



Home Office

Country Policy and Information Note

Zimbabwe: Opposition to the government

Version 4.0

February 2019

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 and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides 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.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date(s) in the country information section. Any event taking place or report/article published after these date(s) 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 information was obtained, including specific methodologies used
- the currency and detail of information, and
- 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, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

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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Assessment

Updated: 18 February 2019

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 National 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 Refugee convention reason

- 2.2.1 Actual or imputed political opinion.
- 2.2.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed convention reason.
- 2.2.3 For further guidance on Convention reasons including particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Exclusion

- 2.3.1 Decision makers must consider whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.
- 2.3.2 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Asylum Instruction on Restricted Leave](#).

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2.4 Assessment of risk

a. Opposition party members

- 2.4.1 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 did 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)).
- 2.4.2 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))).
- 2.4.3 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)).
- 2.4.4 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)).
- 2.4.5 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))

- 2.4.6 A returnee to a low or medium density area in Harare will, however, in general face no significant difficulties (EM, para 215 (5)).
- 2.4.7 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)).
- 2.4.8 The political landscape in Zimbabwe has seen some change since [CM](#) was promulgated in 2013. After the removal of Robert Mugabe and inauguration of Emmerson Mnangagwa in November 2017, the president sought to consolidate his position within the ruling party, appointing his supporters to the cabinet while factional opponents within ZANU-PF were side-lined or expelled (see [The political landscape](#), [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.4.9 The tone of political rhetoric has been more conciliatory since Emmerson Mnangagwa came to power, with the president stating in public that open political engagement and dialogue is needed. He responded to the post-election violence in the form of the Commission of Inquiry, and condemned violence during the recent fuel protests (see [The political landscape](#), [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.4.10 Opposition parties continue to operate and represent a challenge to the government, although the MDC has splintered into different factions over the years. In August 2017, a new opposition coalition – the Movement for Democratic Change Alliance (MDC-Alliance) – formed consisting of 7 opposition parties, led by Nelson Chamisa. It challenged the ruling ZANU-PF during the 30 July 2018 elections for the presidency, parliament and local councils (the Harmonised Elections), but subsequently failed to win the majority of votes (see [The political landscape](#), [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.4.11 During the Harmonised Elections, observers agreed that although there were documented incidences of harassment and intimidation, conditions for elections were significantly freer than in previous polls. The campaign environment was relatively peaceful overall, with political freedoms during the pre-election campaign, including freedom of movement, assembly and speech, being generally respected (see [Harmonised elections July 2018 - overview](#)).

- 2.4.12 The outcome of the election results however, lead to violent protests including, on 1 August in Harare, a protest that led to the deployment of the military resulting in 6 deaths and 35 people injured. The result was a crackdown on opposition leaders and supporters by the police, including the arrests of those in MDC-Alliance leadership as well as arrests in other areas outside of Harare. There were reports of opposition supporters being subjected to abductions, illegal evictions, deprivation of food, assault, torture and threats. President Mnangagwa was again sworn in as president on 26 August 2018 (see [Treatment of opposition to the government](#) and [Response to election related violence](#)).
- 2.4.13 Though the political landscape has remained relatively stable since CM and EM were promulgated, largely as a result of the threat posed by the state security apparatus and relative weakness of opposition groups, there is a lack of clear and cogent evidence that the government has, in practice, fundamentally changed the political environment or how it treats those opposed to the state (see [The political landscape](#), [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.4.14 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 and human rights violations committed by the security forces and ZANU-PF supporters against opposition party members have generally declined since 2008, these fluctuate, with recent peaks being seen in the 2018 post-election period and in response to the current economic situation. 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. There have also been incidents of intra-party human rights violations within MDC and ZANU-PF factions (see [The political landscape](#), [The political opposition](#) and [Treatment of opposition to the government](#)).
- 2.4.15 The Court of Appeal, in the case of [SG \(Iraq\) v Secretary of State for the Home Department \[2012\] EWCA Civ 940 \(13 July 2012\)](#), heard on 20-21 June 2012, found that 'decision makers and tribunal judges are required to take Country Guidance determination into account, and to follow them unless very strong grounds supported by cogent evidence, are adduced justifying their not doing so' (paragraph 47).
- 2.4.16 Therefore, 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
- 2.4.17 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)
- 2.4.18 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.
- 2.4.19 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
- 2.4.20 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](#)).
- 2.4.21 Such treatment, though, would not in and of itself be serious enough by its nature and repetition to establish a claim to asylum.
- c. Demonstrations against the government
- 2.4.22 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. During the January 2019 demonstrations, there have been reports that security services used excessive force on protesters and those in the vicinity. Those perceived to have been in opposition to the government at this time have faced harassment, arrest and ill-treatment including assaults, gun-shot related injuries and at least 8 deaths. Further direct targeting of the opposition (and perceived opposition) including NGOs continued after the initial violence, through house raids, arrests and detentions. (see [Protests and demonstrations about the economy](#)).
- 2.4.23 Although there have been recent protests and civil unrest, the House of Lords has established that a state of civil war or civil instability and/or where law and order has broken down does not of itself give rise to a well-founded fear of persecution for a Convention reason. The onus is on the person to demonstrate why they face a risk above and beyond the general inherent incurred during a time of civil unrest.
- 2.4.24 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, with each case needing to be considered on its own facts.
- d. Human rights defenders and members of civil society organisations
- 2.4.25 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 [Civil society groups \(NGOs\)](#) and [Protests and demonstrations about the economy](#)).

e. Journalists

- 2.4.26 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](#)).
- 2.4.27 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.

f. Teachers

- 2.4.28 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)).
- 2.4.29 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](#)).
- 2.4.30 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.
- 2.4.31 For guidance on assessing risk generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Protection

- 2.5.1 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](#)).
- 2.5.2 For guidance on assessing the availability of protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

- 2.6.1 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.
- 2.6.2 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)).

- 2.6.3 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)).
- 2.6.4 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)).
- 2.6.5 Each case will need to be considered on its facts, with the onus on the person to demonstrate that they are unable to relocate.
- 2.6.6 For further guidance on internal relocation generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.7 Certification

- 2.7.1 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.
- 2.7.2 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

Section 3 updated: 28 January 2019

3. The political landscape

3.1 Overview

- 3.1.1 The Australian Government's Department of Foreign Affairs and Trade DFAT Country Information Report – Zimbabwe [DFAT report 2016], based on various sources and 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.'¹

- 3.1.2 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 veterans. For its part, ZANU-PF dutifully silenced and sidelined his rivals, expelling his fiercest critics. For Mnangagwa, now comes the hard part: he

¹ DFAT, DFAT report 2016 (p4), 11 April 2016, [url](#)

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.’²

3.1.3 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 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.’³

3.1.4 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

² ICG, Briefing 134 (Overview), 20 December 2017, [url](#)

³ ICG, Briefing 134 (Overview), 20 December 2017, [url](#)

continuity in substance, with at least a third of the cabinet having served in previous Mugabe administrations. Women and youth are poorly represented.’⁴

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

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3.2 Political framework

- 3.2.1 Freedom House’s Freedom in the World 2018 report 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.’⁵

- 3.2.2 The EU EOM final report noted that:

‘There are no legal regulations in Zimbabwe on the formation, registration and internal operation of political parties. If a party wants to contest in elections the only stipulations are that it must register with the ZEC and its candidates must comply with certain requirements and qualifications of the nomination courts.

‘[...] The right to stand for election for public office is afforded to every Zimbabwean citizen who is eighteen years of age or older. [...] Eligibility to stand in elections for the President of Zimbabwe is granted to citizens (by birth or by descent) who reached the age of 40, are ordinarily residents in Zimbabwe and registered voters. Both the President and Vice-Presidents cannot hold more than two terms under the Constitution.’⁶

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Section 4 updated: 29 January 2019

4. The political opposition

4.1 Overview

- 4.1.1 There were over 100 registered parties in March 2018, ahead of the elections⁷.

- 4.1.2 The EU EOM final report noted:

‘On 30 July, Zimbabweans cast ballots for the presidency, parliament and local councils [...]. Twenty-three candidates registered for the presidential election, 1,631 contested for the National Assembly and 6,576 for local councils. The ruling ZANU-PF was challenged by a new opposition coalition,

⁴ ICG, Briefing 134 (Section IV), 20 December 2017, [url](#)

⁵ Freedom House, Freedom in the World 2018, 2018, [url](#)

⁶ EU EOM, Final Report (p.17), October 2018, [url](#)

⁷ ZimFact, Over100 parties register with ZEC, 9 April 2018, [url](#)

the Movement for Democratic Change Alliance (MDC-Alliance), which was formed in August 2017 by seven opposition parties.

‘For the first time in 38 years the ruling party contested the presidential elections with a new candidate, President Emmerson Mnangagwa, who built his campaign on the pledge of a “new beginning”. The opposition MDC-Alliance also fronted a new candidate, Nelson Chamisa, who succeeded the long-standing opposition leader Morgan Tsvangirai after his death in February 2018.

‘Both parties experienced controversial succession processes, internal splits and conflicts prior to the elections, which impacted on the campaign environment, most significantly during the primaries and the nomination process. The main opposition party MDC-T split with the former Vice-President of the party, Thokozani Khupe, who led a small faction retaining the original name and symbol of the MDC-T party. The most significant ZANU-PF splinter party was the National Patriotic Front (NPF), which publicly endorsed the presidential candidacy of Nelson Chamisa.’⁸

4.1.3 As of October 2018, the Central Intelligence Agency (CIA) World Factbook listed the political parties in Zimbabwe and their leaders (list is not exhaustive):]

- Freedom Front [Cosmas MPONDA]
- MDC Alliance [Nelson CHAMISA]
- Movement for Democratic Change - Ncube or MDC-N [Welshman NCUBE]
- Movement for Democratic Change - MDC-T [leadership contested between Nelson CHAMISA and Thokozani KHUPE]
- National People's Party or NPP [Joyce MUJURU] formerly Zimbabwe People First or ZimPF)
- National Patriotic Front or NPF [Ambrose MUTINHIRI]
- Peoples Democratic Party or PDP [Tendai BITI]
- Transform Zimbabwe or TZ [Jacob NGARIVHUME]
- Zimbabwe African National Union-Patriotic Front or ZANU-PF [Emmerson Dambudzo MNANGAGWA]
- Zimbabwe African Peoples Union or ZAPU [Dumiso DABENGWA]
- Zimbabwe People First or ZimFirst [Maxwell SHUMBA]⁹

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4.2 Political freedom

4.2.1 The United States State Department (USSD) Country Report on Human Rights Practices for 2017 (USSD report 2017), published April 2018, stated:

⁸ EU EOM, Final Report (p.5), October 2018, [url](#)

⁹ CIA, World Factbook, Zimbabwe (Political parties and leaders), 25 October 2018, [url](#)

‘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.’¹⁰

4.2.2 The USSD report 2017 also noted:

‘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 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.’¹¹

4.2.3 The Freedom House Freedom in the World 2018 report stated ‘Political parties may generally form without interference... 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.’¹²

4.2.4 A research response by the Canada Immigration and Refugee Board (‘the Canadian IRB’) on 7 May 2018 cited correspondence from an associate professor at York University, whose research and publications focus on Zimbabwe politics. The associate professor was in Zimbabwe in April 2018 and spoke with sources in civil society. In that response, it was noted that:

‘[...] the environment for civil society activism and opposition political party activities has changed significantly since November 2017. The verbal and legal threats have for the most part vanished; President Mnangagwa has repeatedly stated in public that harassment of critics must end and that open political engagement and dialogue is needed; the MDC-Alliance has been able to be more active in public and visible (its leader Nelson Chamisa was invited to the official independence day celebrations this year, for example); and a series of large, well-attended public meetings involving direct criticism

¹⁰ USSD, USSD report 2017, section 2b, 20 April 2018, [url](#)

¹¹ USSD, USSD report 2017, section 2b, 20 April 2018, [url](#)

¹² Freedom House, Freedom in the World 2018, Zimbabwe, 15 March 2018 [url](#)

of government's record, involving a wide range of political parties including ZANU-PF, are taking place.'¹³

- 4.2.5 The same research response noted, in a relation to a question to the associate professor about the treatment of opposition parties since Mugabe's resignation, that:

'[...] opposition groups, including MDC leaders, have had a "relatively easy time" since November 2017 [and] added that "at present, the climate for the MDC and other parties is fairly safe, although this may not hold up to and throughout the election period" Similarly, the Associate Professor indicated that while "the treatment of youth activists and opposition parties has changed dramatically ... this is not to say that the situation may not change in the future" and that ZANU-PF and President Mnangagwa appear "focused on holding 'legitimate' elections and re-engaging with the international community on a new basis.'"¹⁴

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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 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.¹⁵
- 4.3.2 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.'¹⁶
- 4.3.3 The leader of MDC-T, Morgan Tsvangirai, died on 14 February 2018.¹⁷ The MDC-T elected a new leader, Nelson Chamisa, on 1 March 2018.¹⁸

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4.4 MDC Alliance

- 4.4.1 The MDC Alliance was formed in August 2017 for purposes of the harmonised election. The alliance is composed of MDC-T, People's Democratic Party (PDP), Transform Zimbabwe (TZ), MDC, Multiracial Christian Democrats (MCD), Zimbabwe People First (ZimPF) and Zanu Ndonga¹⁹.

