.

4.0 Perpetrators Profile

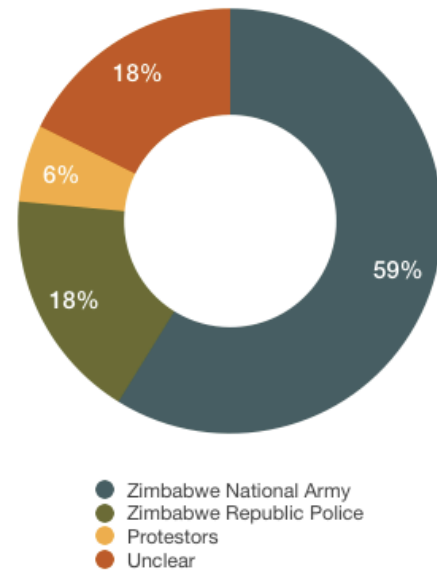
The violations documented here stretch from 14 January to 31 January, 2019. These appeared initially as a security response to the fuel protests until they took the character of a systematic military operation targeted at a section of the population particularly in high-density suburbs. Victims interviewed by the Forum corroborate the video footage captured by many media organisations. These include personnel dressed in military and police attire, armed with guns, baton sticks and *sjamboks*³. In all the thirteen (13) categories of human rights violations documented in this report, ZNA and ZRP are implicated as the main perpetrators. Victims report that they travelled in military and police vehicles. In cases of violations of a sexual nature, verification is ongoing regarding the profiles of the perpetrators. Out of the 17 cases documented, 16 of the victims implicated ZNA officers as the main perpetrators who

³ Whips used by people to beat other people.

were in the company of ZRP members of the special constabulary force. Out of the 17 cases of extra-judicial killings, the military is implicated in 59% of the cases as the graph below shows.

Extra Judicial Killings

EXTRA JUDICIAL KILLINGS	
Zimbabwe National Army	10
Zimbabwe Republic Police	3
Protestors	1
Unclear	3
TOTAL KILLINGS	17



5.0 Victim Profile

Most victims documented are male. This is mainly so in cases of extra-judicial killings, assaults, displacements and abductions. Some cases, documentation and verification are still ongoing to allow for a comprehensive analysis. In violations of a sexual nature, all victims are female. Children also suffered victim to these violations.

6.0 Geographical Spread

The violations documented in this report are spread across the country's major cities with more cases documented in Harare and Bulawayo high-density areas. In Harare, the affected areas are Harare CBD, Epworth, Chitungwiza, Dzivarasekwa, Kuwadzana, Epworth, Budiriro, Glen View, Glen Norah, Southlea Park, Mabvuku, Tafara and slightly out of Harare, Domboshava. In Bulawayo, the areas affected were Bulawayo CBD, Nketa, Nkulumane, Entumbane and Hillside. 75% of the killings happened in Harare. Arrests were spread across the country going as far as Hwange, Karoi and Chinhoyi. Harare topped the number of killings, assault by gun shots, other

assaults as well as arbitrary arrests. Bulawayo leads in the cases of damage to property as it is related to looting and also cases of arbitrary arrests and torture.

7.0 Interventions

A number of Forum members have intervened to assist victims and confront the perpetrators. The Zimbabwe Lawyers for Human Rights (ZLHR) is representing over 900 victims of arbitrary arrests and detention. There are definitely more people who were arrested than documented here. This report only documents arrests reported to Forum members that we suspect are unlawful for example where the victim was abducted by people who did not identify themselves as police officers. In that case, it becomes a violation of the human rights. The Zimbabwe Peace Project (ZPP) has been mapping and documenting violations and assisting families of the deceased to access services needed for burial of the deceased. The Forum has coordinated emergency response for victims among many members than those simply mentioned here. The Zimbabwe Association of Doctors for Human Rights (ZADHR) has assisted over 357 victims of military and police brutality. The Counselling Services Unit (CSU) has attended to over 200 victims of military and police brutality, Justice for Children (JC) provided legal assistance to over 40 children who were detained together with adults. Women of Zimbabwe Arise (WOZA) has been coordinating rapid response for victims mainly in Matebeleland in need of medical and legal support.

The Forum has also received instructions from some victims to proceed with legal actions. By the time of the compilation of this report, the Forum has issued a total of 24 letters of demand claiming total of USD1.2million on behalf of victims of the brutality. On 28 January, 2019 the Law Society of Zimbabwe convened an Extraordinary General Meeting for members to deliberate on the ongoing violations to the right to fair trial where Magistrates are alleged to be refusing to enforce the fair trial rights of those arrested in connection with the crackdown. On 29 January 2019, lawyers marched from the offices of the Law Society of Zimbabwe and handed over a petition to the Chief Justice bemoaning the miscarriage of justice at the Magistrates Court across the country. The Chief Justice has since responded by constituting a committee to oversee the trials and attend to some of the issues raised by stakeholders.

8.0 Recommendations

The Forum is gravely worried about the human rights situation in Zimbabwe and will continue to monitor and document human rights issues as they unfold.

The following recommendations are urgent:

- The Forum maintains that the current deployment of the military is unlawful and unwarranted. The military must be withdrawn from the streets, return to the barracks and let police undertake policing duties. The deployment procedure must be investigated.
- The current violations have become so gross and systematic so as to warrant being treated as crimes against humanity. Hence SADC and the African Union are called upon to pressure the Zimbabwean government to stop these violations, failure which the Forum will approach international platforms seeking prosecution of the perpetrators.
- The Prosecutor General must abstain from reckless statements and must forthwith begin the process of compiling evidence on ongoing crimes by members of the security apparatus to bring all perpetrators to book.
- The judiciary must uphold the rule of law and ensure that fair trial rights including the rights of the accused persons are respected.
- The government must stop the crackdown against civil society leaders and recognize the legitimate work of human rights defenders.
- The government must, without further delay, establish the independent complaints mechanism in line with section 210 of the Constitution. The independent complaints mechanism is designed to receive and investigate complaints against the security services.
- Since 14 January 2019 there has been a wanton assault on the Constitution by the government, the police, the military, and some magistrates and prosecutors. This must stop. The sanctity of the Constitution must be restored especially relating to the bill of rights and the deployment of the military.

- The state media has become an actor in the ongoing massive human rights violations. The Forum calls upon the state media that is funded by the taxpayer, to stop its current propaganda that is fuelling state violence and fanning hostilities in violation of the founding values of Constitution of Zimbabwe and the values of peace journalism. The state media must do its work responsibly in service of the nation not be used in pursuit of a partisan parochial political agenda.
- The Forum notes the call for national dialogue and underscores that the sincerity of any dialogue by the government is only tested by halting the violence. Whatever dialogue to be preferred must not be a political elite pact as was the 2008 Global Political Agreement. It must be an inclusive dialogue which includes the people of Zimbabwe as represented in various formations including churches, civil society, labour, victims of human rights violations, professional associations, the business community and Zimbabwean diaspora community.

9.0 Conclusion

As the Forum continues to monitor the situation and keep the world updated, it is important that national leadership from all sectors be seen to play a positive role in ending the ongoing violations and charting a new way towards the peaceful resolution of the ongoing conflicts. The human rights sector believes that human dignity is sacred. Under no circumstances must the dignity of the people be violated. The ongoing violations must stop and the process of healing must commence.