

Punishing Dissent, Silencing Citizens:

The Zimbabwe Elections 2008

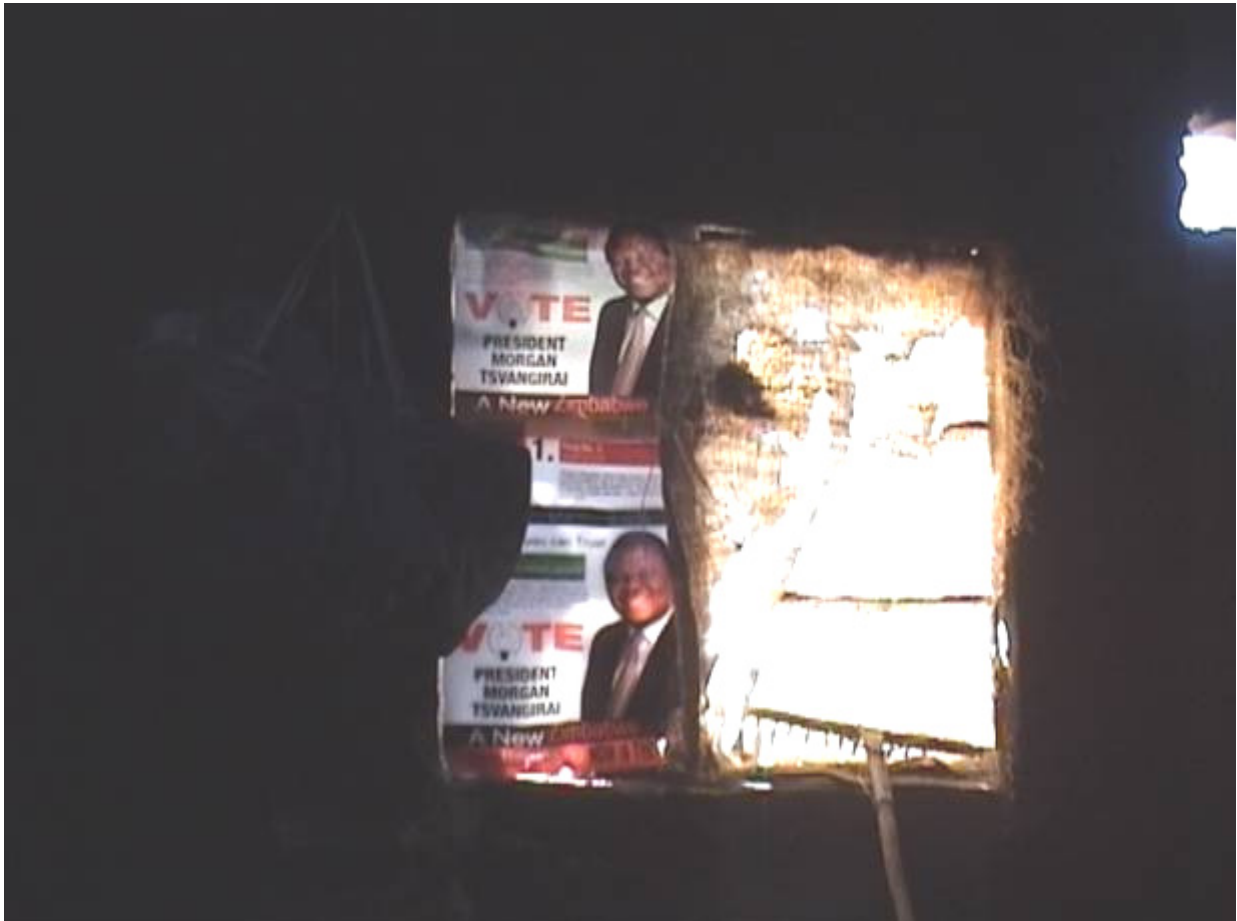


Photo 1: In a brave act of defiance, posters of Morgan Tsvangirai hang on the wall of a hut burnt by ZANU PF supporters in Shamva, April 2008

Solidarity Peace Trust

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Johannesburg

I wouldn't describe that as a crisis. It's a normal electoral process in Zimbabwe.
[Pres Thabo Mbeki] ¹

Everyone agreed that things are not normal, except Mbeki. Maybe Mbeki is so deeply involved that he firmly believes things are going right. But now he understands that the rest of SADC feels this is a matter of urgency and we are risking lives and limbs being lost. He got that message clearly.
[Botswana Foreign Minister Phandu Skelemani] ²

The current pattern of organized torture and violence being perpetrated by state agents in the rural areas of Zimbabwe is similar to that documented prior to the 2002 elections. However, the current violence is dramatically more intensive and unrestrained. The level of brutality and callousness exhibited by the perpetrators is unprecedented and the vicious and cowardly attacks by so called war veterans on women, children and the elderly shames the memory of all true heroes of the liberation struggle.

[ZADHR, 8 May 2008]

¹ Paddy Harper and Mpupela Mkhabela, "Crisis? What Crisis?" Sunday Times, 13/05/08.

² Mandy Rossouw and Jason Moyo, "Botswana raps 'no crisis' Mbeki." Mail and Guardian, 18-24 April 2008.

Contents

<i>Contents</i>	3
<i>Index of Tables</i>	4
<i>Abbreviations</i>	5
<i>Introduction</i>	6
1. Executive Summary	6
2. Recommendations	8
<i>The SADC Facilitation and the 2008 Election</i>	8
1. The SADC Facilitation	8
2. The 2008 Harmonised Elections	11
3. The Votes, the Delays and the aftermath	13
4. SADC and the Regional Civic Responses	16
5. The SADC Mediation: Where to?	18
<i>Recommendations</i>	19
<i>The violence of 2008: an evaluation</i>	21
A. Background	21
1. Sources	21
2. Dangers and difficulties of trying to access or deliver health care	22
3. Dangers in trying to access information and offer help	23
4. Attacks on election officials	23
5. Deaths	24
6. Abductions and disappearances	24
7. Assumption of impunity	27
8. Reaction of police to events	27
B. Perpetrators	28
1. The role of the Joint Operational Command	28
2. MDC as perpetrator:	30
3. ZANU PF Members of Parliament:	31
4. Perpetrators - locals	31
C. The Violence	32
1. Violence over time	32
2. Scale of the violence	35
3. Geographical distribution of violence	35
D. The Strategy	36
1. Mashonaland: the strategy	36
2. Matabeleland: the strategy	37
E. Victims	39
1. Affiliation of victims	39
2. Teachers	43

3. Caught in the crossfire	43
4. Demographics of victims	44
5. Impact of violence on children	45
6. Gender	45
7. Reported violations and medical findings	45
8. Emotional trauma	46
<i>Eye witness account of the massacre at Chaona, Mazowe North:</i>	48
<i>5 am on 5th May 2008</i>	48
<i>Appendices</i>	51
Appendix One: Voting patterns 2008 (ZANJ Financial Network)	52
Appendix Two: pie charts for pre-election period, corresponding to post election charts included in the report	53
Appendix Three: Interview with key informant on election strategy of JOC	56

Index of Tables

<i>Table 1 House of Assembly</i>	13
<i>Table 2: Presidential Results.</i>	13
<i>Table 3: Votes Cast 2000-2008</i>	14

<i>Photo 1: In a brave act of defiance, posters of Morgan Tsvangirai hang on the wall of a hut burnt by ZANU PF supporters in Shamva, April 2008</i>	1
<i>Photo 2: man burnt with plastic by ZANU PF supporters, April 2008</i>	5
<i>Photo 3: funeral of murdered MDC activist Beta Chakurarama, 17 May 2008</i>	20
<i>Photo 4: some of the displaced seeking shelter at Harvest House attend a church service there, 10 May 2008</i>	25
<i>Photo 5: Beta Chakurarama, activist beaten in April and left with two broken legs, was then abducted and brutally killed in May, while still in plaster cast</i>	25
<i>Photo 6: battered and broken, youth from rural MDC structures seek safety at Harvest House, May 2008</i>	26
<i>Photo 7: child from Mudzi injured on the face during violence in May 2008</i>	26
<i>Photo 8: mother and child survey their burnt hut, Shamva, April 2008</i>	33
<i>Photo 9: making tea in burnt hut, Gokwe Nembudziya, May 2008</i>	33
<i>Photo 10: house in Gokwe Nembudziya destroyed by iron bars by ZANU PF supporters, April 2008</i>	34
<i>Photo 11: homestead burnt by ZANU PF supporters in Shamva, April 2008</i>	34
<i>Photo 12: buttocks beaten with barbed wire, Mazowe North, May 2008</i>	40
<i>Photo 13: buttocks severely beaten with necrotic tissue removed, April 2008</i>	40
<i>Photo 14: man whipped with chains by ZANU PF supporters, April 2008</i>	41
<i>Photo 15: front torso of same man, showing beating with fan belts, April 2008</i>	41
<i>Photo 16: Geoffry Jemedze, one of those murdered in Mazowe North, 5 May 2008</i>	49
<i>Photo 17: elderly man with two fractured arms, beaten by ZANU PF supporters, April 2008</i>	50
<i>Photo 18: man with fractures of both arms and injury to one leg, after beatings by ZANU PF supporters,</i>	50
<i>Photo 19: widow of murdered activist Beta Chakurarama weeps at his funeral, 17 May 2008</i>	59

Abbreviations

ANC	African National Congress
AU	African Union
CID	Criminal Investigations Department
CIO	Central Intelligence Organisation
COSATU	Congress of South African Trade Unions
DA	Democratic Alliance
JOC	Joint Operational Command
MDC	Movement for Democratic Change
MP	Member of Parliament
NCA	National Constitutional Assembly
NGO	Non governmental organisation
SADC	Southern African Development Community
SPT	Solidarity Peace Trust
WOZA	Women of Zimbabwe Arise
ZADHR	Zimbabwe Association of Doctors for Human Rights
ZANU PF	Zimbabwe African National Union - Patriotic Front
ZCTU	Zimbabwe Congress of Trade Unions
ZEC	Zimbabwe Electoral Commission
ZESN	Zimbabwe Electoral Support Network
ZNA	Zimbabwe National Army
ZRP	Zimbabwe Republic Police



Photo 2: man burnt with plastic by ZANU PF supporters, April 2008

Introduction

1. Executive Summary

The 2008 Harmonised Election in Zimbabwe was arguably the most historic of the post-independence elections, as for the first time in the last 28 years the ruling party lost its parliamentary majority and the President lost the first round of the Presidential election. This result represented the culmination of a decade of political and civic opposition to a former liberation party whose legitimacy has been greatly eroded by nearly three decades of intolerant rule. At a national level it is a clear message that despite the extremely harsh and repressive political environment in which elections have been conducted in Zimbabwe, the people of the country found the “resources of hope” required to say no to continued authoritarian rule. For the former liberation movements in the region this is also a message of the capacity of once venerated liberation parties to degenerate into unpopular kleptocracies. However it is the violence that has been unleashed by the Mugabe regime on Zimbabwean citizens that has demonstrated the hollowness of Mugabe’s anti-colonial message, with the real targets of his party’s onslaught being the impoverished and battered citizens of the country. The conduct of ZANU PF since the March 29th elections has encapsulated the degeneracy of the Mugabe legacy, and the security threat that this regime now poses to Zimbabweans and the region. The report that follows is a narrative of hope, thwarted by a leader and political party who view the source of their legitimacy not as the electoral process, but the combination of a selective imposition of a liberation legacy and the brutal deployment of political compliance.

The election took place within the context of the SADC mediation process led by South African President Thabo Mbeki, which provided limited electoral reforms and engendered a more free and fair electoral environment. The mediation’s intention was to get political parties in Zimbabwe to agree on processes that would lead to a generally acceptable election. However, the mediation ended in early 2008 with key issues, such as a new constitution, undecided and the unilateral decision by President Mugabe to set the date for the election on March 29th 2008. Nevertheless one of the electoral reforms agreed on in the mediation process, namely the requirement to post all election results outside polling stations in the presence of candidates and election agents, was to provide the opposition with a key mechanism to track election results.

After over a month of delay before the release of the election results the Zimbabwe Election Commission (ZEC) finally announced that the combined MDC won a majority of 109 seats in Parliament against ZANU PF’s 97 seats, thus defeating the ruling party’s majority in the House of Assembly for the first time in the post-independence period. The more controversial Presidential count gave 47.9% of the vote to Morgan Tsvangirai, 43.2% to Mugabe, 8.3% to Makoni and 0.6% to Langton Towungana. However the less than 50% plus one victory for Morgan Tsvangirai means that there will have to be a re-run of the Presidential election. This will take place on the 26th June 2008.

After the enormous controversy surrounding the delay and the final count of the election the most shocking development of this election has been the state-sponsored brutality that followed the ZANU PF parliamentary and first round Presidential defeat. As the report makes clear the violence that has been inflicted on the Zimbabwean citizenry was carefully planned by a combination of army, police and CIO officials at a meeting in Nkayi in mid April. This followed the threat of violence made by both Mugabe and the security chiefs in the pre-election period, threatening retribution against the people of Zimbabwe in the event of a ZANU PF electoral loss. In the words of the brigadier at the Nkayi meeting, “if we lose through the ballot we will go back to the bush.”

The Report makes it clear that ZANU PF has embarked on a systematic programme of retributive violence in response to its electoral defeat. The major features of this violence are:

- Key polling agents and election observers have beaten, threatened and/or displaced.

- There have been 22 confirmed deaths since 1st April and there are increasing numbers of reports of well known activists being abducted.
- The Joint Operational Command (JOC) composed of representatives from the army, the police, the CIO and the prison service have been implicated in 56% of the post election violations, with the perpetrators acting on the assumption of total Immunity. The police are under instructions not to arrest perpetrators, even when they file cases and victims know their assailants as they often do.
- Although there have been shootings, most of the deaths and injuries involve simple beatings and other forms of torture committed with ordinary objects such as sticks, fan belts, chains, burning plastic bags, rocks and logs.
- While no violation reported to us was attributed to the MDC it is nonetheless clear that there have been cases of defensive responses on the part of the MDC in the wake of the current violence.
- In several constituencies in Mashonaland, the winning ZANU PF MPs have been shockingly implicated as spear-heading the violence. The two most appalling examples of this is the alleged involvement of Minister of Health David Parirenyatwa in orchestrating and inciting violence in Murehwa North, and the direct involvement of Major Cairo Mandhu in the public beatings of at least six people in Mazowe North.
- An alarming aspect of the violence is the fact that the community members and even family members are committing these brutal acts against one another.
- Between the 30th March and 30th April there were more than ten times as many violations as in the previous month of March, with 618 political violations.
- By the 16th May doctors in Harare reported that they had treated 1,600 victims since April 1st.
- During the first two weeks of May the pace of rural civilians fleeing to Harare has clearly escalated.
- The majority of violations (46%) have taken place in three Mashonaland provinces. These provinces have traditionally been the stronghold of the ruling party. However in this election, there was a swing towards the MDC, which won 12 out of 60 parliamentary seats in these provinces. The violence in Mashonaland can thus be seen to be both retributive, and as an attempt to reverse the flow of support to the opposition. In all these areas the violence has been highly structured and coordinated, with JOC in charge.
- The strategy to win the run-off has been implemented in Matabeleland North and South, but without much of the violence evident in Mashonaland.
- 77% of the victims since March 30th have been affiliated to the MDC.
- The average age of the victims has been 37.5 years.

2. Recommendations

- 1) A run-off of the Presidential election in the current environment is neither practical nor desirable. The SADC mediator should therefore take urgent steps to bring the major parties together into a renewed mediation process to discuss the following:
 - Immediate demobilization of the ruling party structures orchestrating the violence in Zimbabwe. SADC observers should be sent into the country immediately to observe and assist this process.
 - Discussions around the creating of a transitional government composed of representatives of the MDC and ZANU PF to map out conditions for political stabilization, humanitarian assistance and interim measures to help stabilize the economy.
 - Such a transitional authority should then map out the process for the creation of a new constitution, and the conditions necessary for such a constitution to come into force.
 - Recognition by both the mediator and SADC that the central obstacle to a peaceful transition in Zimbabwe is Robert Mugabe and those elements in his security and political structures for whom a political alternative is unthinkable.
- 2) SADC and the AU should combine a strategy of assisting and supporting such a transitional process, with a clear message to the Mugabe regime that it can expect no further diplomatic support in the event of its continued recalcitrance in the political process.
- 3) Peace-building measures in civil society, building on on-going initiatives in the country, should be strengthened and supported by the presence of regional church and civic actors. Such an initiative could help to contain and roll back the zones of violence in the country.

Finally there needs to be a general recognition that Zimbabwe is sinking fast into the conditions of a civil war, propelled largely by the increasing reliance on violence by the ruling party to stay in power, and the rapidly shrinking spaces for any form of peaceful political intervention.

The SADC Facilitation and the 2008 Election³

1. The SADC Facilitation

One of the major factors that framed the 2008 Harmonised Elections in Zimbabwe was the SADC mandated mediation process in 2007. The process emerged after the public beating, arrest and torture of opposition and civic leaders on 11th March 2007 and the brutal attacks on MDC structures that followed thereafter.⁴ A combination of international pressure and growing concern in SADC led to an Extra-Ordinary SADC Heads of State summit in Tanzania at the end of March 2007, at which SA President, Thabo Mbeki was given the mandate to facilitate discussion between the two major political parties in Zimbabwe, ZANU PF and the MDC. The continued degeneration of the political situation and the spiralling economic crisis in the country, in the context of growing international criticisms of the

³ This section draws from Brian Raftopoulos, "Crisis, Mediation and Democratic Challenges in Zimbabwe." Forthcoming, Zimbabwe Institute, Cape Town, 2008.

⁴ Solidarity Peace Trust, *Destructive Engagement: Violence, Mediation and Politics in Zimbabwe*. Johannesburg 2007.

Zimbabwean government's repressive politics, necessitated a new initiative to move the country beyond the political impasse.

