



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Zimbabwe – Researched and compiled by the Refugee Documentation Centre of Ireland on 7 April 2010

Information relating to the safety of MDC activists, family members and sympathisers and the possibility of internal relocation within Zimbabwe. Whether Zimbabweans are free to live and settle in different parts of Zimbabwe or whether there are any restrictions on their movement or right to residency in different areas.

The *UK Foreign & Commonwealth Office* annual report on Zimbabwe states:

“Supporters of the Movement for Democratic Change (MDC) and members of civil society continue to suffer abuse and intimidation at the hands of the police and the army.” (UK Foreign & Commonwealth Office (March 2010) *Annual Report on Human Rights 2009 - Countries of Concern: Zimbabwe*)

In a section headed “Political Detainees” this report states:

“The state security apparatus has also used the judiciary to target MDC-T Members of Parliament, potentially eroding their parliamentary majority. A number of MPs have been arrested on apparently trumped-up charges. Some have been suspended from parliament as a result.” (ibid)

This section of the report also states:

“Of the group of MDC activists missing since a spate of abductions in late 2008 (their cases detailed in last year’s report), five activists have yet to be found. Despite calls from human rights groups for an investigation into their disappearance, there has been no investigation.” (ibid)

In a section headed “Continuing Human Rights Violations” (sub-section titled “Political Violence against MDC Activists and Perceived ZANU-PF Critics”) a *Human Rights Watch* report states:

“ZANU-PF and its allies, namely so-called ‘war veterans’ and youth militia, continue to commit acts of political violence against MDC activists in Zimbabwe. For instance, they continue to operate sites throughout Zimbabwe that are used for torture, beatings, and harassment of MDC supporters. Additionally, ZANU-PF youth militia have been using schools across the country as centers for abuse, under the guise of being local Ministry of Youth ‘ward coordinators.’ Recent examples show how the pattern of ZANU-PF violence has continued since the GPA was signed. On July 3, 2009, ZANU-PF supporters beat up MDC activist Ebba Katiyo of Uzumba, Mashonaland East, accusing her of being a member of the MDC. Katiyo was assaulted by assailants who punched her, kicked her with

booted feet, and hit her with sticks. A week later, on July 12, Katiyo was again assaulted by ZANU-PF supporters at a public meeting on the instructions of her uncle, the local village headman and a ZANU-PF supporter. On July 13, 2009, a well-organized group of ZANU-PF supporters and 'war veterans' beat up scores of MDC supporters and disrupted a national constitutional conference in the capital, Harare. No arrests were made despite a heavy police presence. The police remain under the leadership of Augustine Chihuri, a self-proclaimed ZANU-PF supporter. On July 22, 2009, a group of suspected ZANU-PF activists in Mvuma assaulted Athanacia Mlilo, the 73-year-old mother of the MDC's international relations coordinator, Nqobizitha Mlilo. They attacked Athanacia Mlilo with iron bars, and she was admitted for urgent medical attention at Mvuma hospital. On August 1, 2009, three soldiers assaulted Finance Minister Tendai Biti's gardener at Biti's home in Harare. The victim, Howard Makonza, was rushed to the hospital. While Makonza was reporting the assault at a police station, one of the soldiers who had assaulted him threatened—in the presence of the police—to assault Makonza again. The Zimbabwe Defense Forces remain under the control of generals who support ZANU-PF, and in all the above cases, police either refused or failed to investigate these attacks despite credible allegations of criminal actions. This kind of police and army misconduct is consistent with previous Human Rights Watch findings in recent years. Biti himself recently told the media that he has been the target of death threats, including having received a bullet in the mail at his home." (Human Rights Watch (31 August 2009) *False Dawn: The Zimbabwe Power-Sharing Government's Failure to Deliver Human Rights Improvements*, pp.5-6)

In a sub-section headed "Politically Motivated Prosecution of MDC Legislators and Activists" this report states:

