Towards a Human Rights Culture

ZIMBABWE PEACE PROJECT MONTHLY MONITORING REPORT

DECEMBER 2023





December 2023

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THE ROUND UP

Zimbabwe Peace Project recorded 145 cases of human rights violations across Zimbabwe's 10 provinces in December 2023, similar to the abuses recorded in November. 45.9% of the victims were female and 53.4% were male. Women with disabilities constituted 0.3% and men 0.3% of the victims in December. General citizens were the majority whose rights were violated standing at 76.6% while activists of the opposition party, Citizens Coalition for Change (CCC) were 21.3% of the victims. Other victims recorded were members of ZANU PF and Mthwakazi 0.5% and 0.3% respectively.

ZPP recorded 101 cases of harassment, 4 cases of assault and 24 cases violating the right to equality and non-discrimination. Among the malpractices and violations were partisan distribution of food and agricultural inputs as well as violations of political rights. Midlands (28), Manicaland (23) and Masvingo (21) provinces recorded the highest violations, whilst Matabeleland North (9) and South (8) had the lowest. In food aid and other distributions, Midlands scored higher than other provinces standing at 35.3% of the violations followed by Masvingo at 23.5%. Manicaland and Mashonaland provinces recorded 17.7% and 11.8% respectively while Mashonaland East and Mashonaland West both recorded 5.88%. ZANU PF topped the perpetrators list contributing 61.4% of the perpetrators in December. Law enforcers also remained on the list with the Zimbabwe Republic Police scoring 11.2% and the municipal police standing at 7.6% of the perpetrators. 3.6% of the violations were committed by traditional leaders. Opposition political parties such as the CCC and Mthwakazi committed 6.8% and 0.4% of the violations. One intra-party violence case was recorded in the Citizens Coalition for Change.

In December 2023, the Zimbabwe Peace Project celebrated the International Day of Human Rights with communities in Mutasa District to promote peaceful community cohesion. The commemorations were held under the theme "Consolidating and Sustaining Human Rights Culture into the Future". Participants included community ambassadors, community leaders such as councilors, village heads, opinion leaders, pastors and PISI officers from the Zimbabwe Republic Police and community members.



Abductions of members of the opposition

The year 2023 concluded on a sad note. ZPP recorded incidents of continued abductions targeting opposition political activists and government critics. A student at Chinhoyi University of Technology (CUT), was reportedly kidnapped and tortured on 5 December following a violent police raid. The abduction of Valentine Ziko happened barely a month after the fatal abduction and killing of opposition CCC activist Reverend Tapfumaneyi Masaya in Harare. Former CCC spokesperson Advocate Fadzayi Mahere, highlighted that Ziko was taken by a group of unknown men who attacked, covered his eyes and shoved him into a vehicle. In a statement, Mahere, a senior official in the opposition CCC mentioned that Ziko was questioned about his association with the party. Most incidents of abductions have targeted government critics, state opponents including

activists from the opposition CCC party, human rights defenders, and journalists. The neglect of duty by law enforcement agents to investigate the abductions and prosecute the perpetrators has resulted in a widely held suspicion that state security agents are responsible for these heinous crimes. Between January and December 2023, ZPP has recorded a total of 15 cases of abductions which have not been concluded by the police despite some citizens filing complaints with the police. Some of the notable cases have been the abduction and torture of human rights lawyer Obey Shava, CCC Youth Taskforce and Member of Parliament Takudzwa Ngadziore, Womberai Nhende, James Chidhakwa, Noel Rungano and Fanuel Madimba. These incidents have not only intimidated and traumatised victims, but also limited citizens in exercising their political rights freely, enjoying their freedoms of association and conscience, and gravely some victims losing their precious lives.