For the different parties involved in the Zimbabwe political crisis there were varied motives for entering the facilitation process. The South African Government saw this as a new opportunity to extend its policy of "quiet diplomacy", and to push for a process that would initiate the stabilization of the Zimbabwean situation, preferably through a government of national unity, a long cherished goal of the Mbeki administration. For the Mutambara formation of the MDC there has been a strong concern, especially since the October 2005 split in the MDC, to keep the South African Government engaged in the Zimbabwe crisis. This was due largely to a recognition that, because of the general weakening of the opposition forces in Zimbabwe, and the weakness of their own formation in particular, a SADC brokered settlement provided a good opportunity to move out of the deepening crisis in the country.

The Tsvangirai MDC was more circumspect about the role of the South African government, because of the shaky relationship between Tsvangirai and Mbeki which emerged as a result of several actors: The Mbeki administrations perception of a "western" backed MDC; the initial relations between the MDC and the DA; and the Tsvangirai formation's perception that Mbeki had favoured the Welshman Ncube formation in the united MDC and thus played a role in the final split of the MDC.⁵ Nevertheless it was also clear to the Tsvangirai MDC that an electoral solution facilitated by the regional body remained the most feasible route to power given the existing balance of forces in the country.

The Mugabe regime reluctantly accepted the facilitation process because of its formal accountability to SADC, and as a way of using the process to reconstitute the electoral process and political conditions to prolong its stay in power. Notwithstanding this position it was clearly difficult for ZANU PF to negotiate with an opposition that it had for so long defined as a foreign construction. For a party so unaccustomed to dissent, parlaying with a major centre of opposition was a bitter pill for Mugabe and the hawks in his party to swallow.

Central to the facilitation process was Mbeki's objective of sealing an agreement that would result in a generally acceptable election process in Zimbabwe. In order to achieve this objective it was intended that the dialogue would:

- Endorse the decision to hold parliamentary and Presidential elections in 2008.
- Take steps to ensure that all concerned parties accept the results of the elections as being truly representative of the will of the people.
- Agree on the measures that all political parties, and other social forces, must implement and respect to create the climate for such acceptance.⁶

At the onset the parties to the facilitation agreed that within the context of the above objectives the talks should be confined to the following major areas: The question of a new constitution; Electoral laws; Security legislation, in particular the Public Order and Security Act; Communication legislation, in particular the Access to Information and Protection of Privacy Act and the Broadcasting Services Act; matters relating to the political climate in Zimbabwe such as the land question, sanctions, politically motivated violence and external interference in Zimbabwe.

As this facilitation was essentially between ZANU PF and the MDC, civil society groups felt marginalized in the process from the beginning, notwithstanding some attempts by South African

⁵ The split in the MDC is discussed in Brian Raftopoulos, "Reflections on Opposition Politics in Zimbabwe: The Politics of the Movement for Democratic Change." In B.Raftopoulos and K.Alexander (Eds), **Reflections of Democratic Politics in Zimbabwe**. Institute for Justice and Reconciliation in Zimbabwe, Cape Town, 2006.

⁶ Brian Raftopoulos, "The 'Frog' and the 'Puppet': The Makoni Moment and Opposition Politics in Zimbabwe." Perspectives, No 2, 2008.

facilitators and the MDC to brief them on the broad outlines of the talks, and to receive input from the civics. The tensions over this perceived lack of consultation came to the boil in September 2007 when the MDC agreed to the Zimbabwe government's Amendment No 18. This latter was developed in the aftermath of Mugabe's failed attempt, at the December 2007 ZANU PF conference, to have his term of office extended to 2010 without going to the electorate. The central aspects of the Amendment included the harmonising of the parliamentary and presidential elections, the reduction of the presidential term to five years, and most importantly the new section 28(3)(b) of the constitution which provided that if the president dies, resigns or is removed from office, the Senate and the House of Assembly must sit together within 90 days to elect a new president. A president thus elected would then hold office for the life of the current parliament. The Amendment also increased the number of parliamentary seats to 210, while the Senate was enlarged from 66 to 93 seats of which 60 would be elected on a constituency basis, 10 would be provincial governors, 18 chiefs, while 5 would be appointed by the President. As Feltoe has observed Amendment No 18 was "more concerned with the succession issues surrounding Mugabe than the electoral terrain."⁷

While the MDC viewed their support for Amendment 18 as part of confidence building measures for the SA led mediation, the major civic bodies took a different perspective. The NCA criticized the MDC's decision to abandon the principle of a people-driven constitution as an "act of treachery."⁸ The ZCTU in turn stated that: "We opposed Amendment Number 17 last year (2006), which established the senate. Now number 18 has increased the seats of the Senate to 93. Why should we support it now?"⁹ Other civic leaders who met Morgan Tsvangirai in October 2007 also protested that:

We told Tsvangirai that we were not happy with the idea of piecemeal Constitutional amendments. We also told him we were not happy with the issue being peddled that the opposition had agreed on a new constitution with ZANU PF in a process that does not involve the people.¹⁰

This tension between civil society groups and the MDC over the mediation ran alongside the continued failure of the two MDC formations to sign on to some form of electoral agreement before the 2008 elections. While on 18th January 2008 the negotiating teams of the two MDC formations had provisionally agreed to contest the upcoming elections as a united front, behind a single presidential candidate (Tsvangirai), also fielding single candidates for parliamentary and local government elections, this provisional agreement was rejected by the National Council of the Tsvangirai formation in February 2008. The latter sort to establish its dominance in both its existing areas of support and in those areas claimed as strongholds by the MDC Mutambara.

By the end of 2007 the SADC facilitation had gone some way in getting agreement between ZANU PF and the two MDC's in a number of areas including the Electoral Act (Chapter 2:13), the Zimbabwe Electoral Commission Act (Chapter 2:12), amendments to the Public Order and Security Act, the Access to Information and Privacy Act, the Broadcasting Services Act and a draft constitution that would form the basis of public discussion. Feltoe has observed that although legislative reform "did occur in key areas" these reforms fell short of what was required "to bring Zimbabwe's electoral laws and terrain into line with SADC Guidelines, and short of what was demanded by the MDC."¹¹ However perhaps the most significant reform agreed to under the mediation was the amendment of Section 64(1)(e) of the Electoral Act. Under this amendment once the votes have been counted at a polling station, the presiding officer is legally required to record these votes on a return and, and to post them up outside the polling station before sending them to the constituency elections officer. Moreover the presiding officer is

⁷ Geoff Feltoe, "Negotiations and Compliance with the SADC Guidelines for Zimbabwe's Forthcoming Poll." Unpub paper 2008.

⁸ "Civic Group meeting called by Tsvangirai." The Zimbabwe Times, 26/09/07.

⁹ Njabulo Ncube "Tsvangirai works overtime to appease allies." Financial Gazette, 28/09/07.

¹⁰ Batsirai Muaranye "MDC leader meets civic society." ZimOnline, 26/10/07

¹¹ Feltoe 2008 op cit.

required to carry out this procedure in the presence of the candidates and their agents. This measure was to prove extremely important in allowing the opposition to track the voting trends in the elections.¹² Notwithstanding the progress that had been made on the mediation it was clear by early 2008 that a deadlock had emerged between ZANU PF and the MDC. This deadlock centred around three issues: The date of the election, the time-frame for the implementation of the agreed reforms; and the “process and manner of the making and enactment of a new constitution.”¹³ When on 25th January Mugabe unilaterally announced the date of the election as the 29th March 2008, the view of the MDC was that the announcement “amounted to a repudiation of the SADC dialogue by ZANU PF.”¹⁴ Gathering in Addis Ababa on the 31st January 2008 an Extraordinary Summit of the SADC Organ on Politics, Defence and Security tried to rescue what remained of the SADC mediation by claiming that ZANU PF and the MDC had “reached agreement on all substantive matters relating to the political situation in Zimbabwe” and that what remained was for the Zimbabwean parties to “conclude the outstanding ‘procedural’ matter of the enactment of the agreed Draft Constitution.”¹⁵ Clearly the MDC position on the remaining items on the mediation agenda were in stark contrast to the SADC Summit, which once again rewarded Mugabe’s intransigence with public solidarity. It was thus against this background of electoral reforms which provided limited yet important openings in the political sphere that, that the MDC went into the March 2008 elections.

2. The 2008 Harmonised Elections

The elections of March 29th 2008 included voting for Presidential, parliamentary, senatorial and local council elections. In the weeks following the announcement of the election date there was some indication of growing violence. The Zimbabwe Peace Project for example noted that since November 2007 it had recorded 1775 incidents of political violence compared with about 1000 in the comparable period in the run up to the 2005 election. Moreover the project reported that most of this violence was perpetrated by ZANU PF supporters.¹⁶ A particularly brutal assault was carried out on nine members of the Progressive Teachers Union of Zimbabwe who were arrested for distributing fliers in the Harare city centre in February 2008. It was reported that:

They were allegedly taken to an underground room at the nearby ZANU PF offices where they were severely beaten with sticks and metal poles and were forced to recite party slogans and proclaim that President Mugabe rule in perpetuity. The organisation’s president sustained a fractured arm and deep cuts. It is alleged that this torture took place in the presence of an armed police officer who made no attempt to stop the beating.¹⁷

Notwithstanding these incidents the weeks preceding the 2008 elections were characterised by a relative calm and absence of overt violence in the electoral environment. This relative calm, established in the context of the SADC mediation, allowed the opposition forces to mobilize in the rural areas in a way that had not been possible since the 2000 general election. Such a situation must however always be viewed against the background of a political culture that has been deeply brutalized and traumatised by the electoral violence and coercive rhetoric of the ruling party for nearly three decades.

Of particular importance in this election was the entry of ZANU PF dissenter Simba Makoni into the Presidential race in early February 2008 as an independent candidate. This development took place against another foiled attempt to find a successor to Robert Mugabe in Zimbabwe’s ruling party, and the continued evidence of the growing entrenchment of Mugabe and the securocrats around him. Simba

¹² Ibid

¹³ MDC Press Statement on the Failed SADC Dialogue on the Crisis in Zimbabwe. 21st February 2008.

¹⁴ Ibid.

¹⁵ Media Statement on the Extraordinary Meeting of the SADC Organ on Politics, Defence and Security, (Addis Ababa, Ethiopia, 31st January, 1st February 2008.

¹⁶ VOA Report 13th February 2008.

¹⁷ Geoff Feltoe, “Will there be free and fair elections in Zimbabwe?” Unpub. paper 2008.

Makoni, who has held several ministerial posts in Mugabe's government as well as being the head of SADCC in the 1980's, launched his campaign, as an attempt both, to reform and rejuvenate the legacy of the liberation movement, and to provide adequate technocratic leadership to mount "a credible strategy for a sustained recovery of the country."¹⁸ Makoni's strategy was thus to draw on the quiet support he believed he had within ZANU PF, thus stressing his continued links with the ruling party's legacy, while also appealing to a broader national constituency through a discourse of technocratic capacity. As a result of the continued recrimination and divisions between the two MDC formations and the failure of the two to develop an electoral pact, the smaller Mutambara formation agreed to support the Makoni candidacy in the hope of developing a national presence.¹⁹

Morgan Tsvangirai's campaign was fought through a message of political change, economic transformation and the values of human rights, tolerance and democratic accountability. This message was articulated in Tsvangirai's post election message, in some ways echoing the Mugabe's reconciliation message in 1980, which spoke of the challenge:

.... of giving birth to a new Zimbabwe founded on restoration and not on retribution; on equality and not discrimination; on love not war; on tolerance, not hate. After Saturday 29th March 2008, Zimbabwe will never be the same again; the people have spoken with one vote... In those minutes inside the booth, each one of us re-wrote the history of Zimbabwe. For that particular moment we each held the destiny of our country in the pen we used to cast our vote. The votes cast on Saturday were for change and a new beginning. It was a vote for jobs; it was a vote for food, for dignity, for respect, for decency and equality, for tolerance, for love, and for trust.²⁰

Mugabe's election message was predictably menacing and threatening, once again stressing the ZANU PF legacy of the liberation struggle and drawing on the anti-colonial and anti-imperialist tropes that have characterized Mugabe's revived authoritarian nationalism since the late 1990's. Speaking to a rural audience in Masvingo in the week before the election Mugabe warned:

When we held our first congress in Gweru in the 1960's we resolved to send our comrades, led by brave men like Cde Zvinavashe who is here, to fight the whites who had taken our land and we will send them back again should Tsvangirai win the elections. We will not allow a party that would take land back to the whites if it comes to power. Whose land should go back to the imperialists again? We say no to that. They must know that *tiri vechibhakera* (we are of the fist) and we will punch anyone who crosses our path.²¹

These comments were preceded earlier in March by threats from various security sector service chiefs. The Commander of the armed forces Constantine Chiwenga threatened that:

Elections are coming and the army will not support or salute sell-outs and agents of the West before during and after the presidential election. We will not support anyone other than President Mugabe who has sacrificed a lot for this country.²²

This position was reiterated by the Heads of the Police and Prison Services, and echoed the threats made before the 2002 Presidential election by the head of the armed forces. Thus whatever the relative calm of the immediate pre-election period, Mugabe already indicated his intentions towards the populace in the event of a ruling party loss.

¹⁸ Message to all Zimbabweans in South Africa from Simba Makoni, President 2008.

¹⁹ This is discussed in Raftopoulos 2008, op cit; see also Shari Eppel, "Matabeleland: Its Struggle for Legitimacy and the Relevance of this in the 2008 Election." Perspectives, No 2, 2008.

²⁰ Morgan Tsvangirai, Press Conference Statement, 1st April 2008

²¹ Godfrey Mutimba, "Mugabe threatens war." The Standard, 30th MARCH 2008. The fist was a central symbol of ZANU PF's election campaign.

²² Fikile Mapata, 'Army threatens coup if Mugabe loses.' Newzimbabwe.com 11/03.08.

3. The Votes, the Delays and the aftermath

On March 29th 2008 Zimbabweans voters went to the polls, in the hope of finding a way through the deepening political and economic crisis that had marked the country since 2000. The results of these Harmonised elections for Presidential, Parliamentary, Senatorial and local council seats, announced only after more than a month of waiting, shocked the ruling party into yet another violent response to the electorate. After over a month of delays in the announcement of the results, including a recount of 23 parliamentary constituencies, the Zimbabwe Election Commission (ZEC) announced that the combined MDC had won 109 seats, ZANU PF 97, Independent 1, with three seats awaiting a by-election. In terms of the votes cast in the Parliamentary election the results were as follows:

Table 1 House of Assembly

ZANU PF	MDC (Tsvangirai).	MDC (Mutambara).	Independent.	Total
1,112,773	1,038,510	203146	68449	2,422,878.
45.9%	42.86%	8.3%	2.83%	

Source: Zanj Financial Network 2008.

These results show the importance of the combined MDC vote in defeating ZANU PF in the parliamentary vote, notwithstanding the dominance of the Tsvangirai MDC. It is also significant that the failure of the two MDC formations to agree on an election pact before the 2008 election cost them at least ten parliamentary seats through a split opposition vote. The constituencies in which this split vote was apparent included Mutoko North, Chikomba East, Mazowe South, Magunje (Mashonaland), Chirumanzu, Chiwundura, Gokwe Kana, (Midlands), Mutare South (Manicaland), Lupane West and Nkayi North (Matabeleland). As one journalist noted:

In these constituencies, ZANU PF won only because the opposition vote had been split between the two factions, and in some cases between three MDC factions, two from the Tsvangirai faction and the other from the Mutambara group.²³

Moreover a further analysis of the provincial votes indicates that ZANU PF still has a majority in the important rural constituencies of Mashonaland West, Mashonaland East, Mashonaland Central, Masvingo and Midlands, although the MDC Tsvangirai, in particular, has made important inroads into the ruling party's support in these areas. With regard to the Presidential vote which was finally announced by ZEC on the 2nd May 2008 table 2 shows the results:

Table 2: Presidential Results.

Morgan Tsvangirai	Robert Mugabe	Simba Makoni	Langton Towungana
1,195,562 (47.9%).	1,079,730.(43.2%).	207470 (8.3%).	14,503. (0.6%).

Source: Veritas 2008.

Examining the voting patterns since 2000 it is also clear that the number votes cast has dropped since 2000 after a peak in 2002. Interestingly though, whereas the number of votes cast for the two major parties has decreased since the 2002, slightly for the MDC and more significantly for ZANU PF, the number of Independent voters has increased. This is probably due to the brief flurry of excitement in Simba Makoni's candidacy.

²³ "Opposition split propels ZANU PF." Financial Gazette, 06/04/08.

Table 3: Votes Cast 2000-2008

Party	Number of Votes in 2000	Number of Votes in 2002	Number of Votes in 2005	Number of Votes in 2008
ZANU PF	1,212,302	1,685,212	1,569,867	1,112,773
MDC (Both Formations.)	1,171,051	1,258,401	1,041,292	1,241,656.
Independents	92,943	55,145.	16,878	68449
Zanu Ndonga	17,629		6,608	

(Source: Figures for the 2000-2005 election were sourced from africanelection.tripod.com/zw.html#2005_House_of_Assembly_Election. Figures for the 2008 Election were taken from www.zimbabwesituation.com/apr3b_html and supplemented with figures from Veritas.)

In the senate the tally was combined MDC (30), ZANU PF (30), Chiefs (18), plus the 10 seats for Provincial Governors. A further 5 seats will be appointed by the new President. From the voting figures it is clear that Morgan Tsvangirai and his formation of the MDC in particular have once again changed the terrain of Zimbabwean politics significantly, with the parliamentary votes of both MDCs and the first round of the Presidential election signalling the defeat of a de-legitimised liberation party. This clearly establishes the firm roots that both Tsvangirai and the MDC have established in Zimbabwe politics, and that no amount of ZANU PF invective can undermine this in the near future. For the Mutambara MDC it is clear that the formation need to take very serious stock of the changes in politics in Matabeleland, in particular the Bulawayo area, and to assess the huge cost of endorsing Simba Makoni who was still perceived by many as a ZANU PF candidate.

