

Summary

Of course he [opposition leader Morgan Tsvangirai] was bashed. He deserved it...I told the police beat him a lot. He and his MDC must stop their terrorist activities. We are saying to him, 'Stop it now or you will regret it.'

—President Robert Mugabe, addressing a ZANU PF (ruling party) rally on March 29, 2007.

On March 11, 2007, the Save Zimbabwe Campaign—a broad coalition of civil society organizations and members of the political opposition—attempted to hold a prayer meeting at Zimbabwe Grounds in Highfield, Harare. As hundreds of people streamed into the grounds, police used violence and brutality to prevent the meeting from taking place, and arrested more than 50 opposition members and civil society activists, including the leaders of the two factions of the opposition Movement for Democratic Change (MDC).

The arrest and severe beating of these opposition leaders and civil society activists by police and state security officers marked a new low in Zimbabwe's seven-year political crisis. It ignited a new government campaign of violence and repression against members of the opposition and civil society—and increasingly ordinary Zimbabweans—in the capital Harare and elsewhere throughout the country. The ominous statements by Zimbabwe's President Robert Mugabe on March 17 and 29, 2007 that the opposition members and civil society activists deserved to be “bashed” by the police highlighted the government's blatant disregard for the basic human rights of its citizens that authorities at all levels have shown during Zimbabwe's political crisis.

This report, based on two weeks of research in the cities of Harare, Bulawayo, Masvingo, Mutare and Bindura, describes in detail the Zimbabwe government's most recent violent crackdown on peaceful protest and dissent from February to April 2007, mainly in the city of Harare. It provides evidence of the government's widespread and systematic abuses against members and supporters of the opposition and civil

society activists, as well as its increasingly violent repression of ordinary Zimbabweans in the high-density suburbs of Harare. The report highlights how the Zimbabwe authorities have repeatedly breached and violated the human rights of its citizens with complete impunity.

Human Rights Watch conducted 37 interviews with lawyers, NGO representatives, and victims and witnesses to the violence in the city of Harare and its suburbs of Glenview and Highfield, as well as 14 interviews with civil society activists in Bindura, Mutare, Masvingo and Bulawayo. All described acts of intimidation, arbitrary arrests, abductions and beatings by Zimbabwe's police forces and other state and security agents. This report also documents how police have used disproportionate and lethal force against unarmed activists resulting in the death of one activist, Gift Tandare, and serious injuries to several others.

The Zimbabwean government claims that it is responding to an opposition campaign of violence and terror in the country and has arrested more than 30 MDC members and supporters throughout Zimbabwe whom it accuses of orchestrating and carrying out a series of petrol bomb attacks around the country. Human Rights Watch opposes the use of violence by all political parties, and those who commit such acts should be prosecuted in accordance with international fair trial standards. Although the petrol bomb attacks and violence may provide the official justification for the government's arrests of opposition officials, they do not justify the state's brutal and widespread campaign of beatings and repression of hundreds of ordinary Zimbabweans, opposition members and supporters, and civil society activists in Harare's suburbs.

In contrast to government claims that primary responsibility for the recent violence lies with the political opposition, Human Rights Watch found that Zimbabwe's police forces, agents of the Central Intelligence Organization (CIO), and groups of "youth militia" are the main perpetrators of serious human rights abuses. The government's failure to curb abuses by these groups is likely to encourage further unchecked violence.

Despite widespread international condemnation and calls for an end to the abuses—including the beatings, arbitrary arrests and abductions of opposition members and

supporters, civil society activists and the repression of ordinary Zimbabweans—continue unabated. The human rights violations that have occurred in Zimbabwe over the past three months—and the complete lack of accountability of those responsible for these violations—is of special concern given the longstanding and pervasive culture of impunity in Zimbabwe.

The Zimbabwean government has legal obligations under several international and African human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR). Among the rights Zimbabwe must uphold are the right to life and the rights to freedom of expression, association, and assembly. Human Rights Watch calls on the government to ensure that its security forces respect these obligations, and to appropriately discipline or prosecute, regardless of rank, those responsible for abuses.