¹³ Canadian IRB, Zimbabwe: Viva Zimbabwe party...(section 2), 7 May 2018, [url](#)

¹⁴ Canadian IRB, Zimbabwe: Viva Zimbabwe party...(section 2), 7 May 2018, [url](#)

¹⁵ DFAT, DFAT report 2016 (p11), 11 April 2016, [url](#)

¹⁶ Herald, A coalition of zeros, 12 August 2017, [url](#)

¹⁷ Daily Telegraph, Zimbabwe opposition leader Morgan Tsvangirai dies, 14 February 2018, [url](#)

¹⁸ Daily News, Chamisa wins election as new MDC president, 2 March 2018, [url](#)

¹⁹ Newsday, MDC Alliance morphs into party: Principals, 31 August 2018, [url](#)

- 4.4.2 Newsday (an independent media organisation) noted in their article, MDC Alliance morphs into party: Principals, published 31 August 2018 that:
- ‘MDC Alliance principals have welcomed the idea of transforming the loose electoral coalition into a political party going forward in order to build a formidable opposition against President Emmerson Mnangagwa’s Zanu PF. Zimbabwe has had more than 100 political parties, but the majority have remained insignificant and without basic support to pose a threat to the ruling party, save for the mainstream MDC-T then led by the late former premier, Morgan Tsvangirai.
- ‘This came after Nelson Chamisa’s MDC-T met in Harare on Wednesday and upheld the decision to morph into a party. In separate interviews yesterday, leaders of the seven parties in the MDC Alliance indicated that they were willing to unite and have a single party.’²⁰

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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).²¹
- 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.²²

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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 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.²³

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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

²⁰ Newsday, MDC Alliance morphs into party: Principals, 31 August 2018, [url](#)

²¹ DFAT, DFAT report 2016 (p11), 11 April 2016, [url](#)

²² DFAT, DFAT report 2016 (p11), 11 April 2016, [url](#)

²³ DFAT, DFAT report 2016 (p12), 11 April 2016, [url](#)

breakaway faction, Zimbabwe People First (ZPF), during 2015.²⁴ In March 2017, Joice Mujuru changed the name of the ZPF party to the National People's Party.²⁵

For more information on the National People's Party see their [website](#).

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4.8 Zimbabwe African People's Union (ZAPU)

4.8.1 The DFAT report 2016 noted:

'President Mugabe ...dominated post-independence politics in Zimbabwe. During the mid-1980s, political tensions between Zimbabwe's two largest political parties, ZANU and ZAPU, led to a period of extended violence, allegedly resulting in the deaths of many thousands of Ndebele in west Zimbabwe at the hands of State security forces. In 1987, ZANU and ZAPU signed a Unity Accord and the two parties merged, forming the Zimbabwe African National Union-Patriotic Front (ZANU-PF). In 2008, a group of former ZAPU members withdrew from the Unity Accord and re-established ZAPU.'²⁶

4.8.2 In November 2016 ZAPU joined the Coalition for Democrats (Code), a group of opposition political parties formed ahead of the 2018 elections²⁷. In April 2018 the party left the Code citing differences with its partner²⁸.

More information about ZAPU can be found on their [website](#)

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4.9 Social media inspired groups

4.9.1 A July 2016 International Business Times report, "We are at the tip of the end of President Mugabe" Zimbabwe's Tajamuka campaign says', 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.'²⁹

4.9.2 Freedom House's 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

²⁴ Freedom House, Freedom in the World 2017, Political Rights, Zimbabwe, 31 January 2017, [url](#)

²⁵ Herald, Mujuru changes party name to National People's Party, 3 March 2017, [url](#)

²⁶ DFAT, DFAT report 2016 (p4), 11 April 2016, [url](#)

²⁷ Newsday, Zapu joins Code, 18 November 2018, [url](#)

²⁸ Newsday, Zapu cuts ties with Code, 19 April 2019, [url](#)

²⁹ International Business Times, We are at the tip of the end of President Mugabe..., 29 July 2016, [url](#)

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 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.'³⁰

4.9.3 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.'³¹

4.9.4 In relation to social media's role in the 30 July 2018 elections Newsday noted in the article, Social media and Zimbabwe's 2018 election, published 13 June 2018 that:

'[...] as is now already the case, there are organised groups of social media specialists and party supporters, sympathisers that are actively tweeting, 'whatsapping' and 'facebooking' for their side.

'And all the main political parties that are in this election appear to be expecting their supporters to harness social media to demonstrate either their popularity or the effectiveness of their campaigns.'³²

4.9.5 The Zimbabwe Independent, in the article Social media new political battlefield, published on 27 July 2018 noted 'Since the last election in 2013, the capabilities and proliferation of mobile devices has increased exponentially, along with attempts to reach voters through mobile notifications... Social media has basically eroded the influence of legacy media which has worked in favour of Zanu PF since it controls the state media — Zimpapers and ZBC — with the only television in the country and an array of radio stations.'³³

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³⁰ Freedom House, Freedom on the Net 2017, Zimbabwe, 14 November 2017, [url](#)

³¹ Freedom House, Freedom in the World 2018 (section D4), 2018, [url](#)

³² Newsday, Social media and Zimbabwe's 2018 election, 13 June 2018, [url](#)

³³ The Zimbabwe Independent, Social media new political battlefield, 27 July 2018, [url](#)

5. Harmonised elections, July 2018

5.1 Conduct of the elections

- 5.1.1 The European Union Election Observation Mission (EU EOM), in the Final Report Republic of Zimbabwe Harmonised Elections 2018 (EU EOM final report), published 1 August 2018 noted:

‘The 30 July polls in Zimbabwe were for the presidency, parliament and local councils - known as the Harmonised Elections - and were the first since the stepping down from power of the former president Robert Mugabe after 37 years in office. Many previous elections have been contentious and with reports of abuses, and so while the commitment to hold credible elections by the interim president was welcomed, a legacy of the past was a low level of trust in the democratic process and institutions, which permeated the electoral environment.

‘The elections were competitive, the campaign was largely peaceful and, overall, political freedoms during the pre-election campaign, including freedom of movement, assembly and speech, were respected. However, the misuse of state resources, instances of coercion and intimidation, partisan behaviour by traditional leaders and overt bias in state media, all in favour of the ruling party, meant that a truly level playing field was not achieved, which negatively impacted on the democratic character of the pre-electoral environment.

‘Election Day passed peacefully, was generally well-managed and conducted mostly in an orderly manner.’³⁴

- 5.1.2 The African Union Election Observation Mission (AUEOM) in their Preliminary Statement on 30 July 2018 Harmonised Elections noted in relation to the pre-election environment:

‘The elections took place in a generally peaceful and calm environment with no major incidents of violence and restriction on the activities of political parties and candidates observed. The process was highly competitive as evidenced by the high number of presidential, national assembly and local council candidates. As an indication of the marked improvement in the political space, the AUEOM notes a very low threshold requirement for registration of political parties and candidates to contest the elections.’³⁵

- 5.1.3 The August 2018 report by the International Crisis Group (ICG), After Elections, Zimbabwe Government's Legitimacy in Limbo noted ‘The Zimbabwean government posited that the first elections after the November 2017 ouster of Robert Mugabe would enhance the state's credibility and strengthen the country's prospects for economic recovery. Voters responded in kind, heading to the polls in unprecedented numbers.’³⁶

³⁴ EU EOM, Final Report (p.1), October 2018, [url](#)

³⁵ AUEOM, Preliminary statement (p.2), 1 August 2018, [url](#)

³⁶ ICG, After Elections (Repression), 21 August 2018, [url](#)

- 5.1.4 The African Union Election Observation Mission (AUEOM) in their Preliminary Statement on 30 July 2018 Harmonised Elections noted in relation to political participation in the elections:

‘The 2018 contest witnessed a high level of participation of political parties and independent candidates in all cadres of representation. The number of presidential candidates has increased significantly from 5 in 2013 (all of whom were male) to 23 in 2018 (of which 4 were women). The increased number of candidates and political parties participating in the 2018 elections is evidence of the improved political space currently prevailing in the country. The AUEOM observed that political parties and candidates were able to freely associate and function without much inhibition to their rights.’³⁷

- 5.1.5 In relation to the campaign environment during the Harmonised Elections 2018 the EU EOM noted that ‘Political freedoms were respected during a generally peaceful campaign, but misuse of state resources and reports of intimidation of voters undermine belief in the right to vote freely.’³⁸

- 5.1.6 The same report stated:

‘There is a broad consensus among stakeholders that the 2018 election campaign was conducted with an unprecedented level of freedom, with voters actively participating in campaign events and civil society free to engage. The potentially restrictive legal framework, which was formerly used to control political activities, has not been globally enforced for these polls, and basic campaign freedoms of movement, assembly and expression have been respected [...]. Peace pledges were signed at the national and lower levels, with candidates affirming their intention to abide by the 2018 Electoral Code of Conduct for Political Parties, Candidates, and other Stakeholders.

‘The presidential campaign was very competitive, with both main candidates, President Emmerson Mnangagwa of the ruling ZANU-PF and Nelson Chamisa of the opposition MDC-A, conducting largescale rallies in all ten provinces. This marked an improvement over previous elections, when opposition rallies were restricted in several areas.’³⁹

- 5.1.7 And:

‘EU observers around the country reported an increase in tension closer to the elections and also reported on threats of violent consequences after the election should voters not vote in favour of ZANU-PF.

‘There were various cases of inducement, coercion, and so-called “smart intimidation” reported to and observed by EU observers, mainly in rural areas. The lack of legal measures to ensure a level playing field impacted on the fairness of the campaign. EU observers reported that voters in resettlement areas appeared to be particularly vulnerable to coercive practices attributed to traditional leaders and local administration related to their lack of land ownership and dependency on state structures.

‘[...] There was concern regarding the role of traditional leaders in the campaign, with numerous reports of chiefs publicly supporting ZANU-PF,

³⁷ AUEOM, Preliminary statement (p.4), 1 August 2018, [url](#)

³⁸ EU OM, Preliminary Statement (section 2) 1 August 2018 , [url](#)

³⁹ EU OM, Preliminary Statement (section 5) 1 August 2018 , [url](#)

attending their rallies and in some cases obstructing opposition rallies in their communities. Incentives had been given to chiefs and some church leaders, who officially endorsed the ZANU-PF campaign. Different sects of the apostolic church, for example, which have numerous followers all over the country, prophesied victory for President Mnangagwa. The ruling party gave them donations and used their mass ceremonies for campaign purposes. There is also evidence that people, including children and their teachers, were forced to participate in political rallies and school premises and properties were used for campaign purposes.⁴⁰

5.1.8 Human Rights Watch (HRW) noted in Zimbabwe: Lack of Reform Risks Credible Elections, published 7 June 2018 that:

‘Human Rights Watch research in May, including interviews across the country, found that security force involvement in the electoral process, abusive laws that remain in effect, and violence and intimidation by the ruling party all contribute to an environment that is not conducive to free and fair elections.

The role of the Zimbabwe Electoral Commission, which is charged with overseeing the 2018 election process, is also of particular concern. The commission has not demonstrated independence or impartiality. At least 15 percent of the Zimbabwe Electoral Commission’s secretariat are serving or former military officials. The military should help make the commission more independent and professional by removing serving military officers from the body [...].⁴¹

5.1.9 The Guardian article published on 5 August 2018 noted ‘On Friday, riot police broke up a press conference organised by the MDC at a hotel in central Harare.’⁴²

5.1.10 The EU EOM final report noted:

‘POSA [Public Order and Security Act] was also invoked to obstruct a press conference of Nelson Chamisa on 3 August. Riot police, with shields and batons, dispersed the assembled members of the international and local press. The ZRP subsequently issued an apology, explaining that the press conference had been mistaken for a political gathering. The President condemned the behaviour of the police and stated that he was “urgently investigating the matter to understand what has happened”. This has prompted speculation as to who in Zimbabwe was in control of the security forces.’⁴³

5.1.11 The BBC noted in the article, Zimbabwe enters a new era, but struggles to escape its past, 4 August 2018: ‘Yet there were some hopeful signals too on Friday, such as the appearance of a government minister instructing riot police to allow a press conference to go ahead and opposition leader Nelson Chamisa’s explicit disavowal of violent behaviour by his MDC Alliance

⁴⁰ EU OM, Preliminary Statement (section 5) 1 August 2018 , [url](#)

⁴¹ HRW, Zimbabwe: Lack of Reform Risks Credible Elections, 7 June 2018, [url](#)

⁴² The Guardian, Zimbabwe opposition face wave of detentions, 5 August 2018, [url](#)

⁴³ EU EOM, Final Report (p.38), October 2018, [url](#)

supporters. These point to the influence of more moderate voices on both sides.’⁴⁴

5.1.12 Amnesty International noted: ‘Earlier on Friday, the President announced an investigation after riot police attempted to shut down a press conference organized by the MDC, adding that anyone was free to speak to the media.’⁴⁵

5.1.13 The Sunday Mail noted, in an article published 8 April 2018 “During this election period the ZHRC is deploying its teams of monitors into the provinces to assess the human rights situation, engage relevant stakeholders, and make recommendations as may be appropriate. The presence of ZHRC monitors in the field has a deterrent effect on violation of human rights.”⁴⁶

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5.2 Outcome and the challenge to the result

5.2.1 The August 2018 report by the International Crisis Group (ICG), After Elections, Zimbabwe Government's Legitimacy in Limbo noted:

‘The results, however, confirmed that the country is deeply divided, with the opposition contesting the electoral commission's determination that Emmerson Mnangagwa won the presidency. Several parliamentary challenges are also underway in separate petitions. The opposition is accusing the electoral commission of bias and fraud in its legal petition to overturn the election results. The Constitutional Court is expected to announce its judgment in the case later in August.’⁴⁷

5.2.2 The same report stated:

‘On 1 August, the electoral commission announced that the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) had won a two-thirds majority in parliament: 144 seats to the Movement for Democratic Change (MDC) Alliance's 64, reflecting a gain and loss of fifteen seats, respectively, compared with 2013. The commission has not provided an aggregated breakdown of actual votes per party. Unconfirmed assessments give ZANU-PF about 54 per cent of the parliamentary vote. The commission has not made public the results of local government polling.

‘The following day, the commission declared Emmerson Mnangagwa the victor in the presidential race, with 2,460,463 votes, over 300,000 more than his main rival Nelson Chamisa, who secured 2,147,436. These figures gave Mnangagwa 50.8 per cent compared to Chamisa's 44.3 per cent, thereby averting a second round of polling by just under 38,000 votes. The 21 other presidential candidates collectively garnered less than 170,000 votes (5 per cent of the total), showing that the opposition's fragmentation is not as profound as some had predicted.

