

2019

Amalgamated Rural
Teachers' Union of
Zimbabwe

ARTUZ WELFARE
SECRETARY

[TEACHING UNDER THE NEW DISPENSATION]

A compilation of violations against teachers for the period December 2018 to December 2019

Teaching Under the New Dispensation: A report of violations against Teachers in 2019.

Background.

Zimbabwe experienced a political transition in November 2017 under which the military usurped power from the long serving President Robert Mugabe. The Military handed over power to their proxy, the incumbent President Emmerson Mnangagwa. The new authority has militarized all spheres of our society.

The Zimbabwean Constitution produced in 2013 provides for labour rights in section 65 but the labour laws are still to be aligned to the new constitution and the government continues to violate workers' rights with impunity.

Introduction

The Amalgamated Rural Teachers' Union of Zimbabwe, ARTUZ has been consistently fighting for inclusive access to quality education, labour justice and a democratic Zimbabwe. The ruling ZANU PF party and the State have ganged up in a desperate bid to crush the Union.

This report covers violations perpetrated by State Institutions, school administrators and ZANU PF functionaries against members of ARTUZ and other teachers. The violations documented are arbitrary arrests, abductions, torture, Intimidation, salary cessations, Union affiliation based discrimination, evictions from school accommodation. The report covers the period from December 2018 to November 2019.

The Union used an online reporting system, affected individuals submitted violations in real time. We deployed our leaders in different districts to verify violations.

Violations

Arbitrary arrests.

In December 2018 the Amalgamated Rural Teachers' Union of Zimbabwe, ARTUZ embarked on a salary caravan which was a protest march for 275 km.

The teachers were demanding a living wage from their employer who is government. The protest march was peaceful and lawful in line with section 59 of Zimbabwe's constitution. Section 59 provides for the right to protest and petition. The Public Order and Security Act, POSA which regulates how section 59 is enjoyed also exempts Trade Unions from seeking police clearance during protests.

The marching teachers were however arrested on the 6th day of their peaceful protest. Armed police officers harassed and arrested the marching teachers on Saturday 15 December 2018. The teachers were detained for over 12 hours with no charge. A charge of engaging in an illegal protest was then preferred.

On Monday 17 December when the protestors were set to appear in court the National Prosecuting Authority declined to prosecute noting that the teachers had not violated any law.

The teachers proceeded with their march but were again arrested on 19 December and were charged with a ridiculous charge of criminal nuisance. The teachers appeared in court after spending the night of 19 December in police cells. The court exonerated them of any wrong doing.

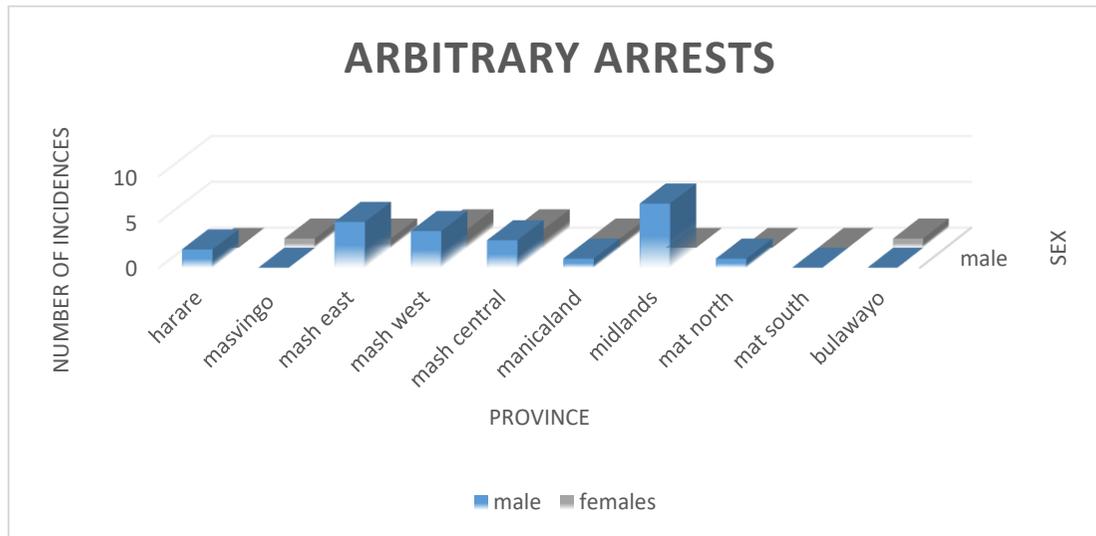
On 7 January 2019 when the teachers launched a protest dubbed the salary camp where they were going to camp at Finance Ministry for five days they were once again arrested. 14 teachers were detained for 6 hours without any charge the teachers were later released without a charge.

