

Solidarity Peace Trust

27 June 2005

THE SOLIDARITY PEACE TRUST

The Solidarity Peace Trust is a non-governmental organisation, registered in South Africa. The Trustees of the Solidarity Peace Trust are church leaders of Southern Africa, who are all committed to human rights, freedom and democracy in their region.

The co-chairpersons are:

Archbishop Pius A Ncube; Catholic Archbishop of Bulawayo, Zimbabwe

Bishop Rubin Phillip; Anglican Bishop of KwaZulu-Natal, Republic of South Africa

The objectives of the Trust are:

To assist individuals, organisations, churches and affiliated organisations in southern Africa, to build solidarity in the pursuit of justice, peace and social equality and equity in Zimbabwe. It shall be the special concern of the Trust to assist victims of human rights abuses in their efforts to correct and end their situation of oppression.

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This report is an interim report.

“Operation Discarding the Filth” is a continuing one in Zimbabwe. Even as this interim report was being concluded (25 June), new reports were coming in about the dismantling of medium enterprises in down town Harare, with scores of business people being forced to remove all their office furniture from apartment blocks into the streets of the city. However, considering the urgency of the unfolding humanitarian disaster, it was seen to be important to bring out a first report on events to date.

I. Introduction

With unemployment standing at 75 percent, how can one destroy a fellow Zimbabwean's only source of income and then follow the same person and destroy his home? 1

On 19 May 2005, the Government of Zimbabwe began an operation labelled "Operation Murambatsvina" (OM). While Government has translated this to mean "Operation Clean-up", or "Operation Restore Order", the more literal translation of "Murambatsvina" is "Drive out the Filth".

This is not the first time this Government has used "cleaning" terminology to describe a process in which Zimbabweans themselves become victims of a politically driven purge. In the 1980s, the Mugabe Government launched the now-infamous "Gukurahundi" campaign, where "gukurahundi" means "the spring rain that gets rid of the chaff from the last season". 2 "Gukurahundi" resulted in the massacre of an estimated 10,000 civilians in the western region of the country, and hundreds of thousands of other human rights violations. People in ZAPU supporting regions perceived that they were the rubbish that had to be washed away.

In 1985, after the parliamentary elections, Mugabe made a speech in which he told the people of Harare to "go out and weed your gardens". Twenty civilians believed to support the opposition ZAPU party, including a pregnant woman, were beaten to death by ZANU PF supporting crowds in the next few days, while scores of properties were burnt. Police ignored these politically motivated riots and allowed vicious attacks to take place with no accountability. 3

To date "Murambatsvina" has resulted in an estimated 300,000 displacements of civilians in urban areas countrywide, with mass loss of livelihoods and property. 4 It has also resulted in the deaths of two babies, crushed to death in their own homes under the relentless shovels of bulldozers. It is hard to estimate the numbers of old and ill who have died prematurely of exposure, sleeping in the open since the demolition of their shelters: these people may have been about to die in any case, but have suffered hastened and ignominious deaths in cold winter rubble and the heartache of razed suburbs.

A month into the exercise, and in response to overwhelming international outrage, the Government rhetoric has suddenly shifted. From portraying those who live in unregulated

housing and those who work in the informal sector as thieves, criminals, smugglers and economic saboteurs, the Government has suddenly discovered a need to build low income housing in these razed suburbs. Suddenly the Reserve Bank of Zimbabwe (RBZ) has been given two days to source an unbudgeted trillion dollars to rebuild that which has been destroyed. ⁵ Let nobody be deceived: this belated humanitarian response is window dressing ahead of a UN delegation that will soon visit the nation to assess the degree to which the Zimbabwean Government is in violation of its international obligations.

The rhetoric from a multitude of government officials that has accompanied this forced displacement, is that those who have lost their homes must “go back to rural areas where they came from”. When ZANU PF Members of Parliament were this week accused of having left people homeless by destroying their urban houses, a member of Cabinet denied this, saying:

It is common cause that the definition of an indigenous person is one who has a rural home allocated to him by virtue of being indigenous, and a home that one has acquired in an urban area because it has been bought or it has been allocated to him by the State. ⁶

Statements by Government, police and Harare city council officials, some made as recently as 23 June, have been consistent and unequivocal in the last month: the intention behind OM is to displace the urban poor to rural areas. We are in the middle of a process of social engineering.

The Government had made no contingency plans whatsoever to move people, or to create new housing for them, until a few days ago. Nor was any transport provided for the thousands who sat stranded for days in bus stations pathetically trying to move their few salvaged belongings out of the cities. In fact, thousands of urban dwellers do not have a rural home, and they have been left stranded. ⁷

Zimbabwe already had a formal housing backlog of 2 million, prior to the current evictions ⁸. Enormous state resources and the strategic mobilisation of thousands of forces have been part of a well-planned campaign to destroy informal markets and un-regularised housing. Yet no resources whatsoever had been put into preparing alternative housing for those displaced – until the hasty order to the RBZ on 20 June that they should source a trillion dollars by the 24 June for this purpose.

A further factor to consider in relation to the Government's recently declared intent to build new housing in razed suburbs is raised in more detail later in this report – the issue of patronage. The Government may rebuild certain areas of Harare over the next year or two – but of primary concern is who is going to be allocated these houses. Already, early indications are that stands being pegged on White Cliff Farm, where all previously existing residents have been displaced, are being allocated to members of the army and police force. The army, together with nine Government ministries including Youth and Employment Creation, the President's Office (Central Intelligence Organisation) and Home Affairs (police), is going to oversee allocation and building of houses. This has previously been the domain of city councils – which are all MDC dominated.

It is predictable indeed, that in a year from now the informal sector will be establishing itself again, in both trading and housing – but that the sector will have substantially changed hands, and belong to those key members of the military and other civil servants that the Government needs to keep loyal in order to remain in power.

Zimbabwe is in the middle of a process of social engineering, where those who are not wanted have been driven out of the cities in order to reward and entrench those who are wanted.

International laws and Conventions

This exercise that we have applied in the last month or so has been one of the biggest reversals of rural-urban migration. [9](#)

International Covenant on Economic, Social and Cultural Rights,

The Zimbabwe Government is in violation of this Covenant, to which it is signatory. In terms of the Covenant, no government can evict people without having made an alternative plan to house them.

Governing Council of the United Nations Compensation Commission

Forced displacement for political reasons would qualify as a Category G offence, in terms of the Governing Council of the United Nations Compensation Commission. [10](#)

Category G: The individual was deprived of all economic resources, such as to threaten seriously his or her survival and that of his or her spouse, children or parents, in cases where assistance from his or her Government or other sources has not been provided.

Thousands of those currently being displaced, who have lost both homes and livelihoods and now face starvation in rural areas, would have a strong argument that the actions of their State have deprived them of all economic means to a life threatening degree. In theory, they can claim material compensation in terms of this Council.

Treaty of Rome

The actions of the Zimbabwe Government in forcibly removing hundreds of thousands of its citizens, meet the criteria of a crime against humanity as defined in Article 7 of the Rome statute of the international criminal court. 11 This states:

For the purpose of the Statute, “crime against humanity” means any of the following acts when committed as part of the widespread or systematic attack directed against any civilian population with knowledge of the attack:

Deportation or forcible transfer of population

2. (d) “deportation or forcible transfer of population” means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.

Zimbabwe has not ratified the Treaty of Rome. However, a resolution by the Security Council of the United Nations could facilitate prosecution of those behind this inhumane policy.

The report on the International Commission of Intervention and State Sovereignty, entitled “*The Responsibility to Protect*”, published in December 2001, outlines the core principles of

how the UN should react when nations are degenerating into chaos. These principles were derived in direct response to the world's failure to intervene in Rwanda, and their controversial intervention in Somalia, Bosnia and Kosovo. When is foreign intervention justified? When is it appropriate for states to take coercive action against another state? Highly questionable interventions in Iraq, for questionable motives, have further made this a complicated arena.

The principles arrived at by the committee set up by the General Assembly in 2000 tackles the legal, moral and ethical issues around this topic. The basic principles the committee arrived at are given below.

Basic Principles

- A. State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself.
- B. Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.

The United Nations needs to ask itself whether the failure of the Zimbabwean state to protect its people, and its deliberate creation of a humanitarian disaster that threatens to engulf millions of Zimbabweans, is not a situation where the principle of non intervention needs to yield to the international responsibility to protect.

Conclusion

The deliberate destruction of homes in a nation that already faces a most terrible winter of unemployment, hunger and collapsing resources, is nothing short of wicked. Zimbabwe has become a nation of internally displaced people, where its own citizens are refugees within the borders of what should be their home. The international community should be holding ZANU PF accountable for these terrible actions.

To keep insisting, as ZANU PF has been doing, that if you do not have a rural home then you are not a real Zimbabwean is an insult to the possibly millions of citizens who are born in Zimbabwe and have helped build this nation, but whose parents happen to be Malawian, Mozambican or Zambian. ZANU PF's argument that people "must go back to their rural homes" is insupportable as justification for displacing hundreds of thousands of the nation's citizens from their chosen homes in the urban areas. There are millions of Zimbabweans of Zimbabwean descent who have been raised in the cities, and who have never lived full time in a rural area and who have no intention of doing so. They have been raised in an urban environment of electricity, running water, at least some schooling and tertiary training options, and at least some possibility of eking out a paid living. In rural areas, most people have to walk all day collecting firewood, carry buckets of water for 10 km, study by candle light, attend schools with no resources, and accept a life of general poverty and subsistence, with almost no money-generating options. In the current political environment, rural life also means the real danger of starving to death.

For the Government to presume to dictate that hundreds of thousands of their fellow citizens should be driven out of the towns like so much filth and into lives of abject poverty is indeed a crime against humanity.

The people of Zimbabwe have been abandoned and persecuted by the Government that should be protecting them. Who will stand by them? Where is the word of condemnation from the Head of the African Union – and from President Thabo Mbeki, whose government has through the last five years, systematically refused to condemn the corrupt Mugabe regime?

II. Operation Murambatsvina: a brief overview

The Government, under the auspices of the Ministry of Small and Medium Enterprises Development, began OM by arresting 20,000 vendors countrywide in one week, beginning 25 May, destroying their vending sites, and confiscating their wares. Thousands more escaped arrest, but have lost their livelihoods. The "clean-up" campaign has continued with the police destroying all vendors' markets nationwide, and almost simultaneously, entire suburbs in towns across Zimbabwe were demolished.

Throughout the month of June, OM has affected virtually every town and rural business centre in the country. From Mount Darwin in the north, to Beitbridge in the south, Mutare in the east and Bulawayo in the west, no part of the nation has been spared the impact of what could be termed a slow-moving earthquake; every day the nation awakes to find more buildings have fallen around them, more families have been displaced and left poverty stricken.

