

TYRANNY ‘MASKED’ AS COVID-19 ENFORCEMENT



**ZIMBABWE
PEACE
PROJECT**

**MONTHLY
MONITORING
REPORT**

**MAY 2020
EDITION**

1.0. EXECUTIVE SUMMARY.

On 23 May 2020, Paul Munakopa of Bulawayo died in circumstances that could have well been avoided. The 34-year-old was a victim of the police's heavy-handedness. He was shot during a car chase, and the police who shot him were using an unmarked vehicle in an operation that they are yet to reveal.

This is just one of the incidences that speak to the continued rise in cases of human rights abuses perpetrated by state security agents.

For the second time in the year, the police and army topped the list of perpetrators of human rights violations. Overall, the police contributed to 41.21 percent of the human rights violations, while the army contributed to 22.26 percent of the violations.

The state security agents have been on the frontline of enforcing the lockdown imposed since March 30th.

It is in the same period, starting April, that the country grappled with the economic and social effects of the COVID19 pandemic.

It has become apparent that COVID19 is not just a health matter, but touches on economic, political, social and human rights aspects of people.

This explains why by the end of May, police had arrested over 40,000 people for defying lockdown regulations; mostly in an effort to conduct economic activities to earn an income.

ZPP recorded cases of arrested citizens not being taken through the formal arrest procedure, but enduring harassment, intimidation and assault at the hands of law enforcement. Victims told horror stories of their experiences at the hands of law enforcement agents.

This makes arrests in Zimbabwe a human rights issue.



A soldier enforcing lockdown regulations assaults a pedestrian in Harare. Pic by Shepherd Tozvireva/NewsDay

ZPP recorded 110 cases of harassment and intimidation, (the majority of which are attributed to the state security agents), 13 cases of unlawful detention, 40 cases of assault and sadly, two extra judicial killings.

One of the major cases is that of an illegal miner who was shot in the head by a security guard in Shamva on 15 May 2020.

During the month of May, Harare recorded 100 cases of violations, the highest in the country, followed by Mashonaland East with 41 cases.

Attention was drawn to the efforts of two Bulawayo sisters, Nokuthula and Ntombizodwa Mpfu to get justice after being arbitrarily arrested and assaulted by police. Police released the women following the intervention of civil society organisations and the National Peace and Reconciliation Commission. The six offending officers were subsequently arrested and have appeared in court.

A Bulawayo resident, Levison Ncube died as a result of injuries sustained after he was brutally assaulted by police officers for violating lockdown regulations on the first day of the lockdown. Ncube's family, with the assistance of the Zimbabwe Lawyers for Human Rights, has indicated that they intend to sue the state for the death of Levison.

The family of Munakopa mentioned earlier has written to the police requesting an independent inquiry into the shooting that led to Paul's death.

It must be noted that pressure from victims, citizens and civil society organizations is essential in the promotion and protection of human rights as well as the seeking of justice.

The report focuses on how the State continues to perpetrate human rights violations during the COVID-19 crisis.

The COVID-19 induced national lockdown has exacerbated the pre-existing food insecurity. Although the Zimbabwean economy is highly informal, the sector has been excluded from essential services thereby increasing the vulnerability of citizens.

The distribution of aid continued to be largely partisan and discriminatory, with Mashonaland East recording the highest food and other aid violations at 42.57 percent followed by Manicaland at 28.86 percent. (See page 5)

This report highlights some of the cases of discrimination on food aid and provides an insight into the government aid that was either grossly insufficient or did not reach the deserving beneficiaries. It also looks at the discrepancies in government responses to COVID-19 and how these are impact on human rights in Zimbabwe.