Because of the long delay in the announcement of elections results, there was a great deal of legal dispute over the legality of this delay on the part of the ZEC. On the 6th April 2008 the MDC submitted an urgent court application to compel the release of the results after what was argued to be the required seven day period. This application was rejected by Justice Uchena on the basis that the provision in subsection 67A(4) of the Electoral Act allowed ZEC the discretion to order a recount and that there were no time provisions to be followed in this regard.²⁴ In addition to this court appeal to compel the release of the results, the MDC had also adopted the strategy of announcing its own results in order to pre-empt what it understandably perceived as the bias of the ZEC towards the ruling party. On the 2nd April 2008 the MDC Tsvangirai announced that according to its own estimates, garnered from the figures posted outside of polling stations the votes for the presidential election were as follows: Tsvangirai (1,169,860), Mugabe (1,043,451), Makoni (169,636). In the MDC announcement it was then claimed that Tsvangirai had exceeded the 50%-plus-one threshold to be legally declared the winning candidate. In fact a calculation of the figures provided by the MDC showed that Tsvangirai had only garnered 49% of the Presidential vote. As the journalist Patrick Laurence wrote this was a “tactical blunder” which undermined,

....the MDC assertion that Tsvangirai obtained more than half of the vote and provides the ZEC with an argument with which to justify its controversial decision to recount the presidential vote (and as the MDC and many observers suspect, to readjust the result to the advantage of Mugabe and ZANU PF.)²⁵

Since none of the Presidential candidates received the majority required to be declared an outright winner, the Government of Zimbabwe announced on the 14th May 2008 that a run-off would take place

²⁴ For a full discussion of the legalities of the election delay see IDASA: States in Transition Observatory, “The Inconvenient Truth: A complete guide to the delay in releasing the results of Zimbabwe’s presidential poll.” Prepared by Derek Matyszak of the Research and Advocacy Unit, Zimbabwe. 21st April 2008. See also Derek Matyszak, “The Inconvenient Truth (Part 2)”. 19th April 2008.

²⁵ Patrick Laurence, “Nothing suggests a quick end to Zimbabwe impasse.” The Sunday Independent, 11/05/08.

between Tsvangirai and Mugabe within 90 days of May 2nd when the disputed Presidential results were announced. The Justice Minister, Patrick Chinamasa, announced that “notwithstanding the Section 110 of the Electoral Act, the period within which a second election for the office of the president is hereby extended from 21 days to 90 days from the date of the announcement of results of the first poll.”²⁶ ZEC has the power to extend the 21 day period in terms of section 192(4) and (5) of the Electoral Act, with these provisions empowering ZEC to make “*such statutory instruments as it considers necessary or desirable to ensure that an election is properly and efficiently conducted and to deal with any matter or situation connected with, arising out of or resulting from the election.*” This includes “*altering any period specified in this Act within which anything connected with, arising out of or resulting from any election must be done.*” As one legal opinion notes Section 192 “does not in as many words set any limits to ZEC’s power to extend the 21 days period, but on general principle ZEC should use its power reasonably.”²⁷ Additionally 105 election petitions (53 by ZANU PF and 52 by the MDC) have been lodged with the Electoral Court the outcome of which could seriously change the MDC’s current majority in the House of Assembly.

Morgan Tsvangirai declared on the 10th May that he would take part in the run-off under the following conditions:

- Run-off to take place within two weeks and not later than 23rd May 2008.
- Cessation of violence.
- Unfettered access for international observers.
- SADC peacekeeping force on the ground.
- Re-constitution of the ZEC.
- Free Press- local and international.²⁸

It is clear however that during the one and half month period that has elapsed since the March 29th election and the announcement of the time frame for a run-off, ZANU PF has used the time to conduct a vicious campaign of violence and brutality against the office holders and supporters of the MDC, thus carrying out the pre-election threats of both Mugabe and his security chiefs. (See the discussion below.) The retribution of the ruling party was signalled by a march of 400 “war veterans” on the street of Harare on the 4th April 2008, accusing the MDC of bribing election officials, and followed in the days to come by the arrest of election officials accused of assisting the MDC. The plan for this violence was disseminated at provincial level through JOC commanders, through meetings such as that held on Monday 14th April 2008 at Nkayi Business Centre at which senior members of the police, army, prison service, CIO and war veterans were in attendance in addition to the Governor of Matabeleland North. At this meeting the violence that would be the central pillar of Mugabe’s run-off campaign was discussed. On the assumption that the run-off, like the March election, would be ward based, the plan set out to establish “ward command centres” composed of three police officers, one war vet and Chiefs messenger thus combining official, paramilitary and traditional structures.²⁹ Those attending the meeting were allegedly informed that there was likely to be a run-off because “election fraud” had taken place in the following ways:

- ZEC officials were bribed by the MDC to steal votes from Mugabe, and as a consequence there would be a recount in 23 constituencies.

²⁶ “Zimbabwe run-off in 90 days- Chinamasa.” Newzimbabwe.com 15/05/08.

²⁷ Veritas Bill Watch 19/2008, 10th May 2008.

²⁸ Ibid.

²⁹ Summary of Interview with Key Informant 2008. See a report on this meeting in Peta Thornycroft, “Mugabe’s diabolical plot exposed.” Sunday Independent 20th April 2008. See also Appendix Three of this report.

- Postal ballots were not counted in some centres.
- Some ZANU PF agents were chased away from the counting centres and therefore did not observe the count.
- Some ZANU PF voters were turned away from the voting.
- The V11 forms (posted outside every polling station) were tampered with.
- MDC paid ZEC officials to frustrate ZANU PF voters.
- Illiterate voters were cheated and were forced to vote for MDC T.³⁰

A comment allegedly made by a brigadier attending the meeting made it clear that:

If ZANU does not win there will be conflict in the country and that will be black against black. We know the United Nations will send in peace keepers, but people will have died by then and there will be no resurrecting them. So you have to protect the revolution. If we lose through the ballot we will go back to the bush. Democracy is only for the educated.³¹

In an address celebrating Zimbabwe's 28 years of Independence Mugabe repeated some of the accusations above, noting in particular that Britain and its "lackeys" the MDC,

...have perfected their tactics to a more subtle form by using money literally to buy some people and to turn against their government.³²

The full impact of ZANU PF's response based on this assessment is discussed fully in the section of this report dealing with the post-election violence.

4. SADC and the Regional Civic Responses

Since 2000 the SADC has provided regional solidarity for the Mugabe regime in the face of criticisms from the West. Mugabe's construction of the Zimbabwean crisis as a redress of the colonial legacy on the land question became the predictable mantra in SADC's responses to criticisms from outside the African continent, notwithstanding reports of growing unease among some members of the regional body towards the Mugabe government. However the long delay in the release of the Zimbabwean election results prompted an emergency meeting of SADC in Lusaka on the 12th April 2008 to discuss the problem. On his way to the Lusaka meeting President Mbeki stopped over to consult Mugabe who failed to attend the meeting, and in a now infamous remark claimed that there was no electoral crisis in Zimbabwe. Referring to the delay in the release of the election results, Mbeki stated:

I wouldn't describe that as a crisis. It's a normal electoral process in Zimbabwe. We have to wait for ZEC to release (the results).³³

The official communiqué of the Lusaka meeting took a predictably soft approach to the Mugabe regime, commending the people of Zimbabwe "for the peaceful and orderly manner in which they conducted themselves before, during and after the election." The summit also urged the electoral authorities in Zimbabwe to ensure that verification and release of results be released expeditiously "in accordance with

³⁰ Ibid.

³¹ Ibid.

³² Chris Chinaka, "Another tirade against Britain." *Weekend Argus*, 19th April 2008.

³³ Paddy Harper and Mpupela Mkhabela, "Crisis? What Crisis?" *Sunday Times*, 13/05/08.

the due process of law.” However beneath the apparent calm of the SADC statement, more critical voices were emerging against the mediation approach of President Mbeki. The Botswana Foreign Minister Phandu Skelemani commented on the concern of SADC members over the Zimbabwe issue at the Lusaka summit:

Everyone agreed that things are not normal, except Mbeki. Maybe Mbeki is so deeply involved that he firmly believes things are going right. But now he understands that the rest of SADC feels this is a matter of urgency and we are risking lives and limbs being lost. He got that message clearly.³⁴

Morgan Tsvangirai, who attend the meeting as part of a campaign to lobby the African continent on the problems around the election, called on President Mbeki “to be relieved of his duties”, and suggested that Zambian President Mwanawasa lead “a new initiative due to the urgent situation in Zimbabwe based on the violence intimidation and changing electoral conditions.”³⁵

Within the ANC Alliance itself, reflecting the shift of power in the ANC after the election of a new President and leadership at the Polokwane Conference in December 2007 and the long-standing criticisms of the Mugabe regime by COSATU, more critical voices became apparent on the Zimbabwe question. The new ANC President Jacob Zuma observed of the March elections that he did not think that “it is acceptable in a democratic system that if you lose an election you can stay on by force.”³⁶ The Speaker of the South African National Assembly, Baleka Mbete told parliamentarians at the 118th IPU Assembly that they could not remain silent about Zimbabwe’s “democratic process that has gone wrong.”³⁷ Additionally the ANC national spokesperson Jesse Duarte commented:

The ANC regards ZANU PF as an ally. However, it regards the situation in Zimbabwe as a crisis with negative consequences for the SADC region.³⁸

While the new critical voices emerging in SADC and the ANC were a significant development on the Zimbabwe question, a more dramatic development was taking place within the civic movement in the region. In April 2008 a Chinese ship the, *An Yue Jiang*, attempted to unload its 77 tons of cargo made up of 3 million rounds of AK47 ammunition, 1500 rockets and the 3000 mortar shells at Durban harbour. The South African Litigation Centre launched a court action on behalf of Bishop Rubin Phillip, Chair of the Solidarity Peace Trust, to prevent the cargo from being unloaded. Moreover the South African Trade and Allied Workers Union instructed its workers not to handle the cargo. In an incredible show of solidarity dock workers in the region, backed by international workers federations and NGOs, refused to handle the cargo in other maritime countries in SADC. This call was also backed by the SADC Chair President Mwanawasa who came out strongly against the shipment. Cosatu’s provincial secretary Tony Ehrenreich, called this action “a great victory for working people and for workers acting in defence of workers and the working class in Zimbabwe.”³⁹ In a further show of solidarity against the Mugabe regime 105 representatives from 21 African countries, met in Dar es Salaam on the 21st April 2008 and amongst other resolutions stated that:

- **..the electoral crisis be resolved through a political settlement that reflects the will of the people as expressed on the 29th March 2008.**

³⁴ Mandy Rossouw and Jason Moyo, “Botswana raps ‘no crisis’ Mbeki.” Mail and Guardian, 18-24 April 2008.

³⁵ Hopewell Radebe, “Tsvangirai wants Mbeki to quit talks.” Business Day, 18th April 2008.

³⁶ Jeremy Kuper, “Zuma defines by contrast.” Mail and Guardian 25th April to 1st May 2008.

³⁷ Angela Quintal, “Mbete says world cannot remain silent on Zimbabwe’s failed ‘democratic process.’” Cape Times. 14/04/08.

³⁸ Christelle Terblanche, “Yes, there is a crisis in Zimbabwe, says ANC.” Cape Times, 15/04/08.

³⁹ Natasha Joseph and Hans Pienaar, “Zimbabwe arms ship offloads cement in Luanda-not arms.” Cape Times 07/05/08.

- **The international law principle and norm of Responsibility to Protect places primary responsibility in the hands of the state to protect its people from crimes against humanity, genocide, and war crimes. However where the state itself is the perpetrator of such heinous crimes, and/or fails or neglects to protect its people, the international responsibility to protect cannot be stopped by self-serving claims of sovereignty on the part of armed and predatory elites. The African Union has the responsibility to put in into place measures to protect.**⁴⁰

5. The SADC Mediation: Where to?

In response to the growing criticisms of the Mbeki- led SADC mediation on Zimbabwe in Zimbabwe, South Africa and the region, SADC confirmed President Mbeki's role as mediator. It is therefore clear that role of the South African President remains a key factor in the regional response to the Mugabe regime. Two options may be open to the mediator. Firstly there is the option of supporting the run-off and attempting to ensure that more open conditions than currently exist will be established before a second election. The major challenge facing this possibility is the enormous wave of violence that has been unleashed by the ruling party since the election. As the discussion of violence below indicates, much of the current attacks are centred in the Harare and Mashonaland areas, the latter of which has been considered a ZANU PF stronghold. Here the leadership and supporters of the MDC Tsvangirai are being beaten, maimed, killed and displaced in order to shift the balance of support back to Mugabe in the run-off.

From Appendix One it is clear that many ZANU PF voters in rural Mashonaland adopted a dual voting strategy, voting for ZANU PF in the parliamentary election and for Tsvangirai in the presidential race. It is therefore no accident that the ruling party violence has been concentrated in these areas, and that the plan of violence set out at the Nkayi meeting on the 12th April 2008 has been rolling out since then. In the Matabeleland area the ZANU PF strategy has been different, concentrating more on threats, and the memories of the Gukurahundi massacres, than on the scale of violence that has been witnessed in Mashonaland. In areas like Lupane such threats have been expressed in slogans such as "One MDC vote one Bullet", and in the use of lists, a particular symbol of the Gukurahundi violence, to warn people of impending brutality. The violence in Matabeleland has also been lessened by the influence of ex-Zipra members, and a few traditional leaders who have called for a more peaceful mobilization strategy.

The central fact of this violence and the responsibility of Mugabe and his ruling party for this abomination must be understood by President Mbeki, if he is seeking to remove the blockages to a peaceful transition in Zimbabwe. It is therefore not helpful when members of his government attempt to avoid this fact by attaching blame for the violence to both ZANU PF and the MDC, as in the statement by SA Foreign Minister Nkosazana Dlamini-Zuma calling on "all parties to refrain from any acts of violence that could undermine the credibility of the run-off election."⁴¹ This is particularly the case when the South African President has been informed of the violence by the team of retired South African army generals he sent n to Zimbabwe to investigate the violence. As one member of the team observed:

What we have heard and seen is shocking. We have heard horrific stories of extreme brutality and seen the victims. We have seen people with scars, cuts, gashes, bruises, lacerations and broken limbs, and bodies of those killed. It is a horrifying picture.⁴²

⁴⁰ Communiqué of the African Emergency Summit on Zimbabwe, Dar es Salaam, 21 April 2008.

⁴¹ "Dlamini-Zuma appeals for peace n Zimbabwe in countdown to run-off election." Cape Times 14/05/08.

⁴² Dumisani Muleya, "Zimbabwe violence 'shocks' SA generals." Business Day, 14/05/08.

When such information is added to reports that President Mbeki has known since 2002 about the undemocratic electoral practices of the Mugabe regime, having received a report by judges Khampepe and Moseneke on these issues,⁴³ then it is apparent that the South African Presidency is fully aware of the authoritarian basis of Mugabe's rule. It is highly unlikely, therefore that conditions can be created for a presidential run-off election in the near future.

The second option, and one which may be more appealing to the SADC mediator is to negotiate some form of Government of National Unity, most likely headed by ZANU PF which it is hoped could develop conditions for greater stability in Zimbabwe. A pivotal aspect of the policy of quiet diplomacy has always been a concern that the Zimbabwean military would not accept an MDC government. In the light of the violence that has been unleashed since the March election, headed by the military, this concern will be even more urgent for the Mbeki mediation. It is therefore arguable that the election results have become a secondary factor in the mediation, to be used only in so far as they push the agenda for a Government of National Unity. If this is indeed the case then the terrible lesson of the recent Zimbabwe election, as in Kenya, is that elections, rather than being a modality for a renewed legitimacy, provide the prelude to the re-assertion of authoritarian political projects by the electoral loser. A Government of National Unity could become the bridge that allows that to happen, if it is not part of a broader project to change the form of the current state. However it is clear that another election at this point is only likely to exacerbate the crisis.

Recommendations

- 1. A run-off of the Presidential election is neither practical nor desirable in the current environment of state violence. The SADC mediator should therefore take urgent steps to bring the major parties together into a renewed mediation process. This next stage of the mediation should discuss the following:**
 - **Immediate demobilization of the ruling party structures orchestrating the violence in Zimbabwe. SADC observers should be sent into the country immediately to observe and assist this process.**
 - **Discussions around the creation of transitional government composed of representatives of the MDC and ZANU PF to map out conditions for political stabilization, humanitarian assistance and interim measures to help stabilise the economy.**
 - **Such a transitional authority should then map out the process for the creation of a new constitution, and the conditions necessary for such a constitution to come into force.**
 - **A recognition by both the mediator and SADC that the central obstacle to a peaceful transition in Zimbabwe is Robert Mugabe and those elements in his security and political structures for whom a political alternative is unthinkable.**

⁴³ Michael Bleby and Karima Brown, "Mbeki 'ignored judges' on Mugabe's stolen poll." Business Day, 12/05/08.

2. SADC and the AU should combine a strategy of assisting and supporting such a transitional process, with a clear message to the Mugabe regime that it can expect no further diplomatic support in the event of its continued recalcitrance in the political process. A diplomatic consensus with Western countries needs to be developed around this point, so that future diplomatic action has broader agreement.
3. Peace-building measures in civil society, building on ongoing initiatives in the country, should be strengthened and supported by the presence of regional church and civic actors. Such an initiative could help to contain and roll back the zones of violence in the country.

Finally there needs to be a general recognition that Zimbabwe is fast sinking into the conditions of a civil war, propelled largely by the increasing reliance on violence by the ruling party to stay in power, and the rapidly shrinking spaces for any form of peaceful political intervention. It was precisely such conditions that gave rise to the decision by the nationalist parties in the 1960's to embark on a violent strategy for change. All avenues must be pursued to avoid such an eventuality.



Photo 3: funeral of murdered MDC activist Beta Chakurarama, 17 May 2008

The violence of 2008: an evaluation

A. Background

1. Sources

The authors accessed information compiled from formal interviews with 681 people countrywide, who reported human rights violations between 1 January and 30 April 2008. In addition to this, a further approximately fifty interviews were conducted with people claiming human rights violations between 1 May and 10 May 2008. Key informants in the health profession and civics were also consulted on events.

