



ZIMBABWE

Perpetual Fear

Impunity and Cycles of Violence in Zimbabwe

HUMAN
RIGHTS
WATCH



A young supporter of the Movement for Democratic Change [MDC] opposition party sits in his room in rural Zimbabwe. He said that after the 2008 March elections, Zimbabwean Army soldiers locked him and other supporters in a building and set it ablaze. He now has limited use of his hands and is blind in one eye.



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Two years since the formation of a power-sharing government that was expected to end human rights abuses and restore the rule of law, politically motivated violence and the lack of accountability for abuses remain a serious problem in Zimbabwe. Members of the security forces, the former ruling party, the Zimbabwe African National Union-Patriotic Front (ZANU-PF), and groups allied to ZANU-PF continue to commit human rights violations, including arbitrary arrests and abductions, beatings, torture, and killings of members and supporters of the former opposition party, the Movement for Democratic Change (MDC), and those critical of the ZANU-PF and its officials.

All photos: June 2009
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It's a painful experience knowing that our neighbors, who we see every day, were the perpetrators. I feel angry. The perpetrators have made it clear at their rallies that at the next elections they will do it again because they didn't get arrested. We now live in perpetual fear. We can't do anything about it. We have received no help from the state.

TENDAI L., WHOSE PARENTS WERE MURDERED BY SOLDIERS AND SUSPECTED ZANU-PF SUPPORTERS ON JUNE 25, 2008

There has been little or no accountability for these crimes. Cases of political violence that have been filed by victims or their relatives have been largely ignored by the police, or have stalled in the courts. The government has failed to respond to calls by local nongovernmental organizations for the government to investigate these abuses. Ending impunity for past and ongoing abuses is essential if Zimbabwe is to end violence and firmly establish the rule of law.

The power-sharing government comprised of ZANU-PF and the two factions of the MDC, claimed a commitment to human rights reform, but has shown no political will to address longstanding impunity for human rights abuses. With a referendum and elections planned for this year, the lack of accountability and justice for past abuses raises the specter of further violence, and poses a significant obstacle to the holding of free, fair, and credible elections.

For more than a decade, elections in Zimbabwe have been marked by widespread human rights violations committed by the security forces and supporters and allies of ZANU-PF, such as “youth militia” and war veterans. Thousands of MDC supporters, officials, and human rights activists have been targets of abuses with little or no accountability, encouraging further attacks.

This report highlights the impunity that prevails in Zimbabwe. It provides an update on illustrative cases of political killings, torture, and abductions that took place during the presidential election run-off in 2008 and in the aftermath of the elections. Human Rights Watch’s June 2008 report on the violence, “*Bullets for Each of You: State-Sponsored Violence since Zimbabwe’s March 29 Elections*,” documented how the ZANU-PF-led government, at the highest levels, was responsible for widespread and systematic abuses that led to the killing of up to 200 people, the beating and torture of 5,000 more, and the displacement of about 36,000 people. Instead of pursuing accountability for the crimes committed by the security forces and other ZANU-PF sympathizers, since the release of that report, the government has not made any genuine effort to investigate, much less discipline or prosecute any of the individuals responsible.

The power-sharing government has also failed to hold to account security agents who abducted and tortured over 40 MDC officials and human rights activists in November and December 2008, despite court rulings that acts of torture were committed, and the activists having identified some of the agents responsible.

The top leadership of Zimbabwe’s security forces, including the armed forces, police, prison service, and Central Intelligence Organization, remain partisan and aligned to President Robert Mugabe and ZANU-PF. The leaders of the security forces who previously publicly declared their support for ZANU-PF and who were implicated in serious human rights violations associated with electoral violence in 2008 have not been disciplined, removed from their posts, or charged with criminal offenses.

Local human rights groups have reported that those who committed serious crimes during the 2008 elections often continue to live in the same communities in which they committed the crimes, sometimes next door to their victims. In some cases security agents and ZANU-PF supporters who tortured and beat people during the 2008 election run-off have threatened victims with further violence, ahead of a proposed referendum and new elections scheduled for 2011.¹

The victims of human rights abuses continue to be denied their right to justice and an effective remedy, as required under international human rights law. At the same time, perpetrators of abuses enjoy de facto immunity from prosecution by virtue of their association with ZANU-PF. President Mugabe has also politicized use of the powers under the constitution to grant pardons, amnesty, or clemency to those implicated in or convicted of serious human rights violations. A compromised judiciary and a highly partisan police force, whose members have also been implicated in abuses, leave little hope of justice for victims of abuses.

