

TABLE OF CONTENTS

<u>I. Introduction.....</u>	<u>1</u>
<u>About this report.....</u>	<u>3</u>
<u>II. Human rights violations by police and soldiers.....</u>	<u>3</u>
<u>III. Human rights violations by “war veterans” and ZANU-PF supporters...5</u>	<u>5</u>
<u>IV. Harassment and intimidation of human rights defenders.....</u>	<u>7</u>
<u>V. Violations of national law, regional and international human rights standards</u>	<u>9</u>
<u>VI. Conclusion.....</u>	<u>11</u>
<u>VII. Recommendations.....</u>	<u>11</u>

Zimbabwe

A trail of violence after the ballot

I. Introduction

Amnesty International has documented unlawful killings, torture and other ill-treatment, including beatings, as well as harassment and intimidation of mainly Movement for Democratic Change (MDC) supporters and human rights defenders in Zimbabwe following elections on 29 March 2008. By the end of May dozens of people had been killed and over 1600 people¹ had been treated for injuries sustained from politically related violence. Human rights groups in Zimbabwe have been unable to document all the cases of violence as their movements have been severely restricted and some of them have fallen victim to the on-going violence.

The bulk of the human rights violations have been perpetrated by supporters of the Zimbabwe African National Union - Patriotic Front (ZANU-PF) party and members of the Zimbabwe National Liberation War Veterans Association (ZNLWA) (generally known as “war veterans”). State security organisations, in particular the Zimbabwe Republic Police (ZRP) have been unwilling to act against these perpetrators – allowing them to kill, torture, assault and burn homes and businesses of suspected MDC supporters with impunity. In fact, in some cases authorities have instigated or even directed attacks by these groups.

“War veterans” have been used in the past by the ZANU-PF government to spearhead violent campaigns against its opponents in the 2000 and 2002 elections. They also played a key role in the government’s violent land reform programme that started in 2000 following the defeat of the government in a referendum for a new constitution. Despite evidence of human rights abuses perpetrated by members of the ZNLWA, including setting up of camps where suspected opponents of ZANU-PF have been tortured, they appear to enjoy state protection from prosecution.

Senior members of the Zimbabwean government have strong links with the “war veterans” organisation, for example, President Mugabe is the patron of the ZNLWA and other senior officials in the army, police and government are members of the association. Members of the ZNLWA were given preferential treatment during the government’s land reform programme and receive a state pension in addition to other perks. The Zimbabwean government has also deliberately aligned state and ZANU-PF affairs making

¹ As reported by doctors providing medical care to victims on 15 May 2008.

the two inseparable.² This has enabled government to channel state resources to ZANU-PF and its allies, including “war veterans”.

“War veterans” have pledged support to President Mugabe’s candidature and are part of his campaign strategy for the presidential election run-off.³ Victims of human rights abuses have also reported that “war veterans” appear to work very closely with soldiers deployed in rural areas to mobilise support for President Mugabe. The failure by the state security organisations, as well as their alleged associations with “war veterans” suggests that the state is, at least, acquiescing in attacks by these groups. In some instances, authorities appear to have instigated the human rights violations committed by “war veterans” and ZANU-PF supporters. Amnesty International has also received reports of human rights violations perpetrated directly by soldiers and the police.

Victims of the state-sponsored violence, including women, children and elderly people, have been treated at various hospitals across the country for injuries sustained from torture and other ill-treatment, including beatings and injuries that result from arson. Several hundred have been admitted in hospitals. Human rights groups in Zimbabwe told Amnesty International that victims were being blocked from seeking help by soldiers, “war veterans” and other state security agents including the Central Intelligence Organisation (CIO). Hundreds of families have been forced to leave their homes as their property was burnt down. Families have been separated. The United Nations Children’s Fund states that at least 10,000 children alone have been displaced by the violence.⁴ The organisation was giving emergency support to more than 25,000 individuals affected by the violence.