⁴⁴ BBC, Zimbabwe enters a new era, 4 August 2018, [url](#)

⁴⁵ AI, Zimbabwe: authorities must rein in security forces and end mass arrests, 3 August 2018, [url](#)

⁴⁶ Sunday Mail, No room for political violence, 8 April 2018, [url](#)

⁴⁷ ICG, After Elections (Repression), 21 August 2018, [url](#)

‘According to state media, turnout was over 4.8 million – more than 85 per cent of registered voters – the highest since independence, with almost 1.5 million more voting than in any previous poll. Mnangagwa secured 350,000 more votes than Mugabe had in his 2013 landslide, while Chamisa scored almost double the tally of MDC’s former leader, Morgan Tsvangirai, showing a resurgence of opposition support. A parallel voter tabulation exercise conducted by civil society groups agreed that Mnangagwa had beaten Chamisa but could have fallen short of the margin needed to avoid a second round.*

‘Zimbabwe’s 2018 elections are some of the most closely scrutinised on the African continent in recent years. Preliminary reports from both official and informal observers have exposed an array of anomalies [...]. The opposition has made some very strong claims about the evidence it purportedly has proving fraud, but several domestic commentators are dismissing these as unsubstantiated hyperbole.

‘Notwithstanding doubts about reported turnouts of over 90 and even 100 per cent at some polling stations, the massive participation rate shows significant interest in the electoral process, reinforcing perceptions that conditions for elections were significantly freer than in previous polls. The campaign environment was relatively peaceful; the opposition was able to hold rallies unmolested. This brief window of opportunity somewhat mitigated the distortion of which the opposition complains, but it is clear that the playing field was not level.’⁴⁸

5.2.3 The BBC news article Zimbabwe court upholds President Mnangagwa’s election win, published 24 August 2018 noted:

‘President Emmerson Mnangagwa’s win in last month’s polls has been upheld by Zimbabwe’s Constitutional Court.

‘The opposition MDC Alliance had brought the legal challenge saying the vote was marred by “mammoth theft and fraud”, but this was rejected by the court.

‘Delivering the verdict, Chief Justice Luke Malaba called allegations of tampering “bold and unsubstantiated”....

‘In a unanimous judgement, the nine judges ruled against the opposition’s petition because they said it did not include sufficient evidence.

“The best evidence would have been the contents of the ballot boxes themselves,” Chief Justice Malaba said.

‘He also said that if the opposition had requested a re-count of the vote it would have provided “a clear and indisputable picture of the outcome of the election”.

‘Chief Justice Malaba then dismissed as “startling” the MDC Alliance’s claim that an official revision of the vote share was itself proof of irregularities.’⁴⁹

⁴⁸ ICG, After Elections (A closely watched vote), 21 August 2018, [url](#)

⁴⁹ BBC, Zimbabwe court upholds President Mnangagwa’s election win, 24 August 2018, [url](#)

5.2.4 The International Republican Institute (IRI) and National Democratic Institute (NDI) in their IRI/NDI Zimbabwe International Election Observation Mission Final Report, published October 2018 noted:

‘On August 10, Chamisa submitted a court petition challenging the ZEC’s announcement that Mnangagwa had won the election ...On August 22, the Constitutional Court held a hearing to review Chamisa’s challenge. The hearing was televised for the public, which provided transparency to the process. During the hearing, both sides were meant to be able to present their arguments. Concerns were raised, however, that the seven-day period provided by the legal framework for challengers to collect evidence and submit petitions may restrict their ability to adequately prepare petitions. The Court unanimously ruled on August 24 that Chamisa’s petition did not meet required evidentiary standards.

‘Both MDC Alliance and ZANU-PF filed a total of 16 petitions challenging the outcome of various parliamentary elections. Most notable was the case of Chegutu West constituency where the MDC Alliance candidate received the most votes, but results were mistakenly transposed resulting in the ZEC initially announcing the ZANU-PF candidate as the winner. Despite the ZEC, ZANU-PF and MDC all acknowledging that the MDC Alliance candidate received the most votes, the court threw out the MDC Alliance candidate’s petition on technical grounds.

‘President Mnangagwa was sworn in as president on August 26. The new Parliament was seated on September 18, with 17 petitions challenging the outcome of various parliamentary elections still outstanding at the time. Despite a constitutional provision requiring parity, even with 60 reserved seats, female members comprise only 31 percent of the National Assembly and only 14 percent of ward councils.’⁵⁰

5.2.5 The same report noted:

‘Zimbabwe’s 2018 harmonized elections presented the country with a historic opportunity to break with the past 18 years of political crisis and mark the beginning of a genuine democratic transition. ZIEOM notes several improvements to the electoral process compared to Zimbabwe’s past elections, though equally important shortcomings give rise to deep concerns that the process did not make the mark. Incremental improvements in the electoral environment during the preelection period were insufficient to establish broad confidence among the political competitors and Zimbabwe’s sharply divided populace.’⁵¹

More information on the recommendations from the Zimbabwe International Election Observation can be found [here](#)

See also [Political freedom](#), [Political framework](#), [Treatment of opposition to the government](#) and [Response to election related violence](#).

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⁵⁰ IRI/NDI, Zimbabwe International Election Observation Mission Report (p.11), October 2018, [url](#)

⁵¹ IRI/NDI, Zimbabwe International Election Observation Mission Report (p.11), October 2018, [url](#)

6. State security apparatus

6.1 Overview

6.1.1 The USSD report 2017 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. In practice the NSC never met. Instead, the Joint Operations Command, an informal administrative body, discharged the functions of the NSC at national, provincial, and district levels. All security-sector chiefs reported directly to the president, who is the commander in chief of all security services.

‘The ZRP is responsible for maintaining internal law and order. The Department of Immigration and the ZRP, both under the Ministry of Home Affairs, 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 directed some ZRP roles and missions in response to civil unrest. 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. The Central Intelligence Organization (CIO), under the Office of the Vice President, is responsible for internal and external security.’⁵²

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6.2 The police

6.2.1 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 chronic under-funding, which has resulted in equipment and personnel shortages. Corruption in the ZRP is likely to exist at all levels.’⁵³

6.2.2 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.’⁵⁴

⁵² USSD, USSD report 2017, section 2d, 20 April 2018, [url](#)

⁵³ DFAT, DFAT report 2016 (p18), 11 April 2016, [url](#)

⁵⁴ DFAT, DFAT report 2016 (p18), 11 April 2016, [url](#)

6.2.3 The USSD report 2017 noted:

‘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. During the year videos appeared on social media showing police officers assaulting motorists who refused to pay bribes. As one example, in August police officers assaulted lawyer Lucy Chivasa as she attempted to assert the rights of a bus driver whom the police were assaulting at a traffic checkpoint.

‘Ignorance of the provisions of the constitution also compromised the quality of police work. Police were ill equipped, underfunded, and underpaid, and they lacked comprehensive training, which negatively impacted recruitment and the professional development of senior officers. A lack of sufficient vehicles, fuel, and other 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 and sometimes limited the amount of cash security force members could withdraw.

‘The constitution calls for a government body to investigate complaints against the police. Despite this provision, there were no external entities and no effective internal 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. In August authorities arrested, prosecuted, and convicted five police officers involved in an altercation that resulted in motorist Washington Gezana losing an eye.

‘Government efforts to reform the security forces were minimal, and there were no reports of disciplinary actions against security officers who erred in ZANU-PF’s favor in their official conduct. Training on allegiance to ZANU-PF for securing the country’s sovereignty was commonplace, while authorities rarely provided training on nonpartisan implementation of the rule of law or human rights.’⁵⁵

6.2.4 The same report also noted ‘There were no reports the government or its agents committed arbitrary or unlawful killings.’⁵⁶

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6.3 Armed forces

6.3.1 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

⁵⁵ USSD, USSD report 2017, section 2d, 20 April 2018, [url](#)

⁵⁶ USSD, USSD report 2017, section 1a, 20 April 2018, [url](#)

commander of the Defense Forces are the commander of the Zimbabwe National Army (ZNA) and the commander of the Air Force of Zimbabwe.’⁵⁷

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6.4 Central Intelligence Organisation (CIO)

- 6.4.1 The USSD report 2017 stated: ‘The Central Intelligence Organization (CIO), under the Office of the Vice President, is responsible for internal and external security.’⁵⁸
- 6.4.2 The same report also noted ‘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.’⁵⁹

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6.5 Other pro-ZANU-PF groups

- 6.5.1 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.’⁶⁰
- 6.5.2 Regarding traditional leaders, the USSD report 2017 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.’⁶¹
- 6.5.3 A research response by the Canada Immigration and Refugee Board on 7 May 2018 cited correspondence from an associate professor at York University, whose research and publications focus on Zimbabwe politics and who was in Zimbabwe in April 2018 and spoke with sources in civil society. In that response, it was noted that: ‘[...] the "Green Bombers," who had previously been demobilized in January 2018, are back; he [the professor]

⁵⁷ Global Security, Zimbabwe Defense Forces (ZDF), 17 November 2016, [url](#)

⁵⁸ USSD, USSD report 2017, section 1d, 20 April 2018, [url](#)

⁵⁹ USSD, USSD report 2017, section 2b, 20 April 2018, [url](#)

⁶⁰ DFAT, DFAT report 2016 (p18), 11 April 2016, [url](#)

⁶¹ USSD, USSD report 2017, section 3, 20 April 2018, [url](#)

described this group as a national service for youth recruited by intelligence services and known for "terrorizing people in the countryside".⁶²

- 6.5.4 Newsday reported in the article, Re-emergence of Zanu PF Green Bombers worrisome, published on 22 June 2018 that:

‘The decision by the ruling Zanu PF government to re-engage the “Green Bombers” ahead of next month’s general elections raises a stink given their record of being used as pawns to harass and beat up opposition activists.

‘Zimbabweans are aware that the Green Bombers — as graduates of the infamous national youth service are known — were at the forefront of former President Robert Mugabe’s terror campaigns after they joined forces with State security apparatuses to suppress dissent.

‘Once led by former Youth Affairs minister and disgraced Zanu PF commissar, Saviour Kasukuwere, the youth brigades operated against the will of the majority mainly forcing citizens to vote for Zanu PF.

‘It is against this spirit that citizens would always condemn the move by President Emmerson Mnangagwa’s Zanu PF to engage the services of this notorious group once more.’⁶³

- 6.5.5 The Canadian research response noted that: ‘The Professor also indicated that there are "reports of quite a few - maybe 2,000 - soldiers making their presence known in rural areas" and that "many are contesting for ZANU-PF nominations in the primaries" (Professor 27 Apr. 2018).’⁶⁴
- 6.5.6 New Zimbabwe, an online newspaper, in an article published 29 April 2018 reported that ‘[a]ccording to NGOs, over 5000 soldiers are deployed in the rural areas to scare villagers into voting for Zanu PF in the forthcoming elections’⁶⁵

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Section 7 updated: 06 November 2018

7. Treatment of opposition to the government

7.1 Overview: levels of violence

7.1.1 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 apparatus remains intact and continues to harass and intimidate civil society organisations, activists and opposition party members.’⁶⁶

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

⁶² Canadian IRB, Zimbabwe: Viva Zimbabwe party...(section 2), 7 May 2018, [url](#)

⁶³ Newsday, Re-emergence of Zanu PF Green Bombers worrisome, 22 June 2018, [url](#)

⁶⁴ Canadian IRB, Zimbabwe: Viva Zimbabwe party...(section 2), 7 May 2018, [url](#)

⁶⁵ New Zimbabwe, Take up arms and fight if you are not happy with the army, 29 April 2018, [url](#)

⁶⁶ DFAT, DFAT report 2016 (p9), 11 April 2016, [url](#)

‘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.’⁶⁷

- 7.1.3 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.’⁶⁸
- 7.1.4 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 protests⁶⁹). 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%.’⁷⁰
- 7.1.5 The ZHRNGOF continued to report incidents of ‘organised violence and torture’ into 2017, documenting 142 victims of violations between January and May 2017^{71 72 73 74 75} CPIT could find no updated OVT reports since 2017.
- 7.1.6 The Freedom House Freedom in the World 2018 report stated:
‘Anti government 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

⁶⁷ DFAT, DFAT report 2016 (p10), 11 April 2016, [url](#)

⁶⁸ DFAT, DFAT report 2016 (p10), 11 April 2016, [url](#)

⁶⁹ ZHRNGOF, Report 2016-2017 (p5), [url](#)

⁷⁰ ZHRNGOF, Report 2016-2017 (p8), [url](#)

⁷¹ ZHRNGOF, Organised Violence & Torture (OVT) Report January 2017, p4, 14 February 2017, [url](#)

⁷² ZHRNGOF, OVT Report February 2017, p4, 20 March 2017, [url](#)

⁷³ ZHRNGOF, OVT Report March 2017, p4, 10 April 2017, [url](#)

⁷⁴ ZHRNGOF, OVT Report April 2017, p4, [url](#)

⁷⁵ ZHRNGOF, OVT Report May 2017, p4, 13 June 2017, [url](#)

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.’ ⁷⁶

7.1.7 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 Mnangagwa. A worrying trend of Zanu PF taking matters in its own hands threatens peace especially as the 2018 elections approach.’ ⁷⁷

7.1.8 The ZPP has produced monthly human rights reports, based on reports verified by ‘community-based primary care monitors’ covering the period when Robert Mugabe was ousted from the presidency in November 2017, to August 2018, reporting a continuing number of incidents which fluctuated between months. 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 with a low of 186 total number of violations in December 2017, and a peak of 266 total number of violations in July 2018 in the run up to the elections, with the other months somewhere in between^{78 79 80 81 82 83 84 85 86 87}.

7.1.9 The ZPP August 2018 report noted:

‘The total number of violations in the period 1 August to 31 August was 231 [...] Harare recorded the highest number of violations at 54. This could be attributed to a number of factors among them Harare is an urban area and

⁷⁶ Freedom House, Freedom in the World 2018, Zimbabwe, [url](#)

⁷⁷ ZPP, December 2017 report, [url](#)

⁷⁸ ZPP, November 2017 report, 30 November 2017, [url](#)

⁷⁹ ZPP, December 2017 report, 31 December 2017, [url](#)

⁸⁰ ZPP, January 2018 report, 31 January 2018, [url](#)

⁸¹ ZPP, February 2018 report, 28 February 2018 [url](#)

⁸² ZPP, March 2018 report, 31 March 2018, [url](#)

⁸³ ZPP, April 2018 report, 30 April 2018 [url](#)

⁸⁴ ZPP, May 2018 report 31 May 2018, [url](#)

⁸⁵ ZPP, June 2018 report, 30 June 2018 [url](#)

⁸⁶ ZPP, July 2018 report, 31 July 2018, [url](#)

⁸⁷ ZPP, August 2018 report, 31 August 2018 [url](#)

for a long time has been the stronghold of the opposition MDC Alliance and it also happens to be the hub of where everything was happening in the elections from being the central point of all observers as well as being home to all the institutions related to the elections.