Literally thousands of dwellings have been bulldozed during the last four weeks, displacing people on a massive scale. The scale of the displacements has been unprecedented in Zimbabwe's history: at the height of the translocation of civilians by Rhodesians into "protected villages" or "keeps" during the 1970s war of independence, human rights agencies reported with outrage that 43,000 people were forcibly removed in one month.¹² This number pales into insignificance when compared to the numbers that have been left homeless since May. Not even in apartheid South Africa were several hundred thousand people ever forcibly relocated in the space of a few weeks. There is no precedent in southern African for such a movement of people in a nation supposedly not at war with itself.

As houses and dwellings continue to fall at this time, numbers of people affected are growing daily. It is difficult to estimate how many houses have been knocked down, but in Harare, entire suburbs and housing settlements have disappeared, including Hatcliff Extension, Mbare, Joshua Nkomo, and White Cliff Farm. In Bulawayo, settlers at Killarney and Ngozi Mine have been entirely razed, and in Victoria Falls, entire settlements have vanished. In towns across Zimbabwe, whole suburbs are gone. In addition, in every street of every suburb, cottages and structures in back yards have been taken down, leaving lodgers without accommodation.

Along the width and breadth of Zimbabwe, by the middle of a wintry June, families were to be seen sleeping under trees or on pavements, trying to protect small children, the elderly and the ill from winter weather and thieves, with no access to ablutions, and nowhere to cook or store food properly. Tiny babies, days old, and people on their deathbeds alike continue to sleep at the mercy of the elements. Bus stations remain filled to overflowing with families sitting hopelessly next to furniture and building materials salvaged from the onslaught, waiting in vain for buses prepared to carry the loads to rural areas.

Those with trucks struggle to access scarce diesel, which now costs up to Z\$50,000 per litre, when the official price is Z\$4,000 per litre; those with fuel are charging extortionist rates to move desperate families short distances. It costs Z\$200,000 to move a wardrobe by bus – desperate families without this money are selling their assets off at a tenth of the transport cost in order to raise fares for their wives and children to get home. They will arrive in some remote, starving rural area without a job, without food, without furniture, without a house – and be at the

mercy of a ZANU PF dominant rural leadership to whom they will have to appeal for a space to live.

Harare has been among the worst affected cities in terms of destruction of vendors' sites and wares: the Government press itself acknowledges the existence of 75,000 vendors of different types in the city – all of whom have been prevented from operating since late May. 13 Police action was brutal and unannounced. Sculpture parks along the main roads, which have been there for decades and feature as a tourist attraction in guide books, were smashed. Beautiful works of art on roadside display, created out of stone, wood and metal, some standing up to two meters high, were smashed. Vendors, who have been operating in the same places without complaint or interference for their entire working lives, were confronted with riot squads without any warning, were rounded up, arrested, and watched helplessly while their source of livelihood was destroyed. Within days, bulldozers have moved in to take away remains of these works of art. Vendors markets throughout the city and its outskirts were entirely annihilated, with no regard for those that were legal and those that were not.

Other wares were taken by the police, and are being sold off through “auctions” in which the police buy goods worth hundreds of thousands of dollars for a few dollars. These auctions are not open to the general public, and there is no process of highest bidder, but any minor offer is accepted. No records or receipts are being kept during this process. Police have also been reported selling goods seized by them from vendors, directly to the public. 14

1. A change in official rhetoric – but not actions

In the face of multiple statements condemning events in Zimbabwe, the Government now talks hurriedly of vast sums for housing; even if this money were in fact to materialise – and there is no reflection in the existing parliamentary approved budgets that the money is there – it will take years of work to build sufficient houses for the displaced. In the meantime, the Government's initial policy of displacing people from the cities to rural areas will quietly have taken effect: people cannot live on pavements, in their relatives' living rooms, or in government-controlled internal refugee camps like the one at Caledonia Farm indefinitely. Thousands have already left city centres, having had their homes and their jobs in the informal sector destroyed. And the demolitions continue to date; even as this report is being written, buildings continue to fall throughout Zimbabwe.

During the early weeks and until international pressure mounted, the Government actively obstructed civic organisations including churches from offering humanitarian aid to the thousands of families stranded on pavements and in the rubble of their homes. 15 By late June, a month into the evictions, no plans to accommodate people in Harare had been made - apart from coerced removals of some stranded families in Hatcliffe to Caledonia Farm. Here families who were living in brick houses before these were knocked down, have been reduced to sleeping under plastic sheets and under police guard. In Bulawayo, hasty superficial attempts to transport people out of sight onto a farm with no infrastructure were being made by 22 June – with the threat of a looming visit by the United Nations to examine what is going on. UNICEF, which was originally told by the police to stay away from the displaced, was hurriedly being asked to render assistance, also in the face of the UN visit. 16

2. Implications for food security

In the rural areas there are already food concerns; with the additional families now fleeing there, aid agencies are going to have their work cut out for them. 17

Concern has been expressed both within and without Zimbabwe about the sudden removal of both the shelter and income generating activities of tens of thousands of families, in the middle of winter and when the nation is already having to appeal to the World Food Programme for food aid. Even before this new crisis, Zimbabwe had a food deficit with an estimated 4,5 million out of 11 million Zimbabweans in dire need of outside food support. 18 Tens of thousands of people being displaced in urban areas have had to comply with the Government's declared intention of the exercise, and return to rural areas. This will seriously raise the likelihood of rural hunger becoming a crisis of starvation. Throughout 2005, food has been used as a political weapon by ZANU PF and demoralised families arriving back into ZANU PF dominant rural areas will quickly be whipped into line with the threat of starvation hanging over their heads. 19 The Government has cold-bloodedly acted to escalate the food crisis - and will now expect the international community to respond with more aid, to rescue those they have forcibly displaced.

3. Education and health

Children whose homes have been razed have dropped out of school in large numbers. Some have put the figure as high as 300,000 affected so far. 20 Directors of Education in the country's ten

provinces have estimated an average of 100 pupils per primary school to have dropped out. However, in settlements where displacement has been 100%, the number is far higher, and some schools are now effectively empty. For fear of separation, families are staying together at this time; parents are concerned that if their children go to school, they may come home to find their parents arrested, or forcibly trucked to somewhere like Caledonia Farm. Parents have expressed concern about how they will, in their new totally impoverished situation, afford school fees to place their children into new schools, or to keep them in school. While the health services in Zimbabwe are pitiful in any case, the massive displacements have again worsened the situation. In Hatcliffe Extension, for example, people who were on an ARV programme have now been displaced to where they cannot get their drugs. This is as good as a death sentence.²¹ People in towns have at least the possibility of access to a hospital, a clinic, a pharmacy; in rural areas such services have almost entirely collapsed.

III. OM: the Government's declared intentions

1. Restoring law and order

“Operation Murambatsvina” has targeted firstly the informal trading sector, and secondly the informal housing sector. In a collapsing nation, where the State can no longer provide adequate housing, access to health care or education, and in which the formal economy has shrunk to an employment base of no more than 20%, the informal sector is the lifeblood of the nation. However, in the government's perception;

Crooks, greedy people, opportunists and black market traders in foreign currency, fuel and basic commodities had found convenient operational bases in the informal sector. The obscene feast is over. Law and order must now prevail.²²

The Chairperson of the Harare Commission Cde Sekesai Makwavarara on the occasion of the official launch of “Operation Murambatsvina” at the Town House on 19th May 2005 at 12 noon, stated that the intention of the operation was to enforce by-laws and stop illegal activities:

...violations of the by-laws are in areas of vending, traffic control, illegal structures, touting/abuse of commuters by rank marshals, street-life/prostitution, vandalism of property infrastructure, stock theft, illegal cultivation, among others have led to the deterioration of standards thus negatively affecting the image of the City. The attitude of members of the public as well as some City officials has led to a point whereby Harare has lost its glow. We are determined to bring it back. 23

While enforcing the law and returning the glow to the city may sound commendable and well intentioned on the face of it, the sheer suddenness and cruelty with which the State has attacked the homes and livelihoods of its own citizens, has left the entire nation reeling. The Harare Commission is mired in controversy and illegalities of its own, and has run the city so appallingly badly and with so little regard for the welfare of its citizens, that it is difficult to take its sudden concern with the well-being of the city at face value. 24

2. Destroying the parallel market

Is the nation being told that the Zimbabwean police are incapable of conducting an operation and effecting the arrest of suspects without burning down or dismantling structures? 25

It is apparent that the Governor of the Reserve Bank of Zimbabwe (RBZ), Gideon Gono, has been intimately involved in OM. In his RBZ report, released on 20 May 2005, he states the policy of the State is now to move against individuals, "where the rot needs thorough cleansing." His use of "clean up" terminology occurs the day after Makwavarara's speech launching "operation clean-up". Gono's statement pursues the need to destroy the "shadow forces" threatening to derail his economic turnaround programme. 26

We enjoy the support of all the law enforcement arms of the State and Government itself to win the battle against indiscipline, corruption, illegality and the sheer madness that we have been witnessing on the streets, at airports and border posts... 27

There is a clear economic dimension to OM; the biggest crisis facing the economy of Zimbabwe is lack of foreign currency. The informal sector and parallel markets are estimated to control as much as 60% of GDP, and this money is not passing through the Reserve Bank or the tax department.²⁸ In the last five years, in the wake of the dramatic collapse of commercial farming and tourism, which were previously major foreign currency earners, Zimbabweans in the Diaspora have become a major source of foreign exchange. Yet in spite of Government efforts to woo this money into their Homelink scheme, 90% of it continues to find its way into the parallel market, where it can be exchanged for up to 3 times more than the Government controlled rate.²⁹

By attempting to smash the flea markets and street corner trade, the Government is hoping to channel more of this foreign exchange through the formal banking sector. Gono's own target in terms of the RBZ Foreign Exchange inflows is for Diaspora forex to total US\$585 million by the end of 2005; yet the same Table acknowledges that in the first 4 months of 2005, only US\$13,6 million has come via this source!³⁰ This is less than US\$ 4 million a month. To meet the declared target, US\$70 million a month would have to flow in from this source for the rest of 2005, a twenty-fold monthly increase. If Gono's target were met, this would make the Diaspora the second biggest forex source in the nation, after auction purchases.

