

Zimbabwe Inclusive Government Watch

BY SOKWANELE, 1 JULY 2012

OPINION

An analysis of events in Zimbabwe during May demonstrates that President Mugabe and Zanu-PF are gearing up for elections - which could be held later this year but will more likely take place during the first or second quarter of 2013.

The characteristic warning signs are all there, as the articles collected for the month clearly indicate.

- Upscaling of violence: The violence perpetrated by Zanu-PF against any perceived threat or opposition is increasing at a worrying rate, with murders once again becoming more gruesome in order to send out a powerful warning to opposition parties;
- Legal harassment: Harassment by the police of any perceived threat or opposition is building up, with cases becoming more elaborate and drawn out, forcing the MDC to devote additional time and limited resources to litigation;
- Hate speech: Hate speech is increasingly evident in the state-run media and new radio stations are being licensed to Zanu-PF sympathisers. Excessive airtime is being allocated to Zanu-PF, while opposition parties are denied access;
- Disruption of rallies: Zanu-PF is allowed to hold rallies without restriction - which people are forced to attend - while fewer opposition party rallies are approved. Increasingly, opposition rallies are disrupted or broken up completely by Zanu-PF thugs or the police;

Armed forces' public support for President Mugabe: Senior armed forces officers are making unconstitutional and treasonous statements to their troops and the press in order to intimidate the electorate. On 13 May, The Times (SA) warned that security forces, co-ordinated by Joint Operations Command (JOC) - which brings together army, police and intelligence chiefs - were running covert operations and campaigning underground for President Mugabe and Zanu-PF;

Strengthening the army: Additional recruits are being recruited, despite agreement at Cabinet level that no additional troops are required;

Extending patronage: New sources of patronage are being utilised, in particular mechanisms for drawing in the youth - evidenced by the chaotic indigenisation exercise;

Food as a weapon: Food aid is once again being used as a weapon as there has been a catastrophic crop failure. Opposition party members are either deliberately overlooked and starved, or forced to switch allegiance to Zanu-PF;

Added to this, the new constitution-making process is coming under attack from multiple Zanu-PF avenues as they try to seize control of the exercise in order to amend it for their benefit at the ballot.

A total of 72 media articles were recorded for this month's issue of ZIG Watch, each representing a unique breach of the terms of the Global Political Agreement (GPA). Representative statistics were generated by categorising the articles according to the nature of the breach.

The category with the highest number of recorded violations was the harassment of perceived opposition politicians and supporters using drawn-out litigation, with 18 cases logged. This was followed by the category of violence, intimidation, hate speech, threats, abductions and brutality, with 17 instances. The denial of freedom of speech, or the abuse thereof, took third place with 9 cases, while cases of deliberate or consequential economic destabilisation were fourth, totalling 7 cases. Zanu-PF was either responsible for, or involved in, 100% of all breaches recorded.

To complete our report, we have compiled and appended ten articles to represent the month's media coverage of events in relation to the GPA. The list is neither comprehensive nor exhaustive because of the sheer volume of articles. We invite our readers to review the list of summarised articles, original articles (links provided) and previously captured articles, on the webpage <http://www.sokwanele.com/zigwatch> and ask you to share this information with your colleagues and other interested parties.

In the area of litigation, our first article notes the ongoing harassment of beleaguered Women of Zimbabwe Arise (WOZA) leaders Jenni Williams and Magodonga Mahlangu. On 1 May, a magistrate dismissed their application to have a 'kidnap' case against them dropped, despite the fact that no-one - including the alleged victim, Emma Mabhena - will 'confess' to having been kidnapped! The WOZA leaders have since applied to the High Court to have the case, which is still pending before that court, dropped. The two also applied to be removed from remand on the basis of their High Court challenge, but the application was dismissed. They are to return to court in June.