‘Mashonaland Central had the second highest number of violations at 38. Most of the cases reported were of intimidation and harassment as reprisals intensified with most people being victimised for their choices during elections. There were 134 violations related to harassment and intimidation. There were 7 murder cases mainly due to the disproportionate force applied by the military to quell protests. ZPP recorded cases of gross human rights violations during the month of August that surpass any other month in the run up to the elections.’⁸⁸

7.1.10 The ZPP’s monthly reports, which document human rights violations as well as providing commentary on events, are available on [reliefweb](#).

7.1.11 In relation to the campaign environment during the Harmonised Elections 2018 the EU EOM noted: ‘The campaign was largely peaceful, with some isolated cases of election-related violence, notably with intra-party conflicts resulting from the primaries.’⁸⁹

7.1.12 The UN news article, UN chief condemns explosion at election rally in Zimbabwe that injured dozens, including senior politicians, published 24 June 2018 noted:

‘[...] an explosion [...] took place at an election rally in Zimbabwe on Saturday, not long after President Emmerson Mnangagwa left the stage after addressing the crowd, according to news reports.

‘The President, who also leads the ruling party, Zanu-PF, reportedly described the bombing in Bulawayo as an attempt on his life, and appealed for peace and national unity ahead of elections due to take place on 30 July. He vowed that the explosion would not derail the vote [...]

‘Two of the country’s Vice Presidents was among the more than 40 reportedly hurt by the blast, as well as the Zanu-PF chairperson, together with members of a television crew from the state broadcasting network, and security personnel.’⁹⁰

7.1.13 Zimbabwe Human Rights NGO Forum (ZHRNGOF) in the (updated) Post-Election Violence Monitoring Report 01-31 August 2018, noted ‘The ZNA were the main perpetrators of violence accounting for 37% of the violence, followed by ZANU PF which accounted for 26%, ZRP 21%, Unknown 6%, traditional leaders and suspected State agents accounted for 4% and the MDC-Alliance and the CIO accounted for 1% of the post elections violence.’⁹¹

⁸⁸ ZPP, August 2018 report, 31 August 2018 [url](#)

⁸⁹ EU OM, Preliminary Statement (section 5) 1 August 2018 , [url](#)

⁹⁰ UN News, UN chief condemns explosion, 24 June 2018 [url](#)

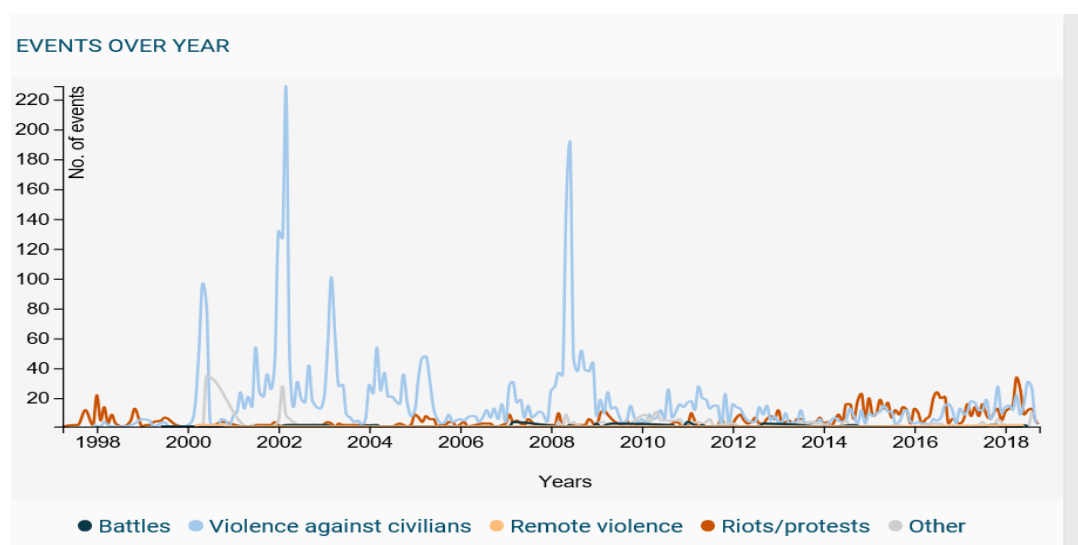
⁹¹ ZHRNGOF, Post-Election Violence Monitoring Report, 24 September 2018, p19 [url](#)

- 7.1.14 The ZHRNGOF provide quarterly Organised Violence and Torture Reports which detail numbers, incidences and perpetrators of violence available on their [website](#).

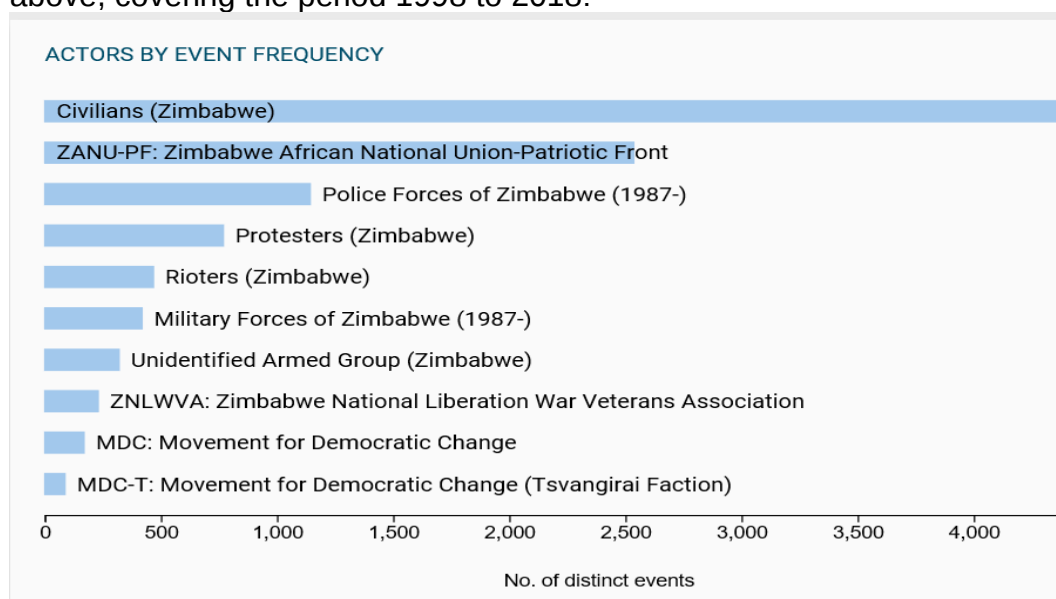
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7.2 Arrest, detention and excessive force by state

- 7.2.1 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 October 2018⁹², which provides a guide to the levels and context of violence. However, it does not identify the nature, perpetrators and motivations of the violence:



- 7.2.2 ACLED also provide a graph of the incidents which are reported to have been committed by particular actors⁹³. However, no timeframe is provided, although the volume of incidents would suggest it corresponds to graph above, covering the period 1998 to 2018:



⁹² ACLED, Zimbabwe - Dashboard, undated, [url](#)

⁹³ ACLED, Zimbabwe - Dashboard, undated, [url](#)

- 7.2.3 The [Zimbabwe Dashboard on ACLED](#) is interactive and provides further data, as well as being regularly updated.
- 7.2.4 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.⁹⁴
- 7.2.5 The USSD report 2017 stated:
 ‘The constitution and law prohibit arbitrary arrest and detention, although other sections of the law effectively weakened these prohibitions. The government enforced security laws in conflict with the constitution. Security forces arbitrarily arrested and detained persons, particularly political and civil society activists and journalists perceived as opposing the ZANU-PF party. Security forces frequently arrested large numbers of persons during antigovernment protests.’⁹⁵
- 7.2.6 The same report noted:
 ‘There were reports of individuals arrested for political reasons, including opposition party officials, their supporters, NGO workers, journalists, 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.’⁹⁶
- 7.2.7 And:
 ‘On January 16 [2017], police arrested Remnant Pentecostal Church pastor Phillip Mugadza on charges of criminal nuisance for allegedly predicting that President Mugabe would die during the year. On March 10, a High Court judge released Mugadza.
 ‘On August 16, Zimbabwe National Liberation War Veterans’ Association secretary general Victor Matemadanda turned himself in to police after he was charged with undermining the authority of the president and causing disaffection within the army and police based on comments he made during a press conference. Contrary to the law, police held Matemadanda more than 48 hours before he appeared before a judge. Police released Matemadanda after they unsuccessfully applied to have him detained for a longer period, claiming they wanted to search for subversive material at his Gokwe home. His trial remained pending.
 ‘During the military intervention in November, there were reports that hundreds of police and intelligence operatives were detained at military facilities.’⁹⁷

⁹⁴ ACLED, Zimbabwe - Dashboard, Summary of Political Violence, 01 September 2018, [url](#)

⁹⁵ USSD, USSD report 2017, section 1d, 20 April 2018, [url](#)

⁹⁶ USSD, USSD report 2017, section 1e, 20 April 2018, [url](#)

⁹⁷ USSD, USSD report 2017, section 1e, 20 April 2018, [url](#)

- 7.2.8 HRW's World Report 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.'⁹⁸
- 7.2.9 The USSD report 2017 stated:
 'Security-sector forces sometimes organized or participated in political violence. Security-sector impunity for politically motivated abuses remained a problem. Impunity for past politically motivated violence also remained a problem. Investigations continued of prior years' cases of violence resulting in death committed by security forces and ZANU-PF supporters, but by year's end no one had been arrested or charged in these cases.
 'There were no advances in holding legally accountable those responsible for the deaths of at least 19 citizens who died of injuries sustained during the 2008 political violence that targeted opposition party members; more than 270 others were also killed that year.'⁹⁹
- 7.2.10 The ICG, in their August 2018 report 'After Elections, Zimbabwe Government's Legitimacy in Limbo', noted: 'Divisions deepened further after soldiers fired live ammunition upon protesters in the streets of Harare for the first time. The president and senior ruling party figures called for calm, blaming the opposition for the violence, yet remained conspicuously silent about any malfeasance on the security forces' part. These conditions are a recipe for further unrest.'¹⁰⁰
- 7.2.11 The ICG also noted:
 [...] parliamentary results pointed to a massive ZANU-PF victory, which the opposition did not believe was possible without rigging. Tensions rose as riot police deployed across the central business district of Harare. Several hundred opposition protesters took to the streets, a few of whom damaged property. The riot police, who appeared well equipped to deal with the situation, stepped back, yielding to soldiers (seemingly from the presidential guard) who had been waiting in the wings. Firing live ammunition and wielding sjamboks (whips), the soldiers moved in, shooting dead six people, several in the back, and injuring many more.
 'Mnangagwa and senior ZANU-PF leaders blamed the MDC for the violence, which some commentators misleadingly described as "clashes". But it was clearly a military crackdown, with disproportionate force, upon unarmed civilians.'¹⁰¹
- 7.2.12 The ICG further noted: 'Divisions deepened further after soldiers fired live ammunition upon protesters in the streets of Harare for the first time. The president and senior ruling party figures called for calm, blaming the opposition for the violence, yet remained conspicuously silent about any

⁹⁸ Human Rights Watch, World Report 2018, Zimbabwe, 18 January 2018, [url](#)

⁹⁹ USSD, USSD report 2017, section 1a, 20 April 2018, [url](#)

¹⁰⁰ ICG, After Elections, Zimbabwe Government's Legitimacy in Limbo , 21 August 2018, [url](#)

¹⁰¹ ICG, After Elections, Zimbabwe Government's Legitimacy in Limbo, 21 August 2018, [url](#)

malfeasance on the security forces' part. These conditions are a recipe for further unrest.¹⁰²

7.2.13 Zimbabwe Human Rights NGO Forum (ZHRNGOF) in the (updated) Post-Election Violence Monitoring Report 01-31 August 2018, noted:

‘Seven (7) people were shot dead by army personnel following military deployment into the streets on the 1st of August [...] The families stated that they experienced problems in collecting bodies of their loved ones as hospitals tried to force them to accept documents that indicated knife stabbing [...] NB: Six(6) of these deaths have been confirmed by the police in its official statements.

‘From 1 - 6 August 2018, the monitors received calls from people in high density suburbs who reported that the military was moving around beating up residence. The assailants were identified by the witnesses as they disembarked from military vehicles, clad in military attire camouflage armed with AK Rifles and sjamboks. It was reported that there were two groups. The first group was beating people at random. The second group had a list of names of opposition supporters that they were hunting for. It was reported that they went door to door beating them up.

