



## **Research Unit**

# **Zimbabwe Human Rights NGO Forum**

## **Annual Report for 2006**

**20 August 2007**

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## Background

The Zimbabwe Human Rights NGO Forum (also known as the "Human Rights Forum") has been in existence since January 1998 when 9 Non-Governmental Organizations (NGO's) working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998. The coalition's membership has since increased to 17. The Human Rights Forum expanded its objectives to assist victims of organized violence, using the following definition:

"Organized violence," means the inter-human infliction of significant avoidable pain and suffering by an organized group according to a declared or implied strategy and/or system of ideas and attitudes. It comprises any violent action, which is unacceptable by general human standards, and relates to the victims' mental and physical well-being."

The Human Rights Forum operates a Research and Documentation Unit and offers legal services through the Public Interest Unit of the (formerly the Legal Unit of the ZHRF.)

## Introduction

The Specific objective of the Research unit is "to document, research on, verify and publish incidents of gross violations of human rights in Zimbabwe, particularly those associated with organized violence and torture". The definition of organized violence is as above and the definition of torture is as in the UN Convention Against Torture and other forms of Cruel, Inhuman and Degrading Treatment or Punishment (CAT), which defines torture as including four elements. The four elements of torture are:

- 1 **Severe** pain and suffering, whether physical or mental
- 2 **Intentionally** inflicted
- 3 With a **purpose**

- 4 By a state official or another individual acting with the **acquiescence of the State.**

The Research Unit has fared well in the delivery of its objective albeit with some unforeseen temporary setbacks such as insufficient human and financial resources as shall be seen in this report. The Unit has throughout the year produced press statements on important occasions as well as on issues of concern in the respect of human rights in Zimbabwe. The unit has also produced Monthly Political Violence Reports, Human Rights Bulletins as well as ad hoc/special reports on issues of concern and in pursuant with the Unit's objective.

### **Data Bases and data collection**

Throughout the year the Unit collected information from member organizations, partner organizations as well as from the Public Interest Unit of the Forum itself. This information was then fed into the databases, which are in keep of the Forum. The Unit operates four databases, which are interlinked. These data bases include the

1. Press politically motivated violations of human rights. This database contains information from the public domain on politically motivated violations of human rights. The main source has been newspapers but with time there is now also use of electronic Internet media. The newspapers that the unit used were local newspapers for ease of reference and verification of the information through the newspapers' libraries. These newspapers have included The Herald, The Sunday Mail, The Chronicle, The Manica Post, The Financial Gazette, The Standard and The Independent. Of the above only 3 are independent newspapers, with one of them, The Financial Gazette having its independence questioned by others. The other 2, The Independent and The Standard are from the same media house. The independent newspapers operate only on a weekly basis.

2. Press general human rights violations. This database contains general human rights violations from the press as mentioned above.
3. Unreported politically motivated violations of human rights. This database contains information that has not been reported in the public domain or information that has been reported in the public domain but is also gathered from primary sources of information. This involves victims coming to report to the forum in order to get free legal assistance and also victims reporting to partner and member organizations in order to get some free assistance including counselling, medical assistance etc
4. The last database is one for unreported general human rights violations. This database contains all the other human rights violations as mentioned in 3 above but violations that are not politically motivated.

The information in the databases is used for compiling the Monthly Political Violence Report (MPVR), which will be discussed below. The information is also used to furnish international lawyers with information on asylum cases as well as for donors, diplomats, partner and member organizations as well as interested individuals as and when sought. It is also hoped that the same databases would be used in the event of a transition for transitional justice purposes in terms of truth seeking, Truth Commission and possible prosecutions. The information has also been used for other special and ad hoc reports as well as for litigation purposes.

Even though this system should be both an effective and efficient way of gathering data and utilizing the data, there have been problems on the implementation of the system. There have been problems in 2006, in data collection due to misunderstandings and outright territoriality on the parts of some partner and member organizations. The problems have led to the information being collected not being as far reaching as was hoped and also in the delay in publishing the MPVRs. The Research Unit, with the help of the Executive Director has on countless occasions in the year tried to resolve these

problems. It is hoped that the Unit will hold a research and documentation workshop in which these misunderstandings can be ironed out and also relations will be mended between partners and members of the Forum.

Due to the problems above and also the fact that not all information will come to our attention for one reason or other, even though our reports and databases are a reliable source of information, they cannot be considered as the exhaustive record of all incidents of politically motivated violations of human rights occurring in the country at any given period. Nevertheless, of the 5 792 incidents reported in 2006, a huge total of 368 torture cases were recorded. Moreover, 1 566 violations against freedom of expression and association were recorded, 1 460 and 1 457 violations of unlawful arrests and unlawful detentions respectively, 55 displacements as well as 296 on political discrimination, victimization and intimidation.

## **Reports**

There are 3 types of reports that are compiled by the unit. These include Special/ad hoc reports, the human rights bulletin and the MPVR.