Gono's role in OM, and the close cooperation between the RBZ and the Zimbabwe Republic Police (ZRP) in this regard is indicated in a news report in *The Chronicle*, 27 May 2005, entitled "Operation Restore Order intensifies". Police Commissioner Augustine Chihuri is quoted addressing a workshop "jointly organised by the ZRP and the Reserve Bank of Zimbabwe in Harare." Chihuri is quoted saying: "I would want to warn any miscreants within our society who may wish to show their discontent against the current clean-up operations to stop the day-dreaming forthwith.... Let no one be used as cannon fodder by criminals whose illegal source of livelihood has been haemorrhaging the economy."³¹

Zimbabwe is a nation in dramatic economic decline. It is estimated that no more than 25% of the adult population is currently employed in the formal sector. Approximately 75% of adults in Zimbabwe therefore eke out an existence in the informal sector, either through subsistence farming or through informal employment in towns. By this means, they pay their rent, buy food for their children and send them to school. As many as 3-4 million Zimbabweans survive by informal employment, compared to 1,3 million employed in the formal sector.³² This informal income is supporting another 5 million Zimbabweans at least. It is the unofficial backbone of the economy, and in a nation with no free health, housing or education, to remove the informal sector is to reduce Zimbabwe's poorest to a state of abject poverty.

Gono in the RBZ Report piously refers to Jesus suffering on the cross, and draws a parallel to the need for Zimbabweans to suffer “pain and sacrifice” in order to rescue the economy: “we have to take the pain like grown-ups”, Gono announces, one day after OM has begun its ruthless assault on thousands of Zimbabweans in the informal sector.³³ It seems the ordinary street vendor must be crucified to meet Gono’s financial targets. One cannot but agree with the Crisis in Zimbabwe Coalition when they point out that in an economy where 80% of people survive through the informal sector,

... torching people’s markets and arresting street kids will not help the economy,

let alone bring in fuel, foreign currency, or fill the granaries of Zimbabwe.³⁴

It would be interesting to hear a comment from the Governor of the Reserve Bank now that he has been asked to source an unbudgeted trillion dollars to repair the catastrophic damage of OM, which he so willingly endorsed a month ago. How is this going to help his economic turn around programme for the nation?

IV. The National Legal context of “Operation Murambatsvina”

The rhetoric used by the government-controlled press throughout the early OM exercise, emphasised the illegality and criminal dimensions of the informal markets and dwellings: yet in many towns vendors are licensed, policed by municipal police, and operating within city by-laws in council-designated vendor areas. Vendors’ markets have been set up using rate-payers money, officially opened by Cabinet Ministers, and maintained by municipalities.

Similarly, many informal settlements have been given official approval over the years, have had permanent schools and clinics, water and electricity provided by Government and council, and residents have been congratulated in ceremonies by Government officials for having shown initiative in providing their own housing.³⁵ It is incomprehensible that the very government and council that have spent resources acknowledging and servicing informal settlements should now destroy them, in the name of law and order. Other informal settlements, such as Killarney in Bulawayo, have been there for more than twenty years; children have been born and raised there and know no other home.

1. Legal Context of OM: Harare

The fact that OM is in contravention of several international treaties, and meets the criteria for crimes against humanity has already been raised in this report. In terms of Zimbabwe's own legal system, OM is also clearly without any legal basis.

i. Regional, Town and Country Planning Act

The first indication of the looming "Operation Restore Order" was the placement in the Harare government-controlled daily newspaper, *The Herald*, of an enforcement order by the City of Harare, in terms of the Regional, Town and Country Planning Act, Chapter 29:12. This order was published on the 19 May 2005 and again on the 26 May 2005. It was addressed to the owners, occupiers and users of stands/properties in the Greater Harare area.

Apart from being badly written³⁶, the order is not in accordance with the *Urban Councils Act* or the *Regional Town and Country Planning Act*.³⁷ This advert was the only warning given to the thousands of homeowners in Harare that the city was clamping down on illegal structures. In terms of accepted legal procedure under this Act, orders have to be *served*, ie delivered personally, to every owner/occupier who in the opinion of the city council is responsible for an illegal development. It is not considered due notice to place a general advert in a newspaper as the only means of serving a demolition order on thousands of individuals.

Furthermore, it is apparent that the actions of police and/or city council did not in fact abide by the Urban Councils Act, or by their own order as published. In the order, it is clearly stated that:

This order will come into operation on the **20 June 2005**, unless in terms of Section 38 of the Act, an Appeal is lodged with the Administrative Court within one month from publication or until such time as the appeal is finally determined or withdrawn.

Less than a week after the first publication of this very general notice to all homeowners in Harare, and 25 days before the given deadline of 20 June, riot police were moving across the city in swathes, demolishing entire suburbs.

The City Council of Harare indicates in this order that they may in terms of Section 34 issue a PROHIBITION ORDER, prohibiting the use of any illegal development at any time before 20 June. The city is within the terms of the law to prohibit use of an illegal structure with immediate effect, if it is posing a hazard to human health and safety for example. However, they are *not entitled to demolish* such structures with *immediate effect* in terms of section 34, or any other section, although the Harare city order implies that they may do so. As the first part of their own order acknowledges, in terms of both the Urban Councils Act Section 199, and the Regional Town and Country Planning Act Section 38, people have a right to 30 days warning of intention to demolish, and have a right of legal appeal against such demolition. A person served with an order of council's intention to demolish any structure, may appeal to the administrative court, and no action may be taken to demolish until the court has ruled.

By going ahead with demolition without having served individual orders, followed by a 30 day period of right to appeal, the city council and the police were therefore in contravention of the Regional, Town and Country Planning Act Section 38, as well as Section 199 of the Urban Councils Act.

ii. Legal action

A group of residents whose homes had been demolished, represented by Zimbabwe Lawyers for Human Rights, did take the city and the police to court, using the above arguments. However, it came as no surprise that a politically biased judgment was passed: while acknowledging that people should have been given more warning prior to demolition of their homes, the judge found in favour of the police and the city council and ruled the demolitions legal. ZLHR have indicated that in their opinion, the ruling completely disregards the laws in question, which are unambiguous in terms of correct legal procedure.

2. Legal context in other towns

In all other towns in Zimbabwe, the behaviour of the State has been even more open to legal question; outside of Harare, there was not even the pretence of a published demolition order. It is the responsibility of urban councils to enforce the by-laws of their municipalities, and not for the police unilaterally to do so. Yet the police

...have become the accuser, the judge and the enforcement agents... the police had no demolition orders from the courts. The move by the government encourages anarchy. Where are they going to resettle the displaced people? 38

It is up to the urban council to identify illegal structures and serve orders on owners, and not for the police to unilaterally decide what is legal and what is not. Yet in Bulawayo, Victoria Falls, Beitbridge, Kariba, Mutare, Zvishavane, Masvingo, Kwekwe, Gweru and a host of other little towns, the police acted in isolation of urban councils, and destroyed homes of thousands of Zimbabweans. They did so often on a few minutes' notice, and often in the late afternoon, or before sunrise; people were roused at 4 am in Victoria Falls, for example, to stumble out of their homes minutes before they were demolished around them. 39 Similarly in Beitbridge:

Before the raid police had a brief meeting with the illegal vendors and other squatters in which they gave them *some minutes* to remove their properties which included beds, wardrobes, kitchen cupboards, cooking utensils and stoves among other property. 40

i. Bulawayo: legality of vendors

In the City of Bulawayo, there is a well-established system of licensed vendors. There are over 3,000 licensed vendors, operating from vending bays demarcated and controlled by the City Council. 41 The Council police oversee these bays to ensure no illegal practices are going on. These legal vendors pay rates on a monthly basis to City Council, amounting to Z\$63 million a month.

The Mayor of Bulawayo was not consulted in any way before the police began their crackdown on the city, even though in terms of the Urban Councils Act, identification of illegal structures and control of vendors is the city council responsibility. The first the Mayor knew about OM was on Africa Day, 25 May, when police totally destroyed two vendors' markets in the high-density suburbs. Two days into the raids on markets, the Mayor met with senior police officers in Bulawayo, and scrupulously informed them that there were legal markets in Bulawayo, and that these should not be destroyed. However, in spite of this direct request from City Council to Government and the police, riot squads totally demolished all legal vending structures in Bulawayo and arrested legal vendors. Licensed vendors are currently suing the State for loss of income and unjust treatment, but the High Court in Bulawayo refused to make the matter urgent,

and took a week to consider what should be done: in that week, goods taken illegally from vendors by the police were being auctioned off for next to nothing.

Vending sites closed down in Bulawayo include Unity Village in Main Street, which was a few years ago officially opened and proclaimed a successful small enterprise development by Minister John Nkomo. Fort Street Market, which was officially opened in a ceremony by Cain Mathema, now the appointed Governor of Bulawayo, was also forcibly closed and people vending there arrested and their goods, including imported electrical goods and clothing, were taken.

Apart from trying to outlaw all forms of vending, the Government has also pursued other small to medium enterprises in Bulawayo. Blocks of apartments housing tailors, hairdressers, plumbers etc have been raided, tenants turfed out and their enterprises shut down as illegal. 42

ii. Bulawayo: illegal structures - changing government policy

The Mayor explained that the council in Bulawayo had always been scrupulous about pulling down illegal structures – until the early 1990s when the ZANU PF Government started insisting that the city council left these structures alone. 43 In a bid to garner votes, some Government officials reprimanded Bulawayo city council, and accused it of being unsympathetic to the poor, who had no other housing than to live in backyard shacks. This was when first John Nkomo and then Joseph Msika, now Vice President, were Ministers of Local Government. The Bulawayo city council capitulated to this pressure, and since that time, substantial backyard shacks and cottages have mushroomed across the city – as a direct result of government insistence that they be allowed to do so. The Mayor commented that many of these are very well constructed, and not makeshift buildings: once people perceived that unofficial structures were now being ignored, they invested a lot of money in building brick cottages and extensions.

3. How do you catch a criminal?

There are no sacred cows. Criminals have been hiding in the shacks and we are after them. They shall face the wrath of the law. 44

It is a matter of fact that many vendors are unlicensed and that some vendors, whether licensed or not, are taking part in illegal activities. The question is merely whether it has been necessary to destroy the entire informal sector in order to catch the few culprits. As the Mayor of Bulawayo commented during an interview: 45

How do you recognise a criminal? You knock down his entire house and then say – aha, now I see you, you are a criminal!

Even the Government press occasionally acknowledges the existence of licensed vendors – although the arresting police did not. On 2 June, *The Herald* refers to 25,000 licensed vendors in Harare, and 50,000 illegal vendors. 46 Yet this is a rare reference to “legal” vendors in all the Government rhetoric. There was no discrimination shown by riot police, who attacked vending stalls in legal markets with the same vicious energy with which they destroyed sites in unregulated markets.

i. Rhetoric of the media

In order to expose the relentlessness of propaganda linked to informal traders during OM, a quick analysis was done of one typical article in the Government-controlled press, on the closure of “Unity Village”, a **legal** vending site in Bulawayo.

The Chronicle, 7 June 2005: “Flea markets raided”.

The article is 17 sentences long, and uses the following words:

Criminal - 6 times; Illegal - 4 times; Stolen - 4 times; Smuggled – 1x; Carjackers - 1x;

Housebreakers – 1x.