2024 Budget and the worsening economic conditions





On 30 November 2023, the Minister of Finance, Economic Development and Investment Promotion, Professor Mthuli Ncube announced the country's budget for 2024. The budget theme was, "Consolidating Economic Transformation". The Z\$58.2 trillion budget was marked by high taxation schemes spread across sectors such as on civil servants, toll fees, fuel levies and new mansion taxes. Other increases included a hike in passport fees, electricity and new vehicle registration fees. It is important to note that despite a budget review by Ncube following a public outcry from stakeholders, the budget still records a 100% increase in the existing tax burden, affecting ordinary residents, civil servants, motorists, miners, and traders. The budget pegged the PAYE tax-free threshold to Z\$750 000.00 from 1 January 2024. In the context where most of the services and products are offered in US dollars, most civil servants still receive their salary in ZWL and the bank rate still lags behind parallel market rates which are used in most retail shops. Taking into account rates Taking into account the rising cost of living, civil servants will be earning less than US\$310.00 leaving a few with meaningful disposable income. High tax loads placed on businesses and individuals will inevitably lead to price increases, and as cost of living increases, more people will not be able to afford social services like health care and other necessities. Zimbabwe "is currently experiencing an annual loss of 1.2 billion in revenue due to gold leakages, equating to 100 million per month," according to a report by the economic analysis unit Equity Axis. To curb the economic challenges faced by citizens, the government of Zimbabwe should look into more revenue-generating opportunities that also ensure low taxes on groups like civil servants, traders, and those in the informal economy, thereby raising their standard of living.

Minority Rights in Zimbabwe

According to Francesco Capotorti, Special Rapporteur of the United Nations (UN) Sub-Commission on Prevention of Discrimination and Protection of Minorities, a minority is defined as a group that is numerically smaller than the majority of a state's population, occupying a non-dominant position. The United Nations Minorities Declaration (Article 1) provides that states should protect the existence of minorities. Persons with disabilities (PWDs) are among the most marginalised minority groups in Zimbabwe and the world. It is typical for their needs and concerns to be disregarded, repressed, and covered up. Throughout the country, ZPP recorded violations of the right to equality and non-discrimination; and partisan distribution of food aid and farming inputs. Evidently, there is a lack of priority for people with disabilities in the distributions thus raising concerns of their wellbeing and access to adequate food, and the state should act promptly to assist this group of people given the worsening economic conditions. In an ongoing case concerning a victim with disability, a ZANU PF activist Lawson Zulu is accused of extortion after he allegedly demanded a US\$200 protection fee from a beneficiary of a residential stand scheme facilitated for the visually impaired in Nyatsime, Chitungwiza.

Zimstarnews.com, an online publication has reported that several beneficiaries under the scheme for the visually impaired have been threatened by ZANU PF activists trying to compel the victim to drop the charges. Section 83 of Zimbabwe's Constitution provides that the state should address barriers that hinder PWDs from being self-reliant" and not being able "to be protected from exploitation and abuse" as well as "to have access to medical treatment." Some of the minority groups disregarded in Zimbabwe include the LGBTIQ community. In a statement about human rights violations against its community members recently, GALZ, an association of LGBTIQ people in Zimbabwe, remarked that one in every three LBTQ women are survivors of gender-based violence. They added that LBTQ women are victims of violence in digital spaces facing online harassment, cyberbullying and targeted hate speech on social media. The statement further states that the violations against LGBTIQ also include derogatory comments, which also affect their human dignity. Discrimination, violence and derogatory statements against LGBTIQ people violates their right to equality and nondiscrimination as stipulated in Section 56 (1and 3) of the Zimbabwean Constitution, protecting all citizens and recognising them as equal before the law.

Partisan distribution of food aid and farming inputs

ZPP recorded 19 cases of partisan distributions of food aid and farming inputs. All cases were related to ZANU PF officials denying opposition members access to either government-sponsored food aid or farming inputs, largely under the government-sponsored Pfumvudza input scheme. In most of the cases, victims were accused of being members of the opposition, largely the Citizens Coalition for Change. In a case recorded on 10 December in Matabeleland South in Manama Village, ZANU PF activist Mokeetsi Noko removed a beneficiary on the list citing that he is a Mthwakazi Republic Party activist. The victim was told to receive his farming inputs from his party and not ZANU PF. In Midlands, a case in Zhombe constituency was recorded where Violet Shumba a ZANU PF activist deprived maize sees to two victims because they had failed to attend ZANU PF meetings for nearly four months. By unlawfully using government sponsored food aid, Shumba was effectively violating the villagers' rights to 'make political choices freely (Section 67 of the Zimbabwean Constitution) as well as to freely and peacefully 'participate in the activities of a political party or organisation of their choice.' The partisan distribution of food aid and farming inputs also disadvantages poor households who largely depend on these inputs as the continued fashion limits the victims' right to access adequate food.