The failure of the power-sharing government to end impunity—the difficulties involved notwithstanding—has further complicated the prospects of restoring the rule of law in Zimbabwe. Unless the power-sharing government finds the political will to impartially investigate, prosecute, and ensure appropriate punishment and reparations, human rights violations will continue.

Human Rights Watch calls on the power-sharing government to immediately embark on credible, impartial and transparent investigations into serious human rights abuses and discipline or prosecute those responsible, regardless of their position or rank. The government should put transitional justice mechanisms in place while reforming the criminal justice system to ensure that it meets international legal standards.

¹ The referendum and elections may not be held this year, due to disagreements between the MDC and ZANU-PF over the constitution, the timing of the elections and other issues.



An elderly man stands in the ruins of his home in Zimbabwe, torched by ZANU-PF militias.





A young MDC activist who was abducted along with three other women by ZANU-PF militia members and gang-raped for a week in a house in Harare, Zimbabwe, after the 2008 elections. Despite being badly injured, she managed to escape her captors and fled to South Africa where she has slowly recovered from her injuries.



A 33-year-old Zimbabwean refugee lives in dire poverty in Johannesburg, South Africa. A former MDC worker, he was abducted and tortured by ZANU-PF party youth members, who broke most of his ribs and burned down his homestead in April 2008.



A 25-year-old MDC activist sits in a bedroom he rents in a makeshift township in Harare, Zimbabwe. He said he has been arrested more than 15 times and that he has been severely tortured on four occasions.



An MDC supporter said his leg was cut off with an axe by militia members during a ZANU-PF intimidation campaign in the July 2008 election rerun. He said the assailants tied his hands and legs with wire and told him he was going to die. "They started cutting off my leg as if it was firewood, I remember seeing my leg where they threw it, my shoe was still on it."

