



MONTHLY
M**ONITORING**
REPORT

SEPTEMBER 2019



ZIMBABWE
PEACE
PROJECT

Imaginary Steps Forward and Real Steps Backwards

The death of former President, Robert Mugabe, the abduction of Doctor Peter Magombeyi, Doctors' and students' strikes, turning away of children from school, food aid deprivation, the sharp decline of the Zimbabwe dollar are some of the highlights in the month of September.

The abduction of Doctor Magombeyi by alleged state agents on the 14th of September 2019 brought to mind the poisonous socio-political environment that is proliferating in Zimbabwe. Dr. Magombeyi, in his capacity as Acting President of the Zimbabwe Hospitals Doctors Association (ZHDA), has been vocal in advocating for a better wage for doctors and better working conditions since doctors downed tools on the 3rd of September 2019. His abduction triggered widespread strikes and demonstrations by doctors, nurses and support medical staff in Harare and Bulawayo, as well as their counterparts in Namibia, South Africa and Kenya calling for his immediate release. He was eventually found on the 19th of September 2019 in Nyabira reportedly, confused and disoriented. Despite a High Court order permitting him to travel to South Africa for further tests and treatment, police barred him from leaving, citing that he was at risk of being 'abducted'. His father, Kingstone Magombeyi lodged an urgent High Court Chamber application leading to Judge George Chiweshe throwing out the state's appeal.

Magombeyi's abduction came at a time when the country was still reeling from widespread abductions and torture which occurred in the month of August. The Zimbabwe Human Rights NGO Forum, that Zimbabwe Peace Project (ZPP) is part of, recorded a total of 67 abductions which targeted political activists, human rights defenders and one comedian.

Former President Robert Gabriel Mugabe passed away at the age of 95 on the 6th of September 2019 after a long battle with prostate cancer in a Singaporean hospital. Mugabe's death ignited mixed emotions for Zimbabweans and the world at large. While most leaders mourned and showered praises about Mugabe's legacy, for many it was a chance to purge the deep emotions they harbored over the man who led Zimbabwe for 37 years. One stark depiction was captured by the very background of his death-in a foreign hospital whilst he had presided over a collapsed health system in Zimbabwe. Mugabe's legacy for many Zimbabweans is that of a despotic, violent and repressive regime. Zimbabwe Peace Project (ZPP) came into existence to address matters of violent political conflict which proliferated during Mugabe's reign, leaving millions traumatised and perpetrators arrogant as impunity prevailed. ZPP has a database teeming with horrendous accounts of victims of such human rights violations. Hopefully the raw and emotional accounts expressed by the populace subsequent to Mugabe's demise

would be a reminder for powers that be that citizens deserve selfless leaders who care about the legacy that will identify them.

The visit to Zimbabwe by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Clément Nyaletsossi Voule, from 17-27 September 2019 was a highlight of the month. The Special Rapporteur visited the country at the invitation of the government of Zimbabwe. His visit came at a time when Zimbabwe was experiencing all the negatives where these freedoms are concerned. Following the intention to demonstrate by the Movement for Democratic Change- Alliance (MDC-A) in all the major cities of Zimbabwe the country was hit by a spate of abductions of human rights and political activists. The demonstrations slated to start in Harare on August 16 were all banned, with the demonstrators in the capital facing police's heavy handedness and brutality as they were dispersed from where they had peacefully gathered. The visit also coincided with demonstrations by Doctors demanding the return of their colleague, Dr. Magombeyi who had been abducted. His visit presented an opportunity for citizens to engage with him on the rights to freedom of peaceful assembly and association.

In the month of September ZPP recorded a total of 184 violations. Cases of harassment and intimidation topped the list with a total of 94 violations followed by discrimination with 33 and theft with 21. The province of Mashonaland Central recorded the highest number of these violations followed by Harare and Mashonaland West.

Case File Highlights

Food and Other Aid violations are still being recorded by ZPP despite government's declaration that local leaders must not be directly involved in the disbursement of aid. On 7 September in Mudzi South at Muvhurazi Primary School Ward 13, some beneficiaries failed to get their food allocation after being told that their 2018 voter registration slips were their passports to receive the Department of Social Welfare allocation of beans. Zanu PF Ward 13 Councillor reportedly forced villagers to produce voters' slips before the distribution. Households with voter slips were allocated a 5kg bag of sugar beans each while those who failed to do so were denied aid.