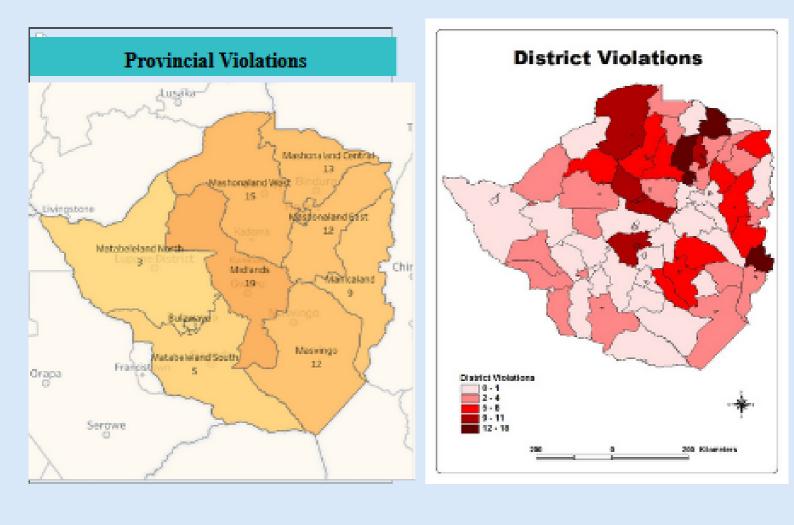
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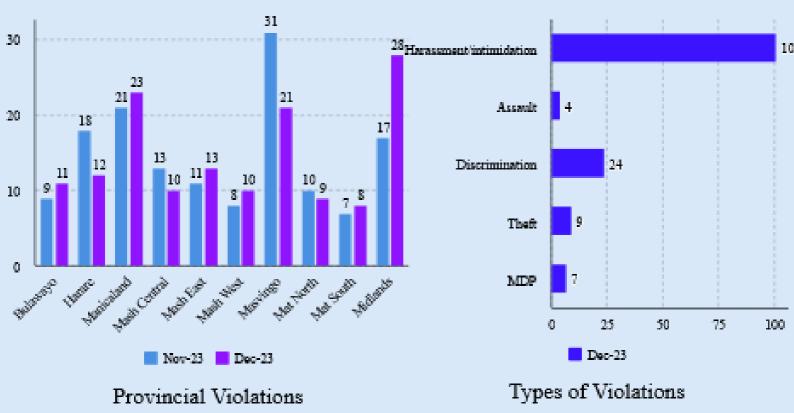


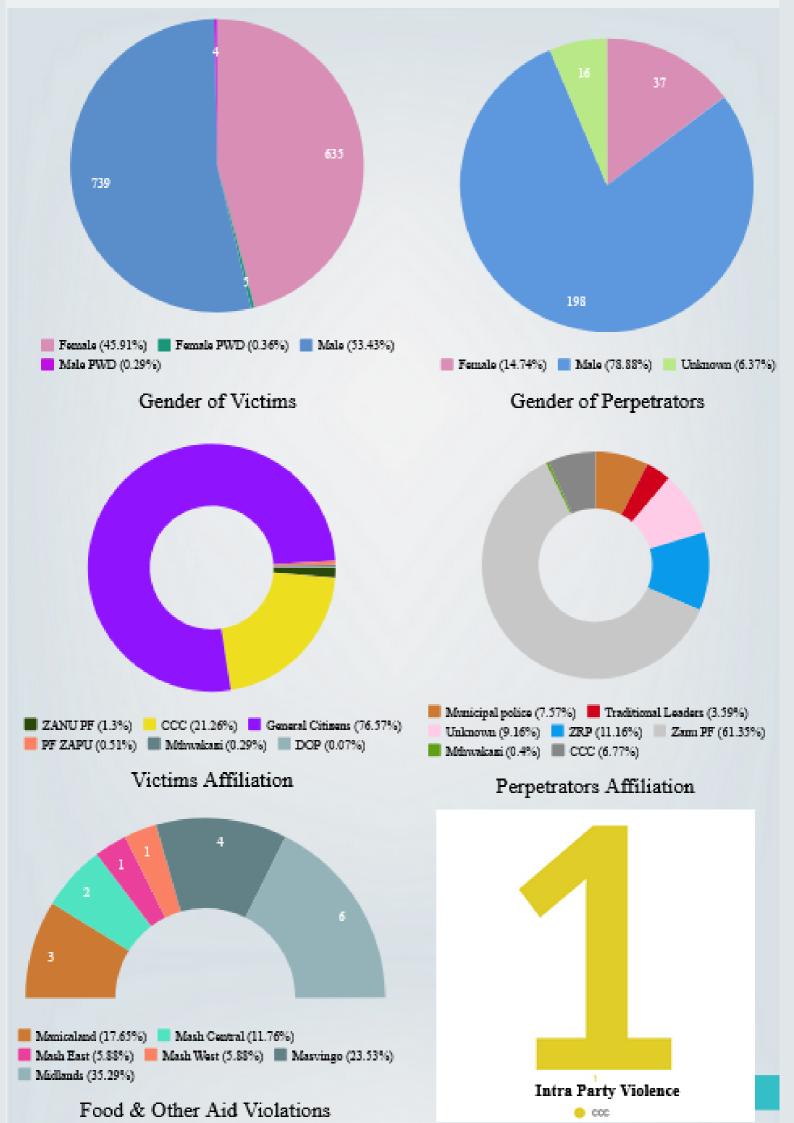
Human Rights Violations Monthly Dashboard