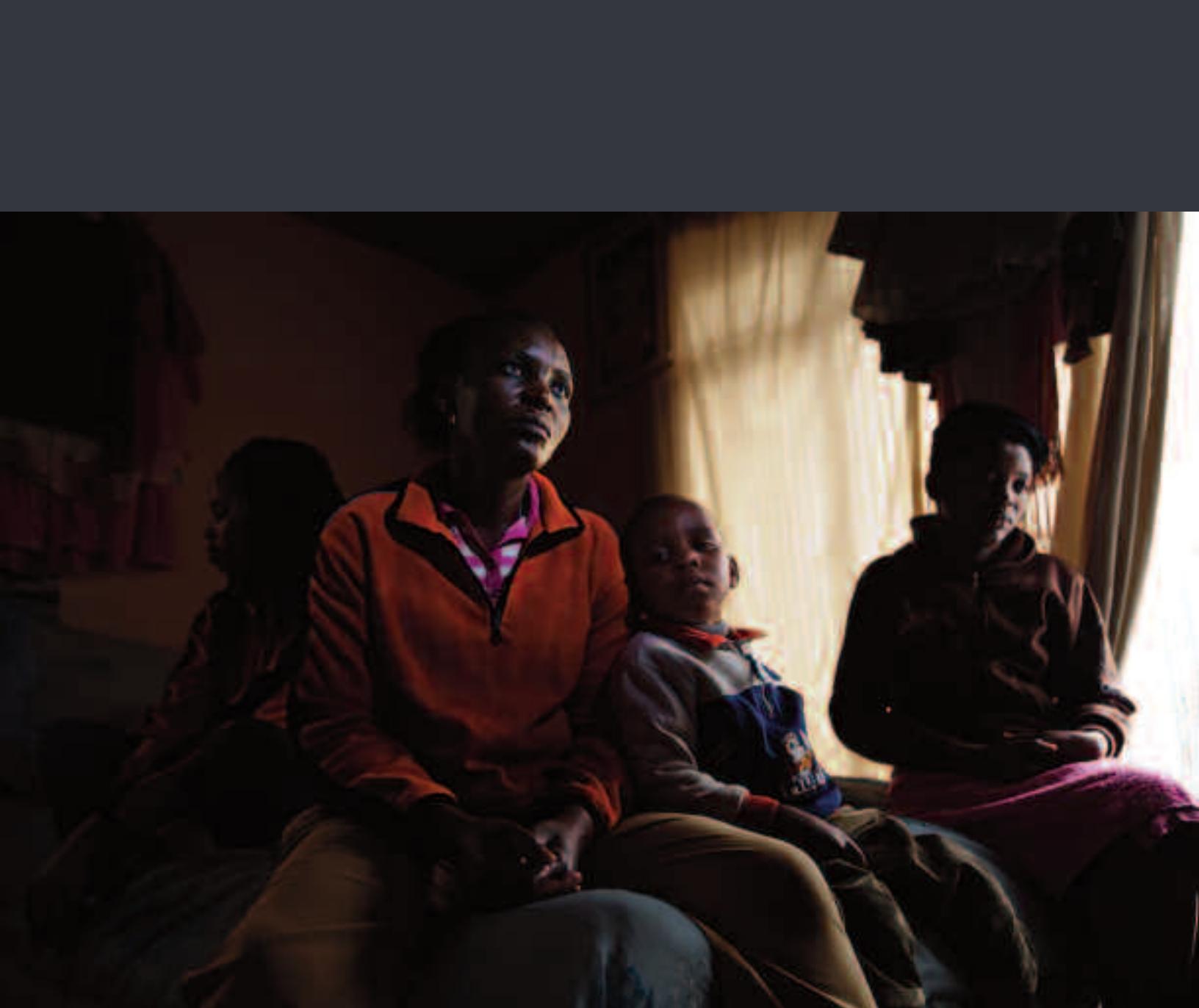




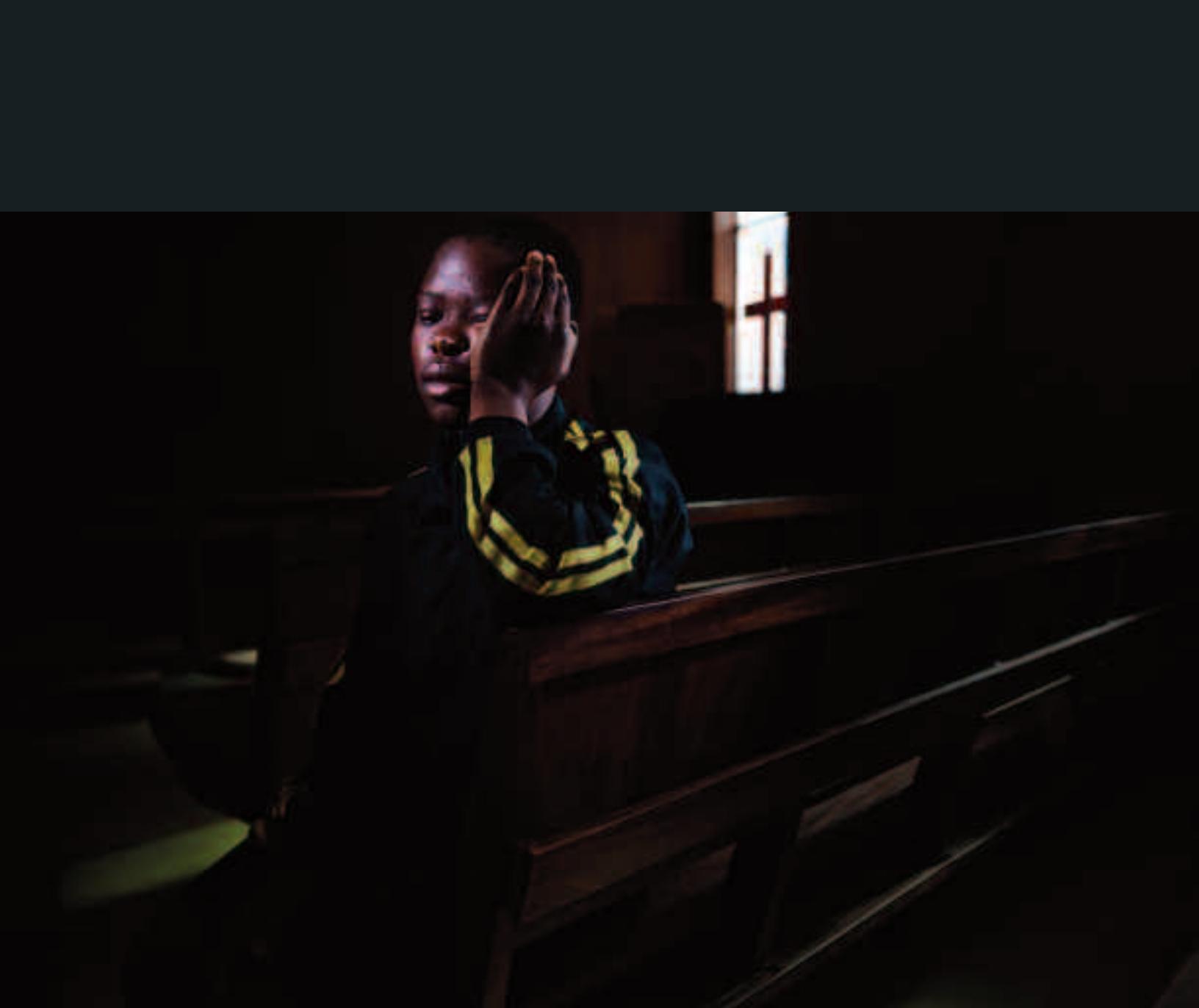
In May 2009, this 23-year-old man was building his house in rural Zimbabwe and was attacked by some 100 ZANU-PF party youth members who accused him of being part of the MDC opposition. He filed a complaint with the police, but the case was not pursued. The surgery to repair his damaged leg put him in debt, and now he cannot afford a secondary procedure that will save his leg.