Legal harassment is not limited to the courts. The MDC-T (Prime Minister Morgan Tsvangirai's formation) accused the police of running a crusade to disrupt their election rallies using a variety of excuses. Police have disrupted several MDC-T rallies countrywide during the past few weeks, in some cases arresting supporters. On 11 May, heavily armed police disrupted a party rally - previously sanctioned by police - at Matizha Business Centre in Gutu West. Police claimed the venue had also been booked by Chief Serima. The MDC-T provincial secretary, Tongai Matutu, said armed police invaded the venue that morning, dispersing party supporters and effectively blocking the rally.

The drawn-out case of 29 MDC-T members accused of killing police inspector Petros Mutedza on 28 May last year has still not been resolved. The state has managed to deliberately stop it from coming to trial for almost a year. All 29 accused say they will plead not guilty to charges of murder at the trial, expected to start early June. Police have been silent about the progress of the investigation.

A London-based music presenter with the UK's BBC broadcaster was arrested in Bulawayo after compering a charity concert on 24 May. Petroc Trelawny was charged with contravening the Zimbabwean Immigration Act by allegedly violating the conditions under which his visitor's entry certificate had been issued. The arrest took place two days after the Attorney General's Office had declined to authorise his prosecution.

In the category of violence, intimidation, hate speech, threats, abductions and brutality, our first article records one of the most significant occasions of intra-party violence to have occurred in Zanu-PF for some time. The article, dated 1 May, records the consequences of seething inter-factional discontent following disputed District Co-ordinating Committee (DCC) elections in Nyajena, Masvingo South. Armed police who had to be called in to quell clashes fired shots to disperse the warring parties. Party members also fought running battles at Shumba Primary School, Masvingo South, after supporters of Vice-

President Joice Mujuru accused their rivals of manipulating the elections. Supporters pelted each other with stones, injuring several people and damaging school classrooms.

State-controlled media will be called to account for hate speech against President Mugabe's critics, Prime Minister Tsvangirai said in an article dated 7 May. State-controlled media was using the same strategy as Rwanda's "Hate radio" which incited the violence that led to the deaths of about a million people in 1994, Tsvangirai said in a World Press Freedom Day address. In the countdown to elections, he said that state-owned television, radio services and newspapers had demonstrated an overt bias towards Zanu-PF. The MDC-T had written letters to media heads protesting biased reporting, selective coverage and the black-out of MDC party activities, with little or no positive response.

Also in the violence category, an article of 14 May relates to the fact that the known murderers of Tonderai Ndira, a prominent MDC youth activist and human rights campaigner, not only remain free - but are openly bragging about their heinous crime and are once again threatening MDC supporters. Ndira was abducted in Mabvuku by armed men on 13 May 2008, but his mutilated body was only found a month later. He had been shot in the heart and had suffered multiple stab wounds. Worse still, his eyes had been gouged out, his tongue cut off and his neck, skull, jaw and knuckles broken, a cruel warning to opposition supporters that they could suffer a comparable fate.

During the month's visit by the UN High Commissioner for Human Rights, Navi Pillay, Justice and Legal Affairs Minister Patrick Chinamasa made it clear that President Mugabe would continue to reject pressure from the international community on human rights issues. He chose to raise the contentious but deflecting topic of gay rights and, in thinly-disguised hate speech, told her that Zimbabwe did not recognise gay rights. He warned that same-sex partners found indulging in homosexual acts would be arrested.

In cases involving the abuse of freedom of speech, Chinamasa defended the stance of partisan army generals, saying they had a right to be involved in politics by virtue of having fought for the liberation of the country. In an interview on 25 May, Chinamasa said that by making political statements, generals were merely pointing out the way they wanted the country to be ruled. "... you cannot deny them the voice to keep this country on course...", Chinamasa said.

Our final article highlights cases of the deliberate or consequential economic destabilisation of the economy and the country. It reports that platinum mining giant Zimplats risks defaulting on external loan arrangements after the central bank directed local banks to stop providing banking services to the company for defying an order to bring back money currently in off-shore accounts. Zimplats had borrowed from foreign organisations to finance its Phase II expansion, currently underway in Ngezi. The consequences could reportedly be catastrophic for Zimplats' survival.