In some instances, those in leadership positions are using the food and other aid beneficiary system as a carrot and stick to coerce people into participating in community initiatives that they might not be interested in. On 6th of September in Umzingwane Constituency in Sezhube, Village Head Sitshengisiwe Sibanda threatened to remove a number of villagers from the Social Welfare beneficiary list. Sibanda called a village meeting to threaten and intimidate citizens who had failed to pay ZWL10 for the construction of the Chief Cultural Village stating that those who have not done so risk being removed from the Social Services beneficiary list.

On 21 September three Zanu PF activists led by a villager known as Ndou, deprived a number of citizens their monthly share of Social Welfare aid, in Beitbridge West, Ward 10. The community had gathered in anticipation of receiving their food allocation but were told that they must pay R30 in order to receive their share. Community members were reportedly confused as they did not know the reason they were required to pay this money. Only a few managed to pay while the majority left without their monthly food allocation.

Despite assurances by the Minister of Public Service, Labor and Social Welfare, Sekai Nzenza that beneficiaries are not supposed to pay any money to receive food aid, a notable number of violations in September were linked to the demand for transport fees from beneficiaries reportedly to transport maize from the Grain Marketing Board (GMB) depot to their locality. On 7 September in Guruve South Ward 7 at Ruvunga Business Centre, 8 September in Guruve North Ward 29 at Negomo Primary School, 11 September in Hurungwe North Ward 8 at Karuru Business center and 24 September in Epworth, Harare, Ward 2, beneficiaries were told that they had to pay amounts ranging from ZWL5-10 in order to receive aid.

Artisanal Miners and Residents clashed in a number of areas in the month of September. ZPP has consistently called for law enforcement authorities to arrest the brewing conflict between artisanal miner gangs and the communities that they operate in. In September, violent clashes were recorded in Glendale, Mazowe Central when residents took the law into their hands to chase artisanal miners from their area due to the lawlessness that has permeated their community. Property was damaged in the process, including two commuter omnibuses which were burnt to shells. In Pfungwe, villagers fought with tantalite artisanal miners over the land degradation in the Sawa area. In Bindura, the Chipadze, community was also involved in violent clashes with miners chasing them from their area. Bindura Town Council had to stop pumping water amid fears that water sources had been poisoned with cyanide by artisanal miners in retaliation of their eviction from the area. Fortunately, after tests done by Freda Rebecca Gold Mine laboratory, the results showed that the speculation was false. These reports come on the heels of murder cases that ZPP recorded in August 2019 in which one person was murdered in Mashonaland Central Province by MaShurugwi terror group and three were murdered in Mashonaland West province by a gang called MaGokwe.

Economic Conditions continue to shrink leading to a myriad of issues which are causing conflict and unrest. Harare City Council (HCC) stopped pumping water on the 23rd of September 2019 citing lack of funds to buy required chemicals for water treatment. The local authority stated that they were owed upwards of \$1 billion dollars in bill payments by government institutions and residents leading to their failure to secure chemicals. This resulted

in an acute water shortage in the capital, while some individuals are using the opportunity to fleece desperate residents (see fact sheet for more information on water shortages).

The Zimbabwean dollar keeps shedding value. In September the ZWL tumbled against the United States Dollar to a high of 1:20 triggering the freezing of companies owned by Kudakwashe Tagwireyi by the Reserve Bank of Zimbabwe. Tagwireyi a member of President Mnangagwa's Presidential Advisory Council (PAC) is associated with Sakunda Holdings, Access Finance, Spartan Security and Croco Motors companies listed for the freeze as the Central Bank moved to stem the sharp drop of the local currency amid reports that the said companies were responsible for the escalating rate.

National Aids Council (NAC) sent a desperate plea to the Parliamentary Portfolio Committee on Health and Child Care stating that they will soon run out of Anti-Retroviral Treatment (ART) drugs as they were failing to secure as a result of US\$65 million owed to foreign suppliers. Shortages of such drugs may contribute to drug resistance and jeopardize the health of many people. This is further heightened by the downing of tools by Doctors in public health institutions citing poor wages and untenable working conditions.

In Bulawayo, some National University of Science and Technology (NUST) students were arrested on 24 September at the institution for staging a peaceful demonstration against the job action by lecturers. The students were unhappy with the lecturer's job action which affected classes for over a week. Police officers reportedly crashed the peaceful march in its initial stages and arrested mobilisers, who were released by the magistrate's court the next day.