Report time frame: December, 2023

Zimbabwe Peace Project







Major Highlights

ZESN calls for Constitutional Amendment to Scrap Recalls



The Zimbabwe Electoral Support Network (ZESN) has demanded that a constitutional provision allowing for the recall of elected officials be revised. It contends that the 'electorate should have the authority to recall legislators', contrary to the current provision that give political parties immense power to reverse the electorate's democratic will of choosing their leaders. In addition to the financial cost of by-elections, the trend has shown that voter turnout becomes lower due to the time-consuming processes of election hence disadvantageous to millions of the voter population. ZESN's statement stated that "Parliament should amend Section 129 (k) of the Constitution as recalls affect the essence of democracy. The power to recall, if any, must reside in the people and not political parties as is the trend in the majority of democracies." The statement also added that "there is a need to register and regulate political parties to address the issue of recalls as they bring into question the significance and relevance of elections." Several councilors, members of parliament and senators have been recalled including elected mayors and deputies of Harare City Council who were recalled at a time when the city and the country at large are faced by cholera outbreaks, flash flooding in cities among other national crises. This leaves many duty bearers to deal with perennial election processes neglecting the provision of services that promote the promotion and protection of people's fundamental rights.

Harrasment of women in politics





Masving Mayor, Shantel Chiwara

ZPP continues to monitor violations targeting women. On 4 December self-styled Citizens Coalition for Change (CCC) interim secretary general Sengezo Tshabangu insulted and accused former elected Masvingo Mayor Shantel Chiwara as a "little girl" who only got that position because was a girlfriend of a senior party leader. Tshabangu made such defamatory and misogynistic remarks in an interview while justifying the widespread recalls. ZPP notes with concern the use of inflammatory language targeting women in politics which also violates their right to human dignity. The systematic use of hate language targeting women and women human rights defenders should be condemned in the strongest terms to increase the number of women participating in civil and political processes.

Towards A Zimbabwe where there is Peace, Justice, Dignity and Development for All

ZPP Commemorates International Human Rights Day



On 9 December, the Zimbabwe Peace Project commemorated International Human Rights Day in Mutasa District, Hauna business community. The activity was held under the global theme, "Consolidating and Sustaining Human Rights Culture into the Future" which resonated with the aim to raise awareness and push for a collective agenda by communities to promote a culture of human rights tolerance worldwide through cultural diversity, ethics harmony, peace and to unite communities against violence post the 2023 general elections. The International Human Rights Day commemoration was adorned by various duty bearers and community leaders, among them ward councilors, village heads, opinion leaders, pastors, peace officers from the Zimbabwe Republic Police and ZPP community ambassadors. Stakeholders disseminated solidary peace messages to promote tolerance, community cohesion. This was advocacy and complemented with peace related edutainment through artistic displays of drama, poetry and dance.

Community members interfaced and engaged with their local traditional leaders on conflict-transformation. In a keynote address, Village Head Tafadzwa Matingo appreciated all peaceful interventions and community programmes implemented by ZPP to promote unity, tolerance and end the culture of political violence in Mutasa.

During the commemorations, ZPP commends the work of Community Ambassadors and their efforts to transform conflict through evidence-based advocacy initiatives. These initiatives are challenging duty bearers to address contemporary political and socio-economic needs of women, persons with disabilities and young people. It is essential to note that human rights days have a way of conscientizing citizens of the importance of their rights being upheld and respected by dutybearers. They also create a platform for citizens to implement advocacy initiatives.