There are unequivocal indications that during May the violence has intensified and become more vicious. In the first ten days of May, numbers of people seeking medical support in Harare for increasingly severe and sadistic injuries has almost equalled those seeking treatment in the whole month of April. On the 8 May, Zimbabwe Doctors for Human Rights (ZADHR) reported that “in the last 24 hours alone, 30 victims of violence have been treated for limb fractures in Harare hospitals and clinics and supplies of Plaster of Paris bandages are reported to be exhausted in most health centres.”⁴⁴ According to our records, in the entire of April around 50 fractures were treated in these same centres.

ZADHR further reported:

One hospital in Harare has treated an average of 23 victims a day over the last week. On the 8th of May, there were a total 53 more seriously injured patients (13 females and 40 males) admitted to wards in 3 Harare hospitals. These included one 30 year old man on life support in the intensive care unit with severe, irreversible head injuries and a 30 year old man with severe soft tissue injuries to the buttocks and secondary renal failure, also on life support. Both of these patients died later that day... Among the other patients, 20 had defensive, forearm or hand fractures, 5 had leg fractures and 1 fractured ribs. Fourteen patients had severe injuries to the buttocks from blunt trauma which required surgery for the removal of necrotic (dead) tissue. The perpetrators in all cases were alleged by the victims to be war veterans and Zanu PF supporters. Similar patterns of injuries are being reported from other hospitals.

As the formal database of the authors currently ends with cases up to 30 April, the April data has been dealt with quantitatively in this report and will provide the pre- and post election discussion of violence. Violations that have taken place in May, including incidents of unprecedented brutality, have been presented and discussed qualitatively rather than quantitatively, as information about events in May is still being collected and formally evaluated.⁴⁵

It was generally agreed that the months leading into the recent election were among the most peaceful pre-election periods in Zimbabwe since 1995. However, within days of the end of the election, civil society began claiming high numbers of people being assaulted. At first, these reports focused on violence in Harare itself, but within days the reports of violence began to flood in from rural Mashonaland. ZANU PF officials have continued to deny the scale of the violence, and have also claimed that MDC is responsible for the violence rather than the arms of the state or ZANU supporters.

It was clear to the state by 30 March that they had lost the presidential and the parliamentary elections. Media reports indicate that in the early days of April, Mugabe considered conceding defeat, but that by around 3 April the hard liners in his party, together with the Joint Operational Command, had decided that there would be no such concession, and that ZANU PF would remain in power by brute force. Since

⁴⁴ ZADHR statement, 8 May 2008.

⁴⁵ This report ends with a shocking personal account of the massacre at Chaona, Mazowe, on 5 May.

then, commentators have alleged an increasingly violent policy of displacing MDC leadership in particular, but also MDC supporters in general, from their rural homes. This has happened against the rhetoric of ZANU PF claiming to be abiding by the law and the constitution, and of being committed to a presidential run off. However, displacing people from their rural homes effectively disenfranchises them from voting in any run off, and removing MDC leadership has a clear impact on the ability of the MDC to organise and motivate its supporters to vote. As the vote in the first presidential round was comparatively close, and as neither of the main contenders managed to achieve the 50% plus one required,⁴⁶ ZANU PF has been accused of aiming to displace and /or to discourage a sufficient number of voters nationwide, in order to win the run off.

This report reviews over 700 individual interviews in order to establish the degree to which individual experiences can support or refute the various claims in the paragraph above.

2. Dangers and difficulties of trying to access or deliver health care

The 700+ people interviewed here, of which more than 650 spoke of post election violence, are likely to represent a very small percentage of those who are in fact suffering violations at this time. ZADHR estimate only a tiny fraction of victims is managing to travel to a major centre for medical support, with others being treated in rural clinics and hospitals, or not being treated at all, either because they are too injured to travel or because their efforts to reach help are being obstructed.⁴⁷ There are reports of ambulances being turned back from accessing these districts, and of severely affected districts being under curfew where any movement out of the area is almost impossible owing to army and police road blocks. Nobody is being allowed to leave certain areas where violence is very bad without written permission from the war vets and police controlling these areas.⁴⁸

Doctors and nursing staff at rural hospitals are working under conditions of severe stress and many health workers have reported intimidation with some having been specifically instructed by state agents not to treat opposition supporters. These health workers, who, according to some reports are treating up to 60 victims of torture and violence a day, are emotionally traumatised and depressed. One nursing sister treating victims in a rural clinic was observed to be shaking so violently with fear that she was unable to write.⁴⁹

Most rural clinics have very few medical supplies and are understaffed. They are poorly equipped to deal with the sudden number of assault cases. Rural clinics certainly do not have x-ray machines, or even basic antibiotics in some cases. The authors recently interviewed two people retrieved from Gokwe by activists, who sat in their rural homes with multiple fractures for more than two weeks because the local clinic was unable to adequately deal with the injuries and they could not afford to travel further for help. In one of these cases, a sixty seven year old man with a broken arm and two broken ribs, with blood leaking into his thoracic cavity, received no medical attention from the 24 April until the 10 May. He had to spend several days on antibiotics to clear his infection before he could be operated on. ZADHR reports increasing numbers of victims presenting with complications such as wound infections or infected haematomas which are directly attributable to delayed treatment.⁵⁰

This is a completely unacceptable situation, but it is the reality in Zimbabwe today.

⁴⁶ According to ZEC: the true results will likely never be known.

⁴⁷ ZADHR statement, 8 May 2008.

⁴⁸ Add REF HERE.

⁴⁹ ZADHR, 8 May 2008

⁵⁰ ZADHR, 8 May 2008.

3. Dangers in trying to access information and offer help

The government is increasingly paranoid and angry about information on the violence that gets out into the public domain. During the pre and post election phase, several foreign journalists were arrested either trying to enter the country, or in the country. Raids have been carried out on the offices of AP, AFP and Reuters, even though these are all accredited news agencies in Zimbabwe. A New York Times and a London Telegraph journalist were arrested, as was a journalist from Time magazine. The latter was incarcerated for eight days and beaten and interrogated. Local journalists are similarly under threat. An accredited Zimbabwean journalist was arrested during the stay away on the 15 April and was remanded in jail until May, in spite of being in poor health. Once the state realised he was accredited and that they could not charge him for “practising journalism without permission”,⁵¹ they then ludicrously charged him with having set fire to the bus he was photographing! The hunt for Sky TV and BBC in Bulawayo led to a Zimbabwean who is not even a journalist being jailed for five days.

During the first few weeks of April, it was possible to conduct human rights interviews with patients in the hospitals. However, once video footage of the injured began to enter the public domain and to be shown on news broadcasts around the world, the CIO invaded the private hospitals in greater force. State agents are now controlling access to the hospitals to try and ensure shocking images of the injured do not continue to be aired worldwide. These agents insist on examining the accounts books in the hospitals to see who is paying the bills for victims of violence, and are a generally intimidatory presence. Information and images of victims are therefore being obtained at immense personal risk.

4. Attacks on election officials

It has been alleged that in the post election period, election officials of various kinds have been deliberately targeted by the state.

This assertion is supported by our database, which includes 37 polling agents or election observers, who have been beaten, threatened and/or displaced. This makes up 6% of the victim group, which considering the small proportion of observers in any given population, constitutes deliberate targeting, and would indicate a deliberate attempt to undermine people’s willingness to perform any election role in a presidential run off. As with all violence, violence against observers is currently escalating.

The Zimbabwe Electoral Support Network (ZESN), the largest NGO involved with deployment of election observers, has been severely harassed, with police raids on their office, their leadership being taken in for questioning on several occasions, and recently the confiscation of one of their vehicles. This targeting of senior staff is clearly linked to the announcement ZESN made soon after the election – and weeks before the official announcement of results – in which they projected a win for Tsvangirai. Of further concern is that those who observed for ZESN, who were most often drawn from the rural villages adjacent to the polling stations, have been ruthlessly targeted in certain Mashonaland Districts. Eight ZESN observers in Mount Darwin have had their homesteads burnt down. ZESN released an urgent statement on 6 May to this effect and an update on 14 May, saying attacks on their observers were currently underway and appealing for their halt:

ZESN observers in Mt Darwin East, Mutyandaedza Village, are under siege from suspected ZANU PF supporters for allegedly facilitating an MDC victory in the March 2008 harmonised election. The observers have been in hiding in the hills and the bush since the attacks began on Sunday the 11th of May 2008 and have had to walk long distances to find transport to seek refuge in Harare and other places.... The attacks are reported to have begun on Sunday afternoon after

⁵¹ In terms of the revised AIPPA it is no longer illegal for any Zimbabwe to undertake journalistic activities with or without accreditation, but this does not prevent continued arrests for such activities.

having been instigated by one headman, Antony Jongwe and Viola Muchenje, a District Chairperson for ZANU PF in the area and other war veterans. The attacks involved harassing, assaulting observers and their relatives, vandalising homes of observers, looting of their property including school uniforms, blankets and food reserves. However four observers and two of their relatives sustained serious injuries as a result of the attacks. The six have been hospitalised and their conditions are said to be serious but stable.

In another distressing case, a relative of a ZESN observer died after he was beaten by suspected ZANU PF supporters in Mt Darwin East. The observer had fled the village after his home was burnt down.

Furthermore, junior officials working for the ZEC have been targeted, with scores arrested on charges of miscounting handfuls of votes. Junior officials spent weeks in jail without bail, and in the first week of May, five ZEC presiding officers were sentenced to jail terms of between three and 16 months, after each failing to account for between 11 and 16 votes during the exercise!⁵² In no case did the miscounts result in a wrong result being announced. Of these five ZEC officers, four were school teachers and one a headmaster. One wonders who will be brave enough to work for ZEC – or ZESN - in a run off, which is undoubtedly the intention behind the intimidation.

5. Deaths

The numbers of those beaten or shot to death remain unclear at this time. However, during May there has been an undeniable escalation of beatings resulting in deaths.

There have been 22 confirmed deaths [since 1 April] but at least double that number has been reported but is yet to be confirmed. It is alleged that some of those killed have been buried on the orders of state agents before documentation can take place.⁵³

On 5 May, an 84 year old man was killed in Gokwe Nembudziya, which is in the north Midlands. This death has been confirmed by an NGO outreach visit to the affected area. On 14 May there was a confirmed report of a man axed to death in Shamva: his wife who was also axed but survived is now receiving treatment in Harare. Reports both confirmed and unconfirmed continue to come in daily from Mashonaland, but the besieged nature of much of rural Mashonaland and the obstructiveness of officials makes it very difficult to pursue most of these claims. In some hospitals where the dead have arrived beaten and mutilated, brave doctors are filling in death certificates accurately stating injuries and cause of death, but in other cases, bodies are buried without medical examination.

6. Abductions and disappearances

In the second week of May, there were increasing numbers of reports of well known activists being abducted, including the night time abduction in Mabvuku (a suburb of Harare) of Tonderai Ndira. He was taken from his home by a truck with false number plates on Tuesday 13 May and has not been seen since. Another activist, Beta Chakurarama (see photo 5) was beaten in the early weeks of April and had both legs in plaster casts. He was abducted off the back of a vehicle on the way to Murehwa a few weeks later, in early May: Beta was brutally killed – he couldn't run away - and a companion, abducted at the same time, is disappeared. These are but a few examples of such abductions and disappearances in the last few weeks.

⁵² *The Herald*, Harare, 7 May 2008.

⁵³ ZADHR, 8 May 2008.



Photo 4: some of the displaced seeking shelter at Harvest House attend a church service there, 10 May 2008



Photo 5: Beta Chakurama, activist beaten in April and left with two broken legs, was then abducted and brutally killed in May, while still in plaster cast



Photo 6: battered and broken, youth from rural MDC structures seek safety at Harvest House, May 2008



Photo 7: child from Mudzi injured on the face during violence in May 2008

7. Assumption of impunity

Particularly in the second week of May, the violence has shifted qualitatively. Four people were confirmed beaten to death in one area of Shamva district in the first week of May, and another six were beaten to death in Chiweshe on the same day.⁵⁴ The Chiweshe incident left five others fighting for their lives in Harare hospitals. Both Shamva and Chiweshe are in Mashonaland Central. Descriptions of these ruthless killings and mass beatings, which took place in public settings with many people forced to witness the sadistic attacks, are clearly reminiscent of the 5 Brigade killings in Matabeleland in the 1980s.⁵⁵ Further consequences of the Mashonaland Central violence in the first week of May comes from ZADHR's descriptions of patients:

... admitted was a 3yr old boy with trauma to his R eye from being struck with a rock and a 78 year old man with a fractured lower leg from blunt trauma. One young breast-feeding mother had bilateral fractures of her hands and was unable to hold her baby to feed her. Among the other patients, 20 had defensive, forearm or hand fractures, 5 had leg fractures and 1 fractured ribs. Fourteen patients had severe injuries to the buttocks from blunt trauma which required surgery for the removal of necrotic (dead) tissue. The perpetrators in all cases were alleged by the victims to be war veterans and ZANU PF supporters. Similar patterns of injuries are being reported from other hospitals.

Any group of perpetrators who organises such public massacres and beatings with so many eye witnesses and such gross mutilation of victims, is acting on the assumption of total impunity. It is clear that ZANU PF is acting with the certainty that they will "win" any run off. They are assured within themselves that there will be no new government in the next few weeks or months that will hold them accountable for these unspeakable acts, otherwise they would – surely - act a little more circumspectly. The world needs to take note of this.

8. Reaction of police to events

Officially the police have condemned all political violence and have declared "zero tolerance" for it, but the reality on the ground is that the police are either powerless to prevent what is happening or complicit in events.

Government spokespersons have repeatedly claimed that they have not received reports of violence or of deaths from the police. However, there is evidence that the police themselves are being intimidated. ZADHR has eyewitness statements that on the 24th of April, at Mayo Police Station in Headlands District, a high-ranking police officer from Harare physically assaulted the Member in Charge, accusing him of being sympathetic to the opposition. The police post had been taking statements from victims and referring them for medical treatment. The Member in Charge was summarily transferred out of the district.⁵⁶

Police are under instructions not to arrest perpetrators, even when they file cases and victims know their assailants as they often do. This pattern of behaviour is consistent with the master plan for the run off drawn up in April and communicated across the nation to police at ward level.⁵⁷ As the 14 May statement from ZESN indicates, support from the police is generally limited at this time. They are clearly not the ones in charge of law(lessness) and (dis)order

⁵⁴ There have been claims of up to 11 beaten to death in the Chiweshe incident – see interview ending this report, but the authors have confirmed six of these deaths so far. However, it is very hard to enter the vicinity and gather adequate information at this time, so this number could well grow.

⁵⁵ While the Gukurahundi massacres resulted in the deaths of between 10,000 and 20,000 and the current violence is on a much smaller scale, the difference is of scale not type. And the intention is clearly the same – to shatter a political opposition.

⁵⁶ Ibid.

⁵⁷ Ref has been made to this document in the preceding section of this report, and is appended.

ZESN commends the police for moving into the village on Monday even though such an intervention would have been more effective had it been timely. While such efforts by the police are commendable, the fact that perpetrators of such levels of violence and looting of property are yet to be arrested and brought before the law when there are witnesses who can identify their assailants leaves a lot to be desired.⁵⁸

The police have in some instances continued with their long established pattern of arresting, charging and denouncing the innocent.⁵⁹ Over 200 displaced victims of abuses including women and children who had sought shelter at the MDC headquarters in Harare, were in late April arrested and accused of being responsible for burning down homesteads in rural areas. This was in the wake of the retributive burning of eight homesteads allegedly by MDC supporters, but there was no evidence linking any of those arrested to these burnings, as their eventual release confirmed. However, it meant that people already tortured, homeless and traumatised were further abused by the very people who should have been making efforts to arrest their persecutors. On 10 May, the MDC MP for Mutasa Central was arrested when he went to report the abduction of a youth member. Another MDC MP, in Masvingo was arrested on 13 May for unclear reasons. Yet retired Major Mandhu, the ZANU PF MP allegedly responsible for the massacre in Mazowe, remains at large.

B. Perpetrators

1. The role of the Joint Operational Command

In accordance with the master plan constructed in April and currently being implemented, the “election campaign”, is being directed by senior members of Joint Operational Command (JOC), which consists of the ZNA, the ZRP, the CIO and the prisons service. JOC is also responsible for the instigation, and often the carrying out, of the violence nationwide. They are in charge of and directing a large fluid force of informal agents, consisting of ZANU PF youth/ militia,⁶⁰ war veterans, and ZANU PF structures and supporters at local level. This strategy is apparent nationwide, including in areas where violence is not currently epidemic.⁶¹ Countless interviews and the current database testify to this.

Without exception, victims treated by our members have identified the perpetrators either as war veterans, armed security force members or ZANU PF youth militia or varying combinations of the three.⁶²

As the chart following shows, JOC has been implicated in 56% of post election violations.

- **The army was reported as being involved in 188 out of 618 cases – 28%**
- **The police force, including riot and plain clothes force, were reported in 130 or 21% of cases**
- **CID and CIO were involved in 2% (10) and 3% (18) of cases respectively**

What is remarkable is the dominant role being played by the army in particular in the committing of violations. The army has issued an official statement denying any involvement in abuses, but this is clearly disingenuous. This is also a shocking development – at no time in the last eight years have army

⁵⁸ ZESN, 14 May 2008.

⁵⁹ See SPT, “Destructive Engagement”, 2007 and “Policing the State”, 2006 for detailed accounts of police behaviour.

⁶⁰ Youth militia can be in uniform – the notorious green bombers – or can be less clearly identified groups of young men who may have had youth militia training at some point.

⁶¹ Matabeleland is dealt with separately ahead, as a region that so far has little violence but high levels of extremely well organised intimidation.

