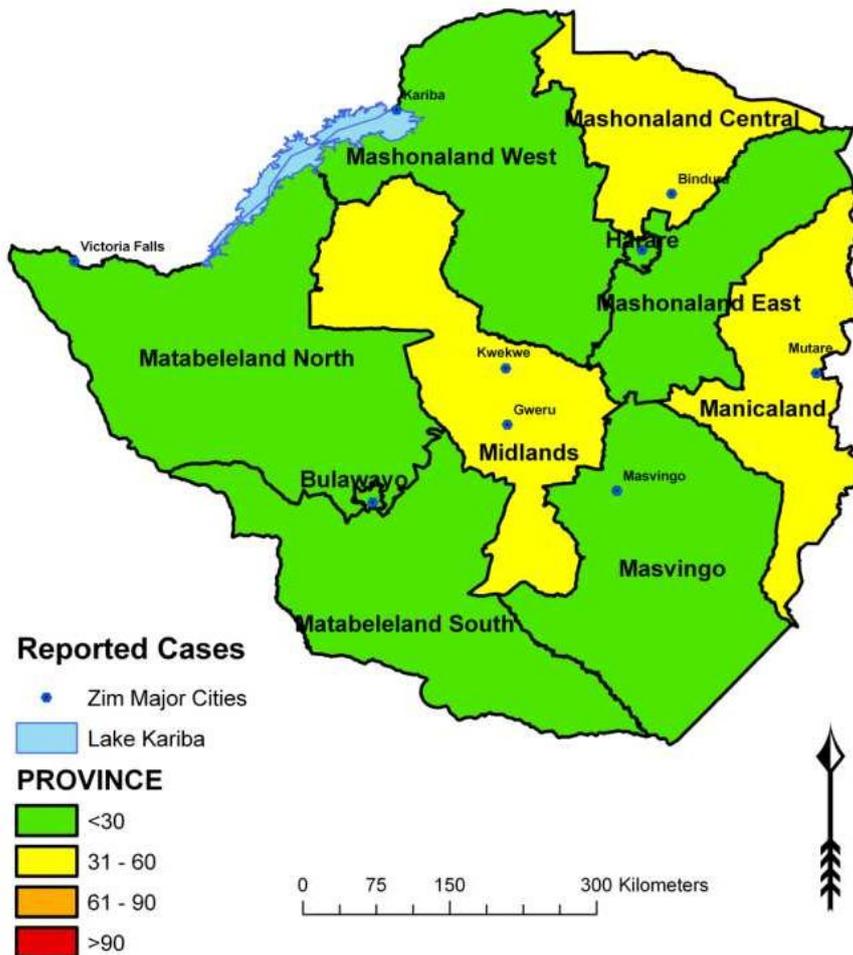


ZPP Monthly Monitor

December 2013 HR Violations Map



BACKGROUND & FORMATION

The Zimbabwe Peace Project (ZPP) was conceived shortly after 2000 by a group of Churches and NGOs working or interested in human rights and peace-building initiatives, and was to become a vehicle for civic interventions in a time of political crisis. In particular ZPP sought to monitor and document incidents of human rights violations and politically motivated breaches of the peace e.g. violence.

Today, ZPP's co-operating member organizations include, Zimbabwe Council of Churches (ZCC), Catholic Commission for Justice & Peace in Zimbabwe (CCJPZ), Evangelical fellowship of Zimbabwe (EFZ) Zimbabwe Election Support Network (ZESN), Counselling Services Unit (CSU), Zimbabwe Civic Education Trust (ZIMCET), Zimbabwe Lawyers for Human Rights (ZLHR), Zimbabwe Human Rights Association (ZIMRIGHTS), Civic Education Network Trust (CIVNET), Women's Coalition of Zimbabwe (WCoZ) and the Habakkuk Trust.

