

**Flygtningenævnets baggrundsmateriale**

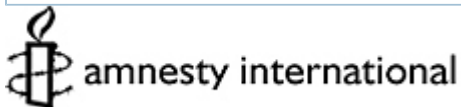
|                                    |                       |
|------------------------------------|-----------------------|
| <b>Bilagsnr.:</b>                  | <b>116</b>            |
| Land:                              | Zimbabwe              |
| Kilde:                             | Amnesty International |
| Titel:                             | Annual report 2013    |
| Udgivet:                           | 23. maj 2013          |
| Optaget på<br>baggrundsmaterialet: | 6. august 2013        |

[EN](#) | [DE](#)

- **Source:**  
AI - Amnesty International
- **Title:**  
Amnesty International Report 2013 - The State of the World's Human Rights - Zimbabwe
- **Publication date:**  
23 May 2013
- **ecoi.net summary:** Annual report 2013 (covering 2012) [ID 248081]
- **Countries:**  
Zimbabwe
- **Original link** <http://www.amnesty.org/en/region/zimbabwe/report-2013>

**Recommended citation:**

AI - Amnesty International: Amnesty International Report 2013 - The State of the World's Human Rights - Zimbabwe, 23 May 2013 (available at [ecoi.net](http://www.ecoi.net))  
[http://www.ecoi.net/local\\_link/248081/358373\\_en.html](http://www.ecoi.net/local_link/248081/358373_en.html) (accessed 05 August 2013)



## Amnesty International Report 2013 - The State of the World's Human Rights - Zimbabwe

Head of state and government  
Robert Mugabe

Mistrust between members of the Government of National Unity (GNU) continued to delay crucial reforms agreed under the 2008 Global Political Agreement between President Mugabe's ZANU-PF party and the two Movement for Democratic Change parties (MDC-T and MDC-N). Talk of an election in the second half of the year caused panic in rural areas affected by the 2008 election-related, state-sponsored violence. Police continued to suppress free expression, association and assembly throughout the year, through arbitrary arrest, unlawful detentions and politically motivated prosecutions.

### Background

The GNU failed to finalize a new Constitution, which is crucial if the country is to hold violence-free elections in 2013. The second All Stakeholders Conference to review a draft was held in October, when ZANU-PF tried to reverse new elements that would restrict executive powers and strengthen the declaration of rights agreed during the inter-party negotiation process. The Southern Africa Development Community (SADC), represented by President Jacob Zuma of South Africa, achieved no meaningful reforms to guarantee non-violent elections, despite several visits to Zimbabwe by his facilitation team.

Remarks by senior leaders of the army, police and intelligence services stating their preferred election outcome fuelled fears that the security forces – which had been implicated in the 2008 election violence – would again try to influence the next election in favour of ZANU-PF. President Mugabe and Prime Minister Morgan Tsvangirai publicly spoke out against political violence; however, no concrete measures were taken to end partisan activities of the security forces.

Although incidents of mass political violence remained low, mainly because there were no major political events in the year, at least 300 people were injured as a result of politically motivated acts of torture or other violence.

### Freedoms of expression, association and assembly

Human rights defenders and political activists – other than ZANU-PF members – continued to operate under heavy restrictions. In urban areas, police were the main perpetrators, using the Public Order and Security Act to arbitrarily limit the rights to freedom of expression, association and peaceful assembly, including by blocking legitimate meetings and activities of human rights defenders and other political parties. In semi-urban and rural areas, local ZANU-PF activists continued to disrupt legitimate activities of their opponents with impunity. Some traditional leaders were also used by ZANU-PF to restrict access to rural areas. Incidents of uniformed soldiers assaulting people attending meetings organized by the two MDC parties were recorded.

- An MDC-T (MDC-Tsvangirai) official, Cephas Magura, died in Mudzi district in May following clashes between MDC-T and ZANU-PF supporters at Chimukoko Business Centre. ZANU-PF supporters reportedly attacked people who were attending a police-sanctioned meeting of the MDC-T. Following the incident, seven ZANU-PF members, including a councillor in Mudzi, David Chimukoko, were arrested and charged with murder and public violence.
- On 21 September, a group of soldiers in Mutoko district, Mashonaland East Province, disrupted a meeting led by Professor Welshman Ncube (MDC-N, the smaller of the two MDC parties), beating supporters.
- In November, another group of soldiers in Zhombe district, Midlands Province, attacked MDC-T supporters attending a meeting at Samambwa Business Centre. Dozens of supporters were injured, including two men in their seventies who arrived at a Harare hospital with broken limbs and internal injuries.
- Some of the 29 MDC-T members arrested in May 2011 in connection with the death of police officer Petros Mutedza, in Glen View, spent more than a year in custody. However, Cynthia Manjoro was granted bail in October after a state witness said that she had been arrested and detained to bait another suspect who was her friend. Solomon Madzore, the MDC-T's Youth Assembly president was also granted bail on 13 November together with another detainee, Taruvinga Magaya. It was widely believed that some of the suspects were arrested solely because they were known MDC-T activists living in Glen View. By the end of year only Last Maengahama, Tungamirai Madzokere, Rebecca Mafikeni, Yvonne Musarurwa and Simon Mapanzure remained in custody.
- On 5 November, police in Harare raided the offices of the Counselling Services Unit (CSU), a registered medical clinic providing services to victims of organized violence and torture. Police initially arrived without a search warrant and threatened to force entry. After several hours they produced a warrant to recover "offensive and subversive material" which "defaces any house, building, wall, fence, lamp-post, gate or elevator", and illegally seized confidential patient medical records, a computer and documents not covered by the warrant. Five staff were arbitrarily arrested. Two were released the same day, but three others, Fidelis Mudimu, Zachariah Godi and Tafadzwa Geza, were illegally detained in police custody for four days, and on the third day they were illegally transferred more than 400km away to Bulawayo. The three men were released on bail on 8 November charged with "causing malicious damage to property", in contravention of Section 140 of the Criminal Law (Codification and Reform) Act. The charges against Fidelis Mudimu were later dropped after it was revealed that he was out of the country at the time of the alleged crime.