On 23 August 10 citizens were arrested when ARTUZ staged a protest against underpayment at Ministry of Finance offices, the protest was dubbed “Pay Day Funeral.” The arrested involved one journalist Leopold Munhende, Human Rights Lawyer, Doug Coltart, fellow teacher Simon Drury and seven members of ARTUZ. Leopold Munhende was released without a charge after spending 6 hours in police custody. The remaining nine are standing trial for criminal nuisance and will appear in court on 4 February 2020.

The teachers who are being denied bread by their employer are further denied the right to protest against labour injustice.

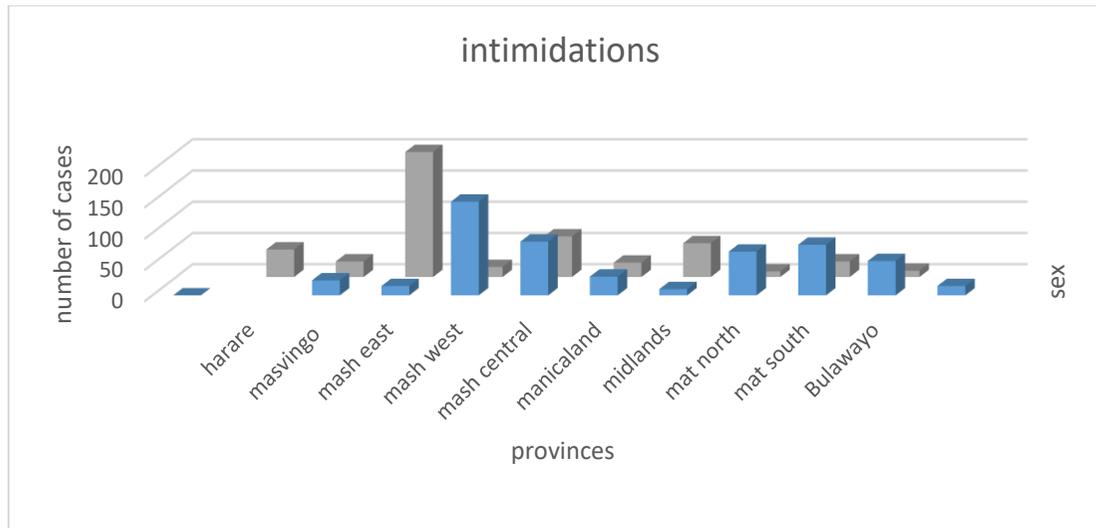
Demanding a living wage is a pure labour issue that should not be criminalized. Sections 59 and 65 of Zimbabwe’s constitution protects the right to protest for a better wage. The repressive Public Order and Security Act, POSA also exempts Trade Unions from notifying the police if they intend to stage a labour based protest.

A total of 29 Incidences of arrest have been recorded by ARTUZ.



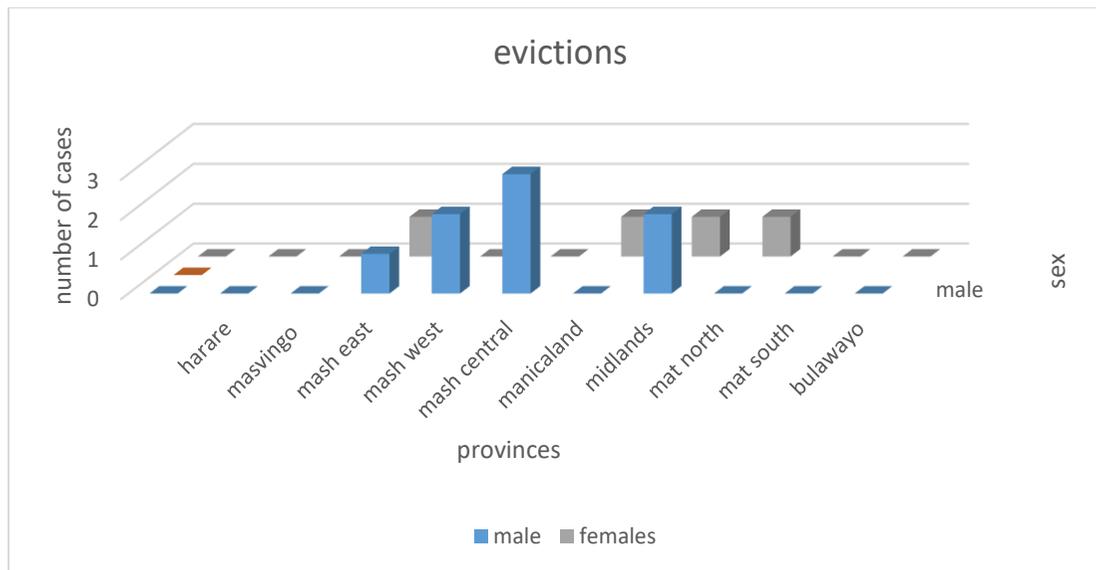
Intimidation.