TOTAL – 17 derogatory phrases relating to the market activities, in 17 sentences.

Yet the article does not mention a single arrest as a result of the reported raid, nor even one actual criminal, smuggler, carjacker or house-breaker being identified.

ii. Victoria Falls_47

4. Assessment of success of OM in reducing illegal activities

It is difficult to believe that the police are so misguided as to think that the best way to apprehend criminals is to knock down entire markets, arrest everyone who does not run away fast enough whether licensed or not, and to raze thousands of houses to the ground. It is also clear that if this was their belief, it has been proved wrong; countrywide, the haul of stolen

It is fair to say that far from restoring law and order, the police have been violating basic laws and the rights of citizens continuously for the last month, resulting in devastating loss. The government press reported 22,000 arrests in the first week of OM, the vast majority of them being the result of all those caught vending nationwide being arrested indiscriminately. Most had to pay some kind of admission of guilt fine, whether licensed or not, and were then released. This

exercise hardly counts as a fine example of discriminatory policing. Apart from these mass arrests reported early on, a close examination of media reports of criminals apprehended as a result of the exercise, reveals very little useful has come out of a great deal of destruction.

4. Assessment of success of OM in reducing illegal activities

It is difficult to believe that the police are so misguided as to think that the best way to apprehend criminals is to knock down entire markets, arrest everyone who does not run away fast enough whether licensed or not, and to raze thousands of houses to the ground. It is also clear that if this was their belief, it has been proved wrong; countrywide, the haul of stolen goods and arrests of genuine criminals has been pitiful in relation to the numbers of innocent victims who have lost all their hard earned, honestly owned goods. As the Mayor of Bulawayo pointed out –

“The real criminals, with pockets bulging with US\$, are not caught when the police move in with riot squads: they see them coming and are standing urging on the demolitions at a distance.”⁴⁸

While striking fear into the hearts of many small time parallel market dealers may have caused a temporary lull in this activity, in a bankrupt nation, where no real wealth is being generated, this cannot be a strategy for “economic recovery”. It is a matter of time before new outlets are found for those receiving forex from the Diaspora to cash their money outside of the banking system. If the Government wants to improve the economic well being of Zimbabwe, less foreign exchange should be spent on acquiring military hardware, and more on fuel and other essential commodities.⁴⁹ Only the generation of real wealth within Zimbabwe can stabilise the economy, bring skilled personnel home from abroad, and solve the problem of the parallel market – and for this, Zimbabwe needs to have a law abiding, accountable, government. The actions of the last month show once more that this is not the case. As Miloon Kothari, UN special rapporteur on the right to adequate housing has commented:

It is not the people of Zimbabwe who are illegal, it is their Government.⁵⁰

However, many commentators believe that the publicly-stated intentions of government were not the only, or the main intentions in relation to OM.

V. OM: the Government's undeclared intentions

The material outcome from “Operation Murambatsvina” has been to cause such untold suffering to so many thousands of Zimbabwe’s poorest, to have left towns and cities in a greater state of chaos and disarray than before, and to have produced very little tangible in terms of proof that vendors are mainly squalid thieves and racketeers, that civil society organisations and the international community have been left searching for alternative explanations for OM.⁵¹

1. **Retribution - and control of the towns**

Most of MDC’s 41 parliamentary seats were won in urban areas. In three consecutive elections, urbanites across the nation have registered a strong vote against the current government. OM has been seen as an act of retribution against areas known by government to have voted for the opposition, simultaneously punishing MDC-supporting urban centres and sending a message that it is irrelevant whether urban MPs and town councils are MDC or not. As long as ZANU PF controls the army and police, the ruling party has control of the towns and can do as it will in urban areas.⁵²

The current government has little respect or liking for the urban population; ZANU PF’s national identity is very much rooted in rural, traditional Zimbabwe, and its rhetoric sneers at the urbanite as “totemless” and outside of the Third Chimurenga.⁵³ In a blatant example of this position, Deputy Minister of Industry and International Trade said in Parliament on 23 June:

90% of all people who have been voted into Parliament from the other side (MDC) are not indigenous and the constituencies they talk about have no identity and recognition.⁵⁴

The thousands of urban dwellers who have been displaced have also been disenfranchised. They are registered to vote in constituencies where they now no longer reside. While it is unclear how ZANU PF wants to constitute the proposed senate, which it intends to stream roller through parliament shortly, it seems likely that there will be elections for senators within the next few months. Disenfranchising thousands of possible MDC voters ahead of senate elections and urban council elections scheduled for November 2005 is an obvious positive spin off of OM for the ruling party. 55

Apart from using brute force to show who is in control, ZANU PF has also moved to undermine urban councils in Bulawayo and Harare by appointing Governors to usurp the authority currently invested in the elected Mayors. The current sitting of parliament is scheduled to pass a constitutional amendment that will declare Bulawayo and Harare administrative provinces, thereby irrevocably shifting the balance of power away from MDC elected councils to ZANU PF appointed Governors. 56 In short, OM is sending a signal to the nation that ZANU PF is in the final stages of coercing control of the cities, regardless of the will of the people.

2. Fear of an uprising

As social hardship, real anger and poverty escalate, the government has reason to be increasingly afraid of a popular uprising. By removing all vendors, OM is depopulating urban centres, removing informal structures and thus physically clearing the streets of places to hide, while also reducing and controlling movement of people in and out of towns; this undermines the possibility of any kind of organised mass action against the government. By confusing and demoralising people, and by sending in overwhelming force and dismantling homes individually, OM has itself not given rise to more than token resistance, has left people disorientated and has destroyed neighbourhood groupings and political structures. 57

The Minister of Small and Medium Enterprise Development, Sithembiso Nyoni, and other Government officials have repeatedly stated that informal traders will be given new sites in enclosed markets on the outskirts of towns. Again, this points to a concern by Government to keep milling groups of people away from the city centre. Traders have already indicated that it does not make business sense for them to be hidden away from their potential customers.

3. Patronage

In a country threadbare of wealth, the informal sector is an asset that the ruling party wishes to control to buy the loyalty of those on whom it relies to retain its power. In the wake of the 2005 election, with ZANU PF enraged by the cities' failure to vote for them, those of unclear or opposition political affiliation are being removed from the informal housing and employment sectors, displaced into impoverished rural areas, and the entire informal urban sector appears to be in the process of being reallocated to ZANU PF supporters.

Inter-ministerial Committees

The Government is usurping the powers of MDC-dominated city councils, in relation to who gets stands for housing and who gets licenses to vend. Already, vending licenses are being reissued to people not through city councils as before, but through an "inter-ministerial committee" which "will among other duties facilitate **vetting of vendors, registration of vendors and relocation of vendors** to identified sites in the outskirts of the central business districts." This committee involves the Ministry of Local Government, Public Works and Urban Development, the Governor's Office, and the Department of Construction. ⁵⁸ The police have to vet applicants and part of the vetting process as to who is fit to get a license and who is not, is reported to be proof of ZANU PF affiliation. The process of vetting is intimidatory in itself, considering the current role being played by the police, who have criminalised thousands of ordinary Zimbabweans struggling to make an honest living.

Another "inter-ministerial committee" consisting of nine ministries has been appointed to oversee the ongoing clean up campaign, which will soon re-allocate land vacated by the demolitions. This committee will be under the control of the Zimbabwe National Army, and will include the Provincial Administrators, the Dept of Public Works, the President's Office (Central Intelligence Organisation), the Ministry of Youth Development and Employment Creation (who oversee the youth militia), the Ministry of Small and Medium Enterprise Development, the Ministry of Health and Child Welfare, as well as local councils and Residents Associations. ⁵⁹

Considering the makeup of these OM committees, which are heavily weighted in favour of government representatives including the CIO, the youth militia and the army, it is hardly surprising that even as the dust is still settling in the ruins of demolished houses on White Cliff Farm, building sites are allegedly being re-pegged and allocated to members of the military, the police, and other key civil servants. ⁶⁰

Just as commercial farms provided a resource to reward friends in high places in the wake of the Presidential election, so the informal economy and housing sectors are now being parcelled out to the middle ranks. With a national housing backlog of 2 million, the majority of home seekers will remain homeless – even if the government follows through on its recent statements to increase numbers of building sites. The ruling party therefore needs to control who gets the sites available. This is social engineering.

4. Social engineering

This kind of a mass eviction drive is a classic case where the intention appears to be that Harare become a city for the rich, for the middle class, for those that are well-off ... and the poor are to be pushed away.... We are seeing in the world, and Zimbabwe is a good example now, the creation of a new kind of apartheid where the rich and the poor are being segregated⁶¹

Considering the long-standing colonial injustices caused by forced removals and the artificial creation of native reserves, the forced removal of Zimbabweans from their urban homes in 2005 is hard to accept. The War of Liberation was fought to redress all the imbalances of colonialism, including the exclusion of the majority of Zimbabweans not only from prime farming land, but also from ownership of the cities and from the advantages offered by urban centres in terms of improved housing, educational and employment opportunities. As Raftopoulos has pointed out,

...despite the discriminatory policies they faced, Africans made the cities their home and fought for their rights to live and raise families in urban areas.⁶²

However, the current government has become as intolerant of urbanites as the colonial regime: “anti-urbanism has become one of the hallmarks of the ruling party’s authoritarian nationalism”.⁶³ The Government has indicated in relation to OM that the cities and towns are overpopulated and that part of this exercise is to depopulate the towns. The subtext of the operation is that poor urban dwellers are squalid criminals who deserve to be chased out of the cities and back to where they came from, where they can be “reformed” to see things the ZANU PF way.

The rhetoric from a multitude of government officials that has accompanied this forced displacement, is that those who have lost their homes must “go back to rural areas where they

came from”. When ZANU PF Members of Parliament were accused of having left people homeless by destroying their urban houses, a member of Cabinet denied this, saying:

It is common cause that the definition of an indigenous person is one who has a rural home allocated to him by virtue of being indigenous, and a home that one has acquired in an urban area because it has been bought or it has been allocated to him by the State. 64

On 2 June, Minister Didymus Mutasa told BBC World that “people must go back to their rural homes” 65 Officer Commanding Harare Senior Asst Comm Edmore Veterai is reported as saying: “There is no going back and we are going to pull down all the illegal structures. They must go back where they came from.” 66

Harare City Council spokesperson Leslie Gwindi commented: “All we are saying is that we want all the illegal structures removed. And we will not look for other places for them because how did they come to be where they are staying now?” 67

Particularly in Mashonaland, rural areas are ZANU PF strongholds. The traditional leadership controls access to all communal resources, including the right to build a home, the right to graze, or plant a crop – and the right to Grain Marketing Board maize sales, the only source of grain in rural areas, most of which are currently facing starvation. People are being forcibly moved from MDC dominant urban centres to ZANU PF dominant rural areas; it is simple, those translocated will have to show allegiance to ZANU PF or face a real risk of starvation this winter. 68

People are being reduced from a poor urban lifestyle to that of impoverished peasants. Parallels have been drawn between what is happening in Zimbabwe and the policy of peasantisation under Pol Pot or Ceausescu. 69 The prospect for democracy is increasingly grim.