The death of former President Mugabe brought with it some human rights violations. ZPP recorded a number of cases related to the passing of the former president. In Mudzi South villagers in Nyahuku, Ward 1 were coerced into contributing money to transport Chief Goronga (Bornface Nyamande) to the Mugabe funeral wake. Chief Goronga forced close to 3000 villagers to convene in Nyahuku Village and stated that each household must pay ZWL4 to be channeled towards procurement of fuel for his vehicle. Villagers were threatened with unspecified action if they failed to comply with the chief's demands.

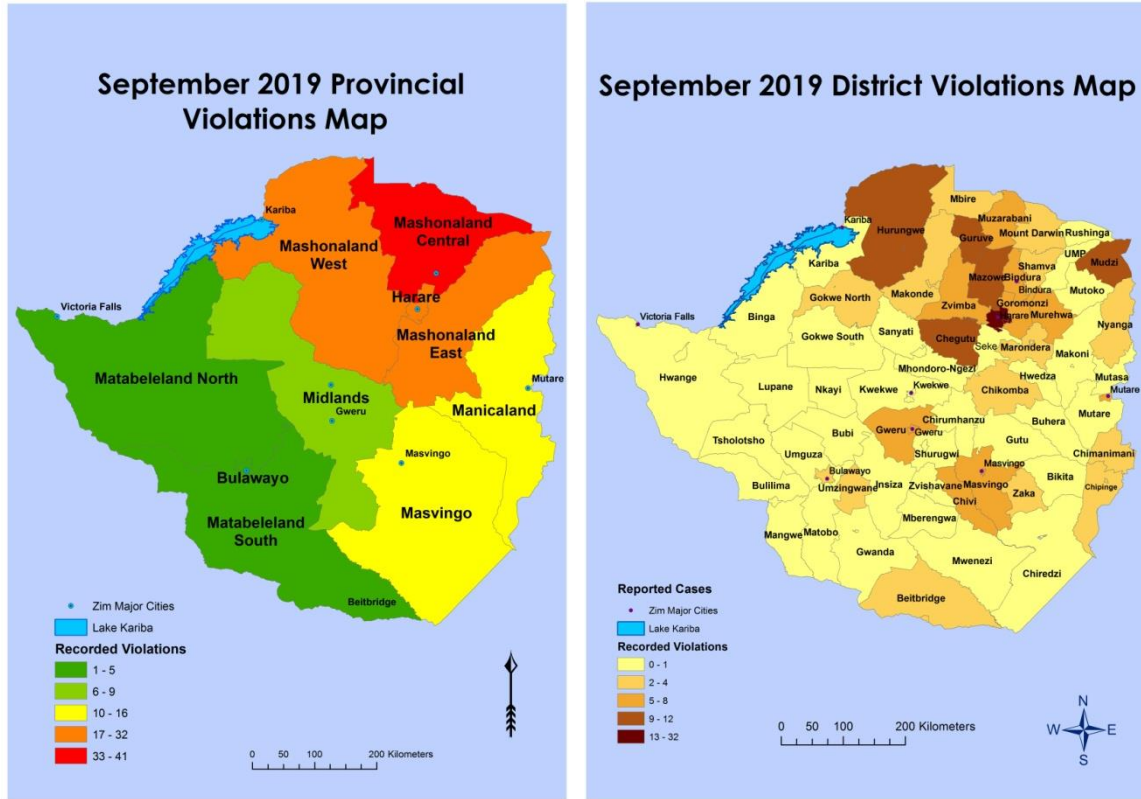
In Gweru on 10 September 2019, two Zanu PF members fought at Mkoba 14 Business Centre when they failed to agree on whether the late former head of state should be buried at the National Heroes Acre or his rural home in Zvimba. The same issue was also a trigger in Mudzi West on 14 September 2019 in Tapfuma village Ward 8

where a fight broke out between Zanu PF youths, Willard Katyamakwara and Brain Mariza Meza during discussions about Mugabe's burial. Mariza was heavily assaulted and accused for being a Movement for Democratic Change (MDC) sympathiser when he commented that Mugabe was not a good leader and should not be buried at the national shrine.