Human Rights Watch also calls on the Zimbabwean security forces to abide by the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in policing demonstrations. The principles call upon law enforcement officials to apply nonviolent means before resorting to the use of force only in proportion to the seriousness of the offense, and to use lethal force only when strictly unavoidable to protect life.

On March 28, 2007, heads of state of the Southern African Development Community (SADC) convened a summit in Dar es Salaam, Tanzania to address the political crisis in Zimbabwe. The summit mandated South African President Thabo Mbeki to mediate talks between the opposition and the ruling party. In the face of the ongoing violence, Human Rights Watch urges the SADC member states to take a much stronger stance in response to the appalling human rights situation in Zimbabwe. The SADC should demonstrate a renewed commitment to protect human rights in the region through deploying an independent investigative mission to assess the human rights situation in Zimbabwe.

Recommendations

To the Government of Zimbabwe

- Immediately halt the use of excessive force and unnecessary lethal force against demonstrators and other persons by police and security forces.
- Stop the intimidation, harassment and beatings by police and security forces, particularly of residents of the high-density urban suburbs of Harare.
- Promptly and impartially investigate all incidents of abuse by police and security forces and discipline or prosecute as appropriate those responsible, regardless of rank.
- Immediately review the cases of the remaining detainees arrested on suspicion of involvement in the petrol bomb attacks. Investigate allegations of torture and abuse against these detainees. Release unconditionally all detainees against whom no specific evidence of illegal activities exists.
- Carry out an independent investigation into the excessive use of force by the police, military, and other security services on March 11, and in the immediate aftermath, including the killing of Gift Tandare and the shooting of several other activists. Bring security officials who used excessive force to account.
- Stop repressive actions and intimidation of members and supporters of the political opposition, civil society activists, journalists, and human rights lawyers by police and other state agents.
- Investigate the operations of the Central Intelligence Organization, “youth militia,” and ZANU PF party supporters and members. Those found responsible for perpetrating abuses should be brought to justice.

- Lift the ban on all political rallies and gatherings and allow opposition supporters to exercise their rights to free expression, association and assembly. Immediately repeal or substantially amend the Public Order and Security Act (POSA).

To the Southern African Development Community (SADC)

- Strongly and publicly condemn and demand an end to human rights violations by the government of Zimbabwe, including the use of excessive force and unnecessary lethal force against all persons, impunity for police abuse, arbitrary arrests of opposition supporters, use of torture and other mistreatment, arbitrary detention of opposition leaders and other Zimbabweans, and the general climate of repression faced by Zimbabwean citizens.
- Consistently and publicly condemn any further abuses committed by the Zimbabwean authorities, such as refusals to allow political opposition rallies, reprisals against the media, and any acts of political repression.
- Reach an agreement with the Zimbabwean government to deploy an independent international mission to Zimbabwe to investigate reports of recent human rights abuses in line with the SADC Organ on Politics, Defense and Security's stated objective to "promote and enhance the development of democratic institutions and practices within member states, and to encourage the observance of universal human rights as provided for in the Charters and Conventions of the African Charter and the United Nations."
- Seek an immediate and transparent review of the detention of all persons arrested in connection with the recent petrol bomb attacks, and call for the release of all persons detained without a valid legal basis.
- Seek to establish a trial-monitoring program in Zimbabwe for any prosecutions arising out of the petrol bomb attacks, and call for judicial review of credible allegations of torture and other mistreatment.

To President Thabo Mbeki of South Africa

- Place respect for human rights and the rule of law at the center of mediation efforts between the opposition and the ruling party. To this end, consult with Zimbabwean civil society institutions to obtain views on key human rights issues that need to be addressed.
- Publicly call for an immediate end to ongoing human rights violations in Zimbabwe, and urge that all those responsible for such violations be brought to justice.
- Call on the Zimbabwean authorities to rebuild the institutions that ensure respect for human rights, democracy, and the rule of law, including an independent judiciary and a professional police force.