It means people are now going straight into abject poverty. What we used to have was veiled poverty but now it will be real naked suffering where you see unemployment and homelessness openly with no alternative sources of income. 70

The Government’s recent claims that the cities are over populated and the victim of rural to urban drift is inconsistent with their previous rhetoric: prior to the recent parliamentary elections, the Government argued that people had moved out of the towns and into the rural areas in order

to benefit from the land acquisition programme, and this argument was used to take away four constituencies from the MDC strongholds of Bulawayo and Harare!_ 71

VI. Evictions: past and present

1. Pre-independence

i. Native Reserves

Zimbabwe has a long history of forced internal displacement of people. In terms of the draconian Land Apportionment Act, during the 1930s and 1940s the colonial government displaced thousands of families from prime farming land. Resistance to forced removals is a proud part of the legacy of the struggle for independence. For example, Chief Rekayi Tangwena in the 1960s led resistance to forced removals under the Land Tenure Act. Entire communities were forcibly dumped in often remote and inhospitable regions of the country, where diseases killed their cattle, and low rainfall and overcrowding ensured poverty. This in turn contributed to ensuring a ready labour force for white owned industry in the towns, while simultaneously denying to the indigenous people of Zimbabwe, any sense of belonging in the cities, where they were regarded as a temporary labour force with no rights. 72

ii. “Protected villages”

The most notorious forced removals during the colonial era occurred between 1972 and 1978, when an estimated 500,000 rural civilians were removed from their rural homesteads and incarcerated in “protected villages” (PVs). 73 In 1974, the Catholic Commission for Justice and Peace (CCJP) estimated forced removals into PVs at the rate of 43,000 in one month in Chiweshe Tribal Trust Lands. 74 Conditions in these PV detention camps were appalling. The forced removals involved total destruction of crops, dispersal of livestock, and destruction of rural homes, even by aerial bombing. The objective was to remove the rural network on which guerrilla forces depended for information and food, but the outcome was to radically disrupt the

normal lives of hundreds of thousands of civilians. CCJP documented the negative impacts on agriculture and livelihood, health, social functioning, education.

2. Post – Independence 75

It is interesting to note that the rate at which people have been made homeless in Zimbabwe in the last month exceeds even the highest monthly rate (43,000) at which the Rhodesians incarcerated civilians in PVs in the 1970s. The total figures of those displaced could also ultimately exceed those of the Rhodesian PV era. While those being displaced currently are not being put into controlled camps, conditions in rural areas and degree of control of access to them in the months ahead cannot be foreseen at this time, although there has been an increasing trend in the last five years to impose strong controls on movements in rural areas. Impact on the lives of those being displaced now, including their access to resources including health, education, housing and food cannot be properly assessed at this early stage, although the signs are not encouraging. Conditions at Caledonia Farm in greater Harare have been appalling, and access to humanitarian assistance by most of the displaced is very limited at the time of writing. Rural areas in Zimbabwe are in the grips of widespread hunger, in the wake of drastically reduced maize production during the 2004/5 season, and this is where many of the displaced have had to seek a place to stay.

It is not possible in this report to detail the 2005 evictions nationwide in minute detail. Two areas of Harare where evictions have been total have therefore been briefly highlighted; there is brief acknowledgment of the demolitions of backyard structures that have affected thousands, followed by a small case study of the eviction and family profiles of the Killarney-displaced in Bulawayo. Documentation of evictions nationwide is continuing, and the situation will be updated in further reports as appropriate.

i. Churu Farm: 1992

The evictions of 2005 are not the first experience of eviction in post-independence Zimbabwe. In 1993, more than four thousand people were displaced from Churu Farm, owned by Ndabaningi Sithole, a founder of the Nationalist movement in Zimbabwe, who had always stood in opposition to ZANU PF. These evictions were seen as politically motivated. The farm was set up by Sithole in response to the plight of the homeless, and business stalls and substantial brick houses were built on the property. When evictions began, a High Court judgment gave a stay of

eviction, but people were nonetheless forcibly removed. Those families evicted from Churu were resettled by Government on Porta Farm, 40 km south of Harare.

ii. Hatcliffe Extension

The Churu evictees were later moved from Porta Farm to Hatcliffe Extension, north of the city. They were ordered not to build permanent structures, as Government would resettle them soon – which they never did. The original residents of Hatcliffe Extension had therefore been in this area since 1993, a period of 12 years, and *they were in this suburb because the current government resettled them there*. Since 1993, there have been numerous occasions in which Government Ministers have visited the area and endorsed its existence. In 1995, in response to local requests, the Catholic Church established an orphanage and care centre for those suffering from HIV, consisting of a large complex of buildings. Over time, people also constructed substantial homes.

On 7 March 2002, two days before the Presidential election, Robert Mugabe and Minister Ignatius Chombo visited Hatcliffe Extension and announced that the area was being divided into 6,600 residential stands in order to legalise the status of people living there. 76 A school was built, as well as recreational buildings, to service the thousands of people in residence.

During the last sitting of Parliament, a resolution was unanimously passed upgrading Hatcliffe Extension to a legal housing settlement. On the grounds that it was a legal housing area, the World Bank financed the development of a main water supply and sewerage works for the suburb. 77

Yet all of the structures in Hatcliffe Extension were razed to the ground during the last week of May 2005, as the State suddenly insisted that the housing here was illegal – thousands of homes, the orphanage, vendors' stalls – all were reduced to splinters and ashes. Even a mosque was dismantled at gun-point, on 29 May. Sister Patricia of the Dominican Sisters described the chaos at the orphanage, housing 180 AIDs orphans, on the day of its destruction:

I arrived, I wept, Sister Carina was with me, she wept, the people tried to console us - they were ALL outside in the midst of their broken houses, furniture and goods all over the place, children screaming, sick people in agony. How does one say that Peter aged 10

and his little brother (John) aged 4 (not their real names) are "illegal"? We had provided them with a wooden hut when their Mother was dying, she has died in the meantime, these two little people had their little home destroyed in the middle of the night, we get there, they are sitting crying in the rubbish (that was their home until Sunday) - what do we do with them? A Grandmother asks, "Sister why has God abandoned us? I do not try to answer." 78

Two weeks after the initial evictions here, riot police returned and burnt every remaining scrap of furniture and building material to the ground. Bulldozers moved in and scraped the earth clean. Approximately 30 families were forced onto trucks, without being told where they were being taken, and were dumped on Caledonia Farm, on the outskirts of Harare. Here, they are virtual prisoners, living in the winter cold in shelters made of plastic bags. 79

iii. Peri-urban housing co-operatives

Between 2000 and 2003, approximately 250,000 farm workers were forcibly displaced as a result of the invasion of commercial farms. These evictions were on a par with what is happening now in terms of numbers affected, but as they were happening out of sight in rural farmlands, they were largely un-documented. At the same time as these hundreds of thousands of Zimbabweans were losing their homes and livelihoods, war veterans and others were being resettled on this land. Some of this resettlement took place, with great support from Government, in farms in the peri-urban areas of Harare. Here, war veterans and others have been encouraged to build substantial homes over the last five years.

On White Cliff Farm on the southern side of Harare, war veteran housing cooperatives set up with Ministerial approval since 2000 were bulldozed flat in the first week of demolitions. Minister Chombo went out to visit the housing cooperatives set up by the Zimbabwe National Liberators War Veterans Association during 2004, and officially congratulated people on their housing initiatives. 80 In the months prior to the 2005 election, the residents of this region were officially recognised as being permanent in this area by being allocated their own constituency – Manyame constituency - and a Member of Parliament. Yet, Josiah Tongogara, Joshua Nkomo and Herbert Ushewekunzi housing cooperatives, benefiting war veterans, were entirely annihilated in the first three weeks of “Operation Murambatsvina”. 81 Another 24 housing cooperatives in greater Harare were also declared illegal and have either been destroyed, or are in the process of destruction.

The Government-controlled daily, *The Herald*, captures the suddenness with which the police have descended on settlement after settlement in Harare:

At Nyadzonia and Chimoio co-operatives there was drama and pandemonium when about 25 police trucks screeched to a halt at about 4 pm, sending about 250 policemen into the settlement. Within minutes, one by one, the two bulldozers razed to the ground the illegal structures while panic-stricken residents rushed to pull out of few of their belongings...

At Hatcliffe Extension many settlers were also caught unaware as about 150 policemen descended on the settlement to start the demolitions.... Those who were coming from various workplaces were shocked to find some of their structures razed to the ground while others had to join their families in removing furniture from their homes and other building materials such as asbestos sheets. 82

iv. Destruction of backyard dwellings

In addition to the removal of entire suburbs on the outskirts of Harare, police riot squads moved at a steady pace through all the areas of Harare, destroying what they considered to be illegal structures. These were mainly back yard cottages, extensions to homes, tuck shops and vendors' stands. The colonial township of Mbare was among those totally destroyed. An estimated 200,000 people were displaced in greater Harare in the space of three weeks, although exact figures are close to impossible to verify. Some have put the figure as high as a million. Many affected families have had no option but to leave Harare for other parts of the country, meaning that figures will remain an estimate. However, there are thousands of urban residents who genuinely have no rural homes to go to:

Wellington Murerwa, who had lived in Mbare for most of his life, told IRIN his spirit had been broken. "I have lost the only source of income that I had after my vegetable stall was destroyed. Since 1981 the only place that I have known as a home together with my family was [an illegal] backyard shack, and I cannot start all over again," he said as he broke down in tears. Manjengwa Tawanda, who has a wife and four children, told IRIN that his grandparents had come from Malawi and he had no rural home in Zimbabwe. "I now leave everything to fate. I have nowhere to go. I have no money to rent the expensive houses."

Many of the bulldozed homes were substantial dwellings, of cement bricks under corrugated iron roofs. In many instances they were being serviced by the city council, and were officially connected to city water supplies, and electricity. Most of the homeowners in Hatcliffe had been paying fees to the city council on a monthly basis. One person interviewed related how in early May his property was reassessed for purposes of increased rates, and that he was paying Z\$1,200,000 in rates for his house and cottages. Two weeks later, his entire property was bulldozed flat - apparently with the authority of the same city council.