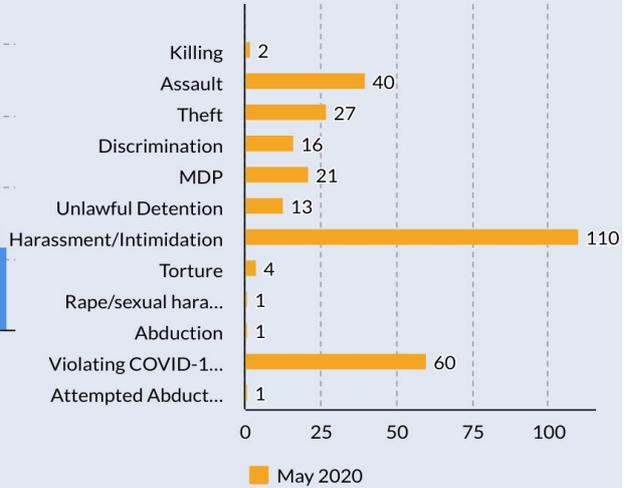
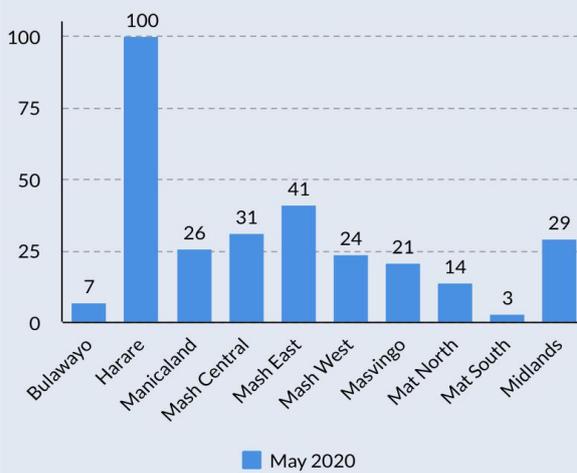
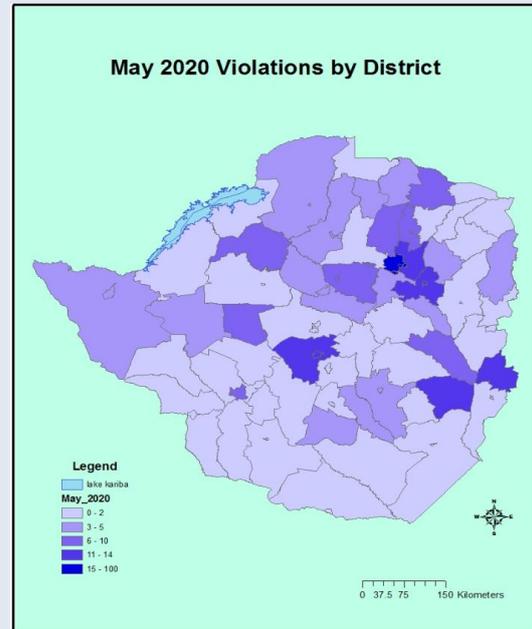
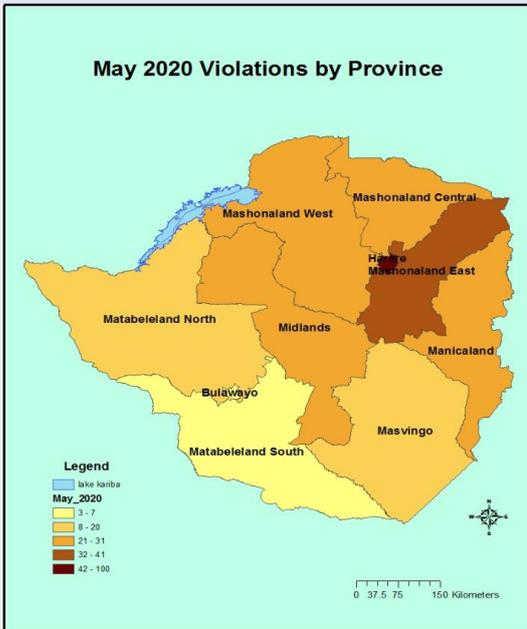
This month was also marked by an increased number of Zimbabweans returning from other countries. Government's unpreparedness to handle the returnees was exposed as some of them escaped quarantine centres. The deplorable state of quarantine centres, and inadequate testing kits came under the spotlight.