Key Findings and Mitigation Measures

Abductions, assault and torture of government critics



ZPP notes with concern that there has been continued use of abductions and torture as a tool to silence dissent. Most incidents of abductions and torture have been targeting opposition political activists and human rights defenders. There has been systematic use of abductions and torture to suppress dissenting voices in violation of the constitution which guarantees citizens the rights to freedom of expression, assembly and association including their political rights. Section 67 guarantees citizens political rights in Zimbabwe. Every Zimbabwean citizen has the right to free, fair and regular elections and make political choices freely, form, join and participate in the activities of a political party or organization of their choice and campaign freely and peacefully for a political party or cause. Furthermore, every national citizen above 18 years of age has the right to vote secretly in elections and referendums and stand for public office and, if elected, to hold such office.

Recommendations

ZPP urges the Zimbabwean government to thoroughly investigate all cases of abductions, arbitrary detentions, torture and assault targeting human rights advocates, members of parliament and opposition political activists and punish all perpetrators. The International Covenant on Civil and Political Rights (ICCPR) (1976), Article 7 states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Right to Personal Security

ZPP recorded 10 cases on the right to personal security. On 21 December at Joshua Nkomo statue along Main Street and 8th Avenue in Bulawayo, it was reported that Bulawayo municipal police manhandled vendors who were selling their products. It is reported that the officers who were conducting a Clean the City operation pounced on vendors, manhandled them and expropriated their products before making arrests. Chaotic scenes were reported in Mutare business district on 6 December during vendor raids conducted by the municipal police. The officers reportedly confiscated vendors' wares and also made some arrests following the raids. An unidentified male officer harassed and accused a vendor of selling at unauthorized spaces in the central business district. A female vendor was allegedly involved in a nasty battle with council police and sustained some serious bruises in the process.

Intimidation was reported in Buhera South. ZANU PF activists and Forever Associate Zimbabwe (FAZ) members led by Buhera South Legislator Ngonidzashe Mudekunye reportedly threatened to harm a male victim for mentioning that Chamisa will lead Zimbabwe one day. In a series of WhatsApp messages Mudekunye and his colleagues rebuked the victim saying he was daydreaming before promising to come after him. Mudekunye also said that ZANU PF will remain until the second coming of Jesus before assigning FAZ to target him.



Right to administrative justice, and Equality and Non- Discrimination

ZPP recorded 16 cases of violations of the right to equality and non- discrimination and 8 cases where the right administrative justice was breached. Traditional leaders have been perpetrating violations abusing their power and authority to treat citizens unlawfully and unfairly. On 11 December in Gokwe South, Chief Njelele reportedly gave an order to his headmen that they should not accept any member of the CCC in any development committees. It is said that Chief Njelele said that CCC members are 'sellouts' who just oppose for the sake of opposing and hence they should not be included in any committee be it at ward, school, or clinic. This foul language further exposes citizens deemed "unpatriotic" to certain groups to violence and abuse by political actors. On 17 December in Gokwe, Chief Chireya reportedly ordered village heads to punish members of the Citizen Coalition for Change in the area. Chief Chireva claimed that CCC members are retrogressive and as such needed to be punished by being deprived of food aid. This also violates citizens' right to be treated equally and not to be discriminated against despite their political affiliations as enshrined in the constitution (Section 56).





Provincial Outlook

Manicaland

In Manicaland Province, ZPP recorded violations of the right to administrative justice. On 12 December, in Buhera North, it is alleged that employees at Sabi Mine were forced to work under critical weather conditions by the mining company's management. Reports say that the workers were working without rain suits and were exposed to the heavy rains pouring while the supervision team was reportedly wearing protective clothing and inspecting all operations. In other reports municipal officers raided vendors in the central business district, confiscating their wares and making arrests. Incidents of harassment were also reported during these operations and some victims sustained injuries. In Mutasa Central it is alleged that an elected CCC Councillor was denied access to preside over the distribution of government-sponsored Pfumvudza farming inputs by ZANU PF activists led by their ward coordinator Jane Chimonyo of Kagwedza village. Reports confirm that the perpetrators accused the council official of being an opposition member citing that sellouts cannot preside over government inputs claiming that 'only ruling party members were permitted to distribute inputs from the President.'