Court insists WOZA 'kidnap' case will continue

SW Radio Africa (ZW): 01/05/2012

A magistrate has dismissed an application by Women of Zimbabwe Arise (WOZA) to have a 'kidnap' case against them dropped. WOZA leaders Jenni Williams and Magodonga Mahlangu are facing kidnap and theft charges, despite the alleged victim, Emma Mabhena, strongly denying she was ever kidnapped by the WOZA leaders. The WOZA leaders have since applied to the High Court to have the case dropped, which is still pending before that court. The two also applied to be removed from remand on the basis of their High Court challenge, but a regional magistrate, Godwin Sengweni, last week dismissed this application. They will now return to court in June.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

'Police on crusade to disrupt MDC rallies'

Zimbabwe Standard, The (ZW): 12/05/2012

MASVINGO - MDC-T has accused the police of embarking on a crusade to disrupt its rallies ahead of elections to be held later this year or in 2013. Police have disrupted several MDC-T rallies countrywide in the past few weeks, and in some cases, MDC-T supporters have been arrested. Yesterday, heavily armed police disrupted a rally organised by the party at Matizha Business Centre in Gutu West, claiming that the venue had also been booked by Chief Serima. MDC-T provincial secretary, Tongai Matutu, said armed police from Gutu, Mpandawana growth point and Chatsworth police station, stormed the venue in the morning, dispersing party supporters, thereby blocking the scheduled rally. Police had sanctioned the rally.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE X : FREE POLITICAL ACTIVITY

ARTICLE XII : FREEDOM OF ASSEMBLY AND ASSOCIATION

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

ARTICLE XIV : TRADITIONAL LEADERS

MDC-T members to plead not-guilty in cop murder case

SW Radio Africa (ZW): 17/05/2012

All 29 MDC-T members accused of killing police inspector Petros Mutedza last year will plead not guilty to charges of murder, their lawyer said on Thursday. Defence lawyer Charles Kwaramba said indications from the High Court are that the trial for the 'Glen View 29' will probably start early next month. Police in Harare accuse the group of fatally assaulting Mutedza at Glen View 3 Shopping Centre on May 28 last year. Kwaramba said all his clients will deny any involvement in the murder as all have a strong alibi. Police have been silent about the progress of the investigation. There are serious doubts about the quality and scope of the police and prosecution work.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE XI : RULE OF LAW, RESPECT FOR THE CONSTITUTION AND OTHER LAWS

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

BBC presenter slapped with fresh charges in Zim

SW Radio Africa (ZW): 30/05/2012

A London-based music presenter with the UK's BBC broadcaster, who was arrested in Zimbabwe last week, has been slapped with fresh charges by Zimbabwean authorities. Petroc Trelawny was on

Wednesday evening charged with contravening the Zimbabwean Immigration Act, allegedly by violating the conditions under which his visitor's entry certificate had been issued. The pressing of fresh charges comes two days after the Attorney General's Office declined to authorise his prosecution. It was hoped that Trelawny would already have returned home after the original case against him was dismissed. He was arrested last week Thursday after compering at a charity concert in Bulawayo.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

Armed police quell Zanu-PF clashes in Masvingo South

SW Radio Africa (ZW): 01/05/2012

Ideological and personal fault lines are growing in Zanu-PF as rival factions gang up against each other following the party's District Coordinating Committee (DCC) elections nationwide. There were ugly scenes of intra-party violence following another round of disputed DCC elections in Nyajena, Masvingo South. Armed police had to be called in to quell clashes and fired shots to disperse the warring parties. Other party supporters fought running battles at Shumba Primary School in Masvingo South, after members aligned to the Mujuru faction accused their rivals of manipulating the elections. Supporters pelted each other with stones, resulting in several people being injured and damage to the school classrooms with windows shattered.