In Mazowe West on 11 September 2019, Zanu PF District Chairperson Joseph Muswaka threatened to take drastic measures to deal with individuals who were not attending Mugabe's funeral at Rufaro stadium. During a meeting convened at Dandamera Shopping Centre in Ward 15, Muswaka warned that residents should board Zupco buses allocated by government to ferry people to the stadium. He further warned that those in leadership positions must lead by example, citing that Mugabe was a national hero. Party activists Gift Mupambwa and Joyce Viniga were assigned to identify what he termed culprits.

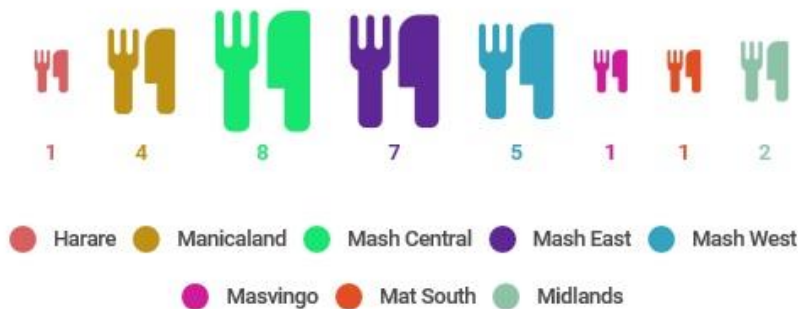
The right to education violation is ever more apparent when schools open as was recently the case during the commencement of the third term. Scores of children were turned away due to their parents' failure to settle the requisite school fees, a situation which is contrary to regulations and policy of the Ministry of Primary and Secondary School Education. ZPP noted 17 cases of children being turned away from school with Mashonaland Central leading the pack with 5 cases. In one particularly disturbing incident in Gweru, Chiwundura, school authorities at St Patrick's Primary in Ward 9 are allegedly 'detaining' pupils for the whole day without food and water while supervising them undertaking manual work around the school. Pupils who had not paid their fees were allegedly told to mold 60 bricks each to be allowed to attend classes. This has been happening from 07:15 hours to 16:30 hours since the week of 9 September 2019.

Dashboard of Statistics

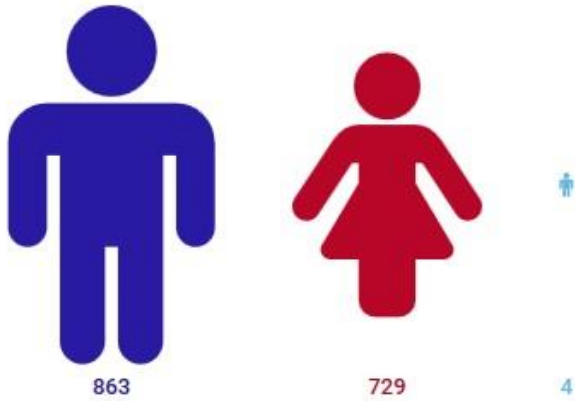


Distribution of violence by type across provinces

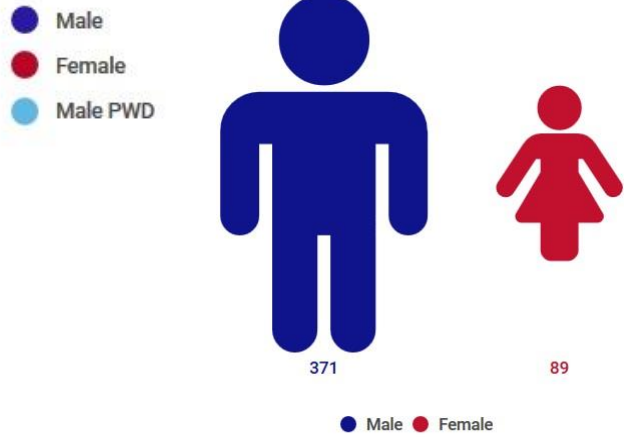
ACTS	Midlands	Byo	Mat. South	Mat. North	Masvingo	Manicaland	Harare	Mash. East	Mash. West	Mash. Central	TOTAL
Killing	0	0	0	0	0	0	0	0	0	0	0
Rape/Sexual Harassment	0	0	0	0	0	0	0	0	0	0	0
Kidnapping/abduction	0	0	0	0	0	0	1	0	0	0	1
Assault	2	0	0	0	2	1	4	3	6	2	20
Theft/looting	0	1	2	0	2	0	2	5	3	6	21
Discrimination	2	0	1	0	2	5	3	5	6	9	33
MDP	0	0	0	0	0	1	2	0	1	2	6
Torture	1	0	0	0	0	0	1	0	0	0	2
Unlawful Detention	0	1	0	0	0	0	2	0	0	0	3
Intimidation /harassment	4	2	2	1	10	9	15	14	16	21	94
Displacement	0	0	0	0	0	0	1	1	0	1	3
Attempted Murder	0	0	0	0	0	0	0	0	0	0	0
Attempted Abduction	0	0	0	0	0	0	0	0	0	0	0
Banned Political Party Mtg	0	0	0	0	0	0	1	0	0	0	1
Disrupted Political Mtg	0	0	0	0	0	0	0	0	0	0	0
Total	9	4	5	1	16	16	32	28	32	41	184