The wave of state-sponsored violence is concentrated in rural areas, townships and farming areas where the MDC made significant gains during the elections held on 29 March 2008.⁵ The attacks appear to be aimed at displacing and intimidating MDC supporters as the country prepares for a run-off of the presidential election, scheduled for 27 June 2008. The situation of most victims is desperate and many are without

² State occasions have often been turned into campaign platforms for the ZANU-PF to denounce political opponents. The Politburo of ZANU-PF is widely seen as having more powers than the government Cabinet.

³ The Herald online, 27 May 2008, *We are not violent, says war vets leader Sibanda*.

⁴ UNICEF news note, 28 May 2008, *Violence in Zimbabwe affecting children and relief effort*.

⁵ ZANU-PF lost its majority in parliament for the first time since the country gained independence in 1980. Both MDC and ZANU-PF are challenging some of the parliamentary election results. After a long delay the Zimbabwe Electoral Commission (ZEC) announced the presidential election result which gave 47.8% to Morgan Tsvangirai of the MDC, 43.2% to President Robert Mugabe, 8% to Simba Makoni and 0.6% to Langton Towungana. Since the winning candidate did not get over 50% of the vote as required under the Electoral Act, a run-off between the two candidates will now take place on 27 June.

shelter, food and in need of urgent medical care. Some schools have been forced to close as teachers flee from the state-sponsored violence.

Amnesty International is concerned about the failure or unwillingness of the Zimbabwean police to investigate human rights abuses or arrest suspected perpetrators. Eyewitness told Amnesty International that officers from the ZRP appear to be reluctant to arrest “war veterans” and ZANU-PF supporters who are perpetrating human rights abuses. However, police have been quick to investigate human rights abuses allegedly committed by MDC supporters creating an impression of partisan policing. In addition, police have further violated the rights of those in police custody, denying them access to a lawyer, food and medical care.

About this report

The report gives a sample of cases to illustrate the pattern of human rights violations and abuses in Zimbabwe during the period leading to the presidential election run-off on 27 June 2008. It is based on telephone interviews, conducted from 29 March to 27 May 2008, with victims of human rights abuses, eyewitnesses and human rights defenders in Zimbabwe, as well as alerts and documents produced by local human rights organisations. It builds on earlier research conducted by Amnesty International delegates inside the country.

The report ends with specific recommendations to the government of Zimbabwe and the international community which Amnesty International believes, if implemented fully, will contribute significantly in addressing the organisation’s human rights concerns. Among other recommendations, Amnesty International is urging member states of the African Union (AU), Southern African Development Community (SADC), the Common Market for Eastern and Southern Africa (COMESA) and others to include human rights specialists in their delegations of election observers to be deployed during the presidential election run-off. Observations by human rights specialists would contribute significantly to the reduction of human rights violations and abuses during the election period and would help develop a durable strategy of dealing with human rights violations in Zimbabwe.

II. Human rights violations by police and soldiers

While the bulk of the violence that has taken place since the 29 March elections appears to be perpetrated or instigated by “war veterans” and ZANU-PF supporters, Amnesty International and local human rights organisations have documented cases involving soldiers and other security agents. State security agents have also allegedly collaborated with “war veterans” to prevent victims of political violence from seeking medical care and

humanitarian assistance. Local and international humanitarian organisations have not been allowed to operate freely to provide food, shelter and medical care for victims.⁶

Case studies

Soldiers assault patrons at a Harare night club

On 17 April a group of soldiers reportedly assaulted patrons at Club M5, a night club in the suburb of Westlea in Harare. People in the club were ordered to lie on their stomachs and were reportedly assaulted with gun butts for about three hours. The soldiers were reportedly wearing hoods over their heads so that they could not be identified. They accused the people of supporting the MDC. The victims were also accused of “selling the country to the West.”⁷