"Since the formation of the power-sharing government, a pattern has developed in which MDC legislators and activists are targeted for arrest by the police and the Office of the Attorney General on apparently baseless charges. This pattern points to a drive by ZANU-PF to overturn MDC's slender majority in Parliament. At the time of writing, at least 16 MDC legislators have been arrested by police on charges ranging from public violence to kidnapping and rape; seven of whom have already been tried and convicted in unfair trials in which the judges are known ZANU-PF loyalists. Of the seven already convicted, four have since been suspended from Parliament under laws that provide that members of parliament (MPs) sentenced to six or more months of imprisonment shall immediately cease to exercise their parliamentary functions. Other MDC legislators also face charges that carry potential prison sentences in excess of six months and they too are at risk of losing their seats in Parliament. Finance Minister Tendai Biti faces a treason charge that potentially carries a death sentence. Deputy Youth Minister and MP for Nkulumane Thamsanqa Mahlangu faces a charge of stealing a mobile phone and is on bail awaiting trial. Senator Roy Bennett is charged with illegal possession of 'arms of war' and is on bail awaiting trial. Blessing Chebundo, Kwekwe Central MP, faces a charge of rape and is on bail awaiting trial. Trevor Saruwaka, Mutasa South MP, faces a public violence charge and is on bail awaiting judgment." (ibid, pp.7-8)

A February 2010 *Human Rights Watch* news report states:

“Recent research by Human Rights Watch in Zimbabwe suggests that there has been no meaningful political transition, and that ZANU-PF continues to engage in political violence against perceived opponents. Groups of war veterans and ZANU-PF youth, who have been deployed in the past to target the opposition, remain intact. ZANU-PF still uses elements in the security forces as instruments of repression. Military-led violent invasions of commercial farms continue. In the first week of February 2010, police disrupted MDC-organized constitutional reform meetings, beat up participants, and arbitrarily arrested 43 people in Binga, 48 in Masvingo, and 52 in Mt. Darwin.” (Human Rights Watch (12 February 2010) *Zimbabwe: One Year On, Reform a Failure*)

In a section headed “Maintaining Power with Violence” (sub-section titled “The present”) a report published by *AIDS-Free World* states:

“During May and June, as part of ZANU-PF’s effort to win the runoff election and intimidate the opposition, Mugabe reportedly sent his supporters out to ‘do whatever [they] want’ to MDC members. Tsvangirai withdrew from the runoff five days before the election took place, citing concern for the safety of his supporters due to a “systematic and widespread campaign of terror to intimidate the electorate into voting for Robert Mugabe in the runoff election.” While international media coverage at this time focused heavily on the country’s hyperinflation, cholera outbreaks, and efforts of outside mediators to broker a peace, a number of non-governmental organizations (NGOs) did publish accounts of targeted beatings, murder, and destruction carried out against the MDC opposition. The testimony taken by AIDS-Free World from documents rape, but also adds to the growing evidence of other abuses committed by the ZANU-PF. Of the seventy rape survivors interviewed, four women reported that ZANU-PF men also burned their relatives alive, sixteen women reported that ZANU-PF militia burned down their homes, three women witnessed ZANU-PF use burning plastic on the skin of MDC members as a form of torture, and two women reported that ZANU-PF men amputated the hands or legs of their husbands and other MDC men held at the militia bases. One woman who was able to recount her own ordeal could not relay the extent of what she witnessed, stating, ‘I saw things done to people at the base that I cannot talk about because it affects me too much.’” (AIDS-Free World (December 2009) *Electing to Rape: Sexual Terror in Mugabe’s Zimbabwe*, p.16)

In a section headed “Testimony of Survivors” this report states:

“Targeting of MDC women by ZANU-PF Every victim interviewed by AIDS-Free World was involved in organizing for or supporting the Movement for Democratic Change. Eighteen of the women held positions as officers within the MDC party; forty-seven of the women described themselves as ‘active’ members because they volunteered for the party, attended rallies, distributed MDC pamphlets, or wore MDC t-shirts in their communities. In addition, thirty of the seventy women had relatives who held official positions in the party. Twelve women’s husbands served as chairmen or secretaries for their districts or wards, and eight women’s fathers were officials in the party. Others had nephews, siblings, mothers, and cousins who held positions in the MDC.” (ibid, p.18)

An article from *The Times* states:

“Amnesty International warned that ‘Zimbabwe is on the brink of sliding back into the post-election violence that marred the country last year’, when soldiers, police, intelligence agents and Zanu (PF) militiamen murdered at least 100 MDC supporters and tortured thousands to ensure that Mr Mugabe won the presidential run-off election. Mr Tsvangirai withdrew and Mr Mugabe was declared the winner of a one-man race that was dismissed overwhelmingly as a fraud. A week ago, a group of heavily armed police raided an MDC house in Harare, claiming that they were searching for weapons. They forced the caretaker to dig up the garden with his hands but did not find anything. Two days later the chairman and chief executive of the National Association of Non-Governmental Organisations, an umbrella body of the country’s charities, were arrested at Victoria Falls airport. They were accused of holding an illegal political meeting and held for two days before being released on bail. On Tuesday there were two abduction attempts on other MDC officials. One escaped when she screamed for help but the transport manager, Pascal Gwenzere, was dragged out of his township home by armed men in civilian clothes. He is still missing.” (The Times (30 October 2009) *Zimbabwe is sliding back to methods of violence and intimidation*)