‘In the rural areas, assaults were reported of members of the ruling party who attacked opposition persons who had been acting as polling agents [...]. The total number of assaults is estimated to be fifty eight (58) and Seven (7) non-fatal gun shots by the time this report was compiled [...]. Of the 58 cases of assault, the ZNA accounted for 42 cases (73%); 10 cases (17%) where purely political involving clashes between ZANU-PF and MDC-A supporters while five (5; 9%) of the documented cases were attributed to unknown man usually putting on masks and one (1; 1%) involved the ZRP.¹⁰³

7.2.14 ZPP in the August report noted:

‘Contestations on the outcomes of the elections resulted in violent protests in Harare on 1 August which were met by disproportionate force by the state. Soldiers were deployed and fired live ammunition at protestors and some citizens who had nothing to do with the protest but rather were going about their own activities such as vending. [...]. This has exposed the unconventional crowd control methods used by security forces that disregard human rights and fail to consider all citizens.¹⁰⁴

7.2.15 The EU EOM final report noted:

‘Tension in Harare increased dramatically as the first parliamentary results indicated a clear lead for ZANU-PF and, at the same time, MDC-Alliance leaders intensified their accusations that the elections had been rigged. On 1 August a large group of MDC-Alliance supporters gathered near the MDC headquarters (rough estimations point at 3,000 to 4,000 protestors). Some started demonstrating and a number of cars and commuter busses set alight, tyres burned in the streets, stones were thrown and some ZANU-PF

¹⁰² ICG, After Elections , 21 August 2018, [url](#)

¹⁰³ ZHRNGOF, Post-Election Violence Monitoring Report (p5-9), 24 September 2018, [url](#)

¹⁰⁴ ZPP, August 2018 report (page 4), 31 August 2018 [url](#)

billboards were torn down. When a group of protestors reached the vicinity of the ZEC command centre and the ZANU-PF headquarters, the military was deployed to quell the unrest. Soldiers fired live rounds into the crowd leaving at least six people dead and 14 injured. The official explanation by the government was that the demonstration was illegal under the Public Order and Security Act and as the police felt overwhelmed with the situation the army was called on for support.¹⁰⁵

7.2.16 ACLED in the Regional Overview – Africa 3 September 2018 noted:

‘In Zimbabwe, violence dramatically escalated following the election of Emmerson Mnangagwa from the ruling ZANU-PF party in the July 30th presidential election. The opposition Movement for Democratic Change (Alliance) challenged the results through legal and street actions, resulting in a clear shift from small intra-party incidents prior to the elections to widespread and highly organized violence and intimidation by the military and ZANU-PF activists. Following a series of raids on people’s houses, hundreds of opposition and civil society figures went into hiding. Further arrests were made and violence perpetrated ahead of and following the Constitutional Court’s ruling on the MDC legal challenge on August 24th. The MDC were unable to provide substantive proof of election rigging, and Mnangagwa was formally inaugurated on August 26th.¹⁰⁶

7.2.17 In relation to post election arrests, the Zimbabwe Human Rights NGO Forum (ZHRNGOF) in the (updated) Post-Election Violence Monitoring Report 01-31 August 2018, noted:

‘Following the 1st of August protests, police officers cracked down on opposition leaders and supporters. Approximately fifty one (51) people including Tendai Biti one of the MDC-Alliance principals have been arrested so far. The first group of the twenty seven (27) MDC Alliance supporters who were arrested at the party’s headquarters were all released on \$50 bail each while others are on different bail conditions.

‘On 21 August, ZRP officers arrested and detained the leader of the Children of Zimbabwe War Veteran Association at Harare Central police station. The victim is alleged to have been tortured while in police custody. The victim was charged with criminal nuisance for allegedly posting some offensive statements on Facebook between March & May 2018 against President Mnangagwa. The victim was also charged with public violence for allegedly participating in the 1st of August protests over delays in the announcement of presidential results.’¹⁰⁷

7.2.18 The Guardian, in the article Zimbabwe opposition face wave of detentions, beatings after election loss reported on 5 August 2018:

‘On Thursday, 22 activists were arrested at the opposition party’s headquarters by police. They have been charged with inciting and engaging in political violence. The women among them have been sent to Harare maximum security prison. The men are being held in Harare remand prison.

¹⁰⁵ EU EOM, Final Report (p.5), October 2018, [url](#)

¹⁰⁶ ACLED, Regional Overview – Africa (p.1), 3 September 2018, [url](#)

¹⁰⁷ ZHRNGOF, Post-Election Violence Monitoring Report, 24 September 2018, p11-12 [url](#)

'The MDC headquarters remained closed on Sunday afternoon, guarded by riot police equipped with armoured vehicles and water cannon.'¹⁰⁸

7.2.19 The EU EOM final report noted:

'On 2 August, the police stormed the building and confiscated equipment and computers, including some V11 forms. They arrested 27 persons and charged them with "inciting violence" and "possession of dangerous weapons". Police patrols and water cannons located in front of the MDC Alliance Headquarters were removed on 6 August and the 27 detained party staff members were released on bail one day later. Warrants for the arrest of nine senior party officials were issued, including for Tendai Biti. Subsequently it appeared that much of the MDC-Alliance leadership had left the public domain and went into hiding.'¹⁰⁹

7.2.20 The BBC article, Zimbabwe election crisis: MDC's Tendai Biti in court published 9 August 2018 stated:

'Zimbabwean opposition politician Tendai Biti has appeared in court in handcuffs on charges of inciting violence after he was deported from Zambia [...]. Prosecutors accuse Mr Biti of fuelling illegal protests by rejecting Mr Mnangagwa's victory in the fiercely contested elections on 30 July [...] Mr Biti is the first senior opposition politician to be detained since Mr Mnangagwa took over from Mr Mugabe [...]. A handcuffed Mr Biti was brought to court in the capital, Harare, under a strong police presence.

'Mr Biti was freed on \$5,000 (£4,300) bail, and ordered to surrender his passport. "We will keep on fighting," he told reporters. In a tweet, Mr Mnangagwa said his intervention led to Mr Biti's release. "At such a crucial time in the history of the new Zimbabwe, nothing is more important than unity, peace and dialogue," he added. However, Mr Mnangagwa said that because of the "serious nature of the allegations" against Mr Biti, "due process will continue". Meanwhile, the UN refugee agency said it was "gravely concerned" by reports that Mr Biti had been deported while trying to claim asylum in Zambia.

'[...] The police are hunting for eight other senior opposition officials in connection with post-election violence.'¹¹⁰

7.2.21 The EU EOM final report stated:

'Following the announcement of presidential election results and the incidents of violence in Harare, it would appear there was a serious clampdown on people from the opposition political parties, especially the MDC Alliance as well as independent candidates or supporters.

'In particular, 27 MDC Alliance supporters, agents and employees were arrested in Harare on public violence charges. They appeared in court on 6 August and were eventually released on bail the following day. The Zimbabwe Lawyers for Human Rights reported on offering legal support in at least 24 post-election politically linked arrests. Such matters included the arrest of Tendai Biti, former minister of finance and leader of the opposition

¹⁰⁸ The Guardian, Zimbabwe opposition face wave of detentions..., 5 August 2018, [url](#)

¹⁰⁹ EU EOM, Final Report (p.39), October 2018, [url](#)

¹¹⁰ BBC, Zimbabwe election crisis: MDC's Tendai Biti in court, 9 August 2018, [url](#)

PDP party, who argued that he was illegally removed from Zambia where he had sought asylum, his brother Steven Biti who ostensibly was being arrested as a bait on Tendai as well as Morgan Komichi, the MDC Chairperson who was arrested for allegedly interrupting, obstructing and disturbing proceedings related to the announcement of results of the 2018 elections.

‘These arrests and detentions targeted the leadership of the MDC Alliance, and almost a month after the arrests, none of the matters has been tried. There could be concern that in certain matters, police was conducting arrests in order to investigate the perpetration of alleged offences, instead of the internationally accepted principle of investigating before arresting. The apparent systemic arrest of the opposition was widespread and was also observed in areas other than in Harare.’¹¹¹

7.2.22 In relation to abductions, and the trends surrounding abductions in this period the ZHRNGOF report noted:

‘Reports of abductions of opposition supporters were documented. The total number of abductions reported is Sixteen (16) [...]

‘The abduction were done by suspected members of the ZNA who were armed and unidentified men. The abductions happened around midnight. The victims were MDC-A supporters, their families and those perceived to have been involved in the planning of the 1st of August protests. The victims were assaulted, tortured and threatened with unspecified actions.’¹¹²

See [Protests and demonstrations about the economy](#)

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7.3 Violence committed by ZANU-PF and militias

7.3.1 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.’¹¹³

7.3.2 The DFAT report 2016 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.

¹¹¹ EU EOM, Final Report (p.46-47), October 2018, [url](#)

¹¹² ZHRNGOF, Post-Election Violence Monitoring Report, 24 September 2018, p11 [url](#)

¹¹³ Freedom House, ‘Freedom in the World 2017’, Zimbabwe, 31 January 2017, [url](#)

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.'¹¹⁴

7.3.3 The USSD report 2017 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 March 27, ZANU-PF youths forced the owners of a local store to close it down, accusing the owners of holding MDC-T meetings on the property. ZANU-PF youths burned furniture found in the building, locked the gates of the premises, and ordered the storeowners to stop their business operation. Police arrived on the scene, but ZANU-PF youths reportedly ordered them to depart.'¹¹⁵

7.3.4 The same report noted:

'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. 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 February 13, local NGOs reported ZANU-PF youth supporters assaulted approximately 70 youth members of the opposition party Transform Zimbabwe (TZ) who had gathered in the Harare suburb of Chitungwiza for a neighborhood clean-up event. Three TZ supporters were badly injured and hospitalized. Observers reported that ZANU-PF youth attacked the TZ supporters in full view of several police officers, who failed to intervene.'¹¹⁶

7.3.5 Heal Zimbabwe in a statement published 13 July 2018 entitled Political Parties must be sincere on the need for peace, noted:

'[...] the increase in cases of violence among political parties as elections draw closer. On 11 July 2018, one person reportedly died while several others were injured when violence broke out in Chitungwiza after suspected ZANU PF activists assaulted residents accusing them of supporting MDC Alliance President, Nelson Chamisa. Heal Zimbabwe has also recorded several cases of assault and intimidation mostly in Masvingo Province, Mashonaland Central and Mashonaland West. This is despite the fact that political parties participating in the elections signed a peace pledge on 26 June 2018 where they committed themselves to a peaceful campaign before, during and after elections.

¹¹⁴ DFAT, DFAT report 2016 (pages 10-11), 11 April 2016, [url](#)

¹¹⁵ USSD, USSD report 2017 (section 2b) 20 April 2017, [url](#)

¹¹⁶ USSD, USSD report 2017 (section 1c) 20 April 2017, [url](#)

[...] While the designating of trial magistrates to deal with cases of politically motivated violence by the Judicial Service Commission (JSC) is commendable, the magistrates must swiftly begin prosecuting people implicated in cases of politically motivated violence.¹¹⁷

7.3.6 HRW noted:

‘Human Rights Watch research found widespread intimidation, harassment, and threats of violence mainly by supporters of the ruling ZANU-PF party to coerce members of the public to hand over their voter registration slips and commit to vote for ZANU-PF. Party members have intimidated voters by reminding them of violence during past elections and threatening to withdraw food aid if they did not vote for ZANU-PF, Human Rights Watch found. Between March 24 and April 1, a domestic human rights group, Heal Zimbabwe Trust, recorded 31 human rights violations in 17 districts relating to the election campaign. The group described intimidation and forced attendance at political gatherings, including by school children, and disruption of opposition political gatherings.’¹¹⁸

See [Political violence courts](#) and [Violence and discrimination against MDC activists](#)

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7.4 Protests and demonstrations about the economy

7.4.1 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 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.’¹¹⁹

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

¹¹⁷ Heal Zimbabwe, Political Parties, 13 July 2018, [url](#)

¹¹⁸ HRW, Zimbabwe: Lack of Reform Risks Credible Elections, 7 June 2018, [url](#)

¹¹⁹ Freedom House, Freedom in the World 2017, Zimbabwe, 31 January 2017, [url](#)

‘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.’¹²⁰

‘[Lawyers say police in Zimbabwe arrested dozens of trade union members ahead of a planned protest in the capital Thursday over the worst economic crisis in a decade.

- 7.4.3 The ZPP recorded a total of 266 violations in July 2018. Cases of intimidation and harassment accounted for 134 of the reported violations. Mashonaland Central had the highest recorded violations for July with 42, Manicaland had 31 violations and the Matebelelan regions remained largely peaceful. Those affiliated to ZANU-PF perpetrated the violence in most of the incidents with victims being of unknown political affiliation¹²¹.

- 7.4.4 Voice of America (VOA) a United States international broadcaster noted in the article Zimbabwe Arrests Protest Organizers as Economy Plunges, published 11 October 2018 that:

‘Zimbabwe Lawyers for Human Rights said police arrested Zimbabwe Congress of Trade Unions members in Harare and the cities of Mutare and Masvingo.

‘There was a heavy police presence in Harare after the government banned the protest, citing an ongoing cholera outbreak. The lawyers' group said a magistrate dismissed a challenge of the ban.

‘Zimbabwe now has gas lines snaking for hours, prices spiking and some food and medicines running out. The government calls the problems temporary and a necessary pain in rebuilding the southern African country.

‘The lawyers called the arrests a pre-emptive strike on the protest against “disastrous economic policies.”’¹²²

- 7.4.5 Amnesty in their report, Open For Business, Closed For Dissent Crackdown In Zimbabwe During The National Stay-Away, 14-16 January 2019 stated, in relation to the January 2019 protests that occurred in response to the country's economic problems:

‘On 12 January, President Emmerson Mnangagwa announced fuel price hikes, which took effect on 13 January. Many Zimbabweans across the country heeded this call by ZCTU for a national stay-away action, staying at home from 14 - 16 January, including in the main cities of Harare and Bulawayo bringing business to a standstill in major parts of the country...

¹²⁰ ICG, Confrontation in Zimbabwe Turns Increasingly Violent, 6 October 2016, [url](#)

¹²¹ ZPP, July 2018 report, 31 July 2018, [url](#)

¹²² VOA, Zimbabwe Arrests Protest Organizers as Economy Plunges, 11 October 2018, [url](#)

'On 14 January, armed police officers, soldiers and other state security agents were deployed to the streets in different parts of the country, including in Bulawayo, Harare, specifically around Harare city centre, Chitungwiza township and high-density suburbs of Epworth, Mabvuku and Kuwadzana. They soon followed with use of excessive and lethal force - teargas, baton sticks, water cannons and live ammunition to disperse protestors who were largely participating in demonstrations following the call for national 'shutdown' against fuel price increases.

'As a result of the deployment of security forces, at least 12 people had been killed by the security forces by 18 January. Medical doctors who attended to the wounded or who saw those already killed when their bodies were brought to hospitals told Amnesty International that the wounds they had seen and treated were consistent with gun shots as well as trauma caused by the use of blunt and sharp instruments particularly on the feet, backs and buttocks.'¹²³

7.4.6 VOA published the news report, Zimbabwe Slowly Returns to Normalcy After Violent Protests, dated 17 January 2019 which stated:

'Zimbabwe was calm Thursday after three days of protests that turned violent and saw authorities shut down internet service. Doctors said they treated dozens of people with gunshot wounds.

'Late in the day, police brought Pastor Evan Mawarire to court after he spent a night in jail on charges of inciting violence through social media. But Mawarire was facing new charges of trying to subvert President Emmerson Mnangagwa's government, according to state papers....