Soldiers threaten villagers with violence in Manicaland

On or around 22 April, villagers in Nyazura (Manicaland province) were called to a meeting by the local traditional leader at Handina secondary school where they were addressed by soldiers. The soldiers allegedly told the villagers to vote for the ZANU-PF candidate in the anticipated presidential election run-off and that if they were to vote for any other candidate the soldiers would return and burn their homes.⁸

Police raid MDC headquarters in Harare

On 25 April, armed police raided the MDC party headquarters in Harare and arrested and detained at least 300 MDC supporters on allegations that they had committed various offences related to political violence. The detainees were mainly people who had taken refuge at the party’s offices after fleeing the violence in rural areas following the 29 March elections. The state-controlled Herald newspaper reported that 215 of those arrested were detained at Harare Central police station.⁹

According to information obtained by Amnesty International, 35 of those arrested were children whose age ranged from a few months to 11 years. The majority of the detainees were women and elderly people. About 180 of the detainees were released on 28 April after the MDC obtained a High Court order for their release. A senior MDC official told Amnesty International that on 27 April police at Braeside police station in Harare denied 14 women detainees access to food. MDC officials reportedly brought food for the detainees at around 6pm and were told by police officers on duty that they could not feed

⁶ Aid workers who attempted to provide shelter for a family whose home was torched by suspected ZANU-PF supporters in Headlands (Manicaland province) were summoned to report at Harare Central police station on 28 April 2008. As a result of such treatment most humanitarian workers have been confined to urban areas.

⁷ ZimRights press release, 30 April 2008.

⁸ Amnesty International, interview with a relative of one of the families rounded up.

⁹ Herald online 29 April 2008, *Police set free 29 MDC-T political violence suspects*.

the detainees because there was no electricity. Although the MDC officials offered to provide alternative lighting police reportedly refused.

Victims blocked by state security agents from accessing medical care

At the end of April, soldiers at a checkpoint near the town of Chinhoyi stopped a truck carrying 22 victims of political violence from Gokwe North constituency in the Midlands province. The victims were on their way to seek treatment for injuries sustained after being attacked by suspected ZANU-PF supporters. The soldiers allegedly beat up the driver and some of the victims and ordered the truck to return to Nembudziya area.

Ambulance stopped from transporting seriously injured people from Kotwa to Harare

In April the Zimbabwe Association of Doctors for Human Rights reported that an ambulance that had been sent from Harare to ferry seriously injured victims from Kotwa Hospital in Mashonaland East was blocked by people believed to be members of Zimbabwe's Central Intelligence Organisation and "war veterans". The driver of the ambulance was threatened and followed by an unmarked vehicle for about 100 kilometres. Similar incidents have also been reported by medical personnel across the country.

III. Human rights violations by "war veterans" and ZANU-PF supporters

Leaders of ZANU-PF and MDC have blamed each other for the violence that has taken place since the 29 March elections. There have been inter-party clashes reported in Zimuto, Gutu and Zaka in Masvingo province. The state-controlled Herald newspaper also reported that MDC and ZANU-PF supporters had their homes destroyed during clashes between supporters of the two political parties in Rusununguko Village Two in the Mayo resettlement area in Manicaland province.¹⁰

However, cases recorded by local human rights groups and Amnesty International show that the "war veterans" working with ZANU-PF supporters are responsible for the bulk of the human rights abuses. The victims were targeted because of their political affiliation.

Moreover, despite the involvement of both the MDC and ZANU-PF, Amnesty International notes that Zimbabwean police appear to be operating in a discriminatory and partisan

¹⁰ The Herald online on 2 May 2008 reported that Zimbabwe's First Lady Mrs Grace Mugabe and her sister Mrs Junior Gumbochuma donated money, shoes, food stuffs, blankets and clothes to 10 families affected by the inter-party violence or possible retaliatory attacks. The paper reported that "there were skirmishes in the Mayo resettlement area in Headlands where rival ZANU-PF and MDC-T supporters fought and burnt each other's houses."

manner, allowing ZANU-PF supporters and “war veterans” to perpetrate human rights abuses with impunity.