⁶² ZADHR, 8 May 2008.

so blatantly been involved in human rights abuses in Zimbabwe, particularly in a context where no riots or other civil disturbances are taking place: almost one in three incidents allegedly involve at least one soldier.⁶³ Furthermore, in the run up to the elections, which was by and large, but not entirely peaceful,

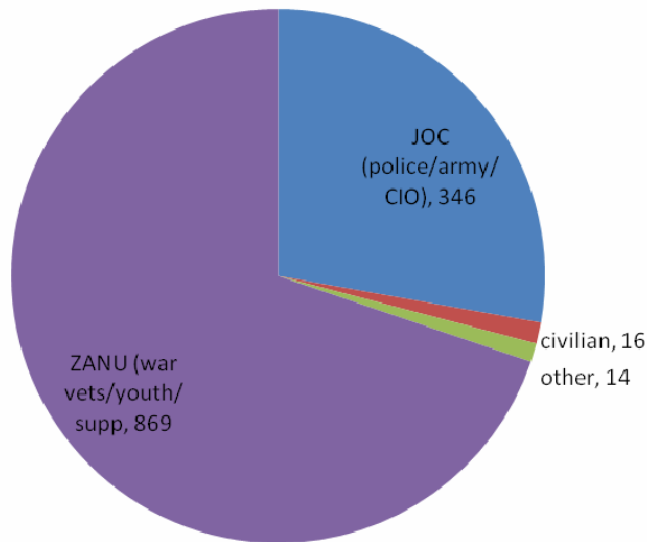


Figure 1: Perpetrators showing JOC and ZANU groupings

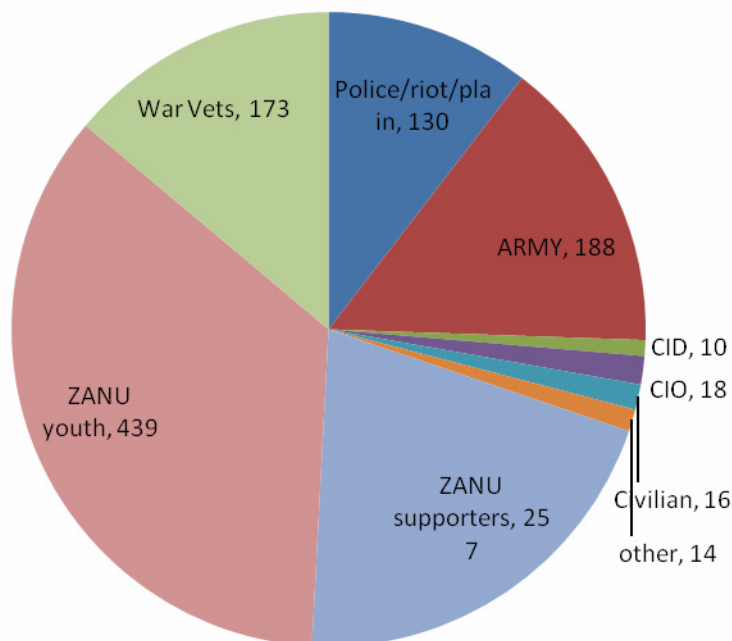


Figure 2: Perpetrators: 30 March - 30 April (N victims = 618)

⁶³ In the 1990s food riots, army were responsible for deaths and beatings, but this was in a context of rioting and looting in Harare. Now the army is going into peaceful areas and fomenting violence.

there was not a single incident involving the army. Yet from the first week in April, reports of army involved in violations have been widespread.

Although there have been shootings, most of the deaths and injuries involve simple beatings and other forms of torture committed with very ordinary objects – sticks, fan belts, chains, burning plastic bags, rocks and logs. The shootings have not necessarily implicated the army. In some areas of Mashonaland, war veterans and youth appear to have been armed, which is entirely illegal, and has resulted in several shootings and deaths.

- **ZANU supporters⁶⁴ were involved in 42% of cases**
- **ZANU youth/militia were involved in 71% of cases**
- **War vets were involved in 28% of cases**

These three groupings represent the informal arms of ZANU PF: in the post election period it is these paramilitary groups and informal groups that have been responsible for most of the violence, in a grim reminder of the situation on the ground in the wake of the 2002 election.

What is of central significance is that reports are consistent from around the country: nationwide, army and police are acting in unison with war veterans and youth militia to terrorise people.

In 124 out of 618 cases reported to the authors, or 20% of all cases, two, three or more different categories of perpetrator were acting together. Either army or police are alleged to give orders to groups of youth militia or ZANU supporters, as well as taking part themselves in acts of terror. In Matabeleland, people have reported that war vets are being “assigned” two youth militia each. Nationwide, there are reports of senior police or army officials ring leading brutal attacks in rural districts in order to start a wave of violence, after which they themselves move on to other areas, leaving continuing violence in their wake. An Assistant Commissioner Kainona from the police force is mentioned as one such individual behind repeated outbreaks of violence in Shamva and elsewhere.

This pattern is consistent with reports the authors received in April of a highly coordinated plan to deploy combined units of police, war vets and army at the ward level right across the country ahead of any run off (see previous section and appendix 3). There are multiple reports of war veterans in police uniform – and of people known to be soldiers moving with these groups but dressed in civilian clothes in order to disguise the fact that the army is involved.⁶⁵

2. MDC as perpetrator:

No violation reported to us was attributed to MDC. However, it is nonetheless clear that there have been instances of MDC extracting revenge in the wake of the current violence. Eight huts were allegedly burnt by MDC supporters in Shamva in April, one of the few incidents of political violence that has been widely publicised in the government media.⁶⁶ There have been other unsubstantiated claims from the state of MDC violence, as well as anecdotal reports of property destruction by MDC. For example, it was reported to the authors that Assistant Police Commissioner Chihuri’s tractor was burnt by MDC activists in the first week of May in Shamva. In mid May, the authors visited a business centre in Gokwe, where in the previous few days ZANU PF youth had stoned and looted every business belonging to MDC supporting businessmen: by night, MDC supporters had followed up by stoning and

⁶⁴ This group includes general supporters, ZANU youth who cannot clearly be identified as militia, traditional leadership and those who hold positions in ZANU structures. Shockingly, in some areas it has included elected Members of Parliament.

⁶⁵ People have on occasion been deployed originally in uniform but the same individuals are now in civilian dress. This may be a response by government to accusations of soldiers being involved in violence – which they have denied.

⁶⁶ *The Chronicle*, “MDC-T youths in court for public violence”, 15 May 2008.

looting every store that belonged to ZANU PF supporting businessmen. The entire business centre is now laid to waste.

While the anger of people who have lost everything can be empathised with, retaliatory violence must be condemned. A cycle of violence and retaliation bodes very ill for the immediate and longer term in Zimbabwe, and in fact feeds into the ZANU strategy as it allows them to claim that violence is on both sides, and to use any MDC violence to step up their own attacks against unarmed, defenceless, rural civilians.

3. ZANU PF Members of Parliament:

In several constituencies in Mashonaland, the winning ZANU PF MPs have been shockingly implicated as spear-heading the violence. The two most appalling examples of this is the alleged involvement of Minister of Health, David Parirenyatwa in orchestrating and inciting violence in his Murehwa North constituency during April⁶⁷, and of the direct involvement of retired Major Cairo Mandhu in the public beatings and murders of at least six people in Mazowe North in the first week of May.⁶⁸

If the allegations against Parirenyatwa are substantiated, then it is the recommendation of the authors that he is struck off the medical register in Zimbabwe, and is blacklisted by all international medical associations. No doctor can incite torture and violence against unarmed civilians and remain true to the principles of the Hippocratic Oath. Allegations of assault against Major Mandhu need investigating.

4. Perpetrators - locals

An alarming aspect of the violence is the fact that community members and even family members are committing these brutal acts against one another. In Mashonaland almost every body reporting violations can report the names of at least some of the perpetrators.

Mashonko fought in DRC and he is the commander near Kapfura. Then there is Oswell Kasakura and Dover Mutekede who both have and use guns. Pikisai Mapika Mike Chiwodza the councillor of ward three, these are some of the worst ones. Then there is Magobo a war vet, then Nyathi Rueben Nyathi and Edmore Zunye a war vet. I can say the war vets, there is Aron Jeke, all the war vets are involved in these issues, and the leaders of the mujibas. Things are not good at our homes, all of my youths whom they captured are at the bases and are forced to move with them at night, and involve them in their acts. We can no longer survive in my area, please help me I no longer know how my life will be. [*victim from Maranga Pfungwe*].

I managed to identify the people who attacked my home, the first person who I managed to identify was my cousin!!! He is the son of my father's older brother. He is a councillor for ZANU PF. I looked after this boy and put him through school up to Form Six. His name is MC.... I have five hectare of cotton and I managed to hide there so they couldn't see me, but they were in the light made by my burning kitchen and the petrol bombs that were burning on the other side of the house. So I could see that they were armed they had guns and wanted to shoot me. I saw Mike Chiwodza, Takemore Nyathi a war vet, Rueben Nyathi a war vet, Maka Nyabani war vet, Peter Nyauyanga former youth leader, Petros Nyauyanga Zanu youth, Trust Nyauyanga Zanu youth. These are all people who I live with and know. [*victim from Mudzi*]

.... In Mutoko as a whole, ZANU PF have started putting their bases at every polling station be it a school. They are being commanded from Mutoko centre by Wise Hodz. They've lots of cars and they're going around burning houses, like my house there is absolutely nothing left. Next to

⁶⁷ The authors have sworn affidavits testifying to his involvement on record.

⁶⁸ Events at Chaona are the most sadistic to have been reported to the authors so far: see end of this report.

me is my father. We had an eight bedroom house – they destroyed all the walls then burnt everything. They came for me at night but I had run away, leaving my parents thinking they wouldn't harm them. My mother's backbone is injured. [victim from Mutoko]

The community fabric is being shredded as neighbour turns on neighbour. Furthermore, such acts indicate – and so far rightly so – high levels of assumed impunity.

C. The Violence

1. Violence over time

The most obvious finding has been the dramatic escalation of violence since the election: from January to 29 March, which was election day, there were **63 political violations** recorded.

Jan:	7
Feb:	4
March:	52
April:	618

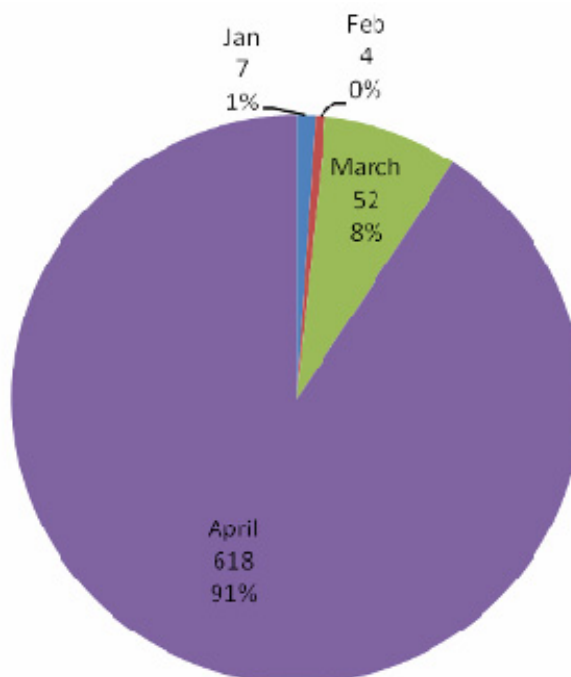


Figure 3 Reported violations by month, Jan to April 2008

Between 30 March, the day after the election, and 30 April, there were **more than ten times** as many violations as in the previous month of March, with **618 political violations** recorded. This clearly supports the contention that the pre-election period was comparatively – although not entirely - peaceful, as well as showing the dramatic escalation of violence since then.⁶⁹ It needs also to be remembered that current knowledge of violations is likely to amount to less than 10% of the true scale of what is happening for reasons mentioned previously.

⁶⁹ As mentioned in the previous section, there were some brutal incidents prior to the elections, and general threats and intimidation which have led to MDC appealing the outcome in 52 constituencies.



Photo 8: mother and child survey their burnt hut, Shamva, April 2008



Photo 9: making tea in burnt hut, Gokwe Nembudziya, May 2008



Photo 10: house in Gokwe Nembudziya destroyed by iron bars by ZANU PF supporters, April 2008



Photo 11: homestead burnt by ZANU PF supporters in Shamva, April 2008

2. Scale of the violence

By Friday, 16 May, doctors in Harare were reporting that they had treated 1,600 victims since 1 April: 618 were treated in April, and almost double that number in the first two weeks of May, indicating that violence has increased almost four-fold. By Thursday 14th, a doctor reported that they were interviewing up to one hundred new clients every day. Furthermore, all have reported on the unprecedented viciousness of recent attacks. As mentioned previously, ZADHR sees a small minority of all cases at this stage.

Similarly, the scale of **displacement** is dramatically underestimated in this report. In Mutare alone, over 400 people were filmed in a makeshift group during April, displaced from rural Manicaland.⁷⁰ None of these people told their story to our interviewers and consequently are not in the current statistics. Nor are the estimated 30,000 farm workers displaced during April.⁷¹

Again, during the first two weeks of May, the pace of rural civilians fleeing to Harare has clearly escalated.⁷² Many people fleeing rural areas are taken in by urban relatives, and their stories are not told to civic groups: it tends to be those without a roof over their heads who end up at the doors of urban churches seeking shelter.

Harvest House, the MDC headquarters in Harare, report hundreds of the displaced passing through their offices, but formal counts of exactly how many, have not been done there.⁷³ After several hundred displaced were arrested in Harvest House in late April, numbers here dropped briefly but have since risen steeply again. By around 14 May, their social welfare department indicated that they were processing several hundred newly displaced through Harvest House daily.

The database, while incomplete, nonetheless reflects reports from all provinces in the country. We are satisfied that the 700+ cases here provide a solid cross representation of the types of violations, the perpetrators, the intention behind the violence as told to victims, and distribution of offences across the provinces up to 30 April.

3. Geographical distribution of violence

The geographical spread of the violence has been markedly different from that during the previous year. During 2007, most violence was in urban Harare. It must be once more remarked that there were very few pre-election reports, with the below proportions based on the geographical distribution of 63 reports.

Pre-election violations:

- Mashonaland rural reported 41% of violations
- Harare reported 27% of violations
- This is a total of 68% of violations being reported in Harare and surrounding provinces.
- Manicaland reported 18% of violations, with Bulawayo and Matabeleland rural each reporting 7%
- There were no reports from Masvingo or Midlands prior to the elections

Post-election violations:

- The majority of violations – 46% - have taken place in the three Mashonaland rural provinces, Mashonaland East, Central and West, with the majority of affected districts lying to the

⁷⁰ See Solidarity Peace Trust (SPT), *A Crisis in Zimbabwe*, 28 April 2008.

⁷¹ Justice for Agriculture, report released on 28 April 2008.

⁷² See the SPT video, released 21 May 2008.

⁷³ See SPT videos, op cit, April and May, for an indication of the numbers of people in Harvest House on any day.

geographical north of Harare. Mashonaland East was the worst affected rural province in April, although current indications are that Mashonaland Central has been very badly affected in May.

- This is in sharp contrast to the violence exactly a year ago, when 85% of violations took place in Harare, with less than 5% in rural Mashonaland.⁷⁴
- During April this year, 38% of violations were in Harare.
- **This means that 84% of reported cases have taken place in Harare and in the surrounding provinces.**
- The remaining six provinces account for the balance of 16% of violations, indicating a clear focus on violence in the north of the country compared to other areas.

*It must be noted that there have been reports of extreme violence in Gokwe Nembudziya, which is in the north Midlands: twenty serious assaults and fifteen homesteads destroyed have been confirmed to a small and limited civics outreach group in early May. Three people in need of urgent medical attention were rescued. Furthermore, **one death by beating** was also confirmed there in the second week of May, as were further beatings and the destruction of businesses. However, the information came in too late from Gokwe to be included in these statistics, although photographs of victims are included. Anecdotal reports from Manicaland and Masvingo would indicate that violence has occurred there, as have displacements, that have not been documented by the current authors. As information from all areas continues to be incomplete, the above proportions of violations may change with time as more victims file reports. In early May, the violence shifted gear particularly in Mashonaland Central, with several extremely brutal incidents resulting in multiple deaths by beatings and very severe injuries.*

D. The Strategy

1. Mashonaland: the strategy

Mashonaland has traditionally always been the stronghold of ZANU PF. However in this election, there was a swing towards the MDC, which won twelve out of sixty House of Assembly seats in the three Mashonaland provinces, with considerable numbers of MDC votes in some of the constituencies they lost.⁷⁵ The violence in Mashonaland can thus be seen to both retributive – no betrayal is greater than the betrayal of your own previously most loyal constituency - and as an attempt to reverse the flow – to cut out the cancer before it spreads. It is therefore understandable why the worst violence has in fact occurred not in the constituencies won by MDC, but in the constituencies won by ZANU PF. The violence began in Mudzi and Mutoko – where ZANU PF won all seats – and has spread from there to Wedza, Maramba Pfungwe, Murehwa North, Marondera East and West – all constituencies won by ZANU PF. Similarly, in Mashonaland Central, the worst violence has been in Mazowe North, Shamva, Mt Darwin, Bindura and Guruve, and in Mashonaland West the violence has focused on Hurungwe and Magunje, with isolated incidents elsewhere.⁷⁶

In all these areas the violence has been highly structured and coordinated, with JOC in charge, and areas where pockets of MDC supporters voted against ZANU PF have been targeted. The polling station returns have made it easy to identify the “dissident areas”. As described in the next section, the MDC leadership in these constituencies has been decimated, and their key supporters largely displaced. Those that remain are living under siege.

They are doing it in waves. It's a well orchestrated thing. They will send in a team of 3 mostly military guys calling to round up villagers, address them, this time you are not going to make a mistake to vote where you voted, then they will show them firearms - that the war we warned

⁷⁴ See SPT, *Destructive Engagement: violence, mediation and politics*, 10 July 2007.

⁷⁵ MDC won 2 out of 16 seats in Mash Central, 4 out of 23 in Mash East and 6 out of 21 in Mash West.