Mashonaland West

Mashonaland West recorded incidents associated with socio-economic civil, and political rights. Discrimination was reported in Chegutu West on 16 December 2023. ZANU PF ward 9 activist Clever Kunogonga distributed inputs in a partisan manner to benefit ruling party activists only. The distribution was conducted at the welfare centre in Chegutu where people converged to receive maize seed. It is said that Kunogonga first convened a ruling party meeting before giving ZANU PF supporters maize seed. Apolitical citizens and perceived opposition supporters did not benefit. Kunogonga was again mapped in a violation where he attempted to bribe independent candidate Mr Kanda to withdraw from the ward 9 Chegutu West local authority by-elections. Reported facts indicate that Kunogonga offered Mr Kanda cash in US dollars in an attempt to convince him to withdraw from participating in the by-elections. The ward 9 seat fell vacant following the recall of CCC councilor Loice Tigirigi. It is said that Mr Kanda denied the offer by Kunogonga. The incident was reported on 1 December 2023.

Mashonaland East

Mashonaland East recorded cases associated with civil and political rights violations. Intimidation was reported in Seke constituency following the recall of CCC legislator Willard Madzimbamuto. It is alleged that ZANU PF supporters have been harassing people to vote for a ruling party legislator during by-elections. Reports indicate that the intimidation has been widespread in all wards in Seke. All suspected CCC supporters were being forced to surrender their party regalia and join ZANU PF in full view of community members during village meetings. Ruling party activists were also threatening to deny Pfumvudza farming inputs to all opposition sympathizers while some threatened to unleash violence. On 3 December 2023, Wedza North MP Advocate Itayi Ndudzo called for an Inter- district meeting at Wedza ZRP grounds. The main agenda of the meeting was to encourage youths to approach the local government offices and apply for small scale farms ,especially those affiliated to the ruling ZANU PF. It is said that Ndudzo proclaimed that opposition youths will not benefit from the exercise as in the past. Furthermore, he said that the programme will only benefit opposition youths if they denounce their party and join ZANU PF to bury the opposition in 2028.



Harare

Harare Province recorded cases of violations of political rights and assault. Politically motivated violence was reported in Epworth North on 6 December in Ward 7. It is said that ZANU PF activists led by Cde Taura Kundishaya terrorized residents in ward 7 accusing them of sympathizing with opposition CCC members. A victim in ward 7 was beaten with an iron bar after he was selected by residents to be part of a borehole committee appointed by a CCC Councillor. The perpetrators reportedly went further to threaten a CCC Councillor and a council employee from the water department in Epworth accusing him of 'working with sellouts'. The case was filed with the police but the perpetrators were not arrested.

Mashonaland Central

In Mashonaland Central, ZPP recorded socio-economic rights violations. There was an increase in partisan allocation of Pfumvudza farming inputs by ZANU PF activists. On 9 December, Guruve North, Village head Specia Chikwati reportedly withheld 50 kgs bags of maize seed from beneficiaries during a community distribution of Pfumvudza farming inputs. Reports indicate that Chikwati in company of his village secretary distributed a few bags of fertilizers before telling beneficiaries that the rations were finished. A complaint was allegedly raised and the distribution books were reportedly taken by ZANU PF Councillor Samson Kamu for redress. Discrimination was reported on 17 December in Mazowe Central, Ward 11, Nyachuru village around Howard Mission areas. It is said that perceived opposition CCC supporters and sympathizers were denied farming inputs by ZANU PF activists. Reports say that workers at Howard Hospital, Nyachuru primary and secondary schools and teachers at Howard High School teachers were among those who were denied fertilizers and maize seed on accusations of not voting for the ruling party during elections. Villages heads in charge of distributions in ward 11 were reportedly instructed to deny them inputs by ZANU PF district leaders. The instruction was said to be from the top ZANU PF district hierarchy. A case on the right to administrative justice was reported in Guruve North at Negomo Primary School in ward 19. It is said that during a community distribution of government aid, village secretary Wonder Nyamadzau prioritised his friends and relatives as beneficiaries of the aid. The issue reportedly left many people disadvantaged as prospective beneficiaries did not receive fertilizers, groundnut seeds, sugar bean seeds and maize seeds which were being distributed.