Case studies

Schools used as camps to plan attacks and torture MDC supporters in Mberengwa, Mazowe and Mount Darwin districts

Amnesty International was told by victims or their family members that in Mberengwa, Mazowe and Mount Darwin districts “war veterans” and ZANU-PF supporters used schools to plan and commit human rights abuses. “War veterans” were reportedly camped at Mabika primary school, Chomusenda secondary school and Chebvute primary school in Mberengwa. They were also reportedly camped at Chawona primary school in Mazowe and Nyakatondo primary school in Mount Darwin. At these schools people suspected to have voted for the MDC are forced to attend so-called “re-education” sessions and severely beaten.

Abduction and killing of Tonderai Ndira in Harare

Tonderai Ndira, a local MDC activist, was abducted from his home in Mabvuku, a low income suburb of Harare on 14 May in the early hours of the morning. Reports indicate that about nine armed men in plain clothes forced him into a white Toyota truck and drove away. His badly mutilated body was reportedly found in Goromonzi a week after he was abducted.¹¹

Tonderai Ndira, with 31 other MDC activists, was tortured by state agents while in detention in 2007. He was detained for more than two months in Harare Central Remand Prison before the charges against him were dropped. Since 2000, he had been arrested or abducted more than 30 times by men believed to be state agents.

Elderly couple abducted in Mashonaland Central province

Amnesty International received a report of the alleged abduction of Sinoia Pfebve (79) and his wife Serena Pfebve (76) on 13 May by people believed to be “war veterans” in the Mukumbura area of Mt. Darwin district. They are believed to have been taken to Nyakatondo primary school where the abductors were camped. The couple was released by their abductors on 17 May following international pressure. The Pfebve family have political connections to the MDC: the couple’s son, Elliot Pfebve, was an MDC candidate in the parliamentary election in 2000 and in a by-election in 2001.

“War veterans” compel local young men to join in carrying out acts of violence in Midlands and Mashonaland Central

¹¹ Zimbabwe’s Central Intelligence Organisation is believed to have a torture facility in Goromonzi district. Several human rights activists, opposition politicians, journalists have been tortured at the Goromonzi facility.

Eyewitnesses told Amnesty International that “war veterans” had threatened local youths, mainly unemployed young men in their late teens and twenties, with violence if they did not join them in carrying out acts of violence and intimidation against alleged MDC supporters. For example, in Mberengwa in April, a group of “war veterans” told young men at Mt. Belingwe farm that their families¹² would lose their plots if they did not join them in beating up suspected MDC supporters in the district. Youths who reportedly refused were labelled MDC supporters and beaten.

Another eyewitness told Amnesty International that at the end of April “war veterans” in Chief Chiweshe area in Mazowe used the same tactic to compel unemployed young men to join them. Amnesty International was told that following such threats large groups of ZANU-PF supporters led by “war veterans” and those who had been threatened, carried out attacks on homes of suspected MDC supporters. For example, in the early hours of 5 May, one of these groups in Chiweshe area attacked and torched the home of a 61 year old MDC polling agent during the 29 March election. The election agent had been warned of the attack just before it happened and managed to flee his home with his wife and one of their three young children. However, two of their children aged 10 and 12, as well his elderly parents were left behind. At the time of the interview he had not heard from them. The group of ZANU-PF supporters and “war veterans” which attacked them were said to be camped at Chawona primary school where they were torturing people suspected to have voted for the MDC.

Dozens of homes and businesses torched in Gokwe district, Midlands province

At least 30 homesteads have allegedly been torched in Gokwe-Nembudziya area in the Midlands province. Seven shops belonging to business people who had given assistance to victims of the human rights abuses were burnt by suspected ZANU-PF supporters at Tsungayi business centre. Dozens of families who took refuge at Nembudziya business centre were allegedly also assaulted by police.

IV. Harassment and intimidation of human rights defenders

Amnesty International is concerned about the harassment and intimidation of human rights activists and leaders of civil society organisations including those who observed the 29 March general election.