VISION

Sustainable Justice, Freedom, Peace and Development in Zimbabwe, for All

MISSION

To work for sustainable Peace through Monitoring, Documentation, Research & Publications, and Community Peace Building Interventions ~ through & with our Members & Partners

METHODOLOGY

This report is based on reports from ZPP long-term community based human rights monitors who observe, monitor and record cases of human rights violations in the constituencies they reside. ZPP deploys a total of 420 community-based primary peace monitors (two per each of the 210 electoral constituencies of Zimbabwe). These community-based monitors reside in the constituencies they monitor. They compile reports that are handed over to ZPP provincial coordinators who man the different ZPP offices in the ten administrative provinces of Zimbabwe. Upon receipt and verifications of the reports from the monitors, the provincial coordinators compile provincial monthly monitoring reports, which are then consolidated at national office into the ZPP monthly monitoring reports published in retrospect.

EXECUTIVE SUMMARY

The month of December witnessed the least violations recorded within a month in 2013 as the levels of politically motivated human rights violations continued on a downward trend throughout the country. There were 213 recorded incidents of human rights violations during the month of December down from the 317 cases witnessed during the month of November with the majority of recorded cases being of discrimination and the politicisation of the distribution of farming inputs.

The reduction in incidents of violence can be attributed to the fact that there were no major political activities save for the Zanu PF national conference held in Mashonaland West at Chinhoyi University of Technology (CUT) from 12-16 December 2013. Unlike the previous conferences, the Zanu PF conference was development centred and the party resolutions did not show any immediate plans for the organisation to target its perceived political enemies. The resolutions were more on the government's economic recovery plans using the ZIMASSET economic policy document.

Traditional leaders continued to violate provisions of the Constitution by advancing the interests of one political party in most of the cases recorded across the country. Section 281 of the new Constitution clearly states that **“traditional leaders must not be members of any political party or in any way participate in partisan politics, act in a partisan manner, further the interest of any political party or cause or violate the fundamental rights and freedoms of any person”**.

In a clear violation of the constitution, headman Madzonga from Makoni West in Manicaland allegedly denied teachers for Dewedzo Primary and secondary schools farming inputs on 13 December 2013 accusing them of belonging to the MDC-T. The farming inputs were from the Presidential Inputs Scheme.

The demolition of illegal homes continued to worsen with revelations that more than 14 000 residential stands allocated to home seekers in Chitungwiza and Manyame Rural District Council are illegal and the structures built on them should be demolished. A Government sanctioned audit of illegal structures revealed that 8 260 stands are in Chitungwiza, while 6 200 are in Seke communal lands under Manyame Rural District Council.

Another worrying trend observed during the month was the continued farm invasions of white owned commercial farms which started more than 13 years ago. The invasions which are usually violent were reported in the Midlands and Mashonaland West provinces. A white commercial farmer was forced off his farm in Chirumanzu on 23 December 2013 by a Zanu PF official and businessman from Fairfield identified as Aaron Rwodzi. The white previous owner was only given 24 hours to vacate the farm leaving behind 210 cattle and a host of farming equipment.

FOOD AND OTHER FORMS OF AID VIOLATIONS

The Zimbabwe Vulnerability Assessment Committee (ZimVAC) Rural Livelihoods Report 2013 revealed that some 2.2 million people are unlikely to meet their daily food needs between January and March 2014, due to an unusually poor harvest in 2012/13. As a result a lot of Zimbabweans have had

their rights to food violated throughout the country. Most of the food aid distribution exercises have been heavily politicised with Zanu PF officials accused of discriminating against political rivals from the opposition MDCs.

The Presidential Inputs Scheme continued to be abused during the month under review by the Zanu PF leadership, war veterans and traditional leaders throughout the country. The scheme is supposed to be handled by officials from the Grain Marketing Board (GMB) however traditional leaders and Zanu PF leaders have taken over the distribution of inputs although they have been told to back off by the Deputy Minister of Agriculture-Mechanisation and Irrigation Davis Marapira who during the launch of the programme said that "... the distribution will be done through the office of the provincial and district administrators with the help of Arex extension officers and should benefit everyone".

In December the distribution was marred by discrimination of MDC-T supporters and rampant looting by the leaders. This has been witnessed from the majority of the provinces that have a Zanu PF majority in parliament.

In Mashonaland West's Hurungwe North constituency headman Taroora Seremani was only given 7 bags of fertilizer instead of the allocated 200 bags for his village by Zanu PF district official identified as Oliver Mtunge because his village had a high number of people who voted for MDC-T during the July 31 elections.

