



## PUBLIC STATEMENT

14 November 2023

AFR 46/7386/2023

# ZIMBABWE: AUTHORITIES MUST INVESTIGATE THE ESCALATION OF ABDUCTIONS, TORTURE AND KILLING OF POLITICAL ACTIVISTS

The Zimbabwean authorities must immediately address the escalating cases of abductions, arbitrary detention, torture and killing of parliament members, opposition political activists, and human rights defenders, Amnesty International, Southern Defenders and Human Rights Watch said today. The authorities should urgently take effective measures to prevent these grave human rights violations, bring those suspected to be responsible to justice, and ensure access for survivors and victims to justice and effective remedies.

Following the August 2023 general elections, government security forces have systematically attacked human rights defenders, activists and members of the main opposition party, Citizens' Coalition for Change (CCC). The elections had been marred by reports of irregularities, including voter intimidation, the arrest of civil society organization staff members, and interference with the internet.

Zimbabwe has a long history of human rights violations surging during election periods, including abductions and enforced disappearances, arbitrary detention, and excessive use of force by police. The authorities increasingly restrict civic space, and security forces violently disperse peaceful protests. The government has instilled fear in dissenters, severely curtailing the rights to freedom of expression, association, and peaceful assembly.

In October, President Mnangagwa announced the by-elections to be held on 9 December in the constituencies including Mabvuku, belonging to the 14 recalled CCC legislators by self-proclaimed party Interim Secretary General Sengezo Tshabangu.

On 13 November, CCC activist and church leader Tapfumanei Masaya's body was found dumped in Chabwino farm in Mashonaland East Province. Tapfumanei was abducted together with his fellow activist Jeffrey Kalosi on 11 November during the party's by-elections campaign. Jeffrey Kalosi was severely beaten and dumped hours later at Chabwino farm not far from the area where Tapfumanei's body was found days later.

On 26 August, suspected state security agents disrupted a CCC news conference and attempted to forcibly take its national spokesperson, Promise Mkwanzani, into custody. Members of the media and other people, including an opposition activist, Nelson Mukwenha, intervened and prevented the abduction. Mukwenha was abducted later that evening at his home. He was tortured and dumped in a forest in Mapinga on the outskirts of Harare.

On 2 September, Womberaiishe Nhende, the elected city council member for Glen Norah Ward 27 in Harare, and his friend Sanele Mkhuhlane, were abducted, tortured and injected with an unknown substance then dumped on the outskirts of Harare.

On 23 October, James Chidhakwa, a former opposition member of parliament, was abducted in Harare. He was tortured and also injected with an unknown substance, then dumped in Acturus, in the Mashonaland East province. On 1 November, another opposition lawmaker, Takudzwa Ngadziore, was abducted near his home in Harare. Before he was abducted, he did a Facebook Live that exposed the identity of the abductors who are alleged members of a "Ferret Team" a covert police operations team. Ngadziore said he was tortured, also injected, and dumped naked in Christon Bank, Mazowe on the outskirts of Harare.

Zimbabwe also has a history of unresolved cases of forced disappearances. Itai Dzamara, an activist and critic of the government, was apparently forcibly disappeared by five men while he was at a barber shop in Harare's Glen View suburb in 2015. His abductors are said to have accused him of stealing cattle, handcuffing him, forcing him into a white truck with concealed number plates, and driving off. He has not been seen since, and the government has not heeded calls for an independent investigation.

In July 2019, a day before the nationwide anti-corruption protest planned for 31 July, a 22-year-old student, Tawanda Muchehiwa, was abducted and was shown on CCTV being forced into a car before he was abused and tortured for three days. Muchehiwa was saved when lawyers obtained a court order which forced the police to find the student and present him before a local court.

Some lawyers have also been attacked for discharging their professional functions. Unidentified assailants brutally attacked Obey Shava, a human rights lawyer and a member of Zimbabwe Lawyers for Human Rights, on 5 July in Belvedere, Harare. He had been representing Joanah Mamombe and Cecillia Chimbiri, opposition activists whom the Zimbabwe High Court had acquitted on July 4 on charges of "communicating falsehoods and obstructing the course of justice." The authorities have not opened an investigation into the attack. On 4 September 2023, human rights lawyers Doug Coltart and Tapiwa Muchineripi of Zimbabwe Lawyers for Human Rights (ZLHR) who were representing two CCC members, Womberaiishe Nhende and Sanele Mkhuhlane, were arrested and charged with obstructing the course of justice while advising the police that the two political opposition members were in a bad state and were receiving medical care.

On 13 August, the Zimbabwe Human Rights Monitors Platform reported that a group of ruling party ZANU-PF youth attacked a campaign team for independent candidates who were distributing fliers and severely beat them with logs, stones and cables. Three women who were part of the campaign group were reported missing and found the following day. They said that they had been beaten all night, sprayed with pepper spray and that one was made to drink sewerage.

The government is yet to condemn or conduct any investigation into cases of the continued abductions, arbitrary detention, and torture and other ill-treatment of the opposition political party members, human rights defenders and activist. No one has been brought to justice for these attacks. The attacks not only leave the survivors severely injured and traumatized, but they also live in fear because the suspected perpetrators remain free, enjoying impunity, the groups said. In addition, the substances used to inject the victims have not been identified and their effects on the victims' health are not known.

Zimbabwe's 2013 constitution says that no one may be subjected to physical or psychological torture (section 53), that the right not to be tortured may not be limited by any law, and that nobody may violate the right. However, the government has not enacted legislation that would make torture a criminal offence.

The African Charter on Human and Peoples' Rights to which Zimbabwe is a state party also prohibits torture, and cruel, inhuman or degrading punishment (article 5). Zimbabwe has not ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which prohibits torture and other ill-treatment in all circumstances. The government has defended not ratifying the international treaty, claiming without basis that there are adequate domestic remedies available to survivors.

Amnesty International, Southern Defenders, and Human Rights Watch therefore call on the government of Zimbabwe to:

- Conduct prompt, thorough, impartial, independent, effective, and transparent investigations into the abduction and subsequent killing of Tapfumanei Masaya; and cases of abductions, arbitrary detention, enforced disappearances, torture and other ill-treatment, and injection of foreign substances into activists and opposition political party members;
- Ensure that anyone suspected to be responsible for these serious violations of human rights is brought to justice in fair trial. The government must also ensure access to justice and effective remedies, including quality medical and psycho-social (mental health) support, for survivors and victims;
- Put an end to violations of human rights and take concrete and effective measures to respect, protect, promote and fulfil the human rights of everyone in the country, as required by Zimbabwe's constitution and international human rights treaties to which Zimbabwe is a state party.