Case studies

Zimbabwe Election Support Network

¹² These families were settled at the plots during the government of Zimbabwe’s land reform programme that started in 2000.

On 25 April, five police officers from the ZRP's Criminal Investigations Department (CID) raided the Harare-based offices of the non-governmental organisation the Zimbabwe Election Support Network (ZESN). The police had a search warrant signed by a senior CID officer, authorizing them to search for "subversive material likely to cause the overthrow of a constitutionally-elected government". Police took some files and documents relating to the work of the ZESN. The home of Ms Rindai Chipfunde-Vava, National Director of the ZESN, was also raided.

On 28 April Rindai Chipfunde-Vava and the organization's chairperson, Mr Noel Kututwa, were interrogated by police from the Law and Order section of the ZRP. They were questioned on allegations of breaching Section 22 (2) (b) of the Criminal Law (Codification and Reform) Act [Chapter 9:23] which sets out offences of supporting or assisting "any group or body in doing or attempting" to, among other things, "overthrow the Government by unconstitutional means." From 28 to 30 April, Noel Kututwa and Rindai Chipfunde-Vava were ordered to report to Harare Central police station. Police have indicated that they can be summoned at any time. Police requested ZESN to provide a list of the 11,000 local observers it had deployed during the 29 March election, names of board members, and sources of funding including bank accounts. ZESN complied with the police request.

Election observers' homes looted in Mashonaland Central province

The ZESN reports that since 11 May its observers have been attacked in Mt. Darwin in Mashonaland Central province by ZANU-PF supporters. Their homes were vandalised and property looted. Six were hospitalised after sustaining serious injuries. Several families were forced to take shelter in surrounding hills and bushes.¹³

Since 29 March, several hundreds of ZESN local observers have reportedly been threatened, harassed or intimidated in their communities by "war veterans" and other ZANU-PF supporters.

ZESN workers held by ZANU-PF supporters and suspected "war veterans" in Mashonaland East province

On 12 May, two ZESN workers were held by ZANU-PF supporters at Kotwa business centre in Mudzi District. The two workers who were in a vehicle owned by the organisation were stopped by ZANU-PF supporters in an unregistered red Mitsubishi truck and questioned for six hours about their movements in the area. The ZESN vehicle was allegedly confiscated and the two workers managed to escape from detention at about 2.30am on 13 May.¹⁴

Discrimination against Women of Zimbabwe Arise members in sales of maize

¹³ ZESN Alert, 14 May 2008.

¹⁴ By the time of compiling this report the ZESN was still trying to recover the vehicle.

In April, the Women of Zimbabwe Arise (WOZA), an activists' organisation, reported that its members in low income suburbs of Bulawayo were being blocked by ZANU-PF supporters from buying maize meal, the staple diet, because they did not have ZANU-PF party loyalty cards.¹⁵

Zimbabwe Congress of Trade Unions leaders arrested over May Day speeches

Lovemore Matombo, President of the Zimbabwe Congress of Trade Unions (ZCTU), and Wellington Chibebe, Secretary General of the ZCTU were arrested on 8 May on charges of "communicating falsehoods prejudicial to the state," under the Criminal Law (Codification and Reform) Act [Chapter 9:23] following speeches made during May Day celebrations in Harare. They handed themselves in to the police after police looked for them at their homes. On 12 May they appeared before a magistrate and were denied bail and initially remanded in custody until 23 May at Harare Central Remand Prison. However, after appeal they were granted bail by a High Court Judge on 19 May 2008. Reports also indicate that while they were held at Harare Central police station from 8 to 12 May, they were denied blankets and threatened with assault by police.

V. Violations of national law, regional and international human rights standards

Amnesty International believes that the state-sponsored attacks against individuals, perceived to have voted for the MDC, by "war veterans" and ZANU (PF) supporters are a violation of both national law and international human rights law. They violate the prohibition of torture and other cruel, inhuman or degrading treatment. This prohibition is found in section 15 (1) of the Constitution of Zimbabwe, which states: "No person shall be subjected to torture or to inhuman or degrading punishment or other such treatment."