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE XI : RULE OF LAW, RESPECT FOR THE CONSTITUTION AND OTHER LAWS

ARTICLE XVIII : SECURITY OF PERSONS AND PREVENTION OF VIOLENCE

State media inciting hatred - PM

Daily News (ZW): 07/05/2012

State-controlled media will be called to account for inciting hatred against President Robert Mugabe's critics, Prime Minister Morgan Tsvangirai has said. The state-controlled media was using the same strategy as Rwanda's "Hate radio" which incited the violence that led to the deaths of about a million people there in 1994, the prime minister said in a controversial World Press Freedom Day address. In the months leading up to forthcoming elections, the state-owned Zimbabwe Broadcasting Corporation's (ZBC) television and radio services and the government-controlled Zimbabwe Newspapers group have showed overt bias and played megaphone to Zanu-PF. MDC-T has written letters to ZBC and Zimpapers bosses protesting biased reporting, selective coverage and black-out of party activities.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE X : FREE POLITICAL ACTIVITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

ARTICLE XIX : FREEDOM OF EXPRESSION AND COMMUNICATION

Tonderai Ndira's 'killers known and walking scot free'

SW Radio Africa (ZW): 14/05/2012

Fiery MDC-T Youth Assembly secretary-general, Promise Mkwanzani, has disclosed that the people who killed Tonderai Ndira are known and bragging about the heinous crime. Ndira was abducted in Mabvuku by ten armed men early in the morning of 13th May 2008. His body was found a month later. He had been shot in the heart, had multiple stab wounds, his eyes gouged out, his tongue cut off and his neck, skull, jaw and knuckles broken. 'Tonderai Ndira symbolizes all the victims maimed or murdered for political reason by Zanu-PF. What pains us is that his killers are moving around threatening some of our members that they can still do the same to them.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE X : FREE POLITICAL ACTIVITY

ARTICLE XI : RULE OF LAW, RESPECT FOR THE CONSTITUTION AND OTHER LAWS

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

ARTICLE XVIII : SECURITY OF PERSONS AND PREVENTION OF VIOLENCE

Gays are criminals, says Zim minister

Times, The (RSA): 22/05/2012

Zimbabwe's justice minister has rejected allegations of state-sponsored violence and has vowed not to recognise gay rights after meeting the UN human rights chief yesterday. Patrick Chinamasa said he told UN High Commissioner for Human Rights Navi Pillay that Zimbabwe will arrest same-sex partners found indulging in homosexual acts. Pillay arrived on Sunday in Zimbabwe for a week-long visit, the first by the world rights chief, to assess human rights violations. "We made it clear that in our law homosexual activities are criminalised and that any person who commits homosexual activities will be arrested," Chinamasa told reporters after meeting Pillay in Harare.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

ARTICLE XVIII : SECURITY OF PERSONS AND PREVENTION OF VIOLENCE

Generals can meddle in politics - Chinamasa

Zimbabwe Standard, The (ZW): 27/05/2012

JUSTICE and Legal Affairs minister, Patrick Chinamasa, has come out in defence of partisan army generals saying they have a right to meddle in politics by virtue of having fought for the liberation of the country. In an interview just before the departure of visiting UN High Commissioner for Human Rights, Navanethem Pillay on Friday, Chinamasa said, by making political statements, generals were merely pointing out the way they wanted the country to be ruled. "The army people were liberators and you cannot deny them the voice to keep this country on course, so that there is justification for those who died for the country and those who lie in unmarked graves," he said.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE X : FREE POLITICAL ACTIVITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS

Zimplats in a fix, risks default on payments

Zimbabwe Standard, The (ZW): 27/05/2012

Zimplats risks defaulting on loan arrangements after the central bank directed local banks to stop offering banking services to the company for defying an order to bring back money in off-shore accounts. Zimplats borrowed from foreign organisations to finance its Phase II expansion, currently underway in Ngezi. On Wednesday, the Reserve Bank of Zimbabwe (RBZ) said the white metal producer had defied its directive ... and instructed banks to stop handling any international or cross-border payments for Zimplats. Executives said Zimplats was now in a fix and risked defaulting on loan agreements with foreign lenders. "The revocation of Zimplats' right to operate off-shore accounts ... constitute an event of default ... ," an executive said.

ARTICLE II: DECLARATION OF COMMITMENT

ARTICLE III : RESTORATION OF ECONOMIC STABILITY AND GROWTH

ARTICLE VII : PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY

ARTICLE XIII : STATE ORGANS AND INSTITUTIONS