Human Rights Violations Monthly Dashboard

Report time frame: May, 2020

Zimbabwe Peace Project

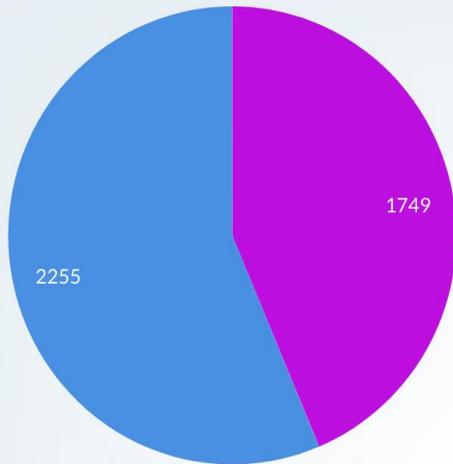


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HUMAN RIGHTS
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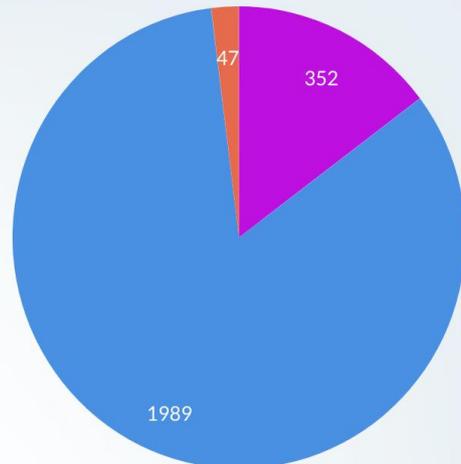
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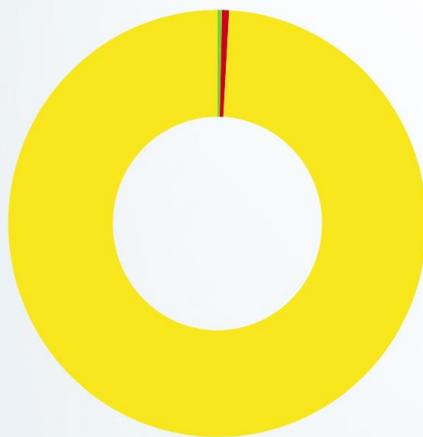
Female (43.68%) Male (56.32%)

Gender of May Victims



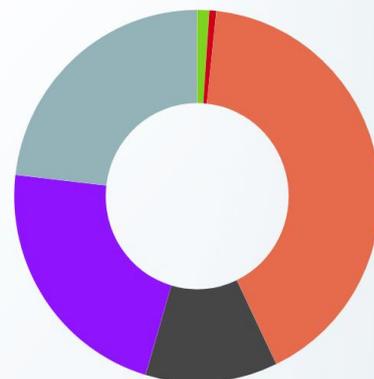
Female (14.74%) Male (83.29%) Unknown (1.97%)

Gender of May Perpetrators



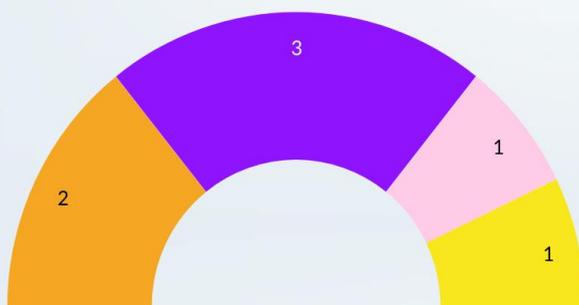
Zanu PF (0.35%) MDC (0.56%) Unknown (99.09%)

May Victims Affiliations



Zanu PF (1.07%) State agents (0.62%) ZRP (41.21%) Municipal Police (11.69%) ZNA (22.26%) Unknown (23.17%)

May Perpetrators Affiliation



Manicaland (28.57%) Mash Central (42.86%) Masvingo (14.29%) Midlands (14.29%)

May Food & Other Aid Violations



Zanu PF
May Intra Party Violence

2.0. OVERALL ANALYSIS

2.1 May 2020: the month of masks, repression



On May 3, 2020, President Mnangagwa announced he was easing COVID-19 restrictions to allow some industries to open. As part of the measures, individuals were now required to wear a face mask whenever outside their homes.

While wearing face masks is a measure meant to help citizens protect themselves from contracting the disease, in the context of Zimbabwe, it mimics the worsening repression, where people are not free to express themselves.

During the month of May, the country's human rights record took another knock. Zimbabwe was once again in the spotlight of perpetrating human rights violations.

The State's insensitive and oppressive response to citizens heightened as witnessed by the fact that the security sector contributed 75.78 percent of perpetrators of human rights violations during the month. On 13 May, three MDC members, Netsai Marova, Honourable Joanna Mamombe and Cecilia Chimbiri were arrested for conducting a flash demonstration and later abducted from police custody. The three were found dumped near Bindura, having endured a night of torture by unknown assailants.

In Manicaland, on 19 May, five soldiers and two members of ZRP Support Unit assaulted eight people at Wengezi Service Centre. One of the victims' legs was broken during the assault and he was taken to Mutambara Hospital. Their crime was 'loitering' at the shopping centre during the partial lockdown.

In another case on 9 May in Chinhoyi, residents who failed to adhere to lockdown regulations were forced by police and soldiers to clean public toilets. The offenders were not provided with any protective gear as they cleaned the toilets.