### **Monthly Political Violence Report (MPVR)**

The objective of this report is to analyze every month, the trend of political violence and violations of rights that are politically motivated. The statistical analysis of the violations are done and events during a month are also analyzed in order to see whether or not events correspond to violations and what events would lead to greater violations of humans rights. In 2006, a total of 11 reports were done for each month up to November and the report for December was done at the beginning of 2007. The December MPVR was an analysis of the years 2005 and 2006 as well as presenting the statistics for December 2006. Conclusions drawn from this report indicate an increase in violations from 2005

even though 2005 was an election year and 2006 was not. This also showed a steady increase in human rights violations in each year from the time that the Forum started issuing these reports. The only exception being 2004, where there was a decrease in human rights violations. All these reports can be accessed through our website.

## **Special Reports**

The Forum issued ad hoc and special reports that dealt with pertinent issues during the year. To access the report itself please click on the link if you are online.

### *[Exploring transitional justice options in contemporary Zimbabwe](#)*

(January 2006). This report dealt with issues of transitional justice in Zimbabwe. The main objective of the report was to open up the debate on transitional justice to the rest of the country. The debate had already begun in August 2003 with a symposium in Johannesburg. The report looked at the options available to Zimbabwe for there to be peace and justice after a transition even though there seemed to be no transition in sight at the time and in the near future.

### *[An analysis of Zimbabwe Human Rights NGO Forum legal cases](#)*

*[1998 - 2006](#)* (June 2006) The legal cases report was an analysis of the Forum's Public Interest Unit legal cases in order to ascertain the level of success in the cases that the organization brought to Zimbabwean Courts as well as to rebut the assertion by Government that there were no human rights violations in Zimbabwe. The cases brought to court and won by the Forum were living proof that there were not only human rights violations in Zimbabwe but also that one arm of the Government, the Judiciary had actually looked at the facts and accepted that people's rights had been and were being violated. This report shows that the Forum had won more than 90% of the cases it brought to court, which cases were reported in the MPVR's and are recorded in the Research unit

databases.

*Political repression disguised as Civic Mindedness: Operation Murambatsvina one year later* (November 2006) This report was an analysis of the disastrous venture and madness that the Government of Zimbabwe visited on the people of Zimbabwe from May 2005. The report analyzed the promises given by Government to the UN Envoy Anna Tibaijuka and the recommendations she gave when she visited Zimbabwe during those telling times. The conclusions of the report were that the Government had not complied with her recommendations and also that the houses that the Government claimed to be building were either non-existent or far below the need that was evident after the Government destroyed not only peoples' shelter but their livelihoods as well.

*"Who guards the guards?" Violations by Law Enforcement Agencies in Zimbabwe, 2000-2006* (December 2006) The report targeted law enforcement agencies to see if they had mechanisms for checks and balances in the event that there were excesses in the police force. This report came about as a result of the insurmountable number of violations perpetrated by the law enforcement agencies against unarmed civilians who wanted to exercise their rights and freedoms in the country.

*Zimbabwe's Failure To Meet The Benchmarks In The Cotonou Agreement* (December 2006) This report targeted the African Caribbean Pacific-European Union (ACP-EU) Joint Parliamentary Assembly (JPA) in order to show them that Zimbabwe had not complied with the Cotonou agreement regarding good governance, democracy and the respect and protection of human rights.

*"A Woman's Place is in the Home?" Gender Based Violence and Opposition Politics in Zimbabwe* (December 2006) The report on the role of women in politics was occasioned by the fact that women in opposition had been labeled "Tsvangirai's whores". This report is an analysis of women's participation in opposition politics and the violations of their rights due to this participation.

### **Human Rights Bulletin**

These were formerly known as Human Rights Monthlies but were changed to Human Rights Bulletins due to the fact that it became financially unsustainable to publish them monthly hence the change. Human Rights Bulletins discuss issues of importance in human rights. They are mainly done to raise awareness on the rights that groups possess. The choice of subject and topic is instructed by prevailing circumstances and priority areas as decided by events taking place at any given time. In 2006, 3 bulletins were published. Of the 3, only 2 were published as hard copies and the bulletin on the right to education was produced only as a soft copy and also posted on the Internet. This was due to the unavailability of funds as well as the incredibly high costs of printing in Zimbabwe. All publications of the Forum are posted on our website but if you are online click on the link to view the bulletins.

### **The African Commission and Zimbabwe No. 38** (January)

This bulletin was written to inform the Zimbabwean people about the role of the African Commission on Zimbabwe in particular but also on Africa in general. It was occasioned by the report of the African Commission Fact Finding Mission on

Zimbabwe in 2002 and the recommendations the mission made, which were up to that time and even to date not yet followed or implemented.

### [Spousal Notification and HIV/AIDS No. 39 \(March\)](#)

The bulletin on spousal notification discussed the rights of spouses regarding notification of HIV status.

### [The Right to Education No. 40 \(July\)](#)

The bulletin discussed the right to education in Zimbabwe and the international obligations the Government has regarding this right. The bulletin was occasioned by the great amounts of human rights violations and the violation of the right to education by the Government at tertiary institutions at the time.