⁷⁶ See maps, appendix one, for distribution of seats and names of constituencies nationwide.

you would come, has come. Then those 3 would go away. At night they will send this group of trained militia, ex combatants and brutalised farm workers to make the numbers. The professionals will be there, the militias, ex combatants, and army guys but they add the numbers with the brutalised farm workers so that you are terrified by the numbers, it's a game of numbers. So they will ferry them using the confiscated tractors from the commercial farmers. Now they are taking them from forest estates. That is where they are taking lorries and tractors to do operations and go back.

The police will come and pick the bodies. They take them at night they do the operations They take them back. They are at the mortuary. They have never arrested anybody. Nobody has been arrested. They will just go and pick the bodies, put them in the mortuary, get the post mortem and file it away. They are under strict instructions not to do anything. The idea I think is to traumatize the community up to a certain stage where they would now open up for the [election] observers - then they will say no it's peaceful while these guys will have been chickened. These atrocities are being committed by war veterans, the army and the CIO. We have more than 10 cars in Mazowe central with no number plates. Who can drive a car on the roads with no number plates and get away with it? It's all the state agents. They are the ones who have these torture camps in their farms. They are occupying the farms - that is where they are doing the torture.

[interview, Mazowe, 8 May 2008]

In Mashonaland, violence has become mob violence. The son of the first man to be killed reported that around 500 people came to kill his father. Human rights organisations in town are reporting that among those fleeing are youth who have left their rural areas after being forced to join these murderous mobs.

This same general strategy has been implemented in Gokwe Nembudziya where there has been intense violence, and to a lesser degree of intensity in parts of Manicaland and Masvingo provinces.

2. Matabeleland: the strategy

The strategy to win the run off, as exemplified in the April document (appendix 3) has been implemented in Matabeleland North and South, but without much of the violence evident in Mashonaland. Most seats in Matabeleland were won by the MDCs, with ZANU PF winning only 7 out of 39 seats in this region. Matabeleland was devastated by violence in the 1980s, yet still voted overwhelming for ZAPU in the 1985 elections. A youth militia from Mashonaland who has been deployed to the region recently told the authors that they have been told there is no point beating people in Matabeleland as that has been tried before and it did not change how people voted! Furthermore, the ex-ZIPRA leadership of the army and some traditional leaders have also shown a reluctance to ferment violence in Matabeleland, which could also explain the comparative lack of overt beatings.⁷⁷

However, a very structured campaign of intimidation is in process, which has succeeded in displacing key people in the MDC structures at ward and district level. In Matabeleland, around three or four army units have been established per district, with groups of war veterans in every ward. There are usually between 20 and 30 wards per constituency, which means that everyone now lives within a few kilometres of one of these intimidating groups. Again, this is entirely consistent with the alleged master plan. Matabeleland residents are being forced to attend highly threatening meetings, run by local ZANU PF structures, war veterans and youth militia, at which people are made to sign their names on "death" lists, and to surrender their MDC cards and t-shirts. In some areas, coerced attendance at all night *pungwes* has begun, at which people have to sing songs in praise of ZANU PF and condemning MDC. However, the beating and torture being experienced in the "torture camps" of Mashonaland are so far more or less absent.

⁷⁷ There have nonetheless been some validated reports of beatings in Matabeleland, mainly by youth militia brought in from outside the region, for example at Hwange/Gwayi in the north and West Nicholson in the south, as well by war vets in resettled farming areas. JOC itself has not been implicated in beatings in Matabeleland so far.

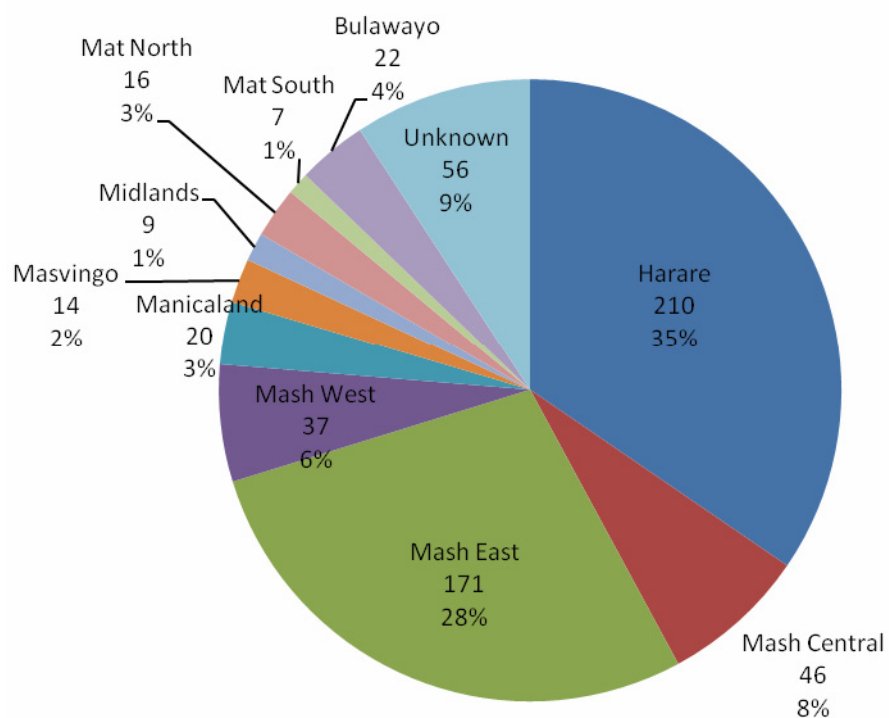


Figure 4: Distribution of violations by Province

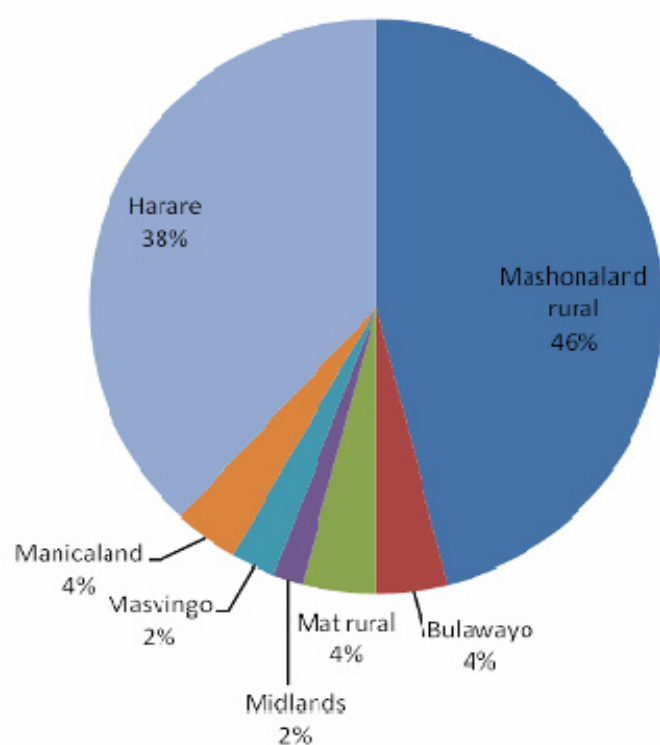


Figure 5: Distribution of violations by general region

In Lupane, Gomoza area, on 10 May, ZANU PF officials told people at a public meeting that according to the constitution only a war veteran can be president of Zimbabwe. People were also told that soldiers were watching to see the polling station returns. For every vote for MDC, one person would be shot dead, execution style, within the vicinity of that polling station after the elections. People were reminded such shootings had happened during Gukurahundi and could happen again. Lists have been compiled of MDC position holders, and these people have been visited and told they will soon be beaten and left for dead and/or have their homesteads burnt down. In Lupane, two homesteads of MDC leadership have been burnt, in Sibombo area. The threats in Lupane and elsewhere have been sufficiently intimidating to displace scores of people in the MDC leadership in most districts of Matabeleland North, many of whom were personally victims of violence in the 1980s and who take such threats seriously.

E. Victims

1. Affiliation of victims

MDC:

Prior to elections:

- 82% of victims claimed MDC affiliation. (N = 44)
- Of these, 7% were in leadership positions in their communities. (N = 4)

While targeting of MDC supporters can be seen to have been deliberate by the state prior to the elections, the same cannot be said of their leadership.

Since the elections, this balance has shifted dramatically.

- 77% of victims since 30 March have claimed simple MDC affiliation (N = 324)
- A dramatic 22% of all victims, or 29% of all MDC victims, were in leadership positions in their communities and supported the MDC.⁷⁸ (N = 135)

This indicates a clear strategy of targeting leadership figures and opinion makers in the wake of the elections. Sadly, families including parents and children of candidates and position holders have not been spared in these attacks.

The following interviews are typical of scores on our records:

I don't want to go into too much detail but will tell you in brief what has been happening in Mutoko. All of my council candidates' homes have been burned. One of them Mr G is here and also councillor N. I have just come from Mutoko. I had to sneak out. I came with my father who also had his home destroyed. I had put some of his stuff at my house thinking some of his property could be preserved. My father's 78 years old and is at the Avenues (hospital) at the moment. My young brother has severe injuries on the side of his head. Right now in Mutoko the war vets are shooting their guns. I took an old man my neighbour who is 74 years old. I'm the

⁷⁸ People are counted here only once – they are either an MDC supporter or a leader. Included in the definition of “leadership” are any position holders in MDC structures, any candidates who stood for election, as well as those who traditionally form opinions and take a lead role in rural settings, such as traditional headmen, headmasters, shop owners and pastors. The last four categories also need to have declared their MDC affiliation to the interviewer in order to be included in the MDC leadership group.



Photo 12: buttocks beaten with barbed wire, Mazowe North, May 2008



Photo 13: buttocks severely beaten with necrotic tissue removed, April 2008



Photo 14: man whipped with chains by ZANU PF supporters, April 2008



Photo 15: front torso of same man, showing beating with fan belts, April 2008

chairman of the district and therefore a strong member of the party. I have got together with the youth in the area and I now feel weak knowing what I have left behind. We hear that people have been killed. So all the houses of my councillors and agents and me the MP have been destroyed, so I hope the party will be able to assist. Right now my election agent's home – they burned it. The set up he had was like a house in town in Borrowdale that was in our area. MM is his name. His car was also burned. They kidnapped him, they have been beating people very badly in our area. [interview 22 April]

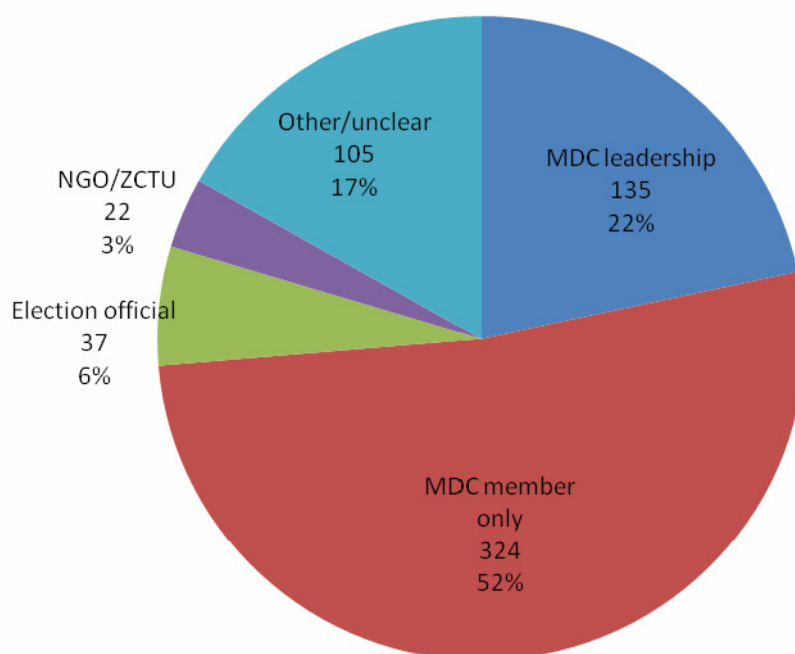


Figure 6: AFFILIATION OF VICTIMS: 30 March to 30 April

Monday they started beating people in ward two and five houses got burnt down. My election agent, Mr N they burnt all of his houses and they axed two of his cows. The councillor for ward 4, Mrs M, they burnt her home down too. At my home they beat my Mother who is 63 years old. They beat her so badly that at the moment she can't walk. I didn't know how I could get her into town. Myself I walked from Murehwa to here in town on foot because I had no money for a lift. There's a man called Zingwina, the messenger of court in Murehwa who is moving in a sky blue Mitsubishi – it's the one they are using together with the Maguta people from Murehwa, and another one called Fanuel Mavungire and George Dandara and a militia called Musonza. These are the people who are going around beating people. Some of our boys have been shot. One of them is called NM and SM who was run over by a ZANU car. I think he's gone to the hospital. He has both arms and legs broken. We also have SN who is in police custody even though he is badly injured with two broken arms. We don't know how we can get help to these people because they were in the hospital. They were taken by the Militia who still have them. These people must be retrieved because there is no way to get help to them. [interview 22 April]

The MDC effectively has no structures left on the ground in many districts at this time, and this pattern has been repeated wherever MDC had begun to make inroads into traditional ZANU PF areas. While some people have been made sufficiently angry by the attacks that it has hardened their resolve, others have been devastated and the authors doubt that such people will return and vote in a run off. One defiant MDC official from Shamva is among those enraged rather than terrorised by the violence:

As you can see my house was burnt, all the property inside it was destroyed. Approximately it is 35 houses that were burnt. The reason for burning these houses is that we support Tsvangirai... What has clearly emerged in Zimbabwe is that an election is not an election, since ZANU PF

purports to know for the people of Zimbabwe rather than the people of Zimbabwe to know for themselves.... We can't be forced to do what we don't want to do. We can't be forced to vote for hungry (sic). We can't be forced to vote for poverty. We can't be forced to vote for terrorists like this.... [interview 23 April, Shamva]

2. Teachers

In the current database, there are **14 teachers**, whose testimonies bear witness to the cruel treatment meted out to those perceived to support the opposition.

- 4 of the teachers were tortured
- 4 were assaulted with fists, feet and weapons
- 3 suffered property loss
- All 14 were intimidated and threatened, leading to their displacement.

School teachers, who were the backbone of the recent elections in terms of performing key functions for ZEC in most polling stations around the country, have been targeted countrywide. One of the school teachers' unions recently outlined the numbers of teachers targeted, claiming that hundreds of teachers have been assaulted, lost property or fled their homes after threats. The setting up of war veteran bases nationwide, very often in close proximity to, or in the grounds of schools, is clearly part of this policy of striking fear into the hearts of teachers. Government officials have indicated that they will not employ teachers as election officials in any run off, but are already canvassing other branches of the civil service, including signing up dip tank officials and other people from AREX (Agricultural Extension office).⁷⁹

I am a teacher in Mhondoro Ngezi, this problem started during the election campaign when they started saying that the teachers are MDC, we don't know why. I associate a lot with the youth who support the MDC they are children who I taught. I started teaching in 1991. So when these youths are in the area they come to me as their former teacher. So this upset the war vets and they said it was me who influenced these youths to support the MDC. So they were always accusing me of being MDC right up until the voting day when they wouldn't let us be polling agents because they said that all the teachers were MDC. They came to BM's house and gave him his notice which expired on Tuesday and they also told him to pass the same message to all the teachers. I decided I wouldn't go anywhere until they came and told me to go. On Saturday I left my home and went back to school and on Sunday early in the morning my neighbour phoned me and said all of your huts have been burnt. They burnt my home just after I left with my children. [interview, 22 April 2008]

3. Caught in the crossfire

Pre-election, 9% of victims were of unclear affiliation. Post election, this has almost doubled to 17%, as families and communities are subject to blanket punishments, or are simply in the wrong place at the wrong time, as is evident from the following example:

LM, a cross border trader from Bulawayo, went to Chipinge to sell second hand clothes on 20 April. She is not a political activist of any kind. Unfortunately, as the train arrived at the station, she and her friend saw 200 ZANU PF youth, who accosted them as they reached the platform. They were ordered to say where they were from, and when they said Bulawayo, they were

⁷⁹ A recent interview by the authors with an AREX official employed in Bulawayo explained that on 8 May, two men believed to be from the CIO arrived with a full record of all employees and demanded confirmation that these people were still on the staff. Within a day of this, four staff on the list were visited at home and asked questions about their political affiliation and who they voted for in the last election. This was very intimidating, but the AREX official believes people are being pre-screened for their political beliefs before being offered a job with ZEC in a run off.

immediately accused of supporting the opposition and were thoroughly beaten with sticks. One of the sticks entered LM's left eye, cutting the eyeball and introducing foreign matter into the eye. By the time she managed to return to Bulawayo several days later, the eye was very infected. After three days on antibiotics to control the infection, she was operated on, but the damage to the external eye as well as the retina is extensive. She is very unlikely to recover any vision in the eye. As she is thirty years old and single, losing her eye is a huge blow. She is depressed and disorientated, and weeps all the time. She simply cannot understand what happened or why.