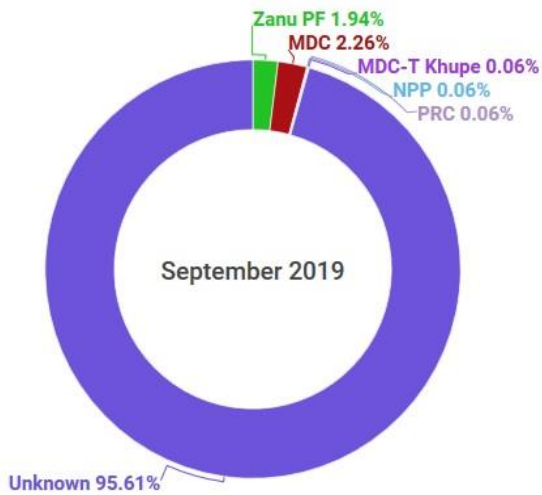
Food & Other Aid Violations



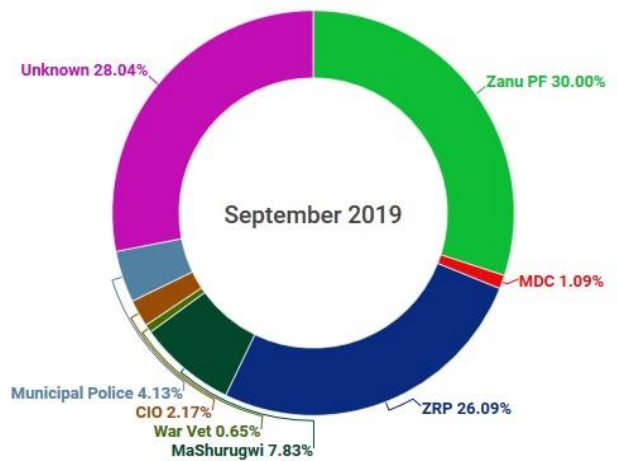
Victims by Gender



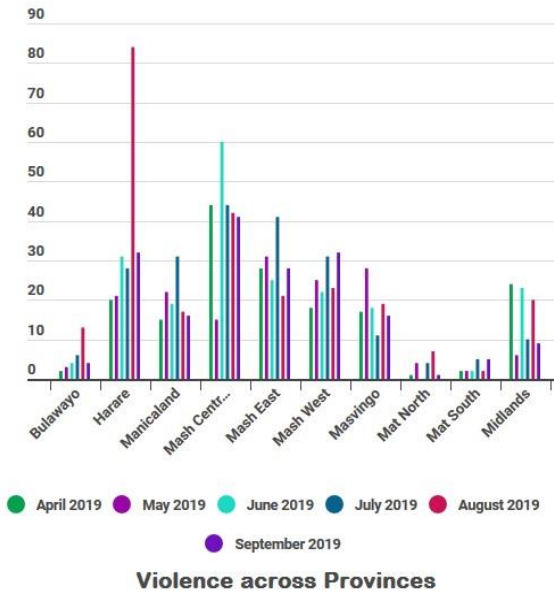
Perpetrators by Gender



Victims by Affiliation



Perpetrators by Affiliation



Overall Analysis

Dr Magombeyi's abduction came as a rude awakening and a revelation of how far suppression of dissent can go. Sadly, the abduction was not shocking to say the least, considering steep rise in abduction and torture cases noted in the month of August. The intimidation of Magombeyi is also a reminder of how Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ) President Obert Masaraure was abducted and tortured in June 2019 while Zimbabwe Congress of Trade Union (ZCTU) members received a threatening note with live bullets in July 2019. These violations are a clear indication that there is a determination to suppress dissent.

