Australian Government

Refugee Review Tribunal

Country Advice

Zimbabwe

Zimbabwe – ZWE37594 – Women – Zanu-PF meetings – Political meetings – Sexual assault – Returnees – Movement for Democratic Change – Chitungwiza

20 October 2010

1. Is there information on rape of women at Zanu-PF meetings or in similar political contexts? What has been the police reaction?

News agency reports do provide information on the rape of women at Zimbabwe African National Union – Patriotic Front (Zanu-PF) meetings and political gatherings in Zimbabwe during the 2008 presidential elections. Two reports were found of women reporting being raped at Zanu-PF political gatherings and meetings in Mashonaland West province in the lead up to the second round of presidential elections on 27 June 2008. One of the reports refers to Zanu-PF night-time gatherings known as *pungwes*, where those attending were forced to prove their loyalty to the party. One source states that sexual violence during this period tended to happen at the *pungwes*. Police failed to react to the rape of women at these meetings. In once instance, the victim did not approach police because she lacked confidence in the effectiveness of police to intervene at the time; in the other case, while it was reported to the police at the time, no action was taken due partly to the victim being a member of the MDC.

In June 2008, *BBC News* reported on growing political violence in the period following the first presidential elections in March 2008 and in the lead up to the second round on 27 June 2008. It reported that the Movement for Democratic Change (MDC) estimated 500 women and girls had been sexually abused and raped as part of Zanu-PF's political campaigning to counter growing support for the MDC. The BBC report includes the account of one woman from Mashonaland West province, referred to under the pseudonym Maidei, who reported on sexual violence at political gatherings known as *pungwes* held by Zanu-PF members:

> According to Maidei, the abuse tends to happen at night-time vigils, called "pungwes". These are gatherings held in the open where people are forced to sing revolutionary songs to prove their loyalty to the ruling party [Zanu-PF].
>
> Many residents in the area are made to attend, including girls as young as 16 where, if they catch a commander's eye, they are kept at the base until the militia leave the area. Maidei said she was more vulnerable in such a situation as she was a widow – her husband died of TB three years ago, leaving her with two children.
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> A local Zanu-PF official explained to me that the pungwes, used during the war of independence, were still necessary as "political re-orientation" exercises to warn people "against the opposition which is backed by the West".

> Asked about the allegations that men were raping women and girls forcibly at the meetings, he replied matter-of-factly: "We have to share in comradeship as we have the same aim to get rid of the opposition here." He confirmed that the young and beautiful women were often identified at the meetings and made to stay on with the group leaders.[1]

The victim in this instance also indicated that her decision to report the rapes would depend on the political landscape after the elections, which suggests that she lacked confidence in the effectiveness of police to intervene at the time.

Another woman who supported the MDC in Mashonaland West province reported being raped following attendance at a Zanu-PF meeting in the lead up to the elections in June 2008. At the Zanu-PF meeting, she alleges being approached by the Zanu-PF ward chairman who asked she attend a private meeting that evening at his home to deal with the issue of her involvement with the MDC. After leaving this private meeting, the woman was allegedly ambushed by the Zanu-PF ward chairman and six other men and then raped. Immediately prior to the rape, the woman reported that the chairman stated that "he was now going to resolve my issue [of involvement in the MDC]".[2] The August 2008 report from the *SW Radio Africa* website reporting this incident also indicates that, while the case was reported to the police at the time, no action had been taken due partly to the victim being a member of the MDC.

The international AIDS-Advocacy organisation, AIDS-Free World, has published a systematic study of sexual violence during the Zimbabwean election period in its December 2009 report, *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*. While the report does not refer to rape occurring at Zanu-PF meetings, it does indicate that rape was used as a punishment for women who refused to attend Zanu-PF meetings in locations throughout the country:

> Repeatedly, in locations throughout the country, ZANU-PF perpetrators also told their [rape] victims that they would be punished or "fixed" for refusing to attend ZANU-PF meetings and for joining the MDC. Victims in the provinces of Mashonaland East, Harare, Manicaland, and Bulawayo were all told they were being "fixed," often while they were being raped.[3]

The AIDS-Free World report also confirms previous published reports from human rights organisations, including Amnesty International, that the police failed to intervene in such situations due to their alignment with the Zanu-PF Party. The testimony of women given to AIDS-Free World for its report "supports claims that the Zimbabwe police force helped to ensure impunity for the rapes…and the Zimbabwean police failed to adequately respond to the crimes".[4] As recently as July 2010, the AIDS-Free World organisation