VII. Case study: Killarney displaced

This community of around 800 residents has existed on the northern outskirts of Bulawayo for twenty years or more; it has developed along the principles of a rural village. Families lived spread widely apart over a large area, under the “chieftainship” of certain recognised elder residents. Houses were built on the traditional model of pole and mud huts with thatched roofs, although some houses were substantial dwellings built with concrete bricks and corrugated iron roofs. There was a strong sense of belonging and identity. Those who lived in this area represented a wide cross section of society – the very poor, who could not afford rent but who could build a traditional style mud hut and cultivate a few square metres of garden; the very old with no living relatives; the mentally and physically handicapped; people of foreign descent who do not have a rural home or extended family; and those of local descent, who are formally employed and raising families. Most people here survived via the informal sector, so they have lost not only their homes, but their source of income, however meagre.

Killarney is on Government land and not Bulawayo municipal land. There was an attempt some ten years ago to resettle people from here to Tsholotsho, a rural district 100km away – but people simply walked back and rebuilt their houses. Their identification with this area is intense: for many, it is the only home and community they have ever been part of.

The residents of Killarney had two weeks in which the demolition axe fell in slow motion. The first indication of a direct intention to demolish Killarney was on 29 May, when a photo of Killarney appeared on the front page of *The Chronicle*, under the headline “Clean-up campaign to sweep city”. On 8 June, police went to the area and told people to remove all their belongings from their houses, as they were being demolished. People duly removed their furniture, and for two days sat and waited for the demolitions, which did not come. They therefore moved their beds and furniture back into their homes – and at 6 am on 12 June, riot squads arrived in full force, waking people and barely giving them minutes to get out of their homes before they were

torched. People fled in panic, as thatched roofs went up in flames and fell in on clothing and other belongings. As a result, many families lost not only their homes, but also most of their possessions.

In the few days after demolition, families sat stunned and indecisive. Bulawayo-based churches moved in and offered to accommodate the displaced, but some families were reluctant to make the leap and leave. As they rightly pointed out – the churches will accommodate us for a few days, and then what? However, three days after the initial torching of the settlement, police came back on horseback and found a few residents still there, guarding belongings and salvaged building materials that had not yet been moved to the churches. Priests had to intervene to prevent these things being burnt on the spot, but were informed that the police would come back on the 18 June to raze the area. This drove the few remaining residents to leave.

The churches of Bulawayo have now accommodated the Killarney displaced, as well as the Ngozi Mine displaced, for two weeks. Churches to open their doors include the Baptist, Anglican, Methodist, Brethren in Christ, while the Catholic Church has helped with feeding. This has not been easy. Police visited the churches and aggressively criticised them for taking in the displaced: they accused the churches of trying to make the Government look bad!

A few days ago, the Government announced its intention to move the Killarney squatters from the churches to Hellensvale Farm in Umguza District near Bulawayo. However, being aware of the appalling living conditions for the displaced on Caledonia Farm, this announcement is being treated with some caution by churches at this time.

On 25 June, as this report was being finalised, new reports were coming in that some of the Killarney squatters, who had moved their belongings around 10 km away from Killarney to Cement Siding on the Bulawayo/Harare road, were being evicted again.

1. Statistical summary

As the Killarney displaced have been stationary in various church grounds for the last fortnight, this has presented an opportunity to gather some basic information about them. There has not been time to date to exhaustively analyse information from interviews that have been done, but a few basis statistics have been produced. 83

Total interviewees:	131
Total dependants:	294
Total displaced:	425

This sample represents approx 50% of the original Killarney population, which has been estimated at around 700- 800.

Single, female-headed families (widowed or divorced):	32 out of 131
=>	25%

This indicates a high proportion of vulnerable family groupings.

Out of 294 dependants, 111 were children who had been in school in Killarney and who are now out of school.

One small peri-urban school lost a minimum of 111 pupils in one day. As the interviewees represent approx 50% of displaced, the number of children who dropped out of this school could be double this figure. As many of the children who have dropped out of school are in the first four grades, this could have left the school with almost empty classrooms in some instances.

Interviewees were asked whether they had a place to go or not. Results were as follows:

SOMEWHERE TO GO: YES: 40 => 30% of total interviewees

Rural destination: 22 => 56% or 17% of total interviews

Urban destination: 18 => 44% or 13% of total interviews

SOMEWHERE TO GO: NO:	91	=>	70% of total interviewees
Lived in Killarney all life/many years: of total interviews	19	=>	21%
Descended from foreign national: 21%		19 =>	
Relatives all dead/lost touch: =>		20	22%
“Nowhere to go”/ want to be in town 36%		33 =>	

This is a very telling result: out of this group, only 17% claim to have a rural home to go to – fewer than one in five family groups.

This statistic resoundingly contradicts the persistent claim of Government over the last month that to destroy informal settlements does not render people homeless, as everyone in Zimbabwe has a rural home to go to.

Another 13% indicated that they could find accommodation in an urban environment. For example, they have a town-based relative who could take them in temporarily at least, such as a child working as a domestic worker. In most cases, the urban option was going to be a temporary one.

The vast majority – 70% - indicated that they had no other home or option in Zimbabwe.

There were three main reasons for this, all representing around 21% of interviewees, namely;

They had known no other home than Killarney, either because they had been born there, or had lived there for up to twenty years;

They were descended from a foreign national;

They had no surviving relatives left in their so-called rural home, or had such complicated family relationships (obstructive ex-husbands etc) that this was why they had left in the first place and going back was impossible.

Approximately 36% either did not elaborate on why they had “nowhere to go”, or insisted that they wanted to look for work in the town and therefore could not leave town. It might be the case that some of these respondents do have relatives in a rural district somewhere, but their adamant refusal to consider a rural option indicates that their rural identity is not important to them, or is even threatening to them at this time. Some respondents may feel that if they hint at a rural home, they will be trucked there and abandoned in the midst of starvation, with no house to get through the winter and surrounded by people who may not welcome more mouths to feed.

The findings in this case study cannot be extrapolated to the entire displaced population. While the sample group represents a large proportion of displaced squatters in Bulawayo, it represents a fractional percentage of people displaced nationally. People living in backyard structures in the high-density suburbs could have a very different demographic profile.

2. Conclusion

This small case study indicates that it is very simplistic, dangerous and inhumane for the authorities to smash entire communities on the assumption that people are not thus being rendered totally homeless and devoid of an extended social support network. It is not true to say “there is nobody in Zimbabwe who does not have a rural home”_ 84

To keep insisting, as ZANU PF has been doing, that if you do not have a rural home then you are not a real Zimbabwean is an insult to the possibly millions of citizens who are born in Zimbabwe and have helped build this nation, but whose parents happen to be Malawian, Mozambican or Zambian. There are also millions of Zimbabweans of Zimbabwean descent who have been raised in the cities, and who have never lived full time in a rural area and who have no intention of doing so. They have been raised in an urban environment that may have included electricity, running water, at least some schooling and tertiary training options, and at least some possibility

of eking out a paid living. In rural areas, the majority of people have to walk long distances every day collecting firewood, carrying buckets of water, studying by candle light, attending schools with no resources, and accept a life of general poverty and subsistence, with few money generating options. In the current political environment, rural life also means the real danger of starving to death.

For the Government to presume to dictate that hundreds of thousands of their fellow citizens should be driven out of the towns like so much filth is indeed a crime against humanity.

APPENDICES

APPENDIX ONE

Chronicle of events according to Government sources 85

19 May: Speech by the Chairperson of the Harare Commission Cde Sekesai Makwavarara on the occasion of the official launch of “Operation Murambatsvina” at the Town House on 19th May, 2005 at 12 noon. 86

19 May: Publication in *The Herald* of an order by the City of Harare, in terms of the Regional, Town and Country Planning Act Chapter 29:12. This informs all house owners in greater Harare of the intention of the city to demolish illegal structures; the order will become effective on *20 June 2005*.

20 May: Release of Report by Governor of Reserve Bank of Zimbabwe, Gideon Gono, warning of the need to “cleanse” individual rot on the streets of the nation and the need to destroy the shadow forces in the economy.

25 May: In Harare and Bulawayo, and elsewhere across the country, vendors’ markets are surrounded by squads of riot police and are dismantled. In Glen View, Harare, 400 furniture businesses, each employing a minimum of 5 people, are closed and goods seized, without warning. In Bulawayo two sprawling informal flea markets are ransacked and closed.

26 May: Resident Minister David Karimanzira says: “there are more than 100 illegal settlements and numerous illegal housing cooperatives in Harare”. He announces that “within two weeks” those displaced by OM will be given alternative land (ie by 9 June).

Senior Asst Commissioner of Police Edmore Veterai warns people that destruction of illegal dwellings will continue, and will include White Cliff Farm and houses near the airport. Police “do not have time to pack people’s goods. They will just pull them down.” Force will be used if there is resistance. Unity Square is “cleaned” as are Fourth Street Bus Terminus and Julius Nyerere Footbridge.

27 May - Despite their own order indicating that demolition could not begin before 20 June, destruction of informal housing begins in earnest in Harare; destruction of

1 June: informal markets and arrest of all vendors, whether licensed or not, picks up pace countrywide. Nyadzonia, Chimoio and Hatcliffe Extension are razed, including an AIDS orphanage for 180 orphans.

27 May: OM extends to the Midlands, including Gweru, Kwekwe, Redcliff, Zvishavane, Gokwe Centre and Shurugwi. 757 arrests are made: 494 for contravening the Road Traffic Act. Other offences were illegal gold panning and foreign currency dealing.

In Beitbridge, 165 arrests are made and 800 litres of fuel are confiscated.

27 May: There is a joint workshop in Harare held by the police and the Reserve Bank of Zimbabwe to discuss the operation to date.

28 May: President Mugabe supports the campaign: “Those who have wrongly suffered damage (Of their properties) action will be taken to remedy what will have been damaged. From the mess should emerge new businesses, new traders, new practices and a whole new and salubrious urban environment.”

29 May: Bulawayo is warned that OM is going to sweep their city. Minister Chombo claims that vendors in Harare are being moved to new structures already and that the same will happen in Bulawayo.

30 May: The Mayor of Bulawayo says that he is not involved in the Clean-up campaign.

31 May: Police descend on Victoria Falls: in the next few days 3,368 dwellings are destroyed, as well as 10 km of vending sites, displacing an estimated 30% of the population of this tiny tourist town.

2 June: Minister Sithembiso Nyoni says that Government will relocate traders on the outskirts of the towns, and that sites have been identified. The Ministry of Youth and Gender says youth militia will build the new vendors’ sites. Inter-ministerial committees are being set up to “vet” would-be informal traders to weed out criminals.

Riot squads give people in Beitbridge a few minutes’ notice before knocking down over 200 dwellings.