'Mawarire was among more than 600 Zimbabweans arrested and charged with violence allegedly committed during this week's protests over a 150 percent fuel price hike and a general rise in the cost of living.

'Human rights organizations accused the army of brutally crushing the protests, an accusation the government vehemently denied. The organization Zimbabwe Doctors for Human Rights said least 68 people were treated for gunshot wounds...

'Zimbabwean authorities have restored most internet service, but with no access to social media they said was used to spread malicious information about the strike.'¹²⁴

7.4.7 The Guardian published an article about the response to the protests in January 2019 and noted:

'Hundreds of activists remain in hiding in Zimbabwe, on the fifth day of the worst government crackdown since the ousting of Robert Mugabe.

'Soldiers and unidentified armed men conducted door-to-door searches in poor areas of cities on Friday, dragging "random" residents out of homes to be beaten and often detained, activists said. The Zimbabwe Association of Doctors for Human Rights said it had treated 68 cases of gunshot wounds

¹²³ Amnesty, Open For Business, Closed For Dissent... (p3 and 9), 8 February 2019, [url](#)

¹²⁴ Voice of America, Zimbabwe Slowly Returns to Normalcy...17 January 2019, [url](#).

and 100-plus other cases of “assaults with sharp objects, booted feet, baton sticks” and more in recent days.

‘Security forces have arrested between 400 and 600 suspects since Monday, the start of a national “stay-at-home” protest called by unions after a massive increase in the price of fuel began on Monday, well-informed NGOs estimate. Twelve people are thought to have died after being shot...

‘Many of those detained are being held without charge in overcrowded prisons and police cells. Some may face new fast-track trials, ordered earlier this week, on charges that could bring long prison sentences. Four hundred detainees, largely charged with public order offences, were produced in batches of 50 before magistrates in Harare on Friday afternoon and denied bail.

‘Though some are leading trade unionists and organisers in the main opposition party, the Movement for Democratic Change (MDC), many are ordinary people swept up in the biggest security operation seen in Zimbabwe for many years.’¹²⁵

- 7.4.8 Emmerson Mnangagwa responded to the protests via his presidential Twitter account on 21 January 2019:

‘One week ago, I announced measures to stabilise our nation’s crucial fuel supply. I was aware that these measures may not be popular, and this was not a decision we took lightly. But it was the right thing to do.

‘What followed was regrettable and tragic. Everyone has the right to protest, but this was not a peaceful protest. Wanton violence and cynical destruction; looting police stations, stealing guns and uniforms; incitement and threats of violence. This is not the Zimbabwean way.

‘Likewise, violence or misconduct by our security forces is unacceptable and a betrayal of the new Zimbabwe. Chaos and insubordination will not be tolerated. Misconduct will be investigated. If required, heads will roll.

‘I invite leaders of all political parties as well as religious and civil leaders to set aside our differences and come together. What unites us is stronger than what could ever divide us. Let’s begin a national dialogue. Let’s put the economy first. Let’s put the people first.’¹²⁶

- 7.4.9 The Daily News reported on protests in Harare and Bulawayo in an article published on 29 January 2019:

‘President Emmerson Mnangagwa's government is under withering pressure to immediately withdraw troops deployed across large swathes of urban areas following protests over fuel price hikes.

‘This comes as soldiers are being accused of viciously beating up residents in high density suburbs and continuing to carry out attacks on selected targets.

‘The crackdown has largely targeted high density suburbs in the capital Harare and the second city of Bulawayo in what is being seen as a bid to

¹²⁵ The Guardian, Zimbabwean activists on run... 18 January 2019, [url](#)

¹²⁶ Twitter, President of Zimbabwe @edmnangagwa, 21 January 2019, [url](#)

instil fear in communities, imposing their control over the ghettos and as a form of punishment, rights groups have said.

'National Association of Non-Governmental Organizations (Nango) - a non-party political, non-profit making organization and non-denominational coordinating body of over 1,000 NGOs in Zimbabwe - pleaded with government to remove the soldiers saying their heavy-handedness has led to injuries, deaths and in some cases rape...

'Mnangagwa, who was forced to cut short his crucial visit to Europe and central Asia to drum up investment to attend to the festering crisis back home, has denounced the continuing violence as absolutely "unacceptable"....

Nango slammed what it called "the use of the army in fighting political battles", suggesting that soldiers should stick to protecting civilians...

"The onslaught by the security forces in Zimbabwe has seen people killed, arbitrarily arrested, abducted, reportedly raped and jailed on suspicion of taking part in the protests. Children as young as 11 years old have also been charged," said Deprose Muchena, Amnesty International's regional director for Southern Africa.

"The Zimbabwean authorities must immediately halt their menacing threats towards civil society leaders, activists, opposition leaders and suspected organizers of protests. The authorities must ensure that those who violated and continue to violate human rights face justice."¹²⁷

7.4.10 During a parliamentary debate in the House of Commons on the 30 January 2019, the UK's Minister for Africa, Harriet Baldwin, stated that:

'The response of Zimbabwe's security forces to protests against the petrol price rise has been disproportionate and all too reminiscent of the darkest days of the Mugabe regime. Security forces have used live ammunition, carried out widespread and indiscriminate arrests and unleashed brutal assaults on civilians, with clear disregard for the due process of law.

[The] Zimbabwe Human Rights Commission... has recorded a wide range of human rights violations since the protests began on 14 January. We recognise at least eight deaths and many injuries. There are credible reports that arrests may exceed 1,000. Certainly, 873 arrests or detentions were documented by 29 January. Many are still detained. The Zimbabwe Human Rights NGO Forum reports at least 470 cases of assault, 80 of which have been gunshot-related. Many of us have seen footage of young men, and even children, allegedly scarred from beatings by soldiers. We have also seen atrocious accounts of security forces raping civilians during their violent crackdown, with indications of least nine reported rapes, some of which appear to be politically motivated....

'President Mnangagwa's return to Zimbabwe was a full 10 days into the crisis. He committed to holding his security forces to account for human

¹²⁷ The Daily News, Zimbabwe told to withdraw..., 29 January 2019 (available via BBC Monitoring, subscription source) [url](#)

rights violations and spoke of the urgent need for a national dialogue and reconciliation.

‘President Mnangagwa must act to stop the abuses and make good on those commitments. We are particularly concerned by the targeting of opposition and civil society in the wake of the protests. The abuses have continued since his return to the country. His Administration must act now and learn lessons from the events and the tragic violence that followed the election on 1 August 2018. The President must, as he promised, implement the recommendations of the commission of inquiry into the 1 August violence.’¹²⁸

- 7.4.11 Zimbabwe Lawyers for Human Rights (ZLHR), in the publication ‘Zim Court Acquits First Batch of Shutdown Protest Detainees’, 28 January 2019 stated ‘Seven people have been set free after the courts found them not guilty of committing public violence crimes after they were arrested by Zimbabwe Republic Police (ZRP) officers last week for allegedly participating in anti-government protests.’

See [Arrest, detention and excessive force by state](#)

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7.5 Distribution of food and agricultural products

- 7.5.1 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.’¹²⁹

- 7.5.2 The DFAT report 2016 noted:

‘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

¹²⁸ Harriet Baldwin via Hansard, Parliamentary debate, 30 January 2019, [url](#)

¹²⁹ ZHRC statement on reported food aid cases, 7 September 2016, [url](#)

Mashvingo province and areas where there is perceived support for opposition parties, including Matabeleland and Midlands provinces.’¹³⁰

7.5.3 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.’¹³¹

7.5.4 The USSD report 2017 noted:

‘Government entities manipulated the distribution of government-provided food aid, agricultural inputs [...] to exclude suspected political opposition supporters and to compel support for ZANU-PF.

‘NGOs reported ZANU-PF supporters threatened to withhold food aid in constituencies such as Bikita West and Mwenezi East, where by-elections were held during the year. In March, for example, NGOs reported that village heads in Mwenezi East told their villagers they would distribute government-provided food assistance only to those citizens who proved they registered to vote and were members of ZANU-PF. Separately, NGOs reported that ZANU-PF officials told villagers in some provinces that if they did not contribute money to President Mugabe’s birthday celebration, they would not be given government-supplied food assistance.’¹³²

7.5.5 A Zimbabwe Newsday report, Zanu 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 Zanu confronting village heads in Bulilima East constituency, accusing them of denying opposition party supporters food aid.’¹³³

7.5.6 The ZPP report published in August 2018 noted, in relation to post election reprisals ‘[...] reprisals manifested through deprivation of government funded food aid and agriculture inputs and evictions. In Guruve those who acted as polling agents for MDC Alliance candidates were targeted and failed to access farming inputs [...]. Several cases of deprivation of food aid were recorded in rural areas soon after elections as those who had voted for

¹³⁰ DFAT, DFAT report 2016 (p10), 11 April 2016, [url](#)

¹³¹ ZPP, Human Rights Violations Monthly Monitoring Report: November 2016, undated, [url](#)

¹³² USSD, USSD report 2017 (section 1f), 20 April 2018, [url](#)

¹³³ Newsday, Zanu confronts village heads over unfair food distribution, 14 February 2017, [url](#)

losing candidates or acted as poll agents of opposition parties or observers were targeted.¹³⁴

- 7.5.7 The same report noted that: ‘the distribution of food and agricultural inputs which forced people to make their choices with their tummies against humanitarian standards culminating in suspect assisted voting, and the ‘paddock’ing’ of villagers to vote in a certain way with the assistance of traditional leaders and other ruling party functionaries.’¹³⁵
- 7.5.8 The EU EOM, in their preliminary report published 1 August 2018 noted: ‘EU observers reported an extensive use of state resources and advantage of incumbency across the country. State development projects, such as Command Livestock and Command Agriculture, were announced at ZANU-PF campaign rallies and were widely publicised in the media. The distribution of the Presidential Input Scheme (fertilisers and seed) commenced in June, several months earlier than usual, which was cited by different stakeholders as an example of inducement. Domestic observer organisations identified food aid or equipment given out at rallies as the most widespread form of misuse of state resources in the campaign, followed by the use of government vehicles, buildings and officials.’¹³⁶
- 7.5.9 The EU EOM final report noted: ‘Zimbabweans have traditionally voted predominantly along specific demographic lines with the opposition having its strongholds in urban areas and the ruling party relying on the vote of the rural population. The pervasive link of the ruling party with state structures was particularly manifest in rural areas. This deepened existent division lines across the country and negatively impacted on the democratic character of the electoral environment. The economic hardship and the dependency of the population, especially in some rural areas, on food aid and state development projects for instance, made voters vulnerable to manipulation and intimidation.’¹³⁷

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7.6 Demolition of housing

- 7.6.1 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.’¹³⁸
- 7.6.2 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

¹³⁴ ZPP, August 2018 report, 31 August 2018 [url](#)

¹³⁵ ZPP, August 2018 report, 31 August 2018 [url](#)

¹³⁶ EU EOM, Preliminary Statement (Section 2), 1 August 2018, [url](#)

¹³⁷ EU EOM, Final report (p.38), October 2018, [url](#)

¹³⁸ DFAT, DFAT report 2016 (p10), 11 April 2016, [url](#)

following month that the demolitions, which took place without notice and without a court order, were illegal.’¹³⁹

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7.7 Violence, discrimination and harassment against MDC activists

7.7.1 Regarding the MDC, the DFAT report 2016 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 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.’¹⁴⁰

7.7.2 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.’¹⁴¹

7.7.3 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

¹³⁹ Freedom House, Freedom in the World 2017, Zimbabwe, 31 January 2017, [url](#)

¹⁴⁰ DFAT, DFAT report 2016 (p10-11), 11 April 2016, [url](#)

¹⁴¹ DFAT, DFAT report 2016 (p12), 11 April 2016, [url](#)

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.’¹⁴²

7.7.4 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](#)).

7.7.5 The ZPP August 2018 report noted:

‘The Zimbabwe Peace Project (ZPP) extensively reported on widespread intimidation and harassment used in the run up to the elections. There were threats of using the Biometric Voter Registration (BVR) to sniff out the dissenting, the intricate system of Dande Mutande (Spiderweb), [...] ‘Notwithstanding, these reports some of which were reported to the police the impression of the different election observers were varied.

‘Police responded to some of the reports but a good number of citizens still felt unsafe making police reports and continuing to live in the same communities. While the 2018 elections could have many boxes ticked as compared to past polls they still faced numerous challenges that made them short of being free and fair.

‘The post election phase was fraught with extreme violence where opposition party supporters mainly those in high density areas reported of attacks by members of the defence forces especially in bars and night spots. The ZNA has denied that they had deployed officers in high density areas but rather labelling the perpetrators ‘rogue’ elements. The period was also characterised by displacements in both urban and rural areas as political persecution targeting opposition supporters triggered their fleeing their homes.¹⁴³

7.7.6 HRW noted in the report Zimbabwe: Intensified Crackdown on Opposition published on 7 August 2018:

‘At around 2 a.m. on August 5 [2018], six masked men broke into the house of MDC Alliance Youth Chair, Happymore Chidziva. A woman in the house told Human Rights Watch that when she screamed for help, one of the men pointed a rifle at her head and told her to be quiet or risk death. One of the men slapped and kicked her.

‘The attackers also beat up members of three other families in the house, then abducted two of the men. The masked men put the abducted men in a white double-cab truck and drove them to a secluded place along Masvingo road, then beat and kicked them for an hour before releasing them.

‘Four armed men also stormed the house of Mirriam Mushayi, an MDCA parliament member, in Kuwadzana at midnight on August 5 looking for her, but she was already in hiding. Witnesses told Human Rights Watch that the men allegedly had a list of five MDCA officials they were looking for.

¹⁴² ZPP, February 2018 report, 28 February 2018 [url](#)

¹⁴³ ZPP, August 2018 report, 31 August 2018 [url](#)

‘Human Rights Watch also spoke with witnesses who said they saw groups of ZANU-PF supporters in Muzarabani South, Chivhu, and Marondera go to houses of known MDCA supporters and election officials, singing war songs and threatening retribution to all opposition activists.’¹⁴⁴

7.7.7 The ICG noted in relation to post election violence and the state reaction:

‘Although the president softened his line, announcing a commission of inquiry into the shooting, a roundup of opposition activists ensued, leading several to go into hiding. The police said they were looking for Biti, on the grounds that he incited the violence by illegally declaring victory for Chamisa, though his lawyers claim that they asked the authorities several times if he was wanted for questioning and were told he was not. Biti, who was brutally tortured by security officers over a decade ago, fled to Zambia, seeking asylum. Despite a Zambian High Court order interdicting his deportation, the Zambian police handed Biti over to their Zimbabwean counterparts. He is now facing charges of public violence and illegally announcing election results.