There are worrying binary positions between what the government said about Magombeyi's abduction. On the one hand, there are repeated calls that the abduction was perpetuated by a 'third force/hand' while on the other hand there is a concerted chorus to deem the abduction 'fake'. The question that then comes to mind is, why are there such stringent efforts to deem the abduction fake if the perpetrators are known?

The continued repressive leadership was noted by UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Clément Nyaletsossi Voule, on his visit to Zimbabwe from 17-27 September. Voule noted that, "I believe that the long-awaited hopes are fading. The population is now questioning the Government's capacity to bring about such changes. They feel they have not experienced concrete and tangible results. On the contrary, I have perceived from my different meetings around the country, that there is a serious deterioration of the political, economic and social environment since August 2018 resulting in fear, frustration and anxiety among a large number of Zimbabweans."

This adverse report by a UN special rapporteur invited by the government shows that the cracks of this administration are showing while the façade of respecting and honoring civil liberties is fast slipping.

Violent encounters experienced between artisanal miners and community members have been brewing for quite a while. ZPP had consistently documented violations perpetuated by mining gangs such as Mashurugwi, MaGokwe and MaNdevere. In a number of instances they are reported to have led to the murder of gang members and innocent civilians. What has further raised people's ire is that law enforcement agencies seem unable to stem the lawlessness leading to civilians taking the matter into their hands. ZPP calls upon relevant authorities to get ahead of this situation before it spirals out of control and prevent further loss of life. The fact that these gangs associate themselves with politicians and boast of protection is worrying as the rights of citizens are abused as personal security is not guaranteed while dignity is also lost.

The continued deprivation of food and other aid targeting beneficiaries who need it most is of grave concern. As the lean season continues while people are waiting for the next farming season, there is likely to be growing numbers of people requiring aid. Therefore, the continuing partisan distribution of aid as well as the demand for transport fees before people benefit is adding a further burden to these vulnerable groups.

Another point to note is how Cyclone Idai survivors were given expired food aid on 5 September 2019. Mealie meal with a 19 June 2019 expiry date and tinned beef showing a 22 July 2019 expiry date were allegedly distributed to more than 80 families at Garikai Camp, 53 families at Aboratum Camp and more than 30 at Nyamatanda Camp in Chimanimani East Ward 15. The food distribution was led by the District Administrator and Social Welfare officers.

ZPP recalls the Minister of Local Government, Public Works and Local Housing July Moyo's assertion that local leaders will not be directly involved in the distribution of food and other aid to avert partisan distribution. However, on the ground these violations are continuing unabated. ZPP calls upon authorities to speedily address these issues to avoid the continued violation of the Right to food as stated in Section 77 (b) of the Constitution which states that every person has the right to sufficient food.

The economic meltdown being currently experienced is proving to be a never-ending cycle while the leadership does not seem to offer a lasting solution. Prices are escalating as the Zimbabwean dollar keeps losing value, power cuts continue, water shortages are rife and health institutions are on lockdown as essential staff have gone on strike. President Mnangagwa left for the 74th United Nations General Assembly in New York with an entourage of 90 even as the country is reeling with all these challenges. ZPP is concerned that while basic needs such as water and food for some are hard to come by austerity measures do not apply to all. Zimbabwe has to consider better prioritization.

Provision of the Right to Education as stated in Section 75 of the Constitution is continually being violated as school children are being turned away from school for their parents' failure to pay school fees. This is despite government continually stating that children must not be punished for their parents' failures. Furthermore, the fact that some schools have resorted to coercing children into child labor contrary to provisions of Section 81 (e) as demonstrated by reports from St Patrick's Primary School in Gweru-Chiwundura is of real concern and needs to be addressed as a matter of urgency.

Watchlist

Unstable political climate – Abductions of political and human rights activists continue, with government failing to fully investigate these. ZPP will continue to watch out for these violations and expose them. ZPP will also continue to monitor the environment and track all efforts to close up space for dissenting voices and infringement of freedom of expression.

Further economic meltdown

There is a decline in the quality of socio-economic rights given the worsening economic crisis. The right to health is already seriously impaired given the ongoing strike by Medical Doctors against a back drop of lack of equipment and medicines for doctors to save lives. Poor service delivery is likely to fuel citizens' discontent which could possibly result in more demonstrations.

The water crisis in Zimbabwe is also opening doors to further human rights violations. Given the harsh economic situation some citizens are taking advantage of the crisis and are selling community borehole water, with others reportedly demanding sex in exchanging for water thus putting women and young girls at serious risk. Such activities are expected to increase.