5 June: Minister Chombo announces that building regulations will be relaxed: people will be able to build mud houses in the towns in future, as to insist houses are built out of bricks is “archaic and British oriented”. He says youth militia will build the houses. This will reduce building costs by 60%. He implies the local MDC run councils are deliberately withholding building stands and are too strict about building requirements. He warns that councils must clean up the debris of OM and if they do not, the Ministry of Housing will bill them.

6 June: The High Court rules that the demolitions are legal. Human rights lawyers say the ruling defies all logic and ignores the law, which is unambiguous: people served with a demolition order have 30 days in which to lodge an appeal. 87

10 June: President Mugabe says that the cleanup campaign being carried out in major cities and towns was meant to deal with illegal activities that were undermining the resuscitation of the economy. “So we had to take action and that action was not meant to be the violation of human rights. No,” he said. President Mugabe said Harare and Bulawayo would soon become administrative provinces through an amendment of the Constitution.

12 June: Squatter camps at Killarney in Bulawayo, that have been there for twenty years, are burnt to the ground. Ngozi Mine informal settlement is also torched.

The Government press comments: ...“On our front page today, we publish an article spelling out the Government’s plans to fund the construction of market stalls in Bulawayo and other areas following the clean up operation. This is commendable and disproves outrageous claims that vendors are being deprived of the source of survival by insensitive authorities.”

13 June: Illegal structures in the suburbs of Bulawayo begin to come down. Makokoba has 800 dwellings knocked down in a few days.

A clean-up campaign committee is set up consisting of army, CIO, the Ministries of Youth and Gender, Health and Child Welfare, Small and Medium Enterprise Development, and the Bulawayo United Residents’ Association is set up to oversee the resettlement of the displaced. The Government has set aside 300 billion for new traders’ stands.

14 June: The presidents of the Urban Councils Association of Zimbabwe and the Rural District Councils of Zimbabwe, Cdes Fani Phiri and Jerry Gatora, say the clean-up exercise was long overdue. “We have asked for arresting powers and we are hopeful they will be included in the amendments to the Rural District Councils Act which will be considered during the Sixth Parliament,” Gatora said.

15-20 June: Demolitions continue nationwide, but newspaper rhetoric shifts from condemning the displaced as thieves and criminals, to saying the exercise is a blessing in disguise because it will result in new housing for people, and in praising Government for intending to set aside funds for housing and vending.

20 June: Minister Sithembiso Nyoni refers yet again to the 300 billion for small enterprises, but admits the money is not actually there. “The Government will soon form a committee to raise funds for a Reconstruction and Infrastructural Development programme in cities and towns

following “Operation Restore Order” – Sithembiso Nyoni. “A national ad hoc committee will be formed to ensure that there is money for the exercise.”... “The modalities of setting up the fund are yet to be worked out.”

22 June: The Government says that the displaced in Bulawayo that are being housed in the churches are to be relocated to Hellensvale Farm on the outskirts of the city. These are people displaced during the razing of Killarney and Ngozi Mine two weeks earlier.

The Chronicle reports that 2,338 backyard structures have been pulled down in Bulawayo, displacing 5,000 people. 88 516 people have been arrested for illegal vending and 5 dealers in second hand goods have been charged with failing to have a purchasing register.

The operation is continuing, with 397 structures having been knocked down the previous day in Njube suburb of Bulawayo.

24 June: The army is now heading the “clean-up” operation, after an urgent meeting chaired by Major-General Amoth Chingombe. The exercise is now a “reconstruction” one involving nine ministries, after a month of laying waste the nation. In response to widespread international outcry, the RBZ has been given two days to source a trillion dollars to rebuild in a massive public works programme, that will begin at White Cliff Farm in Harare. Youth militia will provide labour. 89

APPENDIX TWO

Speech by the Chairperson of the Harare Commission Cde Sekesai Makwavarara on the occasion of the official launch of “Operation Murambatsvina” at the Town House on 19th May, 2005 at 12 noon.

The City of Harare wishes to advise the public that in its efforts to improve service delivery within the City, it will embark on **Operation Murambatsvina**, in conjunction with the Zimbabwe Republic Police (ZRP). This is a programme to enforce by-laws to stop all forms of illegal activities.

These violations of the by-laws are in areas of vending, traffic control, illegal structures, touting/abuse of commuters by rank marshals, street-life/prostitution, vandalism of property infrastructure, stock theft, illegal cultivation, among others have led to the deterioration of standards thus negatively affecting the image of the City. The attitude of members of the public as well as some City officials has led to a point whereby Harare has lost its glow. We are determined to bring it back.

Harare was renowned for its cleanliness, decency, peace, tranquil environment for business and leisure, therefore we would like to assure all residents that all these illegal activities will be a thing of the past.

To intensify **Operation Murambatsvina**, an ongoing exercise, the City of Harare will work hand in glove with other enforcement units of the Government which include the ZRP to make sure that this exercise is realised. It is not a once-off exercise but a sustained one that will see to the clean-up of Harare.

The eradication of chaos that currently prevails in the City, the seat of Government, home to all diplomatic missions, headquarters of major business and commercial activities requires the co-operation of all authorities, businesses and individuals. The people of Harare must all appreciate that the City is ours, it is our pride and belongs to us all; thereby let us be responsible citizens.

Pursuant to this objective the City is calling upon all stakeholders to report any cases of corruption or incompetence by municipal workers and any form of vandalism and abuse of municipal property at any municipal office.

Furthermore, I urge all organisations and residents to cooperate during this ongoing exercise, which is intended to bring sanity back to the City of Harare.

....**Operation Murambatsvina** is going to be a massive exercise in the CBD and the suburbs which will see to the demolition of all illegal structures and removal of all activities at undesignated areas, among the prior mentioned activities.

I, as the Commission Chairperson of Harare declare **Operation Murambatsvina** officially launched and I urge all residents to remember **kuramba tsvina**.

Our aim is to keep Harare clean. What is your aim?

Your aim will help.

[28 May 2005: The Saturday Herald: page 5]

APPENDIX THREE

INFORMATION FORM: OPERATION MURAMBATSVINA

Date of Interview..... Name of interviewer.....

Church/Place of temporary shelter.....

Day/Date of arrival at temporary shelter

NAME..... ID NO:.....

Male/Female.. AGE..... MARITAL STATUS.....

MOST RECENT PERMANENT ADDRESS.....

Number of children/dependants, with ages.....

.....

.....

Number of children above who were in school.....

Is anyone in family in poor health? Describe.

.....

EVICTION INFORMATION

Date of eviction.....

Were you given warning? YES / NO If yes, how many days?.....

What reasons were given?

.....

Who evicted you? POLICE / RIOT POLICE/ ARMY / YOUTH MILITIA/OTHER

What were they wearing?.....

What weapons did they have?.....

If the following were involved, circle: Dogs / police on horse back / police vehicles / teargas

Were any threats / comments made during eviction? Say what.....

.....

What property loss did you experience?

.....

.....

Do you have a district and village to go to? Where?

.....

What do you need to get there? Bus fare / truck for goods / other

.....

If you think you do not have another place to go to, explain your circumstances.....

The Bishop of Natal

The Right Revd Rubin Phillip

24 June 2005

MESSAGE OF SOLIDARITY TO THE PEOPLE OF ZIMBABWE

My dear brothers and sisters,

Greetings in the name of our triumphant Lord!

It is with a mixture of deep sadness and anger that I write this message of solidarity to you at this time of your national pain and suffering. Anger at the inhumanity and brutality of the police and security forces in destroying the homes and livelihoods of hundreds of thousands of people across Zimbabwe, and sadness at the indifference and lack of concern of a regime that appears increasingly bent on willful violence and destruction. I am also greatly saddened by the lack of a decisive response from our government in South Africa and other SADC governments to these gross violations of people's socio-economic and human rights, and to the low exposure given to these atrocities in our national media (particularly the SABC).

In the light of these omissions, there is one who hears the cries of His people, sees their oppression and is concerned about their suffering, and who acts against injustice and brutality. However, as in the case of the oppression of the Israelites in Egypt, God uses people as His

instrument of deliverance, and called Moses to lead his people out of Egypt. Confronting power is never easy, and so God reassures a reluctant Moses that He will be with him and that his brother Aaron will be his spokesperson to make up for his own inadequacies in speaking truth to power.

In the same way today in Zimbabwe, - as in the SADC region and in the world - God is seeking men and women who will be His instruments of deliverance for the suffering and oppressed people of their countries, by confronting and speaking to those in power in a non-violent but non-compromising way. As with Moses, God promises to be with us and to strengthen us and to rescue us from the hand of the oppressor.

Our prayer for you at this time is that God will strengthen and protect you and grant you great courage and fortitude in your struggle for your freedom and dignity as the people of God created in His image and likeness. We also pledge our on-going prayer and solidarity with you in this struggle, and our support in helping to mobilize resources for those affected by the 'tsunami' which has hit Zimbabwe. This tsunami is not as a result of a convulsion of nature, but is a result of the convulsions of an evil and despotic regime which no longer has the interests of its people at heart, and therefore must be resisted by every freedom loving person in Zimbabwe.

I am sorry that I cannot be with you today, but want to assure you that you are in our thoughts and prayers at this time, and that God who entered into our humanity through the person of Jesus Christ, and who shared in our human suffering, even to the point of death on a cross, is with you in your time of crisis.

In Christian love and partnership,

Bishop Rubin Phillip

Anglican Bishop of Natal

Chair of the Zimbabwe Solidarity Forum

Co-Chair of the Solidarity Peace Trust

¹ *The Financial Gazette*, June 9-15: “Political Backlash or genuine clean-up?” Comment by Luxon Zembe, President of the National Chamber of Commerce, Zimbabwe.

² Catholic Commission for Justice and Peace (CCJP) and Legal Resources Foundation, *Breaking the silence, building true peace: a report on the massacres in Matabeleland and the Midlands 1980-1988*, Harare, 1997, for figures. In Matabeleland, many civilians being affected by “Murambatsvina” have referred to it as being reminiscent of “Gukurahundi”. Interviews by the authors, June 2005.

³ CCJP, *Ibid.*

⁴ Figures vary and there is no clear way of assessing them and evictions continue to date. ZimRights estimated the displaced in Harare to be over 200,000 by early June, since when evictions have continued; in Victoria Falls a further 20,000 at least were displaced; in Bulawayo around 10,000 to date; in Beitbridge, Masvingo, Mutare, Kariba, Kwekwe, Gweru and elsewhere, figures remain unascertained but run to tens of thousands. The International Organisation for Migration has estimated the displaced at 64,000 families, which would also indicate around 300,000 people. Miloon Kothari, UN Special Rapporteur on the right to adequate housing, has claimed that as many as 3 million Zimbabweans may ultimately be affected if the exercise continues unchecked.

⁵ *Zimbabwe Independent*, 24 June to 30 June 2005.