In Mashonaland East, the government sourced inputs, seeds and fertilizers were not handled as expected. The programme was hijacked by ZANU-PF activists and a handful of suspected MDC-T members in the province have been discriminated against. In many of the recorded incidents, the MDC-T activists find their names omitted from the list of beneficiaries, some were chased away from the queues and for others, their names would not be called out despite the fact that their names were on the list. Many of the affected areas were Chikomba District, Hwedza, Murewa and Mudzi Districts.

The trend was the same in Masvingo, Matabeleland North and South Provinces where the bulk of people who are desperately in need of food are concentrated.

Fig. 1: Human Rights Violation levels July–
Dec 2013

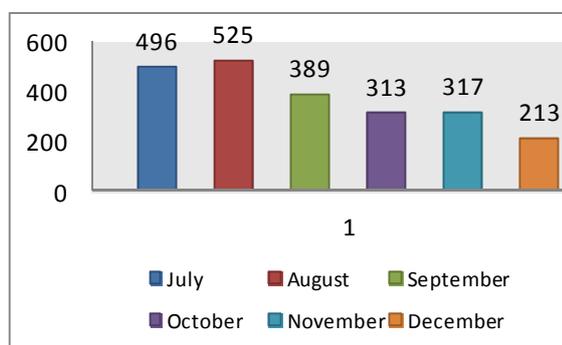
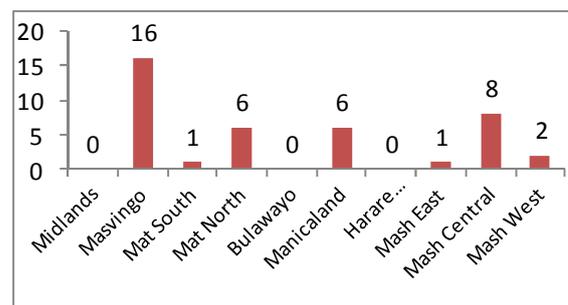
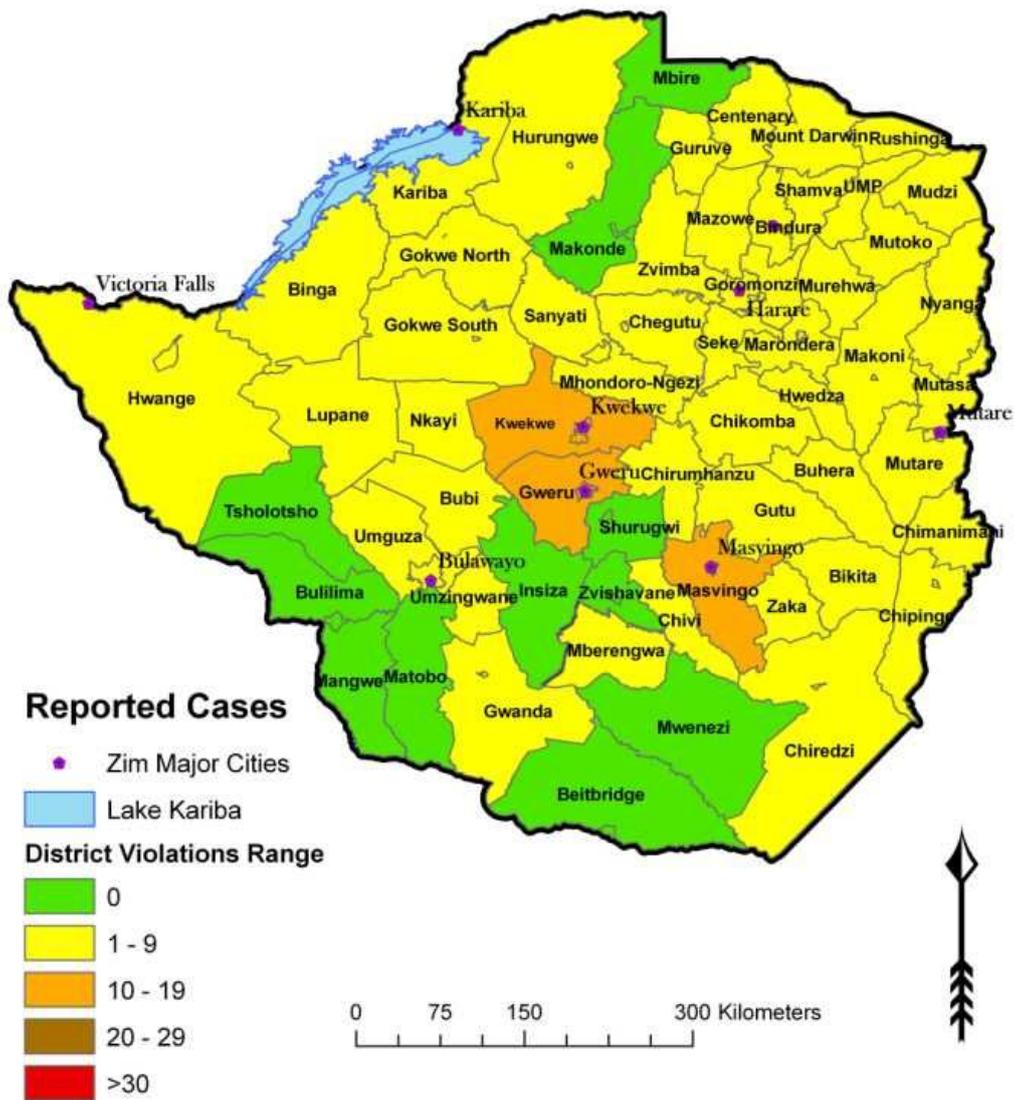