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[1] Bakwa, P., 2008, 'Raped for opposing Mugabe' *BBC News*, 20 June http://news.bbc.co.uk/2/hi/7465101.stm - Accessed 18 October 2010 – Attachment 1.
[2] 'Mashonaland West Situation Report' 2008, *SW Radio Africa* website, 22 August http://www.swradioafrica.com/pages/mashwest290808.htm - Accessed 18 October 2010 – Attachment 2.
[3] AIDS-Free World 2009, *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, p. 24 http://www.aids-freeworld.org/images/stories/Zimbabwe/zim%20grid%20screenversionfinal.pdf - Accessed 18 October 2010 – Attachment 3.
[4] AIDS-Free World 2009, *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, p. 26 http://www.aids-freeworld.org/images/stories/Zimbabwe/zim%20grid%20screenversionfinal.pdf - Accessed 18 October 2010 – Attachment 3.

stated that no person alleged to have committed a rape had so far been prosecuted.[5] Similar conclusions on the current reaction of police to crimes against MDC supporters are reached in a United Kingdom (UK) Border Agency report published on 21 September 2010, based on interviews with over a dozen non-government organisations held during a fact-finding mission to Zimbabwe in August 2010. It concludes that, while there have been some improvements in the way police operate, the police remain politically biased and often ignore, or are complicit in, the persecution of MDC supporters and civil society activists.[6]

2. Is there any more recent information on returnees (including failed asylum seekers) to Zimbabwe?

More recent information does exist on the situation faced by returnees (including failed asylum seekers) to Zimbabwe since *Country Advice ZWE35590* of 10 November 2009. On 21 September 2010, the United Kingdom (UK) Border Agency published a major report on the current situation in Zimbabwe, including that of returnees. Information in the report was obtained during a fact-finding mission to Zimbabwe in August 2010 and is based on interviews with seven Zimbabweans who had claimed asylum in the UK and voluntarily returned to Zimbabwe during 2009 and 2010. The seven interviewees were independently selected by the International Organisation for Migration. All had low political profiles and feared harm from the Zanu-PF Party. None of the returned asylum seekers interviewed reported experiencing problems on re-settling in the country or from officials upon passing through Harare airport.[7] The returnees had been cautious, however, not to reveal that they had sought asylum overseas; some from a general uncertainty of how people would react, others from fear that doing so would result in discrimination against them, for example in employment, and one from a fear of reprisals from Zanu-PF.[8]

The UK Border Agency report also provides the opinions of two human rights and non-government organisations on the situation faced by returnees. These opinions are consistent with the views expressed by the returnees interviewed. The Zimbabwe Association of Doctors for Human Rights concluded that returnees to rural areas (who do not participate in political activity) do not face additional problems compared with other residents:

> Those returning from overseas to rural areas will, in general, not face problems if they still have family members living there. People are more concerned with current activity rather than past events, and although questions are asked about returnees in rural areas, there is usually no sinister basis for this and those who do not participate in political activity on return will not have any additional problems when compared with other residents.[9]

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[5] 'Zimbabwe: International court 'must prosecute' Mugabe militia' 2010, ReliefWeb website, 21 July, source: *Agence France-Presse* http://www.reliefweb.int/rw/rwb.nsf/db900sid/KHII-87L4TS?OpenDocument - Accessed 18 October 2010 – Attachment 4.

[6] UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September, pp. 5 – Attachment 5.

[7] UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September, pp. 6, 46-52 – Attachment 5.

[8] These reasons are given in the individual interviews: UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September, pp. 46-52 – Attachment 5.

[9] These reasons are given in the individual interviews: UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September, p.43 – Attachment 5.

The UK Border Agency report also noted that the Zimbabwe Human Rights NGO Forum was unaware of mistreatment of any returnees. The Forum expected that it would be informed of harm against returnees through either its nationwide member organisations or the London-based Zimbabwe Association. The Forum does maintain concerns, however, that failed asylum seekers would be considered disloyal and therefore face additional (unspecified) problems:

> The Forum has not come across any cases of returnees from the UK being mistreated and would expect to know of any such cases because its member organisations are represented across the country. It works closely with the Zimbabwe Association in London and is alerted where there are concerns a returnee might be at risk but has not come across any cases where that is happened. They are unable to say that there have been no such cases but if there have been they have been isolated examples. They do however have concerns that those who are known to have claimed asylum in the UK would be considered necessarily to have been disloyal to Zimbabwe and may therefore face additional problems reintegrating because the fact that they had claimed asylum would become known. This would not apply to returning economic migrants unless their families were known to be political activists. The Forum considers that the abolition of hate speech against asylum seekers returning from the UK is central to creating a more conducive environment.[10]

3. Is there any very recent specific information on Zanu-PF intimidation of low profile MDC supporters in the area of Chitungwiza (30 kilometres from Harare) or Harare itself?