⁶ Statement made in Parliament, 23 June 2005, by Phineas Chihota, Deputy Minister of Industry and International Trade.

⁷ A case study of some of the displaced in Bulawayo further on in this report looks at the issue of numbers with alternative homes.

⁸ Media Monitoring Project of Zimbabwe, Media Update 30 May to 5 June 2005 cites this figure from the media.

⁹ This statement was made approvingly in Parliament on 23 June 2005 by Walter Nzembi, ZANU PF MP for Masvingo South.

¹⁰ See United Nations (1994), “Report of the Panel of Experts Appointed to Assist the United Nations Compensation Commission in Matters Concerning Compensation for Mental Pain and Anguish”, Geneva: United Nations; See also United

Nations Security Council (1992), “Determination of Ceilings for Compensation for Mental Pain and Anguish”, Decision taken by the Governing Council of the United Nations Compensation Commission, Fourth Session, Geneva, 20-24 January 1992.

¹¹ David Coltart, Shadow Minister of Justice in Zimbabwe made this argument in a letter published in *The Zimbabwean*, 24-30 June 2005.

¹² CCJP, *The Man in the Middle* and *Caught in the crossfire*, republished 1999.

¹³ *The Herald*, 2 June 2005; “State to relocate informal traders”.

¹⁴ In Bulawayo, for instance, there were daily “auctions” of seized fresh produce during the week in which vending markets were destroyed. Produce was witnessed by the authors being sold for a fraction of its market value from one policeman to another, and the money, unreceipted, was being put into brown paper bags.

¹⁵ Interview with a Harare diplomat reported that when UNICEF went to render assistance in the rubble of Harare, they were ordered to leave by police. Churches in Bulawayo were also visited by the police who ordered them not to help the displaced, as it was “making government look bad”.

¹⁶ *The Chronicle*, 22 June 2005; “Displaced to be given shelter”.

¹⁷ Robert Michel, World Vision, cited in IRIN, 31 May 2005.

¹⁸ Ibid.

¹⁹ Solidarity Peace Trust: *Out for the Count*, video and report details political abuse of food. May 2005.

²⁰ Zim OnLine, 18 June.

²¹ Interview, Sr Patricia, AIDS orphanage, June 2005.

²² *The Chronicle*, 12 June 2005: Comment; “Parliament has serious business”.

²³ *The Saturday Herald*, 28 May 2005. For full statement, see appendices.

²⁴ This document does not look at the maladministration of Harare in any detail, but there is a long pattern of corruption and patronage politics back to the 1990s, and relentless interference and undermining of the MDC city council since 2002 that have reduced the city to its knees.

²⁵ *The Financial Gazette*, 27 May – 1 June 2005; “Mayhem and untold suffering in Harare”.

²⁶ RBZ Report, 20 May 2005; paragraphs 2.17 – 2.31

²⁷ para 2.31

²⁸ *The Financial Gazette*, June 9-15: “Political Backlash or genuine clean-up?”

²⁹ Solidarity Peace Trust, *No War in Zimbabwe*, November 2004.

³⁰ Table 1 (a) page 4 of RBZ Report, 20 May 2005.

³¹ The issue of legality/ illegality of the vendors is explored at greater depth further ahead in this report.

³² The International Labour Organisation, cited in *The Zimbabwean*, 24 June – 30 June 2005, page 8.

³³ RBZ Report, 31:19 and 31:20.

³⁴ Cited in *The Financial Gazette*, June 9-15, op cit. The issue of the il/legality of the informal markets, and the type of proof of illegal dealings produced by OM, is discussed elsewhere in this report.

³⁵ For example, Hatcliffe Extension, razed to the ground in late May as an “illegal” settlement was in fact declared a legal settlement by a unanimous resolution during the last sitting of Parliament, and had water and sewerage networks funded by the World Bank.

³⁶ For example using the word “save” instead of “serve” in relation to the order, paragraph 3.

³⁷ Two human rights lawyers were consulted, 20 and 22 June 2005.

³⁸ *The Standard*, 29 May 2005: “Govt condemned”.

³⁹ *The Chronicle*, 31 May 2005, “Police descend on Vic Falls”.

⁴⁰ *The Chronicle*, 2 May 2005; “World bank’ folds”.

⁴¹ Interview with the Mayor of Bulawayo, Japhet Ndabeni Ncube, 16 June 2005, for information in this paragraph.

⁴² Interviews with affected businessmen, Bulawayo, 14 June 2005.

⁴³ The Bulawayo city council has had a reputation of being efficient and generally not corrupt since colonial days, in sharp contrast to the Harare city council. For this reason the number of illegal structures – and therefore the current displacement - has been significantly lower in Bulawayo than in Harare.

⁴⁴ *The Chronicle*, 13 June 2005; “Makokoba structures removed”. Police Inspector Smile Dube of Bulawayo.

⁴⁵ 16 June, 2005.

⁴⁶ “State to relocate informal traders”.

⁴⁷ Figures in the box following are taken from *The Chronicle*, 2 June and 3 June 2005. Figures on numbers displaced are from the MP for Hwange East: they seem plausible as residents from this area made similar estimates, and *The Chronicle* refers to up to 50 people living on some building sites prior to the razing of the area.

⁴⁸ Interview, 16 June 2005.

⁴⁹ In the last few months an estimated US\$ 400,000 has been spent on military hardware by the Government – almost half of what is realistically predicted as likely forex inflows for 2005: *The Zimbabwean*, *ibid*, page 17.

⁵⁰ Interview with Kothari on BBC World, 18 June 2005.

⁵¹ *Zimbabwe Independent*, 3 June 2005: “The battle for the cities”; *The Financial Gazette*, June 9-15: “Political Backlash or genuine clean-up?”; *The Financial Gazette*, June 16-22, 2005: “Dawn of a new error?” for a few examples of opinion pieces relating to OM.

⁵² *Ibid*.

⁵³ Brian Raftopoulos, “The Battle for the cities”, in *Financial Gazette*, June 3, 2005.

⁵⁴ Parliamentary Debates, 23 June 2005. Most MDC constituencies are urban.

⁵⁵ While those displaced will presumably be able to register and vote in rural areas in due course, recent elections have shown that it is easier to intimidate and rig in the rural setting.

⁵⁶ *The Chronicle*, 10 June 2005 cites President Mugabe referring to this constitutional amendment.

⁵⁷In the first few days of the operation in late May, in Glen View and White Cliff Farm, some groups tried resistance and were quickly subdued. *The Standard*, 29 May 2005; “Terror of ‘black boots’ in Glen View”. *The Saturday Herald*, 28 May 2005; “President backs clean-up”.

⁵⁸ *The Chronicle*, 26 May 2005: comment by Sithembiso Nyoni, Minister of Small and Medium Enterprise Development.

⁵⁹ *The Chronicle*, 13 June 2005; “Makokobo illegal structures removed”.

⁶⁰ Personal interviews, Harare, June 2005.

⁶¹ Miloon Kothari, UN special rapporteur on the right to adequate housing, quoted by Associated Press, 5 June 2005

⁶² Raftopoulos, *Zimbabwe Independent*, op cit

⁶³ Raftopoulos, *Zimbabwe Independent*, ibid.

⁶⁴ Statement made in Parliament, 23 June 2005, by Phineas Chihota, Deputy Minister of Industry and International Trade.

⁶⁵ BBC World, Focus on Africa, 8 pm, 2 June 2005.

⁶⁶ *The Chronicle*, 27 May 2005: “Operation Restore order intensifies”.

⁶⁷ *The Herald*, 26 May 2005: “Informal traders, police, clash”.

⁶⁸ For documentation of political abuse of food in rural areas ahead of the 2005 election, see Solidarity Peace Trust, *Out for the Count: democracy in Zimbabwe*; May 2005, in both video and report format.

⁶⁹*The Sunday Times (UK)* 5 June 2005; while of course there are major differences in the ideologies of Pol Pot, Ceausescu and Mugabe, there is a basic truth in the idea that a poor, ignorant, ruralised population is a politically compliant one.

⁷⁰ Godfrey Kanyenze, labour economist, quoted in *The Financial Gazette*, June 16-22, 2005, op cit.

⁷¹ This was dismissed as nonsense by the opposition at the time; in keeping with most nations around the world, Zimbabwe has had rural to urban drift, but it is interesting to see how fast the Zimbabwean government has changed its rhetoric to suit its new purpose.

⁷² See previous section for more comment on this.

⁷³ A P Reeler, *Compensation for gross human rights violations*, in *Legal Forum*, 1998, vol 10, no 2.

⁷⁴ CCJP, *The Man in the Middle and Civil War in Rhodesia*, republished 1999, Harare.

⁷⁵ The “gukurahundi” era of the 1980s resulted in movements of thousands of people as they fled murder and persecution in rural areas: that issue is not dealt with in this report.

⁷⁶ ZBC TV News Bulletin, 7 March 2002.

⁷⁷ Trudy Stevenson, MP for Hatcliffe reminded the House of these facts in the parliamentary debate on OM, 23 June 2005.

⁷⁸ Cited in *The Daily Telegraph*, (UK), 3 June 2005.

⁷⁹ See video by Solidarity Peace Trust, “Driving out the Filth” for graphic pictures of Caledonia Farm.

⁸⁰ Interview with displaced settler, 10 June 2005.

⁸¹ The resettled areas in peri-urban Harare, where war veterans predominate, have been among the most severely affected in terms of demolition, which seems to point against the theory that the demolitions are targeting MDC supporters. However, other commentators have pointed out that only ZANU PF really knows how specific regions voted, including the peri-urban Manyame constituency; claimed voting figures here shifted dramatically between 31 March and 2 April. It is also a possibility that ZANU PF might be happy to see the war veterans in disarray and driven out of the cities: they have served their purpose with the land invasions and are now a nuisance factor.

⁸² *The Herald*, 27 May 2005; op cit.

⁸³ See Appendix Three for questionnaire. Most of the information obtained has yet to be analysed, and interviews of the displaced continue to date.

⁸⁴ Aeneas Chigwedere, Education Minister, made this comment in defence of the evictions on 20 June 2005.

⁸⁵ *The Herald* or *The Chronicle* of the date in question is the source of events, unless otherwise indicated.

⁸⁶ See appendices for full speech as published in *The Herald*, 28 May 2005.

⁸⁷ Interview, HR lawyer, 24 June 2005.

⁸⁸ This figure is unrealistic. Sources on the ground in the suburbs claim a minimum of 10,000 displaced in Bulawayo to date, and the number could be double that. If a family resides in each structure, which is the most usual case, then the destruction of 2,300 structures has displaced at least 8,000 people, and possibly more. This figures does not include the 2,000 displaced in Killarney and Ngozi Mine.

⁸⁹ *Zimbabwe Independent*, 24 June – 30 June 2005.