Fig. 2: Violations of politicized food & aid distribution Dec 2013



ZPP December 2013 District Violations Map



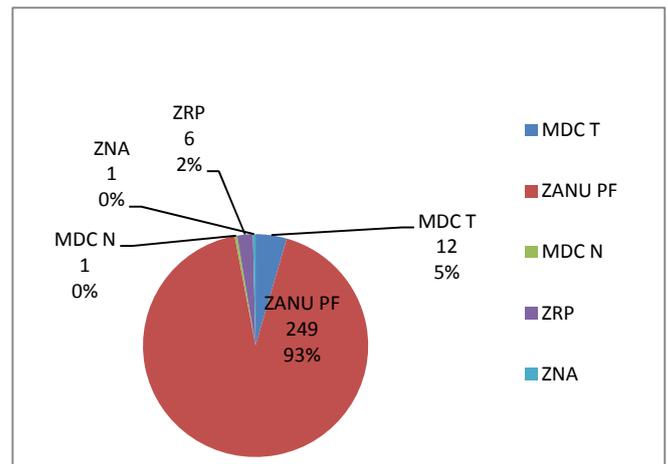
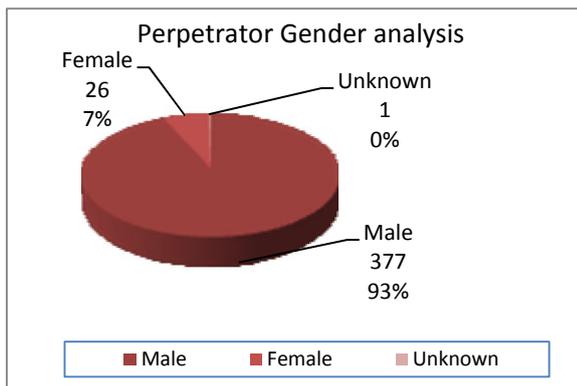
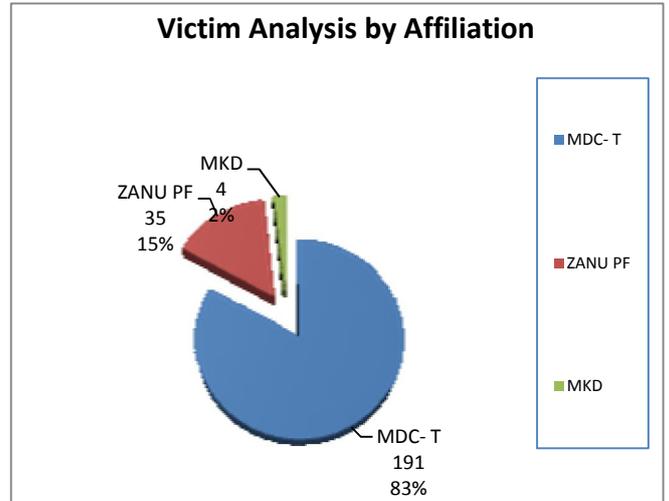
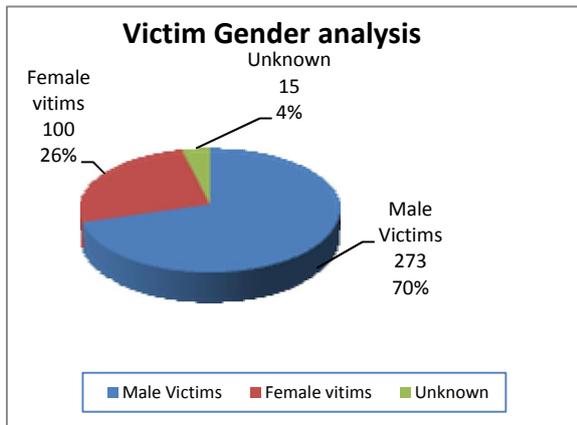
INCIDENCES OF POLITICALLY MOTIVATED VIOLATIONS

