Human rights violations and forced disappearances in Zimbabwe

DATA BASED NEWSLETTER

Zimbabwe Democracy Institute

Zimbabwe Democracy Institute; May 2022

Zimbabwean activists, human rights defenders, politicians, journalists and student activists have over the years not been spared from enforced disappearances, torture and police brutality. This deployment of the state apparatus to clamp down on protests threatens to create a subject political culture where timid citizens watch the state conversion into a complete authoritarian regime.

Zimbabwe's human rights situation has continued to decline in 2022 under Emmerson Mnangagwa's presidency. Unidentified attackers, suspected to be state security agents, abducted and tortured more critics of the government in the month of May 2022.

Security forces also continue to commit arbitrary arrests, violent assaults, abductions, torture and other abuses against opposition politicians, dissidents and activists.

Authorities still fail to do justice for cases of abductions and torture committed. Unresolved cases where there has been no accountability include the abduction and murder of the main opposition, Citizens Coalition For Change, Moreblessing Ali[1].

[1] See: Nehanda Radio. Six days on CCC activist Moreblessing Ali still missing after abduction. Available at: https://nehandaradio.com/2022/05/30/six-days-on-ccc-activist-moreblessing-ali-still-missing-after-abduction/

Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance (the Convention) defines enforced disappearance as, "The arrest, detention, abduction or any other form of deprivation of liberty or groups of persons acting with the authorisation, support or acquiescence to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."[2]

An enforced disappearance can be defined as any arrest, abduction or detention against one's will that is orchestrated by or endorsed by a government official or officials, its representatives or its supporters[3]. Significantly, the United Nations General Assembly has declared that systematic enforced disappearances amount to crimes against humanity[4].

According to Solar (2021), enforced disappearances and arbitral arrests are a serious human rights violation which results in the deprivation of fundamental human rights which include, the right to liberty and security of a person. An element of enforced disappearances is that the responsible government refuses to acknowledge the deprivation of liberty or to disclose the fate or whereabouts of the persons concerned. This effectively places the disappeared outside the protection of the law and renders them extremely vulnerable to gross human rights violations at the hands of their captors.

The rights that are typically affected when a person is disappeared include the right to liberty and security of the person, the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment, the right to human dignity, the right to health and the right to life, when the disappeared person is killed. The adverse effects of an enforced disappearance extend to the victim's relatives and friends in the form of psychological trauma and the deprivation of a source of economic livelihood, where the disappeared person was the breadwinner of the family.

In Zimbabwe, enforced disappearances remain a menace and a continuous threat to the peaceful existence of certain groups of people in the country. In the recent past, the victims of enforced disappearances have included usually human rights defenders and members of opposition political parties. The victims have

[2] See: https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced

[3] See: Article 1 of the International Convention for the Protection of all persons from enforced disappearance

[4] See: https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced

been subjected to inhumane treatment at the hands of their captors and some of the victims remain missing to this day.

One respondent in Chitungwiza working at a local Civil Society Organisation said the continued abduction, torture and arrests of human rights defenders is a threat to humanity and unjustifiable abuse of human rights. It is also of concern that the perpetrators of enforced disappearances in Zimbabwe are state security apparatus.

The deployment of the army to clamp down protests threatens to create a subject political culture where timid citizens watch the state conversion into a complete authoritarian regime. Interview findings from various parts of Zimbabwe have shown an increase in incidents of abductions, arrests, harassment and torture by state agents targeting human rights defenders, journalists and unions.

Back to Command Agriculture? Government forces farmers to make deliveries to GMB

The Zimbabwean government is set to deploy security forces to confiscate maize stocks from farmers amid low deliveries of grain to the country's sole buyer, the Grain Marketing Board (GMB).

The Mugabe regime saw ZANU-PF elite looting farms from the white commercial farmers during the Fast Track Land Reform programme of 2001. The ruling ZANU-PF since Mugabe has been characterised by land looting and abuse of state funds in the name of revamping agricultural projects for economic developments. The 2001 land saga was followed by the Operation Taguta/Sisuthi and later the Command Agriculture programme. All these happened under successive ZANU-PF administrations and left a trial of erosion in human rights, good governance, socio-economic development and democracy indicators. These programmes have seen military involvement which ultimately result in human rights injustices.