Torture and other cruel, inhuman or degrading treatment or punishment is prohibited under international law, for example under Article 5 of the African Charter on Human and Peoples' Rights and Article 7 of the International Covenant on Civil and Political Rights (ICCPR). Zimbabwe is a state party to both treaties.¹⁶

It is widely agreed that a state has violated the prohibition on torture and other ill-treatment not only when a state official directly commits the act, but also when such an act is committed at the instigation or with the consent or acquiescence, of a public official or other person acting in an official capacity. In interpreting the obligations of states under the ICCPR, the UN Human Rights Committee (HRC) emphasized that "[i]t is the duty of the State party to afford everyone protection through legislative and other measures

¹⁵ WOZA Alert, 29 April 2008.

¹⁶ Zimbabwe is not a state party to the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

*as may be necessary against the acts prohibited by article 7, whether inflicted by people acting in their official capacity, outside their official capacity or in a private capacity.*¹⁷

In the examples given above, even if the state security agents were performing their duties of law enforcement, Amnesty International believes that force was used disproportionately and in most instances it was unwarranted. Article 3 of the UN Code of Conduct for Law Enforcement Officials states that "(l)aw enforcement officials may use force only when strictly necessary and to the extent required for the performance of duty".

Amnesty International considers that the state-sponsored violence, harassment and intimidation of voters and human rights defenders in Zimbabwe by the police and ZANU-PF supporters is a clear violation of the rights to freedom of expression, peaceful assembly and association. These rights are guaranteed under Articles 19, 21 and 22 of the ICCPR, respectively.

Amnesty International also believes that the torture and other ill-treatment, including beatings, threats, harassment and intimidation of voters and human rights defenders by soldiers, police, "war veterans" and ZANU-PF supporters constitute a violation of Article 25 of the ICCPR. Under this Article the government of Zimbabwe is obliged to ensure for every citizen the right and the opportunity, without discrimination or unreasonable restrictions, to take part in the conduct of public affairs and to vote and to be elected at genuine periodic elections guaranteeing the free expression of the will of the electors.

The UN Human Rights Council has also stated that the right to participate in public affairs, recognized in Article 25 of the Covenant, "*[r]equires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas.*"¹⁸

Moreover, the HRC recognizes that the right to freedom of association "*including the right to form and join organizations and associations concerned with political and public affairs*" is an essential element of the rights protected by Article 25 of the ICCPR.¹⁹

The government of Zimbabwe has also failed to meet the requirements of Article 12 of the UN Declaration on Human Rights Defenders²⁰ that recognises the right of everyone "*individually and in association with others, to participate in peaceful activities against*

¹⁷ ICCPR General Comment 20 (44th session, 1992), para. 2.

¹⁸ Human Rights Committee, General Comment No. 25 (Participation in public affairs and the right to vote), para. 25.

¹⁹ Human Rights Committee, General Comment No. 26 (Participation in public affairs and the right to vote), para. 26.

violations of human rights and fundamental freedoms.” The Declaration calls on states to “take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of their rights.”

VI. Conclusion

Amnesty International fears that the level of human rights violations and abuses against MDC supporters and human rights defenders will increase, during the period leading to the second run-off presidential election, if the government of Zimbabwe does not take immediate action to end the attacks. The organisation believes that many of the current acts of violence, and the government’s failure to ensure such incidents are properly investigated and perpetrators brought to justice, violates both national law and international human rights law. Instead of exercising due diligence to protect all Zimbabweans, state officials, in particular soldiers, are reportedly torturing and ill-treating an increasing number of individuals, while ZANU-PF supporters and “war veterans” are allowed to kill, torture, ill-treat, harass and intimidate perceived political rivals with impunity.