PROVINCE	ACTS OF HR VIOLATIONS	HR/FREEDOMS VIOLATED	# OF ACTS	MAJOR HIGHLIGHTS OF HR VIOLATIONS
Manicaland	Assault	Right to liberty and security of person	4	<ul style="list-style-type: none"> ➤ The period under review experienced a continued decrease in cases of politically motivated human rights violations which has been the trend. There were 35 cases witnessed in December as compared to the 75 incidents recorded in November. ➤ The factionalism within Zanu PF manifested itself in the form of verbal abuse in Mutare West, where Minister of Provincial Affairs for Manicaland Christopher Mushowe openly labelled the councillor for Mafarikwa ward a sell-out. The councillor was also barred from attending ward and constituency developmental meetings for allegedly belonging to a faction led by Mushowe's rival, Jonathan Kadzura.
	Theft/looting	Property rights	3	
	Harassment/intimidation	Right to personal integrity and human dignity	15	
	Discrimination	Right to food, aid and livelihood	12	
	Malicious Damage to property	Property rights	1	
	Total			
Midlands	Harassment/intimidation	Right to personal integrity and human dignity	36	<ul style="list-style-type: none"> ➤ The Midlands province witnessed a massive reduction in incidents of politically motivated human rights violations during the month of December. There were 44 cases recorded down from the 113 witnessed in November. ➤ As the invasions of former white commercial farms continue unabated, the Midlands Province witnessed another fresh forced eviction during the month of December. A businessman from Chirumanzu South and Zanu PF member identified as Aaron Rwodzi reportedly forced one Dan Erasmus off his farm. The victim was only given 24 hours to pack his belongings. He is reported to have left behind 210 cattle and a vast array of farming equipment.
	Assault	Right to personal integrity and human dignity	4	
	Discrimination	Right to food, aid and livelihood	4	
	Total			
Mash Central	Harassment/intimidation	Right to personal integrity and human dignity	20	<ul style="list-style-type: none"> ➤ Incidents of discrimination continued to haunt the province as food aid programs were politicised to the disadvantage of those suspected to belong to opposition politics. Others were harassed and threatened for failure to attend Zanu PF political meetings. ➤ Zanu PF officials from the province continued to interfere in the administration of local government ward affairs and distribution of aid. The losing Zanu PF councillor for ward 14 in Karanda, Mt Darwin
	Discrimination	Right to food, education	20	
	Total			