## Arbitrary arrests and detentions

Throughout the year, activists from the activist organization Women of Zimbabwe Arise (WOZA) had their activities routinely disrupted by anti-riot police. Many were beaten and some sustained injuries. At least 200 arrests of WOZA members were recorded.

- On 19 January, 17 activists were arrested in Bulawayo and taken to Donnington Police station where some were beaten and ill-treated. They were later transferred to Bulawayo Central Police station where the abuse continued, before being released without charge.
- On 12 March, WOZA leaders Jennifer Williams and Magodonga Mahlangu, who were appearing in court on bail for trumped-up charges of kidnapping and theft, had their bail unjustly revoked by a Bulawayo Magistrate and were remanded in prison. The defence lawyers had asked for postponement of the case as Jennifer Williams was in poor health and had a doctor's letter substantiating her state of health. However, the prosecutor accused her of feigning illness.
- On 27 June, 101 WOZA members were arrested in Bulawayo the morning after a peaceful march and detained for five hours, before being released without charge.

Section 33 of the Criminal Law (Codification and Reform) Act continued to be applied arbitrarily, with political activists and others being charged with "undermining the authority of or insulting the President". At least 12 people were arrested on these charges.

- In October, Elton Mangoma, the MDC-T Minister of Energy and Power Development in the GNU, was arrested and charged with "undermining the authority of or insulting the President" in connection with a statement he made in March at Manhenga Business Centre in Bindura, Mashonaland Central.

## Torture and extrajudicial executions in police custody

At least eight people died in police custody under circumstances that suggest that they were tortured or summarily executed.

- On 19 March, three young men who had been taken into custody at Southerton Police station in Harare died in very suspicious circumstances. Tendai Dzigarwi and Rufaro Mahohoma had been arrested on 18 March in Harare's suburb of Kambuzuma by police from the Vehicle Theft Squad. They were arrested on suspicion of motor vehicle theft. A third man, Emmson Ngundu, was arrested on 19 March in Zvimba

district. The police claimed the three men were killed during an attempted escape, but an independent post-mortem conducted on Tendai Dzigarwi concluded that he died from a gunshot wound to the head fired from 2-3cm. Eyewitness accounts of the wounds of the other two men point to the same conclusion.

- On 13 September, two days after his release, Harrison Manyati died at Harare Central Hospital from injuries sustained during torture while in detention at Makoni Police station in Chitungwiza. Harrison Manyati had been arbitrarily arrested and unlawfully detained on 7 September after he had gone to the police station to enquire about a friend arrested for housebreaking, theft and illegal entry. Police accused him of being an accomplice and he was detained for four days without being charged or taken to court. Police told family members that Harrison Manyati had committed no crime. When he was released he laid charges of assault against the police officers. According to an eyewitness, Manyati was tortured during the first two days of his detention, and then detained for two days to allow the wounds to heal. An independent post-mortem report concluded that Manyati's death was a direct result of torture.
- Blessing Matanda was found dead in a police cell at Munyati Police Base station in Kwekwe on 4 October, the day he was taken into custody under unclear circumstances. Matanda told a relative who visited him that the arresting officers had threatened to "fix" him. Police claim Matanda shot himself, but offered no explanation as to how he had access to a gun. An independent pathologist cast doubt on the allegation of suicide.

## Forced evictions

Seven years on, tens of thousands of people affected by the 2005 mass forced evictions Operation Murambatsvina still lived in settlements with no schools, health care, water, sanitation or roads. Despite public acknowledgement by authorities of the lack of schooling in particular, no measures were taken to ensure the thousands of affected children can access free primary education.

## Rights of lesbian, gay, bisexual, transgender and intersex people

Hostility directed at non-gender-conforming individuals and discrimination against LGBTI people continued to be rife in the country. The media contributed to public prejudices against LGBTI individuals by publishing hostile comments about LGBTI people made by political leaders, particularly within the context of debate around the new Constitution. ZANU-PF and MDC-T accused each other of "harbouring" LGBTI people. Politicization of the debate on outlawing discrimination on the basis of sexual orientation or gender identity fuelled harassment and intimidation of LGBTI people by police.

- Forty-four members of the Gays and Lesbians of Zimbabwe (GALZ) organization were detained overnight at Harare Central Police station on 11 August when police raided their offices in Harare. The raid followed a meeting convened by GALZ to discuss Zimbabwe's draft Constitution and to launch a report on human rights violations perpetrated against its members. Following the detainees' release, police visited some of their homes and workplaces, risking exposing their sexual orientation and thereby putting them at increased risk of discrimination.
- On 20 August, police raided the GALZ offices for a second time and seized computers and pamphlets. On 23 August, GALZ was charged with running an "unregistered" organization in contravention of Section 6(iii) of the Private Voluntary Organisation Act. For the first time in 20 years GALZ was forced to close its offices indefinitely for fear of further police raids.

## Country Reports

- [Zimbabwean authorities must stop abusing the law to curtail the work of human rights activists](#)
- [Zimbabwe: Brief to SADC on harassment and intimidation of NGO workers by police](#)
- [Zimbabwe: Members of the public at risk as police crack down on gang suspects](#)

## Country Visits

- Amnesty International delegates visited Zimbabwe in April, August and September/October.

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