A BBC News report quotes an MDC spokesman as follows:

“Mr Chamisa told journalists in the capital, Harare, that acts of violence against MDC supporters had started happening in both urban and rural areas. The pattern of violence was reminiscent of the attacks on MDC supporters during last year’s elections, he said.” (BBC News (27 October 2009) *‘Violent attacks’ on Zimbabwe MDC*)

See also BBC News report which states:

“Sekai Holland, a member of the former opposition MDC, told the BBC opponents of the power-sharing government were drawing up assassination lists. She said she believed the worst violence was being planned to coincide with elections due in 18 months. Her comments echo earlier claims by PM Morgan Tsvangirai of ongoing political intimidation and abuses in Zimbabwe. Ms Holland, Zimbabwe’s Minister for National Healing, Reconciliation and Integration, told the BBC that she and other members of the Movement for Democratic Change (MDC), including fellow ministers, were receiving threatening phone calls every day. They had been told that hardline members of President Robert Mugabe’s Zanu-PF party are adding their names to a lengthening assassination list. ‘We are told that they do have a list of people that they will kill,’ she said. ‘No-one feels safe in Zimbabwe, no-one - and I mean no-one. We haven’t reached a ceasefire. We are still at a point where people have their guns cocked.’ Ms Holland is a senior member of the MDC and was badly beaten by Zanu-PF supporters two years ago.” (BBC News (9 June 2009) *Zimbabwe ‘facing fresh violence’*)

An IRIN News report states:

“Violence and intimidation against members of the Movement for Democratic Change (MDC) increased sharply within days of the party ‘disengaging’ from Zimbabwe’s unity government, MDC spokesman Luke Tamborinyoka told IRIN. In one incident three armed men accosted MDC security official Edith Mashaire, 32, and tried to force her into a waiting vehicle as she walked towards her office in the capital, Harare, during working hours. ‘Two other men, one brandishing an AK-47 rifle and another holding a pistol, approached me and threatened to shoot me. They started assaulting me with their weapons while telling me to get into the truck,’ Mashaire told IRIN. She screamed to other pedestrians that she was an MDC official and frightened the men off. ‘We have received reports of our supporters being beaten up and having their homes set on fire, allegedly by ZANU-PF supporters led by war veterans and members of the army,’ Tamborinyoka said.” (IRIN News (27 October 2009) *Zimbabwe: Violence spikes after MDC’s withdrawal from government*)

A report from The Standard states:

“MDC-T secretary for social welfare Kerry Kay expressed concern over the new wave of attacks against the party’s activists and supporters. She said Zanu PF has ‘re-activated’ its terror squads and camps in the rural areas, blamed for murder, rape, plunder and general violence in last June’s election. ‘What they are doing is shocking,’ Kay said. ‘They are attacking our supporters on the basis that we withdrew from the unity government, which is not true. I fear this could degenerate into chaos to the levels of last year.’ She said at least two MDC-T councillors’ homes were last week burnt down in Chaona in Mashonaland Central and Uzumba in Mashonaland East. Several MDC-T supporters have since fled from their homes following threats by state security agents, war veterans and the youth militia.” (The Standard (31 October 2009) *Violence Intensifies After MDC-T pull out*)

An Amnesty International report states:

“Amnesty International’s call for reform comes amid reports that villagers in parts of Zimbabwe are being threatened with violence by army backed supporters of ZANU-PF, in an attempt to force them to endorse the heavily criticized Kariba draft constitution. The Kariba draft constitution, agreed by unity government parties in September 2007, has been strongly criticized by some civil society organizations as an attempt by the parties to impose a constitution without consultation. Villagers in Mutoko, Muzarabani and MT. Darwin are reportedly being warned that they will face beatings unless they support the ZANU-PF position. Similar threats were made and materialised in the run up to the June 2008 presidential elections.” (Amnesty International (10 February 2010) *Zimbabwe: Abuse of human rights continues under unity government*)

In a section titled “Respect for Human Rights” (sub-section titled “Arbitrary or Unlawful Deprivation of Life”) the 2010 *US Department of State* country report on Zimbabwe states:

“The government or its agents committed politically motivated, arbitrary, and unlawful killings during the year. By year's end at least 19 citizens had died as a result of injuries sustained from political violence that targeted members of the opposition party in 2008, in addition to the more than 200 who died in 2008. At least three persons were killed as a result of politically motivated violence during the year. The MDC-T continued to claim that approximately 200 other members and supporters were missing and presumed dead in the wake of election-related violence in 2008. The killings were primarily committed by members of ZANU-PF, ZANU-PF youth militia, war veterans, and, to a lesser extent, members of the military and police.” (US Department of State (11 March 2010) *2009 Human Rights Report: Zimbabwe*)

In a sub-section titled “Disappearance” this report states:

“There were numerous credible reports of politically motivated abductions and attempted abductions during the year. MDC leaders reported that state security agents and ZANU-PF party supporters abducted and tortured dozens of opposition and civil society members, as well as student leaders, as part of an effort to intimidate MDC supporters and civil society members and leaders. In the majority of cases, victims were abducted from their homes or off the streets by groups of unidentified assailants, driven to remote locations, interrogated and tortured for one or two days, and abandoned. In some cases the abducted person was located in police custody days or weeks later.” (ibid)

In a sub-section titled “Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment” this report states:

“ZANU-PF supporters continued to assault suspected and known MDC members and their families, civil society activists, and student leaders. Violent confrontations between various youth groups aligned with either ZANU-PF or the MDC continued.” (ibid)

In a section titled “Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons” this report states:

“The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government restricted these rights in practice.” (ibid)

In a section titled “Internally Displaced Persons” this report states:

“According to independent assessments, hundreds of thousands of persons remained displaced within the country as a result of government policies including state-sponsored election-related violence, land reform, and Operation Murambatsvina in 2005. Since 2007 the International Organization on Migration (IOM) helped more than 200,000 displaced persons with temporary shelter and food. A total of 8 percent of citizens surveyed in 2007 stated they had moved in the last five years because they were ‘asked to move.’ Nevertheless, the government denied that a serious IDP problem existed. Historically, the government did not tolerate use of the phrase ‘internally displaced persons’ and

instead referred to 'mobile and vulnerable populations' (MVPs). During the year the government acknowledged that there were some IDPs in the country and began to agree to use of the term when describing some populations. However, some government officials continued to refuse to describe victims of farm-related displacements as IDPs or MVPs and preferred to call them 'squatters.'" (ibid)

This section of the report also states:

"Between April and June 2008, at least 30,000 persons were displaced in the wake of government-sponsored political violence and destruction of property, particularly in rural areas. The government did not provide assistance to IDPs, prohibited humanitarian agencies from assisting IDPs or conducting surveys to assess the scope of the problem, and refused to acknowledge that its policies had caused internal displacement. In August 2008, when violence levels in rural areas declined in the wake of political talks, many IDPs returned to or near their homes and were 'fined' in food, animals, or money by local ZANU-PF militias. During the year many IDPs continued to return to their rural home areas and rebuilt homes damaged or destroyed in 2008. At year's end some families continued to live in tents that were provided as temporary shelter in 2008 by independent organizations. Others had integrated into new communities within the country or in the diaspora." (ibid)

The Executive summary of a report from the *Internal Displacement Monitoring Centre* states:

"Hundreds of thousands of people have been internally displaced in Zimbabwe as a result of the actions of their own government. Most recently, tens of thousands of people have been displaced by a campaign of state-sponsored violence following the elections on 29 March 2008. In 2005, an urban clear-up operation referred to as Operation Murambatsvina (Operation "Clear the Filth") was estimated by the United Nations to have made 570,000 people homeless. Hundreds of thousands of farm workers and their families have been displaced as a result of the government's fast-track land reform and resettlement programme, which started in 2000. Other groups of people have been arbitrarily displaced for different reasons at different times. Zimbabwe does not have any of the outward signs of other large displacement crises, such as camps for internally displaced persons (IDPs); the crisis is to a large extent hidden. There are no official government statistics relating to these displaced populations; indeed, the government has consistently failed to acknowledge both the reality of displacement, and that its policies have caused internal displacement. Government obstruction means that no agency has been able to conduct a comprehensive survey to determine the number of IDPs. Indeed, so sensitive is the issue of displacement in Zimbabwe that IDPs in Zimbabwe are not even called IDPs but instead have come to be referred to as 'mobile and vulnerable populations'" (Internal Displacement Monitoring Centre (21 August 2008) *The Many Faces Of Displacement: IDPs In Zimbabwe*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any

particular claim to refugee status or asylum. Please read in full all documents referred to.

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