4. Demographics of victims

- Pre election, the average age of victims was 32 years
- Post election, the average age of victims rose to 37,5 years.
This is the oldest average age for period of violence that the current authors have recorded. Usually average age of victims is around 32 years. The rise in age coincides with the perception of doctors and others that the very old are not being spared the current brutality, with several victims being over 80 years of age.
- 3% of victims needing medical care have been under the age of 12, with the youngest being several babies under one year of age (N = 18). All of these children were injured in the post election period. One was a baby beaten unconscious on its mother's back.
- 5% of victims have been over the age of 60 (N = 24)
- 70% of victims are aged 21 to 40 (N = 365)
- the remaining 16% being aged 41 to 60 (N = 82)

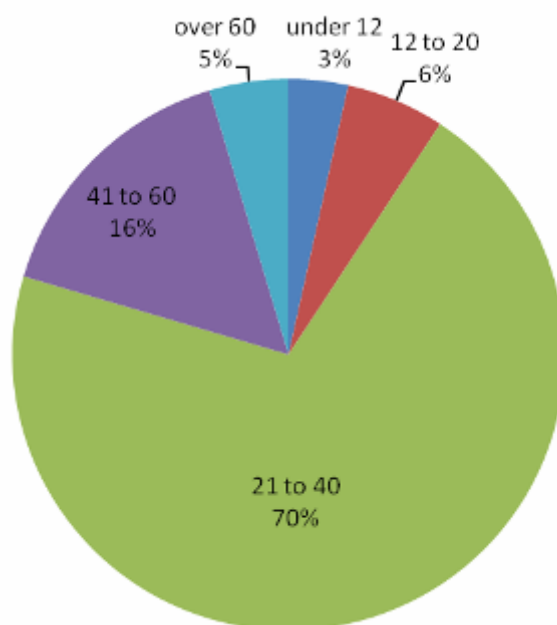


Figure 7: AGE of victims, all areas, 1 Jan to 30 April

However, the demographics suggest much of the violence is targeted. The bulk of those being victimised are of productive age (86%). This age group is also the most politically active. The younger people are, the more likely they are to support the opposition: people under the age of 35 have no lived experience of the liberation war and therefore are less persuaded by the rhetoric of ZANU PF. They have spent most of their adulthood in a nation that is deteriorating on every parameter. The vast majority of this age group have no formal employment and no possibility of it, and have been the group most easily won over by the opposition.

5. Impact of violence on children

The above figures do not take into account the impact of displacement on children. It is winter in Zimbabwe, with temperatures dropping at night, and many families are sleeping in the open for days at a time. Children of displaced families are showing up in Harare weak with hunger and suffering from bad colds and flu as a result of being exposed to very poor living conditions. A doctor recently reported a young mother whose arms had both been broken, who was unable to carry or care in any way for her one month old, breast-feeding baby. It is stating the obvious to say that the welfare of children, both emotional and physical, is severely compromised when a parent is beaten, particularly in front of that child. The shock and damage to a child's sense of the world that occurs when its homestead is burnt down, or its parents are publicly insulted and /or beaten in their presence cannot be adequately conveyed. The consequences of this violence will live on as these children grow.

Displacement right at the beginning of the school term has seriously jeopardised the welfare of children, particularly those due to write public exams this year. Furthermore, school teachers are among those being targeted in rural Zimbabwe, and war veterans have set up bases either at or in the vicinity of schools. This has resulted in difficulties in both teachers and children attending schools in many areas of Zimbabwe, including in areas not as yet badly affected by violence, such as in rural Matabeleland. The numbers of children whose welfare has in one context or another been detrimentally affected thus runs to thousands beyond those who have - shockingly - been actually assaulted in the last few weeks.

6. Gender

- Pre election 6 women reported violations, which was 9%
 - Post election 101 women reported violations which was 16%
- Of these, 18 were women injured in a single WOZA demonstration in Bulawayo.

Women of all ages have been injured, with a grandmother of over 80 being axed in the head. The violence has clearly been brutally indiscriminate at times. Women have not been spared the violence, and while few have so far reported rape, the prevalence of reports of women being abducted into torture camps to "cook" for the war vets and the youth, would suggest that such reports could surface in the months to come.

7. Reported violations and medical findings

The violence of the past six weeks in Zimbabwe has been savage. Results here pertain only to April and by mid May a further 1,000 victims had been seen by ZADHR.

- Out of 681 people reporting violations, 440 had sufficiently severe injuries to warrant seeing a doctor (65%).
- Of these 106 were admitted to hospital. (25%)
- 104 people reported beatings and ill treatment sufficiently severe to qualify as torture.
- 52 people had suffered fractures by the end of April, and 6 had dislocations (14%).
- During the first weeks in May, the number of fractures and lacerations, particularly from Mashonaland Central, had escalated to such a degree that every hospital in the region ran out of Plaster of Paris and suturing material. (Exact numbers of fractures in May not yet to hand)
- 23 people showed evidence of falanga – beatings to the soles of the feet, which is a pernicious form of torture that does long lasting damage to nerve endings resulting in pain in the feet for decades afterwards.
- There were 674 types of soft tissue damage noted in these 440 clients, including welts, lacerations, haematomas, bruising, swelling and abrasions.

- These medical findings, duly recorded by doctors, are entirely in keeping with victims' claims to have been assaulted with weapons, with fists, with feet.
- Five people reported being deliberately burnt, with burning plastic or grass
- 33 reported having their heads submerged in water to the point of temporary suffocation.
- 18 reported being handcuffed or tied up while being beaten or tortured
- 47 – more than 10% reported being abducted
- 79 out of 681 – 12% - reported having their properties burnt or destroyed

Many of those affected by the violence will be crippled or deformed for life.

Buttocks have been beaten away almost entirely, arms and legs have suffered multiple fractures, eyes have been lost. Beatings have often continued for hours on end, and will leave back, leg and head aches that will plague victims for the rest of their lives.

People have been impoverished overnight, losing everything to arsonists at a time when the possibility of replacing destroyed building materials and belongings is impossible. One man who lost his entire homestead, showed us his seventeen burnt blankets – one blanket costs 2 billion in Zimbabwe today, when those in formal employment still earn around 2 billion a month. This man will never in the rest of his lifetime replace what he has lost.

8. Emotional trauma

Several health professionals in Harare, as well as others working with victims, have commented on the emotional devastation of victims as being worse than in previous years. It is not insignificant that the worst violence has been in the traditional ZANU PF strongholds, in districts where, until possibly a year ago, people predominantly supported ZANU PF. These are districts that have, for nearly three decades, experienced mainly the positive side of ZANU PF. These areas have been the first to receive food aid, free ploughs and good rural development. These are also the areas, particularly in Mashonaland Central, where many of the nation's best commercial farms have been redistributed. However, even being in ZANU PF areas has not protected people from the harsh economic reality of the last few years, which is why voters here had begun to turn towards the opposition. People here have had no experience of the cruelty of ZANU PF since the 1970s violence of the war, and are consequently devastated by the terrible events of the last month. This is not to deny that any human being would fail to be devastated by the brutality of April events, but psychological preparedness is a recognised factor in helping victims to deal with torture – in March, people in rural Mashonaland could not have begun to imagine that events would unfold as they have. It has been a thunderbolt from the blue. Therefore it is the authors' belief that many of those who have been so shockingly displaced in the last two months will not return to their home areas and vote in the forthcoming run off, even if violence were to subside now.

*It is hard to imagine that many who witnessed the massacre described here following will have the courage to turn up and vote once more for MDC in the same Chaona polling station; the posting of 80 MDC votes here resulted in the sadistic, public slaughter of at least six people, in front of their wives, children and neighbours. This massacre is in the true mould of the Gukurahundi massacres of the 1980s, a horror which should never have occurred in Zimbabwe again.*⁸⁰

⁸⁰ In terms of international convention, five or more murdered in the same general area on the same day officially classifies as a massacre. So far the authors have the names of six dead from this incident, with unconfirmed rumours of another five.

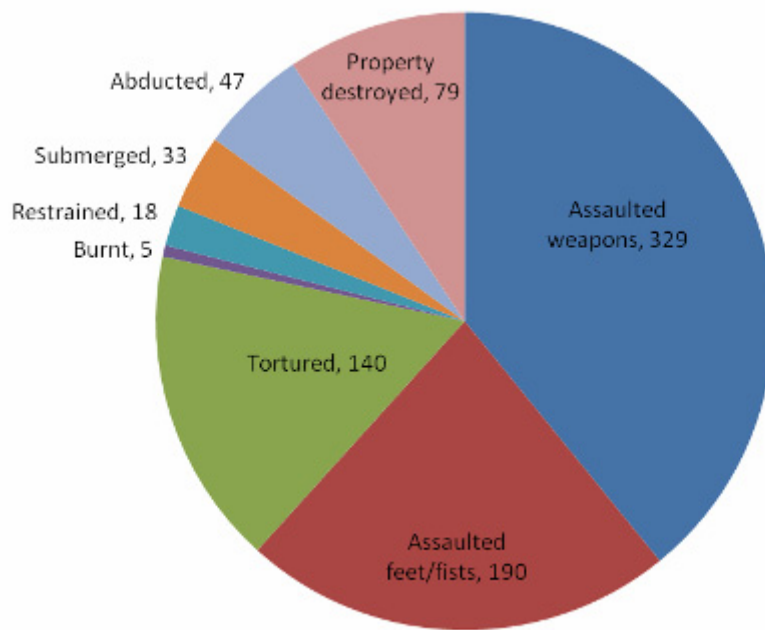


Figure 8: Type of violation reported (N Victims = 681)

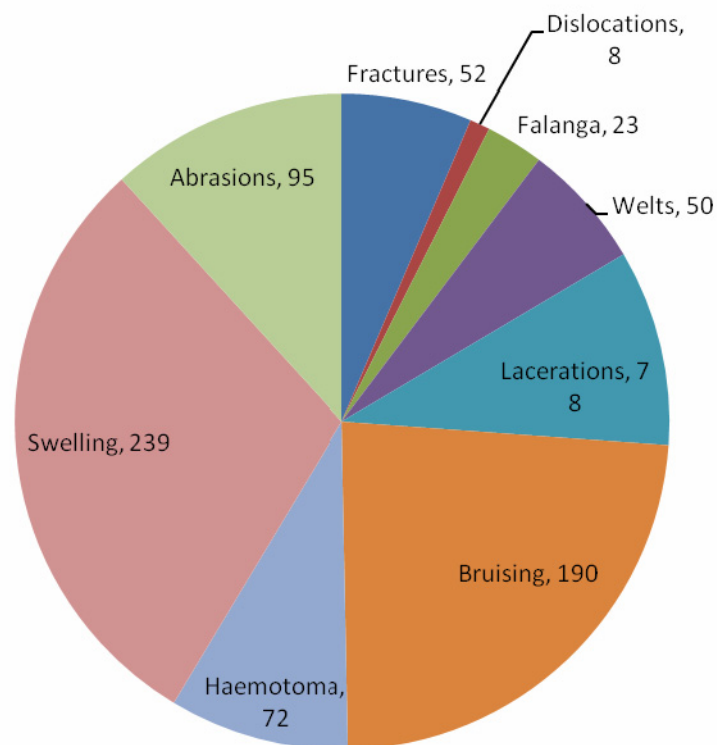


Figure 9: Injuries sustained by victims (N = 440)

Eye witness account of the massacre at Chaona, Mazowe North:

5 am on 5th May 2008

....The place is just bloody, because they took the people from the houses. They dragged them in the middle of the night, they took them into the bush where they wanted everyone to see. It was like a lesson to those who were still participating [in the MDC], that if you participate, this is your fate. Four of them died on the spot, among them is a business man and..... We have Alex Chiriseri, we have Tapiwa Beta, we have Joseph Madzuramende. Those guys died on the spot. The other guys succumbed to the injuries when they were ferried to the hospital, but these died on the spot. Their bodies were carried by the police to Concession Government hospital for the post mortem. They were conducted yesterday. Yes.

Do you know who is responsible?

Its retired Major Cairo Mhandu, the MP elect for Mazowe North and Raradza the MP who was not elected for Muzarabani South. They are the ones who are coordinating, they were actually physically beating the deceased persons. They were conducting the breaking into the houses, dragging the victims together with their wives and children. After beating up the deceased, they also beat up their wives, they also beat up all the elderly women to such an extent that the women need grafting on their bottomsides because of the barbed wire they were using, they need skin grafting. So, it's a very terrible scene, it's a catastrophe. The whole community has been traumatized to the extent that some folks are not willing to talk, they have been traumatized. And we feel that with the small gesture we are doing as a party move in and bury the dead probably we will at least keep ourselves in contact with the grassroots, but it's a very sad situation...

We are actually going to evacuate some of the injured today. After we take the bodies out, we are going to bring in some of the elderly and the injured for treatment. They are still there. It's a very traumatized community. Their crime - on the 29th March election, at that polling station called Chaona, there were about 80 votes for the MDC and 15 votes for ZANU PF. So that is the offence they committed. This is the price they are paying.

And that is what Retired Major Mhandu was saying. 'You will have to learn'. Not only were the victims killed, their parents were also beaten, their wives were also beaten, their children were also beaten, so it was a very frightening operation. The community is still traumatized. It's very sad.

For the operation which was done at Chaona, we lost many people (six confirmed). We also have unconfirmed reports of teachers killed at a school called Kuteka, 3 teachers, but I am yet to confirm. We have several huts burnt from yesterday and this morning at what we call Chinehasha. They are burning out huts and that is in Mazowe North but for the operation that was done on Monday, we have confirmed 6 bodies. We have generally advised teachers if they feel their life is threatened, they should withdraw from the area. And as a result we have 5 schools that are not functioning. They are virtually closed because the teachers have all abandoned those places, that is in Mazowe North. Ah, practically its difficult, it's next to impossible but we have people who are determined, even the injured with their legs broken, with their hands broken, they want to see the end of this regime. They want to go through the exercise.

They sustained broken legs, broken backbones and crushed skulls. They were also tying a wire around your private parts and brick and made sure that they will drop the brick while you are standing to virtually castrate you. It was just bad. And brutal. It's disgusting. The whole community is traumatized.

They would make sure that they gather everybody at the scene where they want to kill so they will be beating you up while everyone is watching, your mother, your father, your wife and your kids - making sure the message reaches down home that if you become MDC, this is how we will deal with you, so its really a terror campaign.

The manner in which he is executing the killings, they are so professionally done. He will make sure he breaks your legs, he will break your arms, break your backbone, he will crush your head. If you survive you will be a cabbage. It's someone who is so professional. It's not something which you expect somebody with a military background to do. Probably one would just break your leg and let you go.

Definitely he [Mandhu, MP] was present. Even all the victims will tell you he was in the forefront with the firearm, because some of the injuries - the broken jaws - were done by the butt of the gun. He was actually in the forefront and would give instructions and direct how it should be done. When they want to deal with your backbone they will make sure you are laid on a log and they will deal with your backbone. When they want to crush your private parts, they do it like that. He was so organised in the whole operation. He was sort of the commander of the whole operation. It's a well orchestrated terror campaign.

He [Mhandu] is one of the farm occupiers. He took Galloway states in Mvurwi. He just took everything including trucks and its one of the bases he is using and that is where he is also getting the terrified farm workers who have been brutalised. They are also shipped to go and terrorise the villagers to add the numbers to scare off the villagers. These guys are being used as pawns. After being beaten in the farms, accused of supporting the MDC, they are taken to the rural areas to help terrorize the rural villagers.



Photo 16: Geoffry Jemedze, one of those murdered in Mazowe North, 5 May 2008



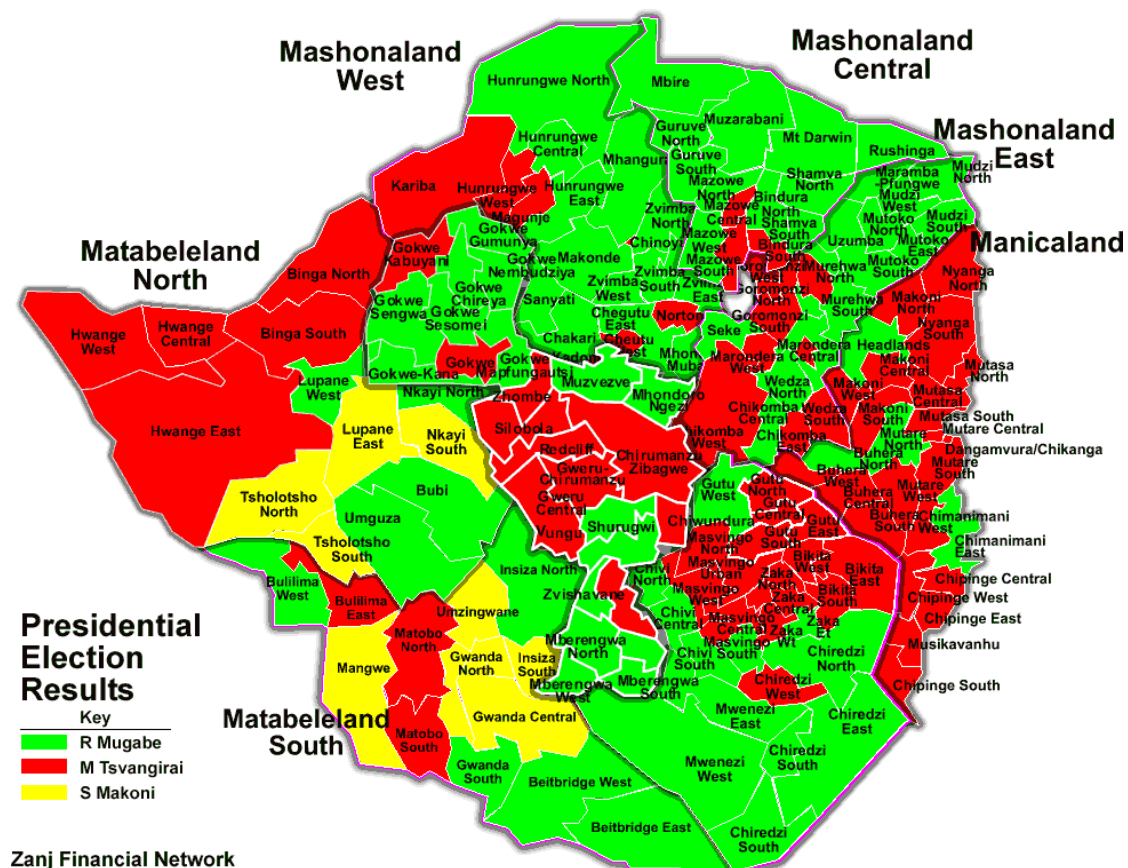
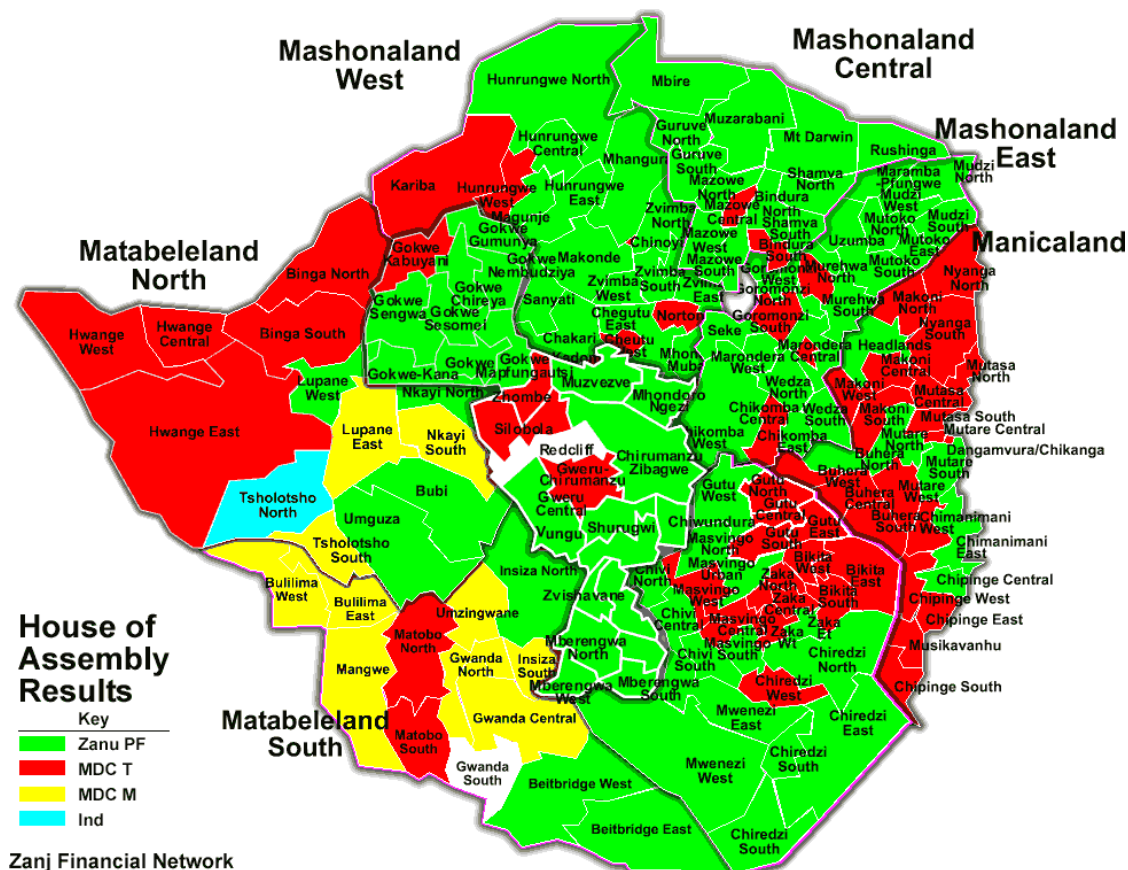
Photo 17: elderly man with two fractured arms, beaten by ZANU PF supporters, April 2008