State security agents have been deployed in schools to harass and threaten our members for participating in ARTUZ organized job actions. A total of 1005 cases of intimidation were recorded.



Eviction from School Accommodation

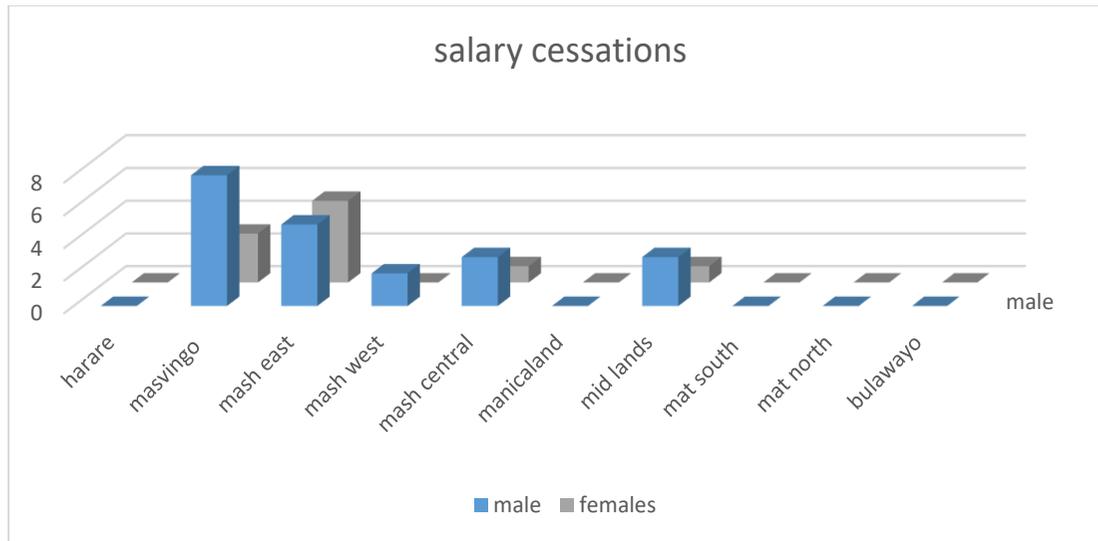
Some School administrators have ganged up with School Development authorities and illegally evicted our members from school residence, a total of 12 of our members were evicted.



Salary cessations

The government has since the January 2019 protests frozen salaries for teachers who took part in job actions and the teachers are yet to appear before a disciplinary committee as is supposed to be the case according to the law.

The government has instructed the cessation of salaries for 31 of our members without following laid down procedure. The affected members were never given the right to respond before the sentences were delivered. Teachers would only learn of their fate on pay day.



Union based discrimination

Our members have been victims of demotions, forced transfers, denied deserved promotions and refused leave days for simply belonging to ARTUZ. Some school administrator in Chirumhanzu district summoned 6 ARTUZ members at the station and attempted to force them to quit the Union. The members have however remained resolute.

A total of 1157 cases of these violations were recorded.

Abductions and torture.

A total of 7 incidences of abduction and torture were recorded.

On Wednesday 16 January 2019 members of the Military Intelligence department abducted and tortured ARTUZ Secretary General, Cde Robson Chere at Acturus High School where he is employed as a teacher. Chere was being blamed for having been involved in mobilizing for the protests against fuel increases held from 14 to 16 January. Mr Chere was later dropped at Goromonzi police station.

Chere was charged with intimidating and assaulting the members of the Military department.

Mr Chere was acquitted on the intimidation charges but convicted of assaulting armed military personnel. The conviction was ridiculous as it was clear that Chere was a victim not an aggressor yet he was convicted of assaulting his captors. We are appealing against the conviction.

Mr Chere was once again abducted in Greystone Park along with other teachers who part of a study group.