This 36-year-old former MDC activist was targeted by ZANU-PF youth who destroyed her family home in 2007. She fled to South Africa in 2008 where she has endured xenophobic violence and sexual assault.



A Zimbabwean refugee sits with her children in South Africa.
Police killed her husband, an MDC organizer, during a peaceful
protest march in Zimbabwe in 2007.



This 19-year-old Zimbabwean fled to South Africa after ZANU-PF members killed a relative in 2008. ZANU-PF had earlier killed his father in 2000.



A young widow holds her child in her house, destroyed by ZANU-PF militia. After the March 2008 elections, her husband, an MDC worker, was shot and killed.



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Two years since the formation of a power-sharing government that was expected to end human rights violations and restore the rule of law, politically motivated violence and the lack of accountability for abuses remains a serious problem in Zimbabwe.

Perpetual Fear: Impunity and Cycles of Violence in Zimbabwe, examines the impunity that prevails in Zimbabwe by updating illustrative cases of political killings, torture, and abductions by alleged government security forces and their allies that took place during and after the presidential election run-off in 2008. There has been little or no accountability for these crimes. Cases of political violence that have been filed by victims or their relatives have largely been ignored by the police or have stalled in the courts. And the government has failed to respond to calls by local nongovernmental organizations for investigations into abuses.

With a referendum and elections planned for 2011, the lack of accountability and justice for past abuses raises the specter of further violence, and poses a significant obstacle to the holding of free, fair, and credible elections.

Human Rights Watch calls on the power-sharing government to immediately embark on credible, impartial and transparent investigations into serious human rights abuses and discipline or prosecute those responsible, regardless of their position or rank. The government should put transitional justice mechanisms in place while reforming the criminal justice system to ensure that it meets international legal standards. Ending impunity for past and ongoing abuses is essential if Zimbabwe is to end violence and firmly establish the rule of law.

A 29-year-old Zimbabwean refugee lives with her baby in dire poverty in Johannesburg, South Africa. After the March 2008 elections, ZANU-PF militia killed her brother and burned down her house because of her support for the opposition Movement for Democratic Change [MDC]. She said that the assailants brutally beat her, despite her being heavily pregnant at the time, and left her for dead.

All photos: June 2009
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