The right to education in Zimbabwe is being compromised as children continue to be chased away from school for non-payment of school fees. This will likely continue as parents grapple with the deteriorating economic conditions. ZPP will continue to monitor and document these cases.

Statutory Instrument 212 of 2019 imposes a civil penalty and not a criminal sanction on retailers who request payment of local goods and services in foreign currency. The civil penalty is not a strong deterrence as service providers continue to charge in USD. The Statutory Instrument is not serving its intended purpose as service providers continue to request payment in foreign currency. This trend is likely to persist given the recent pronouncement by the Reserve Bank of Zimbabwe (National Payment Systems Directive NPS: 01/2019) banning mobile cash in and cash out transactions as well as the cash back facility. This ban is likely to result in an acute shortage of Zimbabwe dollars as citizens will find it extremely difficult to source cash. Given the fact that the average Zimbabwean requires cash on a day to day basis for needs such as transport this restriction worsens the plight of citizens. ZPP is also worried about the volley of policy statements that are applied 'with immediate effect' an indicator of lack of planning.

Artisanal miners continued conflicts

The conflict between citizens and different groups of artisanal miners also known as Mashurugwi, MaGokwe and MaNdevere will possibly escalate as people are sinking further into desperation and will do anything to eke out a living. This might result in more deaths of innocent civilians who may be caught between the clashes of rival gangs. This is also worsened by the lack of meaningful and sound interventions by law enforcement agencies to curb these abuses committed by gangs of artisanal miners. Consequently, community members end up taking the law into their hands. The fact that the artisanal miners brag they are untouchables is also a worrying trend that could mean the police might fail to deal with the menace.

Legal

More court challenges might arise given the High Court ruling on the illegality of the 2% tax governed by SI 205/2018. Questions arising around the citizenry are based on whether to expect any positive change following the High Court ruling. Citizens are concerned by the statement issued on 18 September 2019 by the Minister of Finance and Economic Development, Prof Mthuli Ncube that the judgment will not affect anything and the tax collection will continue. This development is more likely to trigger discontent and lawsuits against the government concerning the collection of 2% Intermediate Money Transfer tax. ZPP will continue to monitor the developments in relation to the rights of Zimbabweans.

UN Rapporteur preliminary report

The UN Special Rapporteur report on the human rights situation in Zimbabwe is likely to trigger a witch-hunt exercise by the state of people who were met with the Rapporteur during his mission to Zimbabwe. This is likely to increase state surveillance on independent institutions, civil society and other citizens who provided testimonies to the UN representative. There could be increased insecurity amongst citizens who interacted with the special Rapporteur.

Civil Action

At the recently held MDC-Alliance 20th Anniversary the party president announced that they will no longer be consulting the police when planning for demonstrations. This will possibly lead to violent clashes between demonstrators and the police. It is also possible that some groups will hide behind the guise of the MDC-Alliance to conduct violent demonstrations. In the coming period there is likely to be an increase in civil action as the economy continues to deteriorate.

In light of the above, ZPP Calls for:

- Government institutions to facilitate transparent and exhaustive investigation into abductions, torture and assault crimes.
- Law enforcement agencies should put more effort in curbing violations, including murders committed by gangs of artisanal miners.
- Government to take seriously the preliminary report and recommendations of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association and reform, where the rights of citizens are concerned.
- Government must make the rights of food and access to clean water a priority and ensure ALL citizens have access to such.

ABOUT ZPP

The organisation was founded in 2000 by church-based and human rights organisations. The current members of ZPP are Evangelical Fellowship of Zimbabwe (EFZ), Zimbabwe Council of Churches (ZCC), Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ), Counselling Services Unit (CSU), Zimbabwe Human Rights Association (ZimRights), Civic Education Network Trust (CIVNET), and Women's Coalition of Zimbabwe (WCoZ).

ZPP was established with the objective of monitoring, documenting and building peace and promoting the peaceful resolution of disputes and conflicts. The Zimbabwe Peace Project seeks to foster dialogue and political tolerance through non-partisan peace monitoring activities, mainly through monitors who document the violations of rights in the provinces.

The monitors, who at full complement stand at 420, constitute the core pool of volunteers, supported by four Regional Coordinators. The Regional Coordinators relate with the national office headed by the National Director and programme officers in various units.