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Treatment on the basis of imputed political opinion, particularly for family members of MDC activists.

A report published by *Human Rights Watch*, in a section titled “Political Violence against MDC Activists and Perceived ZANU-PF Critics”, states:

“Recent examples show how the pattern of ZANU-PF violence has continued since the GPA was signed. On July 3, 2009, ZANU-PF supporters beat up MDC activist Ebba Katiyo of Uzumba, Mashonaland East, accusing her of being a member of the MDC. Katiyo was assaulted by assailants who punched her, kicked her with booted feet, and hit her with sticks. A week later, on July 12, Katiyo was again assaulted by ZANU-PF supporters at a public meeting on the instructions of her uncle, the local village headman and a ZANU-PF supporter. On July 13, 2009, a well-organized group of ZANU-PF supporters and ‘war veterans’ beat up scores of MDC supporters and disrupted a national constitutional conference in the capital, Harare. No arrests were made despite a heavy police presence. The police remain under the leadership of Augustine Chihuri, a self-proclaimed ZANU-PF supporter.” (Human Rights Watch (31 August 2009) *False Dawn: the Zimbabwe Power-Sharing Government's Failure to Deliver Human Rights Improvements*, pp.5-6)

A *Human Rights Watch* news report states:

“Since President Robert Mugabe declared that ZANU-PF, his party, was ready to hold elections this year, attacks around the country by ZANU-PF against supporters of the Movement for Democratic Change (MDC), led by Prime Minister Morgan Tsvangirai, have increased. ZANU-PF and the two factions of the MDC share power in the current government. Credible sources from civil society informed Human Rights Watch that in recent months, ZANU-PF youth have attacked scores of people, mainly MDC supporters, in the high-density neighborhoods of Harare, as well as areas outside of Harare such as Chitungwiza, Gutu, and Bikita. Local civil society organizations alleged that the police were arresting the victims of the violence - many of whom are from the MDC - instead of the perpetrators, who they say are mainly from ZANU-PF.” (Human Rights Watch (24 February 2011) *Zimbabwe: Free Activists Charged for Viewing Mideast Video*)

An *IRIN News* report states:

“The Southern African Coalition for the Survivors of Torture, a Zimbabwean rights group, said in a recent statement that the incidence of politically motivated violence increased in Harare in January, and alleged that at least one person aligned to the MDC was shot, several were assaulted and many others were threatened, but the police refused to intervene.” (IRIN News (31 January 2011) *Zimbabwe: New surge in political violence*)

See also public statement issued by *Amnesty International* which states:

“In recent weeks, supporters of President Robert Mugabe’s ZANU-PF party in Harare have targeted perceived supporters of the MDC-T formation led by Prime Minister Morgan Tsvangirai, with violence with the tacit approval of the police. On 21 January 2011, Amnesty International delegates witnessed one such incident of violence where ZANU-PF supporters protesting at Harare’s Town House were beating members of the public in the presence of anti-riot police. A high school student was beaten by the mob for taking a photograph, while a young woman wearing an MDC-T t-shirt was beaten and stripped. Anti-riot police monitoring the ‘protest’ did not intervene to assist the victims. The two were seriously injured and needed medical treatment. It is an open secret that ZANU-PF supporters who use violence against members of the public or their perceived political opponents are beyond the reach of the law. Police continue to selectively apply the law – turning a blind eye to violations by ZANU-PF supporters while restricting the work of human rights organisations and the activities of other political parties.” (Amnesty International (11 February 2011) *Zimbabwe: Urgent need for security sector reform to stem human rights abuses*)

A report from *Human Rights Watch*, in a section titled “Failure to Investigate and Prosecute Serious Political Crimes”, states:

“The failure of police to act has left many communities, in provinces around the country, vulnerable to further violence. Many victims and their family members believe that they remain at risk because of the failure of the police to prosecute perpetrators, some of whom still live in the areas in which they committed the crimes. The Zimbabwe Human Rights NGO Forum, which has filed hundreds of civil law suits across the country on behalf of victims of the 2008 election-related violence, informed Human Rights Watch that the majority of perpetrators named in its lawsuits continue to live in the same communities in which they had perpetrated the violence. Said a representative of the Forum: Perpetrators in most of the cases we are working on, were named by their victims, and in most cases were people the victims knew who lived in the same community.’ The Forum has documented cases where alleged perpetrators threatened their victims with further violence after court summons were issued against them. In one case, an alleged perpetrator assaulted his victim after a civil law suit was filed against him.” (Human Rights Watch (8 March 2011) *Perpetual Fear: Impunity and Cycles of Violence in Zimbabwe*, pp.27-28)

A report published by *Solidarity Peace Trust*, in a section titled “Arbitrary arrests”, states:

“There has been a dramatic increase in arrests, in particular of key, high profile members of the opposition. ZLHR report that in February, they were called to respond to between two and five cases of arrest each day, and that these arrests took place in all ten provinces of the country. ZLHR have provided legal support in 577 different cases in the last two months, involving politically motivated arrests, selective application of the law and malicious prosecutions.” (Solidarity Peace Trust (13 April 2011) *The Hard Road to Reform*, pp.28-29)

This report also states:

“ZLHR has further commented that many of the arrests this year have shown a high level of police planning and preparedness. On both occasions that Energy Minister Elton Mangoma was arrested in March, the state’s papers were well organized and ready in advance. There is currently also a trend of the police going back through very old cases that have been on file for years, and re invoking old charges. Once again, this requires a reasonable level of police organization and time, pointing to a strategy. Arrests have, in keeping with the pattern established over recent years, been very selective. MDC T MPs and activists have been arrested on malicious charges, and people going to report political violence against themselves, have been arrested instead of a docket being opened in their support. In contrast Zanu PF MPs, such as Ignatius Chombo who stand accused of corruption over property purchases, have not been arrested or properly investigated, and most perpetrators of violence go unpunished as long as they support the ruling party.” (ibid, p.29)

A country advice document issued by the *Refugee Review Tribunal* of Australia, in response to the question “Is there any information to support, or to rebut, the claim that family members would be punished for the political crimes of MDC activists whom the ZANU PF militia accuse of being traitors to Zimbabwe?” states:

“There is information to suggest that people can be targeted for the political activities of their family members. Much of the information found related to treatment of the family members of those involved with the MDC. The incidents reported involved relatively prominent MDC activists, members of parliament (MPs) or office holders rather than low level supporters.” (Refugee Review Tribunal (Government of Australia) (18 February 2011) *Zimbabwe – ZWE38123 – MDC – Family Members of MDC – Youth Service – Border Gezi – Medical Treatment – Returnees*)

A report from *SW Radio Africa* states:

“MPs for the Tsvangirai led MDC continue to come under pressure by the Zimbabwean government this week, as family members of arrested MPs appear to have become targets for interrogation. The wife of MP for Epworth, Eliah Jembere was reportedly detained and interrogated by police for seven hours on Monday – before being released after the intervention of the MDC’s lawyer Alex Muchadehama.” (SW Radio Africa (9 September 2008) *MDC MP’s wife detained as pressure on members continues*)

See also *SW Radio Africa* report on the alleged activities of ZANU PF district chairman Mike Chiwodza which states:

“The report said Chiwodza, backed by a gang of thugs armed with machetes and barbed-wire clubs, was seen roaming villages in Marambapfungwe and threatening MDC supporters. The report said: ‘On the 8th and 9th April ZANU PF thugs led by Chiwodza went from home to home in the villages around Marambapfungwe district of Mashonaland East, telling the people that as MDC supporters your houses won’t be burned this time because that would be evidence. This time we will abduct and kill you and get rid of your body in the Mazowe River or down mine shafts.’ A week later, Chiwodza visited more villages in the province and threatened to deal with family members should

their targeted MDC activists flee the crackdown. He said if the MDC activists escaped, they would find their spouses and children and kill them, after the World Cup showcase in South Africa.” (SW Radio Africa (22 April 2010) *ZANU PF threatens crackdown on MDC after SA World Cup*)

An *IRIN News* report states:

“Freddie Matonhodze, an official of the opposition Movement for Democratic Change (MDC) in Muzarabani district, in Mashonaland Central Province, a rural stronghold of the ruling ZANU-PF party, lost his wife and relatives to political violence. His home has been razed and his livestock slaughtered, but he refuses to flee.” (IRIN News (10 May 2010) *Zimbabwe: Freddie Matonhodze, "We fear there could be a blood bath"*)

A *ZimOnline* article states:

“There has been a sharp increase in cases of arson attacks in Manicaland province since the MDC-T held its congress in Bulawayo almost two weeks ago,” Zimrights said in the bulletin made available to ZimOnline on Thursday. The rights group gave the example of two families from the rural Mutasa Central constituency whose houses were burnt down as the militias warned the families that they would return to kill them should they continue supporting Tsvangirai and the MDC. Members of the two families have since gone into hiding in fear for their lives, according to ZimRights. ‘Houses belonging to two MDC families in Mutasa Central families were set ablaze last week,’ the rights organisation said. ‘The suspected ZANU (PF) attackers left a note which partly read ‘if you continue to talk about Tsvangirai, you will continue to do so in heaven,’ (implying that they would be all killed). All the property of the victims was destroyed and they are currently in hiding,’ it added.” (ZimOnline (20 May 2011) *‘Increase in arson attacks against MDC’*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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