The loans were a cascade used by ZANU-PF to gain power and popularity. Seeing that 'He who pays the piper dictates the tune,' the consecutive regime saw the need to capture politicians, the media, religion, judiciary, military among other public institutions as a way to gain popularity.

To note is that the loans were given around the 2008 electoral period, hence a mechanism to suppress opposition forces in various institutions. During an interview after the release of the RBZ farming scheme beneficiaries, the former RBZ governor, Gideon Gono defended the beneficiaries saying the loans were never meant to be paid back.[5]

The Government of Zimbabwe contracted farmers to produce soyabeans under a facility financed through a financial institution. In terms of the contract, farmers were expected to pay their loans through delivering soyabeans to the GMB.

"The facility is a revolving fund meant to finance crop production in the country. Government-issued Statutory Instrument 97 for Control of Sale of Soyabeans and this is still in force. The following listed farmers are still owing and are expected to deliver soyabeans to Grain Marketing Board. Failure to deliver may result in farmers being blacklisted from future funding as well as legal action being taken against them," said GMB.

In a letter addressed to the marketing board, lands and agriculture permanent secretary John Basera ordered the board to work with security forces to conduct "grain-busting operations" and seize any grain that has not been delivered to the country's sole buyer.

"Ministry has noted with concern the low deliveries of grain to GMB since the start of the marketing season on 1 April 2022. This is evident of side-marketing tendencies by farmers considering that about 30,000MT has been harvested to date vis-à-vis deliveries to GMB of about 5,000MT. You are therefore required to operationalise the provisions of S.I 145/19 to prevent and avert the side marketing of grain with immediate effect. This includes but is not limited to conducting grain-busting operations at various non-GMB depots, as well as the setting up of permit inspections at various points such as roadblocks. You are also encouraged to ride on our partnerships with members of the Joint Operation Command in the execution of this important task," said Basera.

A respondent from Rusape said farmers are reluctant to sell their grain to the GMB over delayed payments and low prices.[6] A tonne of maize is pegged at ZWL$75,000 by GMB, thus, with the prevailing inflation, farmers may not be able to stock inputs for the next farming season.

[5] See: Zimlive. Gideon Gono the truth about the rbz debt and farm mechanismhttps://www.zimlive.com/2020/07/gideon-gono-the-truth-about-rbz-debt-and-farm-mechanisation/

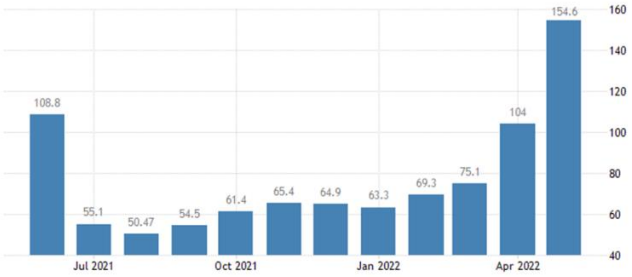
[6] Interviews in Rusape, May 2022

To assuage the low prices, GMB recently announced that it would pay farmers in US dollars for 30% of the maize delivered and the other 70% in Zimbabwean dollars.

The US dollar payments are also meant to encourage early delivery of maize and other grains. Zimbabwe is experiencing food insecurity. Recently, Grain Millers Association of Zimbabwe (GMAZ) said it is importing 400,000 metric tons of maize from Zambia and Malawi, scheduled to be delivered by June 30.

Prices of basic commodities skyrocket

Prices of basic goods are spiralling out of control as retailers respond to a huge spike in the exchange rate, especially on the parallel market. These risks are pushing up annual inflation, which stood at about 60% in December 2021.