Masvingo

Cases of unfair and partisan distribution of maize, farming inputs and other schemes were recorded in Masvingo. In some instances, members of the opposition particularly of the CCC were deprived of registering and benefiting from the government schemes. At Ward 1 councilor Kudakwashe Mutami told villagers that only those who attend ZANU PF meetings can be beneficiaries. In Zaka North a ZANU PF activist identified as Mr. Mavhumira gave Pfumvudza inputs to only those that were appearing in the ZANU PF cell group list. He is also accused of forcing villagers to chant ZANU PF slogans prior to the distribution. Forcing villagers to partake in political activities as a precondition for them to get humanitarian aid violates their political rights and deny them the right to freedom of association and of conscience. A similar case was witnessed in Mwenezi East ward 5 where a ZANU PF activist identified as Shamhuyashe was instructed by David Masvina to strictly write those who support ZANU PF and leave those who supported CCC or even showed any signs of wanting to be part of CCC during previous elections. A known opposition supporter was deliberately omitted from the list.

Midlands

In Midlands province, ZPP recorded socio-economic rights violations. There was an increase in partisan allocation of Pfumvudza inputs by ZANU PF activists. In Shurugwi South, Ward 5 it was reported that a ZANU PF activist identified as Mujubeki Murambiwa deprived four beneficiaries on the basis that they are not appearing on the ZANU PF cell group records. Murambiwa is said to have told the community that one should be ZANU PF first to be eligible to receive food aid and other farming inputs. At Charandura village ward 23 of Chirumhanzu, it was reported that David Mataruse of ZANU PF disrupted a distribution of Pfumvudza. Mataruse accused his fellow members of distributing the inputs to opposition members. It is said Mataruse later took over the program and deprived five households on the basis that they are opposition activists.

Matebeleland South

Cases of threats, harassment and intimidation were recorded across the political divide. At ward 23 of Matobo South, it was reported that Ndodana Moyo of PF ZAPU threatened to assault CCC members who were reportedly using Joshua Nkomo's name in their campaign processes. Moyo made these remarks during a burial ceremony for one of the war veterans. It is said that Moyo further labelled CCC members as 'dogs and sellouts'.

ZPP also recorded electoral malpractice and political intolerance in the run up to the by-election. Prior to the by-election of Beitbridge West, it was reported that Reason Muleya was seen defacing campaign posters of Morgen Moyo of Citizens Coalition for Change and PF ZAPU candidate Toriso Phiri. It is said that Muleya defaced and in some instances completely removed them. Defacing or removing posters of other candidates in the electoral cycle is a malpractice and violation of an electoral act.

Matebeleland North

In preparation of the December 9 by-elections, the province witnessed the attempt to shrink CCC's campaigning space by ZANU PF. The ruling party harassed, intimidated, and threatened citizens. At ward 5 of Tsholotsho North, it was reported that ZANU PF member Clement Mnkandla told villagers that anyone seen wearing regalia for the Citizens Coalition for Change shall be assaulted. It is said that Mnkandla made warnings that even if the constituency had an opposition Member of Parliament, they were prepared to overthrow him by any means necessary. A similar case was witnessed in Ward 2 of Umguza constituency, it was reported that Sally Moyo a ZANU PF activist was going around homesteads threatening to evict suspected CCC supporters. Moyo was making remarks that villagers of Heany Junction were given land by the ruling party and hence those that fail to support the party shall be evicted.





Report Social, Political, Economic, Civil and Cultural violations in Zimbabwe.

Bulawayo

During the period, Bulawayo Province recorded violations that were a result of a joint operation by Zimbabwe Republic Police and Bulawayo Municipal Police. A case of malicious damage to property was reported along Fife Street and corner 3rd Avenue when Zimbabwe Police Officers smashed the window of the commuter mini bus with a number plate ADV4312 which was ferrying citizens to the central business district. The manner in which the police officers enforced law was dangerous to innocent citizens who were in the public transport vehicle. Verified facts indicate that police officers who were on an operation smashed the windscreen when they failed to forcefully possess the keys of the vehicle from the driver.

Electoral malpractices and political intolerance were also recorded in the run up to the by-elections. At ward 19 of Nketha constituency, it was reported that eight ZANU PF activists were going around defacing and removing the posters of Ambrose Sibindi of Citizen Coalition for Change and Luckmore Gwetu of DOP. It is said that the youths were moving around, remarking that the two candidates are nonexistent and hence needed to be invisible to guarantee the victory of ZANU PF in the area. Removing posters of other candidates in the electoral cycle is a malpractice and violation of an electoral act. At ward 28 Cowdry Park it was reported that a group of six led by Ngqabutho Moyo of unknown political party forced a CCC supporter to remove his party t-shirt. The group threatened to assault the victim should he continue wearing his party regalia.