Photo 18: man with fractures of both arms and injury to one leg, after beatings by ZANU PF supporters, April 2008

Appendices

Appendix One: Voting patterns 2008 (ZANJ Financial Network)



Appendix Two: pie charts for pre-election period, corresponding to post election charts included in the report

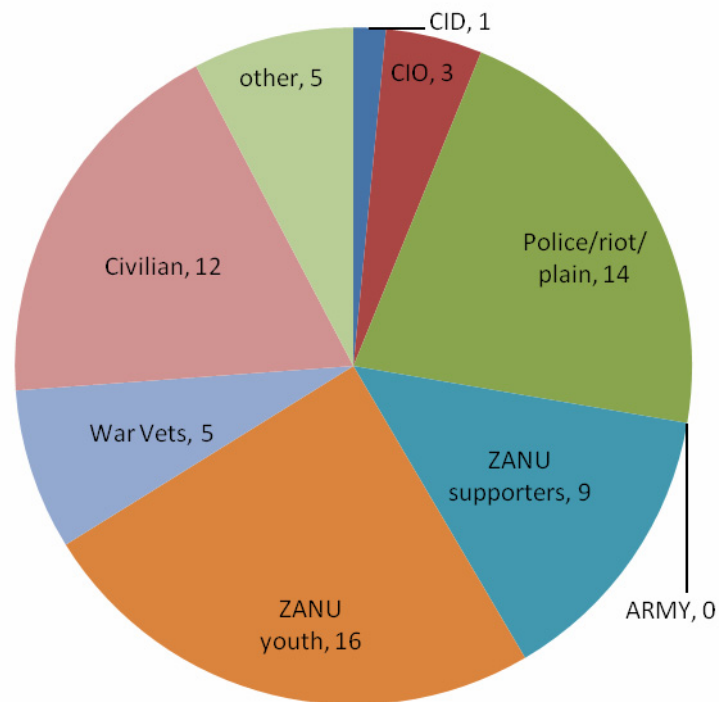


Figure 10: Perpetrators, 1 Jan to 29 March (N victims = 63)

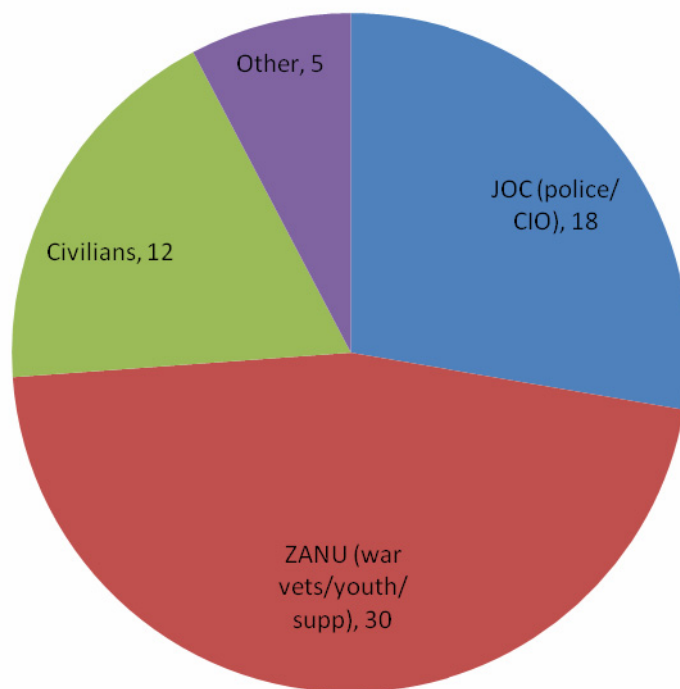


Figure 11: Perpetrators showing JOC and ZANU groupings

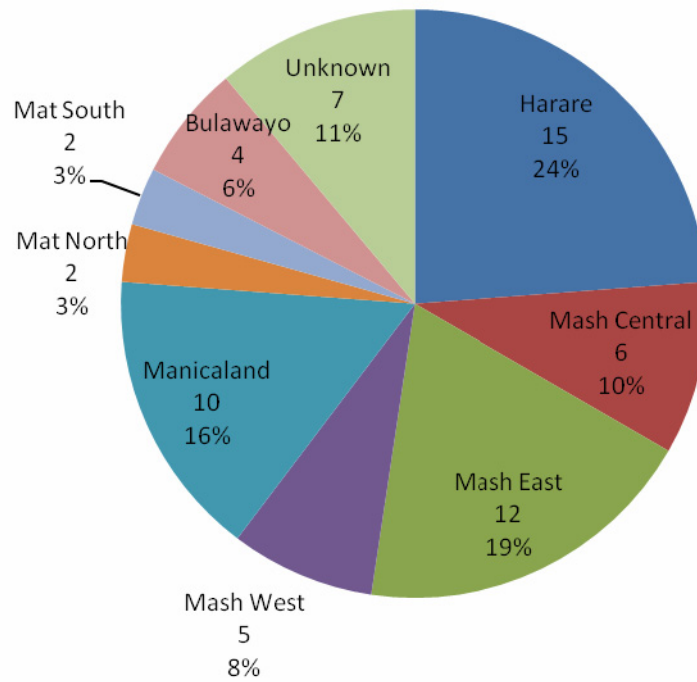


Figure 12: Distribution of violations by Province

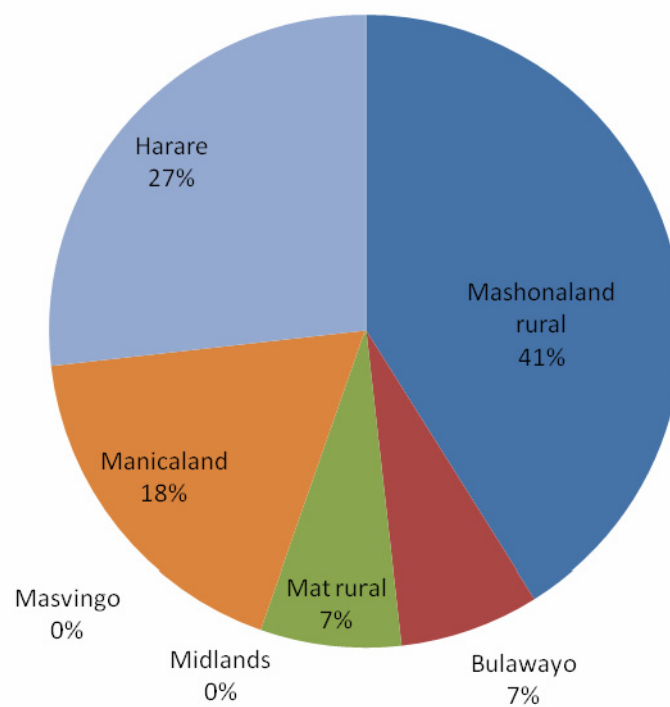


Figure 13: Distribution of violations by general region

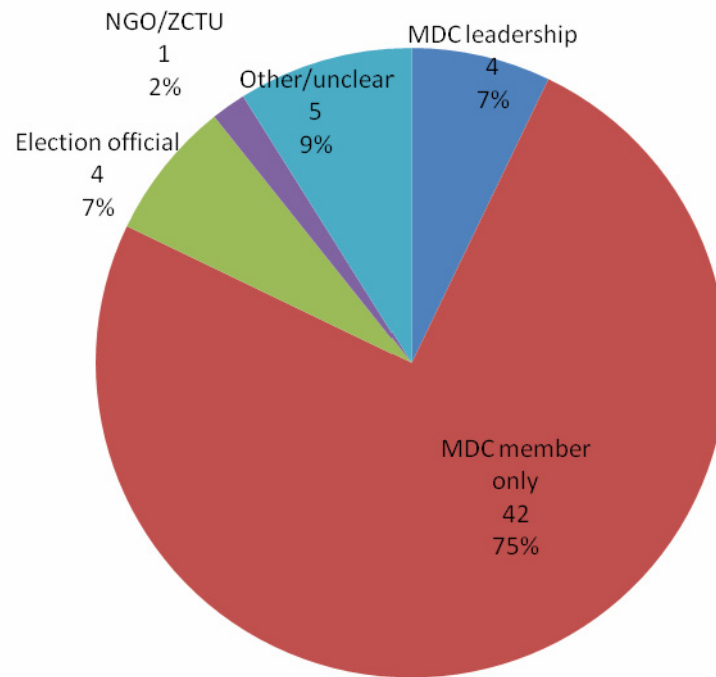


Figure 14: AFFILIATION OF VICTIMS: 1 Jan to 29 March

Appendix Three: Interview with key informant on election strategy of JOC

ALL NAMES HAVE BEEN REMOVED IN ORDER TO PROTECT KEY INFORMANTS IN THIS PROVINCE, BUT ARE TO HAND. The interview was conducted on 15 April.

Firstly there was a meeting on XX April at Z Business centre at which the DISPOL (District Police Officer in Charge) B said that there might be a presidential rerun. He told the police to support the government of the day and told them that there would be a full briefing two days later.

APRIL YY MEETING, 10 AM TO NOON.

Attended by the following senior police officers:

- Snr Asst Commissioner X
- Asst Commissioner Y
- Asst Commissioner Z (a war vet)
- Asst Commissioner A
- All DISPOLs were present, from all the police districts in the province

Attended by Zimbabwe National Army:

- Joint Operations Command (JOC) Lt Col B
- JOC Lt Col C (on list of 200 officers released last week)
- Brig Gen D
- Lt Col E

Attended by Prisons Services:

- Asst Comm F
- Asst Comm G

Attended by CIO:

- Cde H – Provincial Intelligence Officer
- Cde J – Regional Intelligence Officer

Attended by senior war veterans:

- K – Provincial Chair, war vets
- All district war vet chairs from the province

Attended by Governor of the province

The meeting was to address the Police Ward Commanders from all wards in the province. The election was ward based, and the run off will be ward based. These officers will be stationed in every ward centre in their own office. The ward commanders will be answerable to a constituency commander.

The constituency commanders are as follows:

All names of police officer commanders and cell phone numbers given for every constituency in the province, with some information on actual schools, offices to which to be deployed

L is the Regulating Authority for the area.

The protocol of command is:

WARD => CONSTITUENCY => PROVINCE => NATIONAL

THE WARD COMMAND CENTRE: STRUCTURE

Stationed in every ward command centre there will be:

- **Three police officers**
- **One war vet** who will be called the Chief Warden: the Chief Warden will be given a police uniform and a temporary force number
- **The Chief's messenger:** he will be chosen from the presiding chief's neighbourhood watch force [this force normally patrols the community and can make citizens' arrests and take people to the chief who will then decide whether the case will be referred up to the police or be dealt with himself under his traditional leadership powers].

THIS INDICATES THAT EVERY WARD WILL FALL UNDER THE CONTROL NOT JUST OF THE POLICE, BUT OF THE WAR VETS ASSOCIATION AND THE TRADITIONAL LEADERSHIP STRUCTURES.

There will be small radios in every polling station. At the Ward Command Centre there will be a bigger radio to transmit to the Constituency Centre.

THE BRIEFING: ASST COMMISSIONER M

The elections were completed but they may be rerun because the election was a fraud for the following reasons.

1. ZEC officials were bribed by the MDC to steal votes from R G Mugabe. ZEC officials have been arrested in several provinces. There will be a recount in 23 constituencies and there may be a recount of all Presidential votes. The presidential votes are now at the provincial centres and would be recounted there if necessary.
[Sec 67A allows for a recount of Parliamentary votes but NOT presidential. Sec 110 which relates to Presidential election does not allow for a recount]
2. Postal ballots were not counted in some centres
3. Some ZANU PF agents were chased away from the counting centres and therefore did not observe the count.
4. Some ZANU PF voters were turned away from the voting
5. The V11 forms (those posted outside every polling station) were tampered with at the polling stations and figures were changed and falsified outside the polling stations.
6. MDC paid ZEC to frustrate ZANU PF voters
7. Illiterate voters were cheated and were forced to vote for MDC T.

There is a need to build TEAMWORK : There should be total cooperation between ZRP, ZNA, war vets and the ZANU PF party members at the ward level to achieve the desired goal in a rerun.

[THIS IMPLIES COMPLETE POLITICISATION OF ZRP AND ZNA, as they are now meant to cooperate fully with ZANU PF structures.]

On run off day, the police should recall all people turned away, including their names, IDs and addresses.

If the country is given away through the ballot, we will not hand over power, but rather go back to the bush and start another war.

BRIGADIER N

He narrated the Traditional Leaders' role. He said democracy is very important but not the way it was introduced into Zimbabwe, where in terms of the Lancaster House Agreement, government could only take land on a willing seller, willing buyer basis until 1989. After 1989, whites started refusing to sell their land and so the problems started. Then in 1999, a political party was started to defend white interests. Do you want to give the farms back to the whites? I know you don't.

If ZANU does not win there will be conflict in the country and that will be black against black. We know the United Nations will send in peace keepers, but people will have died by then and there will be no resurrecting them. So you have to protect the revolution. If we lose through the ballot we will go back to the bush. Democracy is only for the educated.

GOVERNOR O

You have to defend the revolution. If you don't and the revolution is sold through the ballot, we will go back to the bush and fight. Is that what you want to do? I don't think so. There is no day on which this country will be handed over on a silver platter. We can't give power to anyone who has no knowledge of governance and has no support from the local voters but has support from the outside world. More instructions and strategies will be given shortly.

SNR ASST COMMISSIONER P

The role of the Chief Wardens – the war vets in uniform – is to monitor the police officers at ward level. If the vote is lost, it will be the police that have sold out. The exercise is a fast track one to achieve desired goals.

PART OF THE STRATEGY, AS EXPLAINED BY INFORMANT, IS THAT WHEN YOUTHS GO ABOUT BEATING PEOPLE UP, THEY WILL NOT BE ARRESTED. THEY MAY BE REFERRED TO THE CHIEFS VIA THE CHIEF'S MESSENGERS, AND WILL BE DEALT WITH AT WARD LEVEL THUS PREVENTING THE CASES BEING DEALT WITH BY THE POLICE AND OFFICIAL DOCKETS OPENED. THE POLICE WILL BE INTIMIDATED OUT OF MAKING RECORDS AT DISTRICT LEVEL THUS GIVING POLITICAL CRIMES IMPUNITY. THE YOUTHS ARE ALLEGEDLY BEING GEARED UP FOR VIOLENCE.

MEETING WITH THE CHIEFS ONLY:

Addressed by GOVERNOR O, AND ZANU PF MP Q

The chiefs were taken to a side meeting for them only. They were told they had to cooperate with the ruling party and with the team at ward level. They were told further instructions and strategies were to follow. They were told to urge the people to be patient. The results were being delayed so that ZANU PF could prepare and mobilise structures as once the result are released, the run off will have to be within 21 days in terms of the constitutional requirement: ie delaying the result meant delaying the beginning of the 21 day count to the rerun.



Photo 19: widow of murdered activist Beta Chakurama weeps at his funeral, 17 May 2008

Back cover: the tone of ZANU PF's election campaign is conveyed by these election adverts, March 2008.