Amnesty International believes that increased international pressure on the government of Zimbabwe, particularly by member states of the Africa Union, Southern African Development Community, Common Market of Eastern and Southern Africa and other countries invited to send international election observers for the presidential election run-off on 27 June 2008, can have a significant positive impact on the protection of human rights during and after the elections. In that regard, the organisation is convinced that human rights specialists should be included in international election observer teams. These human rights specialists should pay particular attention to protection of the right to freedom from torture or other ill-treatment, as well as the rights to peaceful assembly, association and freedom of expression before, during and after the presidential election. The specialists should be able to produce rapid and frequent reports that should be made public. They should be able to engage with the Zimbabwean authorities and political parties to end human rights violations and abuses.

VII. Recommendations

The Zimbabwean authorities should:

Take immediate steps to guarantee the right to life and freedom from torture and other ill-treatment for all. The government should publicly denounce all acts of

²⁰ UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

violence by ZANU-PF supporters, “war veterans” and soldiers, as well as by any other parties, and work with all political parties to end political violence immediately. It should also withdraw soldiers, who have been deployed in rural areas, who appear to be instigating attacks against people perceived to have voted for the MDC.

Allow international election observers, and human rights specialists accompanying them, unrestricted access to all parts of the country during and after the election process. The government should also guarantee the safety of all persons who report human rights abuses.

Ensure that police arrest suspected perpetrators of human rights abuses, including those who are instigating the violence. Police should operate in a non-partisan manner in executing their duties.

Ensure that all people arrested, without exception, are free from torture and other ill-treatment while in detention, that they have adequate conditions of detention and access to lawyers, relatives, food and medical care. Detainees must be brought promptly before an independent judge, so that they can challenge the legality of their detention; they must be charged with recognizably criminal offences and remanded by an independent court or else be released.

Ensure that access to humanitarian assistance, including medical care, shelter and food supplies, is not restricted.

Immediately set up an independent and impartial body to investigate all acts of political violence. The investigation’s findings should be made public and suspected perpetrators should be brought to justice in proceedings which meet international standards of fairness. Victims should be awarded full reparations in accordance with international standards.

Immediately end the harassment and intimidation by police of human rights defenders who are carrying out their work peacefully. In addition, the government should fully fulfil the right of all persons to participate in public affairs of their country, including by allowing local civil society organisations to observe elections. Alleged threats and acts of intimidation targeted at local observers should be fully investigated and the alleged perpetrators brought to justice.

Ensure that soldiers undertaking policing functions do so for the shortest time possible; that the functions for which they are responsible are clearly defined; and that all such soldiers adhere fully to international standards on law enforcement including the UN Code of Conduct for Law Enforcement Officials, and the Basic Principles on the Use of Force by Law Enforcement Officials, and to international human rights law.

Immediately invite the Special Rapporteur of the African Commission on Human and Peoples’ Rights on Human Rights Defenders in Africa and the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or

punishment to investigate allegations of human rights violations and abuses and implement fully their recommendations.

The Southern African Development Community (SADC), the Common Market for Eastern and Southern Africa (COMESA), the African Union (AU) and members of the international community should:

Include human rights specialists in their election observer teams which should be deployed immediately to monitor the human rights situation, as well as investigate human rights violations and abuses during the pre and post election period.

These human rights specialists should pay particular attention to protection of the right to freedom from torture or other ill-treatment, as well as the rights to peaceful assembly, association and freedom of expression during the election period. The specialists should be able to produce rapid and frequent reports that should be made public. They should be able to engage with the Zimbabwean authorities and political parties to end human rights violations and abuses.

Increase their diplomatic engagement with the government of Zimbabwe, particularly raising concerns on human rights violations and abuses, in bilateral and multilateral meetings.

Through their diplomatic missions in Harare monitor the human rights situation and publicly and privately call on the government of Zimbabwe to end the violence immediately.

Offer support to local civil society organisations and humanitarian organisations in order to strengthen their capacity to provide for the needs of victims of violence.