On Friday 18 January at almost midnight armed members of the Military Intelligence department abducted and tortured ARTUZ National President, Obert Masaraure at his Harare home. Masaraure was abducted in front of his wife and kids. After being heavily tortured he was handed over to the police at Harare Central Police Station.

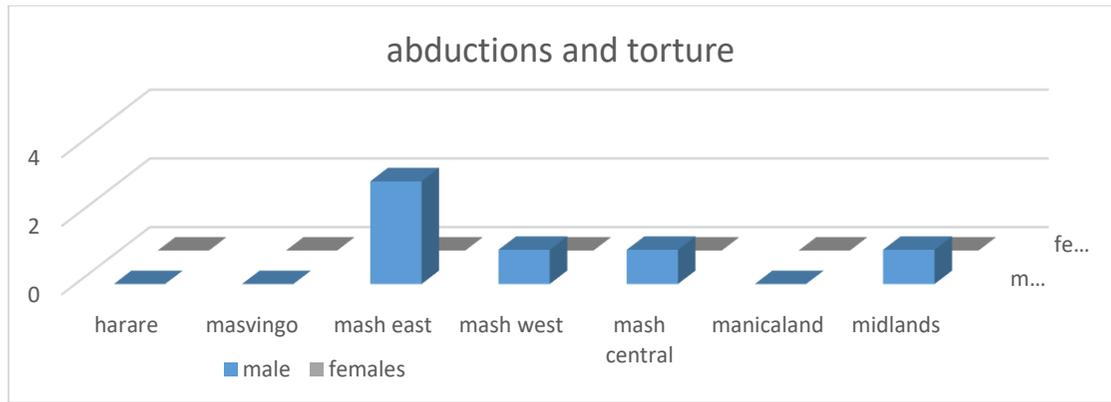
Mr. Masaraure was charged with subverting a constitutionally elected government and inciting public violence. The charges were linked to the protests of 14 to 16 January. Masaraure spent 16 days in Chikurubhi Maximum prison and was released on stringent bail conditions. One of the conditions bars him from posting anything on social media and addressing public gatherings. The trial is still to kick off with the State failing to come up with evidence for the cooked up charges. Masaraure is set to appear in court on 20 January 2020.

Masaraure was once abducted on early morning of 6 June 2019 under almost similar circumstances but was stripped naked and left for dead in a bush along Chitungwiza road.

On Thursday 21 March 2019 the ARTUZ Mashonaland West Chairperson, Mr Munyaradzi Ndawana was abducted and tortured by members of the President's office in Chinhoyi. Three officials including one identified as Gono tortured him demanding that he cancels a salary protest scheduled for 29 March 2019.

Mr Ndawana had gone to Chinhoyi to notify the police of the protest. Mr Ndawana has received medication but is failing to file a police report with police officers denying to file his case.