On 4 May police officers from Zvimba West, patrolling at Murombedzi Shopping Centre in Ward 2 assaulted and harassed villagers and informal transporters.

In Chitungwiza, a woman (name withheld) sustained a fractured ankle during raids which were conducted by soldiers and police officers at Chigovanyika shopping centre and was admitted into Chitungwiza hospital.

These cases show characteristics of systematic assault on civil liberties and access to justice. People are more and more unable to speak out or access justice and fair trial.

2.2 Barefaced breaches of the Constitution

The founding values of the Zimbabwean Constitution clearly spell out the fundamental rights that citizens are supposed to enjoy. The issues highlighted in 2.1 reflect government's flagrancy in violating Constitutional provisions is getting to higher levels.

The right to life is sacred and Section 86(3) clearly stipulates that the right to life cannot be limited or violated by any law. This means that any killing by the police or army, in whatever circumstances, is an extrajudicial act.

In the past two months, a documented two people have died at the hands of the police and this is a concerning trend that proves how the state security agents are incapable of dealing with citizens in a humane way.

In addition, anyone suspected of a crime should be taken through the properly set out procedures in line with the Constitution.

Section 50(1) of the Constitution provides that a person arrested or detained must be informed at the time of arrest of the reason for the arrest and be treated humanely and with respect for their inherent dignity.

In all the cases that ZPP recorded, this has not been evident as harassment, intimidation, torture, and unlawful detention of citizens by the State security agents topped the list with a combined total of 167 cases recorded.

This brings to the fore the issue of security sector reforms, a long-standing issue before and after the August 1, 2018 killing of civilians by soldiers.



2.2.1 What reforms?

After six people were killed by soldiers in broad daylight, President Mnangagwa set up a commission led by former South African President Kgalema Motlanthe to conduct an inquiry. Following the inquiry, the Motlanthe Commission made several recommendations, chief among them, the need for security sector reform.

In principle, government agreed to undertake the recommendations, but more than a year later, there is no evidence of government's sincerity to reform the army and the police. This is clearly demonstrated by the consistently numerous cases of human rights violations perpetrated by state security.

In October 2019, government announced it had begun implementing the Commission's key recommendations, among them; the retraining of police to be professional and non-partisan, and to take action against the members of the security forces responsible for the killing of the six civilians on August 1. To date, there has been little progress as evidenced by increased brutality.

2.3 COVID-19, food aid, increased vulnerability & human rights

The end of May 2020 marked eight weeks of limited activity for those in the informal sector. Those that operated did so unlawfully and the consequences were either confiscation of their goods, a hefty fine, or harassment, intimidation and assault by state security agents.

The majority of Zimbabweans work in the informal sector, where their income is hand-to-mouth and eight weeks without operating has left the majority in a vulnerable state. As exposed in the April 2020 report, government's promise to provide social protection to the vulnerable fell far short and its administration was marred by corruption, partisan distribution, and outright neglect.

In the end, it can be concluded that government has not provided adequate assistance to its citizens, despite President Mnangagwa's pronouncement that government had launched a ZW\$18 billion (US\$360 million) stimulus package.



Demolition of informal sector operating spaces in Mbare

Throughout the month, ZPP recorded cases of informal sector traders who experienced police heavy handedness as they attempted to reopen their businesses. In addition, a countrywide demolition of informal traders' spaces ensued during the first two weeks of May. Informal traders lost their wares in the process, and government continued to prohibit the reopening of informal trading spaces. COVID-19 outbreak requires lockdown mechanisms to protect the health of citizens; however, considering that over 70 percent of Zimbabweans rely on informal trade, government's lack of adequate social rescue packages will have drastic effect on the citizens and the economy.

3.0. CASE FILES

26 May 2020
Harare

, MDC Alliance Harare Province Youth Organiser Lovejoy Chitengu was arrested and detained at Harare Central police station. Reports indicate that he was driven in a Toyota Quantum with unmarked plates, often spotted at Park Town Hospital where MDC youth assembly members were hospitalised.

Mashonaland East Uzumba, Kagonda Village Ward 6

3 May 2020

Pedzisai Nyamuka a Zanu PF activist harassed and intimidated an MDC activist (name withheld) over unpaid Independence Day commemorations subscriptions. The victim had not contributed anything arguing that the commemorations had been cancelled due to the COVID19 restrictions. He was still coerced to pay the money.