‘[...]The police raided the MDC Alliance’s headquarters and the homes of a number of its officials, including several polling officers; there appears to be a direct correlation between the clampdown and the opposition’s challenge of the election results. Arsonists have also burned down a number of homes of MDC Alliance polling agents in the post-election period.’¹⁴⁵

7.7.8 The Guardian article published on 5 August 2018 noted:

‘Security agencies continued a crackdown on opposition activists in Zimbabwe on Sunday, less than three days after historic presidential elections won by Emmerson Mnangagwa, the leader of the ruling Zanu-PF party.

‘Human rights groups reported dozens of abductions, beatings and rapes carried out by unidentified men overnight in the centre and north-eastern areas of the former British colony.

‘The wave of repression began on Friday night with the army moving through neighbourhoods in Harare, the capital, and satellite towns, targeting supporters and officials of the opposition party, Movement for Democratic Change (MDC). An MDC spokesman said thousands of its members were now in hiding.

“‘The nature of an abduction means we can’t tell who has gone, but we have lots of people missing. We have helped five people who narrowly escaped abduction to flee Zimbabwe. Others we are hiding in safe houses. There is intimidation and atrocious treatment of people who they catch,” Nkululeko Sibanda, an MDC spokesman, said.’¹⁴⁶

7.7.9 ZHRNGOF in the (updated) Post-Election Violence Monitoring Report 01-31 August 2018, noted

¹⁴⁴ HRW, Zimbabwe: Intensified Crackdown on Opposition, 7 August 2018 [url](#)

¹⁴⁵ ICG, After Elections (Repression), 21 August 2018, [url](#)

¹⁴⁶ The Guardian, Zimbabwe opposition face wave of detentions, 5 August 2018, [url](#)

‘Various cases of harassment and intimidation by ZANU PF supporters, traditional leaders and the military were reported mainly from the opposition’s supporters and polling agents. The highest cases have been reported in Chitungwiza, Kuwadzana, Highfield, Dzivarasekwa and Mbare. However, reports were also received from other provinces such as Midlands, Mashonaland Central, East, West and Manicaland. A total of sixty (60) incidences of harassment and intimidation were documented country wide. Of these, 48 (80%) of the cases were perpetrated by ZANU PF supporters, 6 (10%) were attributed to traditional leaders, 4 (7%) to unknown while the ZNA and the MDC-A accounted for 2 (3%) of the incidences of harassment and intimidation[...]

‘MDC Alliance offices and members’ homes were raided across the country. Other raids were reported from people who acted as polling agents for the opposition.’¹⁴⁷

7.7.10 The ZPP August 2018 monthly monitoring report noted:

‘Reprisals against opposition supporters especially through illegal evictions and deprivation of food expose an inadequate legal framework to deal with post election conflict. Most of the mechanisms provided for by the law deal with the period immediately before elections and during elections but citizens are left to the ‘wolves’ in the post election period [...]. Elections although declared free fair and peaceful, many reports of intimidation and harassment continued to pour in. Impunity remains as traditional leaders continued to meddle in partisan politics without any meaningful action being taken against them.’¹⁴⁸

See [Arrest, detention and excessive force by state](#)

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7.8 Violence and discrimination against other political groups

7.8.1 The DFAT report noted that ZANU-PF supporters allegedly abducted and violently assaulted six People First supporters in Chitungwiza in December 2015.¹⁴⁹ 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.¹⁵⁰

7.8.2 DFAT assessed that the less significant opposition parties: ‘presently face a low level of official discrimination because they do not presently pose a significant threat to ZANU-PF, but are subjected to the same restrictions on their freedom of expression and assembly.’¹⁵¹

See [Arrest, detention and excessive force by state](#)

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¹⁴⁷ ZHRNGOF, Post-Election Violence Monitoring Report, 24 September 2018, p11 [url](#)

¹⁴⁸ ZPP, August 2018 report (page 10), 31 August 2018 [url](#)

¹⁴⁹ DFAT, pages 10-11, 11 April 2016, [url](#)

¹⁵⁰ DFAT, pages 10-11, 11 April 2016, [url](#)

¹⁵¹ DFAT, pages 10-11, 11 April 2016, [url](#)

7.9 Intra-party violence

7.9.1 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.'¹⁵²

7.9.2 Heal Zimbabwe noted in the statement published on 14 May 2018 in relation to MDC-T intra-party violence that:

[...] violent episodes of intra-party violence [...] rocked MDC-T consensus meetings in several districts across the country over the weekend. In Budiriro, Harare, MDC-T supporters clashed during a consensus meeting at Budiriro 2 Training centre after disagreements over the selection of Parliamentary and Council candidates. Budiriro Legislator, Costa Machingauta had to flee the venue of the meeting as party youths charged against him.

'In Glen View North, party supporters turned violent and accused sitting Legislator Fani Munengami of maliciously removing names of those contesting him in the party's primary elections. Similar incidences of violence were also recorded in Glen View South where Vimbai Tsvangirai Java an aspiring Legislator had to be escorted out of the venue after party supporters turned violent and accused her of imposing herself in the constituency. Several incidences of violence and intimidation were also recorded in Glen Norah, Zengeza, Kambuzuma and Gokwe.'¹⁵³

7.9.3 The ZPP noted in the August report 'The period also witnessed the escalation of reports of reprisals against political opponents. Zanu PF members and supporters spearheaded reprisals in their party as some individuals were accused of decampaigning the party and sabotaging President Emmerson Mnangagwa. To a lesser extent there were scuffles as well in the MDC Alliance where those who were suspected of decampaigning Nelson Chamisa were also targeted.'¹⁵⁴

7.9.4 HRW noted:

'Incidents of political violence and intimidation characterized the primary elections in May 2018 to choose parliamentary election candidates in the ZANU-PF party and the opposition Movement for Democratic Change – Tsvangirai (MDC-T) party. The MDC-T appears to have established a militia-type, uniformed youth group called the Vanguard, which was implicated in

¹⁵² ZPP, January 2018 report, 31 January 2018, [url](#)

¹⁵³ Heal Zimbabwe, Statement on the recent MDC-T intra-party violence, 14 May 2018, [url](#)

¹⁵⁴ ZPP, August 2018 report, 31 August 2018 [url](#)

several cases of violence against the former party deputy president Thokozani Khupe and her supporters who have since formed a rival faction of the party.¹⁵⁵

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7.10 Appropriation of land

7.10.1 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.'

'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.

¹⁵⁵ HRW, Zimbabwe: Lack of Reform Risks Credible Elections, 7 June 2018, [url](#)

‘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.’¹⁵⁶

7.10.2 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.’¹⁵⁷

7.10.3 The ZPP report, published in August 2018 noted, in relation to post election reprisals: ‘[...] In Mazowe a woman who had worked as an election observer was evicted from a farm where she had been living for a number of years. In farming communities those who had been resettled but accused of supporting the opposition parties were forcibly evicted.’¹⁵⁸

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Section 8 updated: 06 November 2018

8. Response to election-related violence

8.1 Zimbabwe Electoral Commission (ZEC)

8.1.1 The ZEC website provided detail on its function to prepare for, conduct and supervise elections. It also has responsibility for undertaking and promoting research into electoral matters and promoting co-operation between the Government, political parties and civil society in regard to elections¹⁵⁹.

8.1.2 The EU EOM final report noted:

‘ZEC is established as an independent constitutional body, composed of a chairperson and eight commissioners, with a six year mandate, renewable once ZEC’s independence is, to some degree, undermined by the involvement of the Ministry of Justice, Legal and Parliamentary Affairs in the approval of regulations adopted by the Commission. Further, the complaint

¹⁵⁶ Timeslive, Land invasions “halted” in Zimbabwe, 31 January 2018, [url](#)

¹⁵⁷ Freedom House, Freedom in the World 2018, Zimbabwe, 2018, [url](#)

¹⁵⁸ ZPP, August 2018 report, 31 August 2018 [url](#)

¹⁵⁹ ZEC, Website, functions, [url](#)

that large numbers of ZEC staff are former security force personnel, and had been employed during previous contentious elections, was never fully clarified by the institution, raising concerns regarding ZEC's independence and impartiality. Thus, doubts remained about its capacity to carry out its mandate without government and security force interference, as seen in past polls.¹⁶⁰

- 8.1.3 In a Sunday Mail article published 8 April 2018, ZEC Chairperson Justice Priscilla Chigumba said “The Zimbabwe Electoral Commission has gone on record to condemn all forms of violence. We have also created dispute mechanisms to take care of that.” “Political parties have a code of conduct which prevents them from electoral violence. They have agreed that they will enforce they own code of conduct.”¹⁶¹

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8.2 The Zimbabwe Human Rights Commission (ZHRC)

- 8.2.1 The Zimbabwe Human Rights Commission in their Preliminary Election Monitoring Report 23 July – 31 July 2018, published on 9 August 2018 explained their role in the election process:

‘Zimbabwe Human Rights Commission (ZHRC) is mandated to protect, promote and enforce human rights in Zimbabwe [...] This function is inclusive of the right to free and fair elections as provided for in the Constitution and the Electoral Act [...] In light of this mandate, the ZHRC has been monitoring all electoral processes to contribute to the promotion of an environment conducive to conducting of free, fair, transparent and credible elections. The Commission deployed a total of 23 teams spread across the 10 Provinces of Zimbabwe. The monitors were able to collect information which forms part of this preliminary report. Apart from monitoring the political situation, the ZHRC teams earned out their functions of complaints handling and investigation, as well as human rights education and promotion as provided for in section 243 of the Constitution of Zimbabwe.’¹⁶²

- 8.2.2 The Sunday Mail noted, in an article published 8 April 2018 ‘The Zimbabwe Human Rights Commission has set up teams to monitor primary elections and render swift assistance to victims of political violence; while the organisation is also closely monitoring speeches by politicians. Political parties are under close scrutiny after they signed a code of conduct that binds them to non-violent conduct.’¹⁶³

- 8.2.3 The ZHRC in their Statement On The 2018 Harmonised Elections And The Post Election Environment In Zimbabwe, published 10 August 2018 stated:

‘The Zimbabwe Human Rights Commission would like to take this opportunity to assure the citizens of Zimbabwe that it is working with many state and non-state entities and institutions so that peace loving Zimbabweans can enjoy their rights and go on with their daily business after the elections unhindered. The Commission is currently seized with cases of

¹⁶⁰ EU EOM, Final Report (p.9), October 2018, [url](#)

¹⁶¹ Sunday Mail, No room for political violence, 8 April 2018, [url](#)

¹⁶² ZHRC, Preliminary Election Monitoring Report (para 1), 9 August 2018, [url](#)

¹⁶³ Sunday Mail, No room for political violence, 8 April 2018, [url](#)

alleged politically motivated violence that it is investigating with the sole purpose of ensuring that those who violate the rights of others are brought to book and that those whose rights have been violated can get effective redress. We urge citizens to continue reporting any cases of politically motivated human rights violations or any other human rights violations to the ZHRC and the Zimbabwe Republic Police.’¹⁶⁴

- 8.2.4 The ZHRC noted in the Preliminary Election Monitoring Report that: ‘A total of 76 complaints were recorded by ZHRC monitors who were in the field as well as through hotlines and toll-free lines. The ZHRC received cases from individuals who complained of intimidation, threats and physical violence. Whilst every effort is being made to investigate the cases received, the ZHRC remains concerned with the sheer numbers of allegations [...].’¹⁶⁵

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8.3 Political violence courts

- 8.3.1 The Sunday Mail noted, in an article published 8 April 2018:

‘[A] special committee – comprising the Zimbabwe Electoral Commission, the Police and independent commissions — has been established to facilitate swift handling of political violence cases [...].

‘Zec Chairperson Justice Priscilla Chigumba told The Sunday Mail that: [...]

“The judiciary system has set up fast tract courts that deal with politically motivated violence and we also need the police to investigate and send dockets to the courts on time. In fact there are now special prosecutors and magistrates have been appointed to specially deal with.”

‘Justice Chigumba said the new mechanisms helped victims of political violence to report freely [...].’¹⁶⁶

- 8.3.2 Zimbabwe Situation noted in the article, Punish political violence perpetrators severely: Malaba, published 10 July 2018:

‘The Judicial Service Commission (JSC) last month designated 57 magistrates to expeditiously handle cases of politically-motivated violence and intimidation in the country’s 10 provinces.

‘Last Friday, an additional group of 18 magistrates was gazetted, bringing to 75 the total number of magistrates for the special courts.

‘Addressing the magistrates, Chief Justice Malaba implored them to impose harsh sentences to offenders to ensure prevalence of peace before, during and after the election on July 30.

“It must follow that severe punishments must be visited upon whoever is convicted of electoral violence or intimidation, regardless of their political affiliation,” he said.

¹⁶⁴ ZHRC Statement On The 2018 Harmonised Elections... (conclusion), 10 August 2018 [url](#)

¹⁶⁵ ZHRC, Preliminary Election Monitoring Report (para 3.4), 9 August 2018, [url](#)

¹⁶⁶ Sunday Mail, No room for political violence, 8 April 2018, [url](#)

“The judiciary must send clear messages to those who may seek to inhibit the smooth electoral process through commission of violent acts that justice will be on the side of severe punishment.

“Courts should not hesitate to impose sentences which are commensurate in severity with the harm that politically motivated violence ordinarily causes to democratic processes.”

‘Chief Justice Malaba said there would not be any sacred cows on political violence sentencing and no political parties would get any special treatment in court.’¹⁶⁷

- 8.3.3 Amongst sources consulted, (see [Bibliography](#)) no information could be found about the use of and /or effectiveness of the politically-motivated violence courts.