Little information was found on Zanu-PF intimidation of low profile MDC supporters in the area of Chitungwiza (30 kilometres from Harare) or Harare in addition to that presented in *Country Advice ZWE37451* of 1 October 2010.[11] Low-level political violence has occurred in Chitungwiza and Harare in September and October 2010 in connection with outreach meetings held by the Constitutional Parliamentary Select Committee (COPAC), which is currently undertaking nationwide public consultations on the content of Zimbabwe's new constitution. The meetings were suspended in Chitungwiza and Harare in late September 2010 after allegations of intimidation, threats and violence between Zanu-PF and MDC supporters. One participant, whose political affiliation is not identified, suffered head injuries after a meeting in Chitungwiza, while another meeting in that area saw stone throwing by Zanu-PF youth.[12]

Human rights groups in Zimbabwe blame Zanu-PF supporters for instigating the current violence and intimidation in the country, in an attempt to pressure people to frame a constitution favourable to the party's leader and President Mugabe. Groups monitoring the constitutional reform process estimate that abuses, in the form of assault, intimidation, and suppression of speech and expression, numbered 2,359 nationwide in the month of August 2010, a rise of more than 50 per cent on the 1,555 incidents recorded in July 2010.[13] The political violence between some Zanu-PF and MDC supporters that has characterised the

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[10] These reasons are given in the individual interviews: UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September, p. 44 – Attachment 5.
[11] Country Advice 2010, *Country Advice ZWE37451*, 1 October – Attachment 6.
[12] 'Struggling to Create a Constitution' 2010, *All Africa*, 1 October – Attachment 7; 'Man Draws Gun At Outreach Meeting' 2010, *All Africa*, 20 September – Attachment 8; Bell, A. 2010, 'Negotiated' Constitution on the Cards as Outreach Process Fails', All Africa, 28 September – Attachment 9.
[13] 'Zimbabwe: Group records 2,300 rights abuses during constitution hearings' 2010, *BBC Monitoring Africa*, source: ZimOnline, 29 September – Attachment 10.

consultative process for the new constitution is, in the eyes of some commentators in Zimbabwe, reminiscent of the violence that occurred during the June 2008 presidential election run-off and provides evidence of what could happen during the next elections expected in 2011.[14]

Attachments

1. Bakwa, P., 2008, 'Raped for opposing Mugabe' *BBC News*, 20 June http://news.bbc.co.uk/2/hi/7465101.stm – Accessed 18 October 2010.

2. 'Mashonaland West Situation Report' 2008, *SW Radio Africa* website, 22 August http://www.swradioafrica.com/pages/mashwest290808.htm – Accessed 18 October 2010.

3. AIDS-Free World 2009, *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, p. 24 http://www.aids-freeworld.org/images/stories/Zimbabwe/zim%20grid%20screenversionfinal.pdf – Accessed 18 October 2010.

4. 'Zimbabwe: International court 'must prosecute' Mugabe militia' 2010, ReliefWeb website, 21 July, source: *Agence France-Presse* http://www.reliefweb.int/rw/rwb.nsf/db900sid/KHII-87L4TS?OpenDocument – Accessed 18 October 2010.

5. UK Border Agency, 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9 – 17 August 2010*, 21 September.

6. Country Advice 2010, *Country Advice ZWE37451*, 1 October.

7. 'Struggling to Create a Constitution' 2010, *All Africa*, 1 October. (FACTIVA)

8. 'Man Draws Gun At Outreach Meeting' 2010, *All Africa*, 20 September. (FACTIVA)

9. Bell, A. 2010, 'Negotiated' Constitution on the Cards as Outreach Process Fails', *All Africa*, 28 September. (FACTIVA)

10. 'Zimbabwe: Group records 2,300 rights abuses during constitution hearings' 2010, *BBC Monitoring Africa*, source: *ZimOnline*, 29 September. (FACTIVA)

11. 'Analysts say prevailing political violence confirms Zimbabwe not ready for polls' 2010, *BBC Monitoring Africa*, source*: Financial Gazette* website, 27 September. (FACTIVA)

[14] 'Analysts say prevailing political violence confirms Zimbabwe not ready for polls' 2010, *BBC Monitoring Africa*, source*: Financial Gazette* website, 27 September – Attachment 11.