Zvishavane Ngezi Constituency

21 May 2020

State security agents enforced tight restrictions on those getting into the central business district. About 120 people queuing for sugar, (which is scarce) at a local wholesaler were assaulted by soldiers. This tight enforcement coincided with a visit by First Lady Auxillia Mnangagwa, to the area on May 22.

Bindura North, Ward 6

1 May 2020

Zanu PF ward secretary Grace Yaso distributed maize from the Social Welfare Department meant for vulnerable groups and persons with disabilities to ruling party members only. Most of the people present found their names missing from the list of beneficiaries.

FROM THE COMMUNITIES

ZPP continues to document the experiences of communities during these uniquely unpredictable times of COVID-19. Here is some of the feedback the organisation has received directly from the communities during the month.

“Government should send Medical Practitioners to borders to Test COVID19 on both immigrants & emigrants and those with COVID19 should be denied entry and government should not continue extending the Lockdown further because in Zimbabwe we're living on hand to mouth”. Anon

“Inini hangu ndavakuto feeler kutidai Mwari vachingonditora zvavo panguvaino, asi mwanawangu wandinaye ndiye anondirwadza ane 10 years, ndirikurwarane kudakwekushaya chekudya nekuti dzimwe. Nguva ndirikutotora mushongan disinakudya, Ndadzidzakuti ndivimbe naMwari nguvadzose”. Anon.

TRANSLATION: I feel like God should just take me, but I fear for my 10-year-old *child*...I am not well because of hunger and sometimes I take medication without eating anything. I have learnt to rely on God all the time.

“Mina into engiyi bona yikuthisisebenzeke kuhle idorobholakoByo liclean and kuyahambeka bt kusasele emalokitshini amamarket lawa akhona yiwozasibizela Corona ngobaaso bantu abatholaka lalapho lemabhasinil emalayinin iezimpuphu”. Anon

TRANSLATION: In my view, Bulawayo city is clean and residents move about easily. However, in townships, market places, buses and mealie meal queues, there is danger of contraction of COVID-19 due to the high volumes of people

“Mina ngumamae KezieSt Joseph Mina impiloisinzima Kimi bengziwodela impahlae Botswanakathesi ngijombile ngendaba ye lokocdawn kunzima ukuphilakathesi”. Anon

TRANSLATION: I am a woman based in St Joseph's Kezi; currently my life is hard as I cannot travel to Botswana to get clothes for resale due to the lockdown.

“Dai government tikatsvaga nzvimbo yekutestira munhu wese sezviya vanhu vachivhota ,vongobvumira vanhu 20 -20 vachimaintainer social -distance kuitira kuti vaclear vane chirwere cheCorona. Ndinonzi Mai Tinotenda Ngonzwe ndirima Rusape”.

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TRANSLATION: I think government should establish a place for testing people just like they do when people are voting. They will only allow 20 people each and enforce social distancing and this will help end COVID1-19. From Mai Tatenda Ngonzwe in Rusape.

VOICES FROM CHIREZI:

Villagers say they have only seen food aid distribution on TV and they wonder when it will get to them. They are hungry, and are not able to work. They mention a rise in child marriages and refer to a case where a family wants to rescue their girl child from a marriage but cannot travel due to lock down restrictions



4.0 CONCLUSION AND RECOMMENDATIONS

Considering the human rights violations that have resulted from the lockdown during the month of May ZPP recommends the following:

- The State should desist from violating the rights of citizens, and should always respect the arrest and detention procedures as set out in the law.
- Government should effect security sector reforms as recommended by the Motlanthe Commission
- Investigations should be carried out on all cases of human rights abuses and an end to impunity.
- Government should provide social protection for all vulnerable citizens during the lock down and all food and other forms of aid are distributed impartially.

ABOUT THE ZIMBABWE PEACE PROJECT

The organisation was founded in 2000 by church-based and human rights organisations.

The current members of ZPP are Evangelical Fellowship of Zimbabwe (EFZ), Zimbabwe Council of Churches (ZCC), Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ), Counselling Services Unit (CSU), Zimbabwe Human Rights Association (ZimRights), Civic Education Network Trust (CIVNET), Women's Coalition of Zimbabwe (WCoZ), National Association for the Care of the Handicapped (NASCOH) and Women and Law in Southern Africa (WLSA).

ZPP was established with the objective of monitoring, documenting and building peace and promoting the peaceful resolution of disputes and conflicts. The Zimbabwe Peace Project seeks to foster dialogue and political tolerance through non-partisan peace monitoring activities, mainly through monitors who document the violations of rights in the provinces.