				identified as Mr Chigango allegedly took it upon himself to represent the community at an international NGO food distribution forum in December 2013. The winning candidate councillor Cowen Muchemwa (MDC-T) did not attend.
Mash East	Harassment/intimidation	Right to personal integrity and human dignity	10	➤ Isolated cases of political violence were recorded in the province. 22 cases were recorded as compared to 21 cases witnessed in November. This could be attributed by the fact that political activities have gone down and people are busy with farming activities in the fields. Incidents of harassment/ intimidation and food discrimination dominated and many of such cases have been recorded in Chikomba, Marondera and Mudzi districts.
	Assault	Right to liberty and security of person	2	
	Theft/Looting	Property rights	1	
	Discrimination	Right to food, aid and livelihood	8	
	Displacement	Right to Property	1	
	Total		22	
Mash West	Assault	Right to personal integrity and human dignity	1	➤ The province hosted the Zanu PF annual conference which was held at Chinhoyi University of Technology which led to more violations as those leaders in various constituencies wanted to show their loyalty to the party brought suffering than joy to the ordinary people. ➤ A resident from Chinhoyi was deprived of his right to freedom after he was detained for allegedly continuing with farming activities close to the congress venue thereby compromising the security of the president. The victim spent a night at Magamba Police Station before being released the following day without being charged.
	Discrimination	Right to food, aid and livelihood	10	
	Theft/Looting	Property rights	1	
	Harassment/Intimidation	Right to personal integrity and human dignity	3	
	Displacement	Right to Property	2	
	Total		17	
Masvingo	Harassment/Intimidation	Right to personal integrity and human dignity	12	➤ The province witnessed a rise in cases of politically motivated human rights violations during the month of December as compared to the November figures. There 28 incidents as compared to the 17 witnessed during the previous month. The major driver of conflict was the distribution of food aid and farming inputs, intra party struggles within both Zanu PF and MDC-T. ➤ Operating space for human rights organisations' has been threatened with state security agents demanding signed MOUs with the government.
	Discrimination	Right to food, aid and livelihood	8	
	Assault	Right to personal integrity and human dignity	6	
	Disrupted Political Meeting	Freedom of Assembly	2	
	Total		28	
Harare	Discrimination	Right to food, aid and livelihood	4	➤ The political environment in the province remained relatively calm with very few reports of politically motivated human rights violations having been recorded during the month. The peaceful environment can be attributed to the fact that Harare residents were busy fighting to satisfy their social, economic and cultural rights and also just enjoying the festive period.
	Disrupted Political Meeting	Freedom of Assembly	1	
	Total		5	
Mat North	Harassment/Intimidation	Right to personal integrity and human dignity	8	➤ Although the levels of politically motivated human rights violations remained low in the province, the partisan distribution of food aid remains
	Discrimination	Right to food, aid and livelihood	5	

	Assault	Right to personal integrity and human dignity	1	a major challenge. The use of traditional leaders by Zanu PF to discriminate and deny villagers believed to be MDC-T activists food aid has been rampant. This has seen many traditional leaders being partisan and this is causing a lot of tension in communities in the province, as Zanu PF are getting preferential treatment at the expense of other villagers.
	Total		14	
Mat South	Harassment/Intimidation	Right to personal integrity and human dignity	2	<ul style="list-style-type: none"> ➤ The province remained one of the peaceful regions in Zimbabwe with only 3 incidents having been recorded during the month of December down from 5 witnessed in November. The figures remained very low since many organisations that provide aid had closed for the holidays. ➤ The Zanu PF dominance following the July 31, 2013 elections has resulted in some elected officials in particular from the MDCs failing to carry out their duties. In Umzingwane, the Zanu PF party officials are now in the habit of forming parallel working committees to carry out council duties in order to frustrate elected councillors from other political parties.
	Discrimination	Right to food, aid and livelihood	1	
	Total		3	
Bulawayo	Harassment/Intimidation	Right to personal integrity and human dignity	4	<ul style="list-style-type: none"> ➤ The few incidents of politically motivated human rights violations were witnessed in the high density suburbs of Bulawayo and were allegedly committed by some MDC-T and ZAPU members while Zanu PF and other political parties were not cited as perpetrators during the month of December. ➤ The political environment generally remained calm and peaceful since most of the political parties did not hold meetings and rallies in the province. However reports from Bulawayo South constituency confirm that NCA has been busy distributing member ship forms and recruiting new members.
	Discrimination	Right to food, aid and livelihood	1	
	Total		5	
Total			213	