Source: Reserve Bank of Zimbabwe, May 2022

As at May 2022, the inflation rate stood at 131.70 percent, a 35.3 percent rise from the previous 96.40 percent. Food inflation has seen a 50.6 percent rise from previous 104 percent to 154.60.[7]

According to the Reserve bank, the cost of food in Zimbabwe increased by 104 percent in April of 2022 over the same month in the previous year.[8] The month of May saw an increase in prices of basic commodities while salaries for members of public service continue to lose worth.

[7] See: The Reserve Bank of Zimbabwe

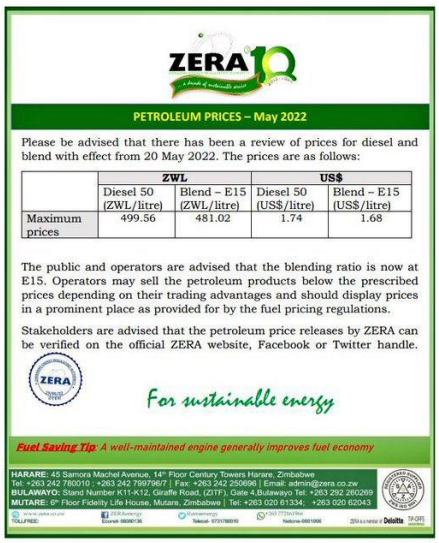
[8] See: The Reserve Bank of Zimbabwe, May 2022



Nurses and Teachers' union have demonstrated for a fair wage but to no avail. Members of public service continue to feel the wrath of the current economic crisis under the President Emmerson Mnangagwa regime.[9]

Zimbabwe National Students Union (ZINASU) national spokesperson Lenon Mazuru was noted saying students wanted to register their discontent at the current state of affairs in the country by calling for a national shutdown.

"As the student fraternity, we are facing many challenges, we are saying the wages our parents are getting are not enough to cater for our fees. Policies which are in place are causing so much havoc, so much damage to the education sector. We need a lot of things which we are unable to afford," Mazuru said.


ZERA

PETROLEUM PRICES – May 2022

Please be advised that there has been a review of prices for diesel and blend with effect from 20 May 2022. The prices are as follows:

	ZWL		US$	
	Diesel 50 (ZWL/litre)	Blend – E15 (ZWL/litre)	Diesel 50 (US$/litre)	Blend – E15 (US$/litre)
Maximum prices	499.56	481.02	1.74	1.68

The public and operators are advised that the blending ratio is now at E15. Operators may sell the petroleum products below the prescribed prices depending on their trading advantages and should display prices in a prominent place as provided for by the fuel pricing regulations.

Stakeholders are advised that the petroleum price releases by ZERA can be verified on the official ZERA website, Facebook or Twitter handle.

For sustainable energy

Fuel Saving Tip: A well-maintained engine generally improves fuel economy

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"We are calling and inviting all other unions to support us on May 9. We need the government to address us and we need the crisis to end. This thing is way beyond 'fees must fall', hence everyon e must take part. Every university, college, we are going to shut them down."



[9] See: Newsday Zimbabwe. Students, nurses call for shutdown. Available at: https://www.newsday.co.zw/2022/05/students-nurses-call-for-shutdown/

The Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ) and Zimbabwe Professional Nurses Union (ZPNU) pledged full support for the shutdown, and urged their members to withdraw their services on the day.

Conclusion

History and the current Zimbabwean scenario have shown that the deployment of the military in state institutions has drastic results on a country's political and socio-economic status. Under militarised regimes; serious human rights violations, a decline in economic growth and lack of government trust by citizens and international community become an eminent culture. It is therefore, crucial for the government and key players in state development to note that real development does not come from military deployment but it comes from viable economic and political.

Recommendations

- The Zimbabwean authorities to publicly denounce and desist from the practice of enforced disappearances;

- The authorities to swiftly respond to all reports of enforced disappearances, with the aim of completely eradicating this despicable practice from society;

- Members of the public to join the rest of the world in demanding the prompt release of all victims and the prosecution of the perpetrators of the disappearance.

- We call upon Zimbabwean authorities to publicly denounce and desist from the practice of enforced disappearances.

- In addition, we demand that authorities swiftly respond and investigate all reports of enforced disappearances and prosecute the perpetrators.