

**Public**

## **Women of Zimbabwe Arise (WOZA!)**

21 July 2005

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Since February 2003, women belonging to the women's rights organisation Women of Zimbabwe Arise (WOZA!) have repeatedly been arrested by the Zimbabwe police while taking part in peaceful demonstrations to protest the worsening social, economic and human rights situation in the country. They have been subjected to intimidation, harassment, and ill-treatment by police officers.

Many of those arrested have later been released without charge, but some have been charged under the repressive Public Order and Security Act (POSA). Others have been charged under the Miscellaneous Offences Act (MOA), usually with conduct likely to cause a breach of the peace or with an offence cited as "blocking the pavement". Lawyers have reported that MOA is often used by the police after they try and fail to bring charges under POSA.

In numerous cases where WOZA women have been arrested police have attempted to deny the detained activists access to legal advice. Human rights lawyers acting for WOZA have been subject to harassment by police officers.

\*On 7 March 2004 Bulawayo police arbitrarily arrested three women, all WOZA leaders, as they left a meeting. The women were kept in custody until 9 March, apparently in an attempt to prevent them organising a WOZA demonstration to mark International Women's Day on 8 March. They were charged under MOA with attempting to cause a breach of the peace. However, when they appeared in court on 23 March to answer the charge, the prosecutor refused to press charges.

\*On 16 June 2004, 43 women were arrested while attending a private meeting in Bulawayo. Of the women, seven had small babies or children who were also taken into custody with them. Several of the women reported that they were verbally abused and assaulted by the police. Winnie Muzhanje, Nancy Malabwe and Patricia Mahole were beaten with a sjambok (whip) on the soles of their feet. Thirty-nine of the women were released without charge on the same day. The four remaining women were charged under Section 24 of POSA, detained overnight and went to court the next day. The case was dropped when the prosecutor refused to press charges on the basis that Section 24 of POSA did not apply and no offence had been committed.

\*On Sunday 19 September 2004, more than 30 WOZA activists began a 440 km sponsored walk from Bulawayo to Harare to raise funds for women's rights activists, and in protest against repressive legislation. On 28 September, 48 women, together with 4 men who were assisting the WOZA walkers, were arrested some 60 km from Harare. Police said they would be charged under POSA – but initially they did not disclose which section of the Act the

group was alleged to have contravened. The detainees were reportedly harassed, intimidated and threatened by police officers. Another woman activist, Siphwe Maseko, was also arbitrarily arrested when she attempted to deliver food to those in custody but was released the following day without charge. The group was held in custody for three days until 1 October when a magistrate ruled that they had no case to answer. All were released.

\*On 29 September 2004, WOZA activists who had not been arrested the previous day finished the walk, gathered at Africa Unity Square in Harare and held a brief prayer service for those in detention.

As they began to disperse, nine women were arrested by police, who reportedly claimed that they had contravened Section 19 of POSA by "praying in public". Section 19 of POSA refers to "gatherings conducive to riot, disorder or intolerance". The activists were detained at Harare Central Police Station where three of the women were allegedly assaulted by a plain-clothes officer during interrogation. Lawyers acting for the women were denied access to them, and were reportedly forced out of the police station. All of the women were released on bail on 1 October. When they appeared in court on 13 October no charge sheets were presented and all were released.

\*On 12 February 2005 some 50 women were arrested after a WOZA demonstration in Bulawayo to mark Valentine's Day. The women had marched with banners proclaiming "The Power of Love can conquer the Love of Power" and handed out roses to the public. Several of the women arrested were reported to be bystanders not involved in the WOZA action. Some of the women were released over the following two days – in many cases after family members paid 'admission of guilt' fines. However, at least two women remained in custody until 15 February. None of the women was taken to court to face any charges. While in custody women were reportedly threatened by police officers and denied food.

- On the evening of 31 March, the day of Zimbabwe's Parliamentary elections, police arrested approximately 260 women, some carrying babies, when WOZA attempted to hold a peaceful post-election prayer vigil at Africa Unity Square in Harare. During and after the arrests, several of the WOZA activists were badly beaten. Some were forced to lie on the ground and were beaten on the buttocks by police officers. Several of the women were seriously injured and subsequently hospitalized. None were given access to adequate medical treatment during their detention. The women and children were detained overnight in an open-air courtyard, under armed guard. The detainees were initially denied access to lawyers. Police reportedly told the women that they could pay a fine if they pleaded guilty to minor offences under MOA, and would be released. However if they did not pay the fine, they were told they would remain in detention over the weekend until 4 April (when the courts re-opened) to face charges under POSA. Over the course of 1 April all of the women – several of whom were elderly, injured or with their children – elected to pay fines rather than spend the weekend in the cells, during which time they could be subjected to further harassment, threats and poor conditions. Once again MOA was used to elicit "admissions" of guilt. Amnesty International believes that in this case the "admissions" of guilt were elicited under duress and constitute an abuse of due process and the rule of law.

- WOZA members are increasingly the subject of harassment by police officers, some members of the Law and Order Unit, who have visited them at their homes. Amnesty International is concerned that this continued intimidation of WOZA activists is in response to their heightened international profile and represents an attempt by the Zimbabwe police to prevent them from engaging in further peaceful protests and criticism of the government.

**Take action! Please write to the Zimbabwe Police authorities:**

- Expressing concern at the repeated arbitrary arrest, intimidation, harassment and ill-treatment of WOZA women activists giving brief details of the cases outlined;
- Urging the authorities to immediately ensure the arbitrary detention and intimidation of human rights defenders ceases and to open investigations into all reports of harassment of human rights defenders;
- Remind the authorities of their obligations to fulfil the principles contained in the Declaration on the Right and Responsibility Of Individuals, Groups and Organs of Society to Promote And Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the United Nations General Assembly on 9 December 1998, commonly known as the UN Declaration on Human Rights Defenders;
- Calling on the authorities to develop a national plan of action to implement the UN Declaration on Human Rights Defenders as an important first step to ensure that human rights defenders are able to safely carry out their legitimate work. The Plan of Action should include specific measures to address the particular obstacles faced by women HRDs.

**Please send your appeals to:**

Police Commissioner  
Mr Augustine Chihuri  
Police Headquarters  
PO Box 8807, Causeway  
Harare, Zimbabwe  
**Fax: +263 4 726 084/ 253 212/ 728 768**  
**Salutation: Dear Commissioner Chihuri**

The Officer Commanding  
Provincial Headquarter  
Matabeleland North, Zimbabwe Republic Police  
P.O Box 701  
Bulawayo, Zimbabwe  
**Fax: +263 9 65763**  
**Salutation: Dear Sir**