VICTIM/PERPETRATORS ANALYSIS BY GENDER AND ASSOCIATION



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Please feel free to write to ZPP. We may not be able to respond to everything but we will look at each message. For previous ZPP reports, and more information about the Project, please visit our website at www.zimpeaceproject.com

ANNEXURE:

DEFINITIONS OF HUMAN RIGHTS VIOLATIONS

TERM	DEFINITION
Murder	Unlawful and intentional killing of another person
Sexual Assault:	It is knowingly causing another person to engage in an unwanted sexual act by force or threat.
a) Rape	Is whereby a male person has sexual intercourse or anal intercourse with female person without the consent of the latter
b) Aggravated Indecent sexual assault	Is whereby a person including a female commits a sexual act involving the penetration of any part of the victim's body, other than a male person having sexual intercourse or anal intercourse with a female person, without the consent of the victim, including active and passive oral sex and anal sex between two individuals of any gender.
Assault	Is whereby a person commits an assault upon another person intending to cause that other person bodily harm.
a) Falanga (Foot whipping)	Is a form of corporal punishment whereby the soles of the feet are beaten with an object such as a cane, or rod, a piece of wood, or a whip. The victim may be immobilized before the application of the beating by tying, securing the feet in leg irons, locking the legs into an elevated position or hanging upside down.
b) Submersion/Suffocation (water boarding)	A form of assault whereby water is forced into the victim's breathing passages so as to simulate drowning.
c) Beating	Is any form of physical assault including hitting of a person with or without an object such as a stick, belt, whip, barbed wire, log or any other object including bare hands. It also includes the kicking or head-butting of a person; and includes stabbing, shooting and forced consumption (forcing a person or overeat or eat something poisonous or their own excreta.)
d) Other assault	
Torture	Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person by or instigation of public official or other person acting in an official capacity for purposes of obtaining from the victim or a third person information or a confession, punishing him/her for an act s/he or a third person has committed or is suspected of having committed, or intimidating or coercing him/her or a third person, or for any reason based on discrimination of any kind
Threat	It is whereby a person threaten to commit a crime, including but not limited to murder, rape, aggravated indecent assault, unlawful detention, theft, malicious damage to property thereby inspiring in the person on whom she/he communicates the threat of a reasonable fear or belief that he or she will commit the crime.
Harassment/Intimidation	Unlawfully subjecting one to pressure, insult or threat with intent to cause him/her to suffer anxiety discomfort and/or the feeling of insecurity.
MOVEMENT VIOLATIONS	
Kidnapping/Unlawful Detention	Is whereby a person deprives another person of his freedom of bodily movement without lawful justification and/or authority (based on section 93 of the Criminal code Act)
a) Adduction	The taking away of a person using intimidation, open force of violence
b) Unlawful arrest	Is the arrest of a person by another person (usually a police officer), whereby the latter's position generally authorises him/her to arrest the other person, but not in this particular case. Essentially, it is a form of abuse of power on the part of the police officer

c) Unlawful detention	Depriving a person of his or her freedom of bodily movement without lawful justification and/or authority.
d) Forced displacement	Internal displacement of persons or groups of persons "...who have been forced or obliged to flee or leave their homes or places or habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human made disasters, and who have not crossed an internally recognized border"
PROPERTY RIGHTS	
Theft	Is whereby a person takes property from another person "knowing" that the other person is entitled to own, possess or control this very property.
Robbery	Is whereby a person steals, borrows or uses the property of another person without authority, thereby intentionally using violence or the threat of immediate violence to induce the person who has lawful control over the property to relinquish his/her control over it.
Stock Theft	Is whereby a person takes livestock from another person knowing that the other person is entitled to own, and possess or control this very property.
Malicious Damage to Property	Is whereby a person knowing that the other person is entitled to own, possess or control any property, damages or destroys that very property (<i>Note: MDP to communal/household property should only be chosen for one family member: the victim or head of household in that order</i>)
a) Destruction of home	Is a form of malicious damage to property, it occurs when a home is burnt to the ground or otherwise made inhabitable in such a manner as the only option toward the making the home habitable is to completely rebuild it. Please describe briefly the alleged conduct.
b) Other types of MDP	