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8.4 Post-election violence – commission of inquiry

- 8.4.1 The ZPP August 2018 report noted, in relation to the post election violence that occurred in Harare on 1 August 2018 :

‘The President has responded with the appointment of a commission of inquiry to investigate the killings and establish who is responsible and make recommendations. The news of the appointment of the Commission which is made up of local, regional and international actors has viewed in many different ways but the bottom line is that Zimbabweans and the world want answers as to what happened on August 1 most specifically who ordered the army on the streets and if what the military did when they got to the streets was part of the orders.

Legal minds are of different opinions regarding the Commission and some people are questioning the integrity of two local members of the Commission.’¹⁶⁸

- 8.4.2 Times Live, a South African news website, in the article Mnangagwa swears in commission of inquiry into post-election violence, published 19 September 2018 noted:

‘Zimbabwe’s President Emmerson Mnangagwa has sworn into office a seven-member commission of inquiry into the post-election violence that took place on August 1 at State House. The commission is led by former South African president Kgalema Motlanthe. The inquiry is expected to take three months as it carries out its mandate to probe the outbreak of post-election violence.

‘At least six people, according to authorities, lost their lives and property worth thousands of dollars was vandalised.’¹⁶⁹

- 8.4.3 The Commission of Inquiry published its report in December 2018 and its crucial findings were:

¹⁶⁷ Zimbabwe Situation, Punish political violence, 10 July 2018, [url](#)

¹⁶⁸ ZPP, August 2018 report (page 4), 31 August 2018, [url](#)

¹⁶⁹ Timeslive, Mnangagwa swears in commission of inquiry..., 19 September 2018 [url](#)

'a. The demonstrations which became riotous and caused extensive damage to property and injury had been incited, pre-planned and well organised by the MDC Alliance;

'b. The particular circumstances prevailing on the day justified the deployment of the Military to assist the Police in containing the riots; and

'c. Six (6) people died and thirty-five (35) were injured as a result of actions by the Military and the Police.

'The evidence showed that the Government deployed the Military in accordance with the Constitution and the applicable law. The Commission also considered that whilst the deployment of the Military was lawful, the operational framework in terms of Section 37 (2) of Public Order and Security Act [Chapter 11:07] was not fully complied with in that the deployed troops were not placed under the command of the Harare Regulating Authority.'¹⁷⁰

8.4.4 The same report provided recommendations:

'a. Payment through a special Committee to be set up by the Government, of compensation for losses and damages caused including in particular, support and school fees for the children of the deceased;

'b. Promotion of political tolerance, and responsible and accountable leadership and citizenry;

'c. Electoral reforms including the development of Information Communication Technology (ICT), to among other things enhance the transparent and expeditious announcement of election results;

'd. The enforcement of law and order in order to ensure that the events of the 1st of August 2018 are not repeated;

'e. Accountability in respect of the alleged perpetrators; and

'f. Nation building and reconciliation including an initiative for multi-party dialogue and cooperation.'¹⁷¹

8.4.5 The concluding paragraphs of the report stated:

'The testimonies and submissions that the Commission received indicated that the scope and consequences of the violence that occurred on the 1st of August 2018 were regarded as unprecedented in the history of Zimbabwean elections. The appointment and composition of the Commission of Inquiry, with a majority of international members, confirms President Mnangagwa's determination to ensure a non-repetition of such an unwholesome national experience in future.

'From the testimonies of the witnesses who appeared before the Commission, it was noted that there is at present a very worrisome degree of polarisation and bitterness within the body politic of Zimbabwe. In this regard, the Commission commends the continuing statements by the President of the Republic calling for reconciliation, healing and unity among the citizenry. We urge all the people of Zimbabwe to respond positively to

¹⁷⁰ Commission of Inquiry, Report Into Post-Election Violence (p.6-7) , December 2018, [url](#)

¹⁷¹ Commission of Inquiry, Report Into Post-Election Violence (p.7) , December 2018, [url](#)

the President's appeals and, at the same time, the Government to reinforce these appeals with inclusive policies.

'From our wide ranging fact-finding experience in Zimbabwe, we believe that President Mnangagwa is determined to open a new chapter in the policies and activities of the Government of the Republic of Zimbabwe, including the restoration of the country's diplomatic and commercial relations with the international community.'¹⁷²

See [Violence and discrimination against MDC activists](#) and [Arrest, detention and excessive force by state](#)

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Section 9 updated: 29 January 2019

9. Civil society groups (NGOs)

9.1 Regulation and registration

9.1.1 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').

'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 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.'

9.2 State treatment

9.2.1 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:

'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.'¹⁷³

¹⁷² Commission of Inquiry, Report Into Post-Election Violence (p.8) , December 2018, [url](#)

¹⁷³ ISHR, ZLHR, ZLFL, The Situation Of Human Rights Defenders, Zimbabwe, March 2016, [url](#)

9.2.2 The March 2016 briefing paper (covering 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 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.’¹⁷⁴

9.2.3 The DFAT report stated:

‘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...

‘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.’¹⁷⁵

9.2.4 The USSD report 2017 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, Election Resource

¹⁷⁴ ISHR, ZLHR, ZLFL, The Situation Of Human Rights Defenders, Zimbabwe, March 2016, [url](#)

¹⁷⁵ DFAT, (page 12), 11 April 2016, [url](#)

Center, ZLHR, Zimbabwe Peace Project, ZimRights, Heal Zimbabwe Trust, Women's Coalition, 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.'¹⁷⁶

- 9.2.5 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:

'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].'¹⁷⁷

- 9.2.6 The HRW World Report 2018 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.'¹⁷⁸

- 9.2.7 The ICG noted, during the 2018 Harmonised Elections that 'The opposition and civil society organisations have claimed over 150 attacks upon their supporters and staff, including cases of abduction, sexual abuse, torture and assault. This number is expected to increase. In most instances, witnesses have identified members of the military or unidentified security operatives as alleged perpetrators. Zimbabwe's Human Rights Commission has confirmed many of the violations.'¹⁷⁹

- 9.2.8 ZHRNGOF in the (updated) Post-Election Violence Monitoring Report 01-31 August 2018, noted

¹⁷⁶ USSD, USSD report 2017, section 5, 20 April 2018, [url](#)

¹⁷⁷ 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](#)

¹⁷⁸ HRW, World Report 2018, 18 January 2018, [url](#)

¹⁷⁹ ICG, After Elections, introduction, 21 August 2018, [url](#)

'A number of civil society members have also been visited at their homes, and arbitrary searches have been done. Whilst in most cases those responsible were in civilian clothes (identifying themselves as police), in some instances, armed uniformed members of the police and army have also been involved. Two (2) civil society organisations and their leaders have reported raids at their homes and had their offices visited by suspected security personnel.'¹⁸⁰

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9.3 National Association of Non-Governmental Organizations (NANGO)

- 9.3.1 The NANGO website (undated) provided 'Founded in 1962, the National Association of Non-Governmental Organisations (NANGO) is a non-party political, non-profit making organisation and non-denominational official coordinating body of NGOs in Zimbabwe...

'Over the years, the association has taken a leading role in coordinating the participation of NGOs in national processes and actively fought for the interests of the poor and marginalised through advocating for a conducive operating environment for NGOs. It has also played a critical role of creating platforms for engagement between civil society and government and centre for capacity building for its membership.'¹⁸¹

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Section 10 updated: 06 November 2018

10. Treatment of journalists

- 10.1.1 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].'¹⁸²

- 10.1.2 In its Freedom on the Net 2017 report covering the period June 2016 – May 2017, Freedom House reported:

'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

¹⁸⁰ ZHRNGOF, Post-Election Violence Monitoring Report, 24 September 2018, p11 [url](#)

¹⁸¹ NANGO, Website (Who we are), undated, [url](#)

¹⁸² Amnesty International, Amnesty International Report 2016/17, 22 February 2017, [url](#)

remain unknown, the attacks followed numerous police visits to the Centre during which police questioned employees about the Centre's activities.'¹⁸³

10.1.3 The USSD report 2017 noted:

'The government continued to arrest, detain, and harass critics, and journalists practiced self censorship....

'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 April 21, police summoned leaders of local media organizations reportedly to understand how the media works and how journalists operate. The media leaders later described the meeting as a thinly disguised warning of an imminent crackdown on independent media voices.

'On March 3, police arrested *NewsDay* editor Wisdom Mudzungairi and reporter Richard Chidza one day after the newspaper published a story about President Mugabe's trip to Singapore for a medical examination. The report quoted sources as saying President Mugabe's trip was due not just to his advanced age, but also because he had prostate cancer. Police released the journalists on the same day and indicated they would proceed with prosecution by way of summons...

'Security forces arbitrarily harassed and arrested journalists who reported unfavorably on government policies or security operations. Senior ZANU-PF officials also criticized local and foreign independent media for allegedly biased reporting that discredited President Mugabe and misrepresented the country's political and economic conditions.'¹⁸⁴

10.1.4 The HRW 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

¹⁸³ Freedom House, *Freedom on the Net 2017, Zimbabwe*, 14 November 2017, [url](#)

¹⁸⁴ USSD, *USSD report 2017 (section 2)*, 20 April 2018, [url](#)

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.’¹⁸⁵

- 10.1.5 Reporters Without Borders, in the article Zimbabwean minister threatens reporter on live radio, published on 3 June 2018, in the run up to the harmonised elections noted:

‘Terrence Mukupe, the deputy finance minister and a ruling ZANU-PF party member of parliament, made his threats against Blessed Mhlanga, a reporter for the newspaper NewsDay, during a studio discussion broadcast live by radio SFM, cutting short the discussion.

‘SFM had invited Mukupe to come and discuss Mhlanga's front page story the previous day that was based on a video recorded at an internal ZANU-PF meeting earlier in the week in which Mukupe said the military would not recognize opposition candidate Nelson Chamisa as president if he won the 30 July general election.

‘Mhlanga said Mukupe got angry within a few minutes of the start of the radio debate and began attacking him verbally. "I will beat you up, you want to belittle me," he shouted at Mhlanga [...].

‘Despite President Emmerson Mnangagwa's promises of a new democracy, attacks on journalists have been frequent, especially on political issues, since Mnangagwa replaced Mugabe in November 2017.

‘In the past three months, journalists have been threatened by politicians and a photographer was roughed up by supporters of the opposition MDC-T party. In April, a journalist was arrested for taking photos at a meeting between ZANU-PF members and polling station officials during the ZANU-PF primaries. Zimbabwe is ranked 126th out of 180 countries in RSF's 2018 World Press Freedom Index.’¹⁸⁶

- 10.1.6 The EU EOM preliminary report published 1 August 2018 noted ‘Media operated in a generally free environment, but overwhelming bias in state media meant legal provisions for fair and balanced reporting were not respected [...] only a very limited number of cases of journalists injured or harassed were registered by the EU EOM during the observation period [observers arrived on 6 June 2018]¹⁸⁷’¹⁸⁸

- 10.1.7 The EU EOM final report noted:

¹⁸⁵ HRW, World Report 2018, 18 January 2018, [url](#)

¹⁸⁶ Reporters Without Borders, Zimbabwean minister threatens reporter on live radio, 3 June 2018, [url](#)

¹⁸⁷ EU OM, Preliminary Statement (page 3), 1 August 2018 [url](#)

¹⁸⁸ EU OM, Preliminary Statement (section 6), 1 August 2018 [url](#)

‘The media landscape in Zimbabwe is highly polarized and largely dominated by state-owned or government-controlled media, especially in the rural areas. The government controls, in a direct or indirect way, all electronic media available in the country and real private media is only present in the print. After years of repression, Zimbabwean journalists currently operate in a much freer environment. Since the beginning of the “new dispensation” period in November 2017 the number of reported detentions and attacks against journalists has decreased significantly [...].

‘During the electoral period, media and journalists operated in a generally free environment, which only deteriorated in the wake of the incidents of 1 August in Harare [...]. The EU EOM registered a total of eight cases of journalists injured, attacked or harassed during the entire observation period.’¹⁸⁹

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Section 11 updated: 06 November 2018

11. Treatment of teachers

11.1.1 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 politician [sic] 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.’¹⁹⁰

11.1.2 Freedom House, in their World Report 2018 noted:

‘The Ministry of Higher Education supervises education policy at universities, and Mugabe, as president, served as the chancellor of all eight state-run universities. In December, Mnangagwa was installed as the new chancellor of Midlands State University.

‘There has been widespread criticism of the University of Zimbabwe's 2014 move to award a doctorate to Grace Mugabe two months after she enrolled there. Students who heckled her at a 2016 graduation ceremony were

¹⁸⁹ EU EOM, Final Report (p.25, p.28), October 2018, [url](#)

¹⁹⁰ DFAT, DFAT report 2016 (pages 10-11), 11 April 2016, [url](#)

detained by authorities. Nevertheless, political pressure on teachers and academics has eased in recent years.¹⁹¹

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Section 12 updated: 06 November 2018

12. Freedom of movement

12.1.1 DFAT considered the potential for relocation and concluded that ‘there are no major restrictions on internal relocation for MDC-T members’.

12.1.2 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.’¹⁹²

12.1.3 The USSD report 2017 stated:

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

‘Police made in-country movement difficult by regularly placing 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. Pro-ZANU-PF police chiefs retained and failed to account for money collected at checkpoints. The government did not account for overall revenue collected as fines from these roadblocks in the national budget.’¹⁹³

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¹⁹¹ Freedom House, Freedom in the World 2018 – Zimbabwe, 15 March 2018, [url](#)

¹⁹² DFAT, DFAT report 2016 (page 20), 11 April 2016. [url](#)

¹⁹³ USSD, USSD report 2017, section 2d, 20 April 2018, [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
 - Political landscape (including elections 2018)
 - 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)
 - Zimbabwe African People's Party (ZAPU)
 - Social media inspired groups
- State security apparatus
 - The police
 - Armed forces
 - Central Intelligence Organisation
 - Other pro ZANU-PF groups
- Treatment of those opposing the government
 - Overview of political violence (including elections 2018)
 - 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, discrimination and harassment against MDC-T activists (including elections 2018)
 - Violence and discrimination and harassment against other political groups
 - Intra-party violence

- Appropriation of land
- 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 **4.0**
- valid from **26 February 2019**

Changes from last version of this note

Updated country information and assessment after a commissioned review by The Independent Advisory Group on Country Information (IAGCI) in December 2018.

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