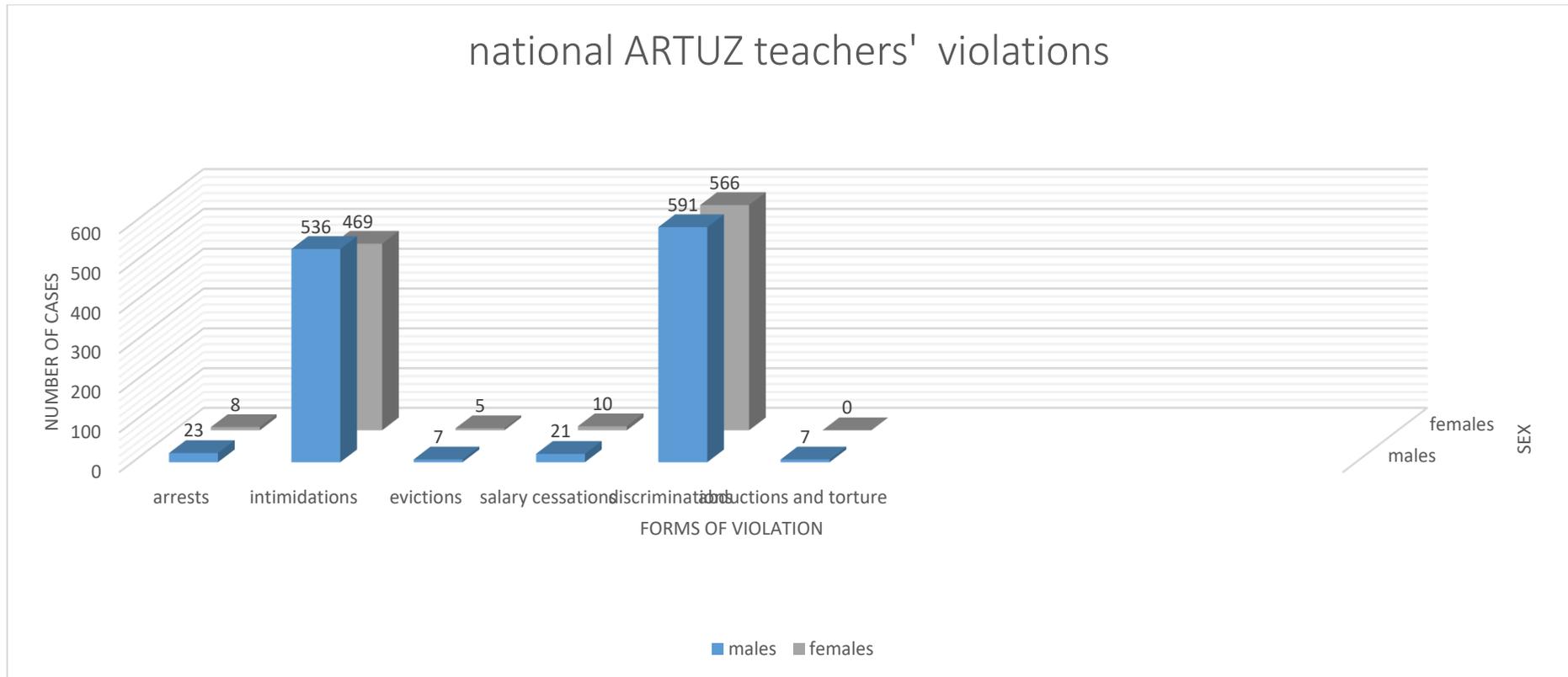
Mr Godfrey Chanda was also abducted in Gweru, Mr Basiyavo was abducted in Guruve.



Summary of violations

| | | ZIMBABWE PROVINCES | | | | | | | | | | | | | | | | | | | | |
|---------------------------|------------------------------|--------------------|---|----------|----|-----------|----|-----------|---|--------------|---|-------------|----|----------|----|---------------------|----|---------------------|----|----------|----|---|
| | | Harare | | Masvingo | | Mash east | | Mash west | | Mash central | | Manicala nd | | Midlands | | Matebele land north | | Matebele Land south | | Bulawayo | | |
| | | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | |
| FORMS OF VIOLATIONS | SEX MALE(M) \FEMALE(F) | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | |
| | Arbitrary arrests | 2 | 0 | 0 | 2 | 3 | 1 | 4 | 2 | 5 | 2 | 1 | 1 | 8 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Intimidations | 4 | 3 | 32 | 8 | 20 | 15 | 2 | 9 | 8 | 3 | 17 | 23 | 82 | 60 | 24 | 81 | 45 | 70 | 33 | 19 | |
| | Discrimination | 4 | 4 | 15 | 25 | 15 | 20 | 8 | 1 | 3 | 6 | 10 | 23 | 70 | 54 | 81 | 9 | 50 | 10 | 20 | 15 | |
| | Evictions | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 0 | 3 | 0 | 0 | 1 | 2 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | |
| | Salary cessation | 0 | 0 | 8 | 3 | 5 | 5 | 2 | 0 | 3 | 1 | 0 | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | |
| | Abductions and torture | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | |

national ARTUZ teachers' violations



Conclusion.

The report does not cover repressive policies that have been unilaterally imposed by the employer to further curtail the work of Trade Unions. The report however gives a snippet of how the State has actively sought to curtail labour activism in the period December 2018 to November 2019.

Some Links on persecution of ARTUZ members

1. <https://www.newsday.co.zw/2019/01/protesting-teachers-arrested/>
2. <https://www.voazimbabwe.com/a/mandela-washington-fellow-masaraure-kidnapped-in-zimbabwe/4749941.html>
3. <http://kubatana.net/2019/01/20/shutdown-violations-updates-brief/>
4. <https://www.myzimbabwe.co.zw/news/38532-just-in-police-arrest-teachers-in-harare-cbd.html>
5. <https://www.zimeye.net/2019/02/08/govt-wants-to-punish-striking-teachers-by-deducting-their-salaries/>
6. <https://bulawayo24.com/index-id-news-sc-national-byo-157571.html>
7. <https://www.thestandard.co.zw/2019/01/27/trials-tribulations-rise-rural-teacher/>