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Are there any reports of MDC still facing harassment / persecution from Zanu PF or the Zimbabwe government?

A report by the *United States Department of State* under the heading 'Arbitrary or Unlawful Deprivation of Life' states:

"The government or its agents committed politically motivated, arbitrary, and unlawful killings during the year. By year's end at least 19 citizens had died as a result of injuries sustained from political violence that targeted members of the opposition party in 2008, in addition to the more than 200 who died in 2008. At least three persons were killed as a result of politically motivated violence during the year. The MDC-T continued to claim that approximately 200 other members and supporters were missing and presumed dead in the wake of election-related violence in 2008. The killings were primarily committed by members of ZANU-PF, ZANU-PF youth militia, war veterans, and, to a lesser extent, members of the military and police. NGOs also estimated security forces killed at least 40 persons in the Chiadzwa diamond fields in Manicaland Province during the year.

Security forces killed opposition members during the year. On August 30, MDC-T activist Godknows Dzoro Mtshakazi was beaten to death by four soldiers in Shurugwi, Midlands Province, after being accused along with several other MDC-T members of organizing an MDC-T rally and playing a pro-MDC-T song in a bar. The four soldiers assaulted the group before taking Mtshakazi to a nearby army base, where he was beaten further and killed, according to witnesses. The soldiers subsequently sent word to Mtshakazi's wife to collect her husband's body. There was no further investigation by year's end." (United States Department of State (11 March 2010) *2009 Human Rights Report: Zimbabwe*)

It also states:

"There were killings by political party supporters during the year. For example, on July 30, 16-year-old Arnold Mosterd died after being beaten by ZANU-PF supporters in Macheke, Mashonaland East. Mosterd was reportedly killed after he asked for outstanding wages from a local ZANU-PF chairman, Harry Munetsi. According to villagers, seven suspects who had previously accused Mosterd of supporting the MDC, tied Mosterd, cut his chin with a knife, and pierced his stomach with hot iron bars before carrying his dead body in a wheelbarrow to the road. The suspects were arrested, but Minister of State in the President's Office Didymus Mutasa reportedly ordered the release of the suspects on bail three days later. Mutasa also allegedly told villagers to "deal with" strangers who visited the area inquiring about the killing, as they would be MDC supporters. No further action was taken by year's end." (ibid)

In a section titled 'Disappearance' it states:

“On May 18, in Mashiri village in Mashonaland Central, suspected Central Intelligence Organization (CIO) agent Chamunorwa Shutu ordered four ZANU-PF youths, Rodrick Kanengoni, Nyashadzashe Kanengoni, Munetsi Kanengoni, and Chamunorwa Shutu, to abduct 13 MDC-T supporters for allegedly holding an MDC-T meeting. The 13 had attended a May 16 memorial service to commemorate the deaths of six MDC-T activists who were killed by ZANU-PF officials and war veterans at Chaona Primary School in May 2008. The youths abducted and severely beat the 13 MDC-T supporters; all sustained serious injuries, and one underwent surgery for his wounds. Subsequently, the MDC-T supporters were arrested and charged with assaulting the same four ZANU-PF youths who had abducted them. On September 10, magistrate Feresi Chakanyuka found 11 of the MDC-T supporters guilty of assault; they were sentenced to pay fines of \$20 and did not appeal. Two others were acquitted. The four ZANU-PF youths and Shutu were also arrested and charged with assault; their trial was postponed indefinitely after Magistrate Charles Murove recused himself from the case on September 25, reportedly under pressure from Shutu. The case was referred to the attorney general; no decision had been made by year's end.” (ibid)

It also states under the heading ‘Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment’

“Police also continued to refuse to record reports of politically motivated violence or destruction of property that occurred during the year or during widespread political violence in 2008. Police used excessive force in apprehending and detaining criminal suspects. ZANU-PF supporters continued to assault suspected and known MDC members and their families, civil society activists, and student leaders. Violent confrontations between various youth groups aligned with either ZANU-PF or the MDC continued.” (ibid)

A report by *Freedom House* under the heading ‘Civil Liberties’ states:

“There have been widespread reports of violence by agents of the state, often targeting real or suspected supporters of the MDC, including schoolteachers who have traditionally manned polling stations. A spike in violence coincided with the 2008 election period, during which at least 163 people, most of them MDC activists, were killed, and 5,000 were beaten. In some cases, MDC supporters were reportedly kidnapped by progovernment militias, tortured, forced to denounce the MDC, and pressed for the names of additional MDC supporters. There have been no prosecutions for these abuses.” (Freedom House (7 April 2010) *Countries at the Crossroads 2010*)

It also states:

“During the contentious election period in 2008, ZANU-PF youth militia detained individuals accused of supporting the MDC, taking them to various locations and making them prove their loyalty to the government by singing revolutionary songs. The police have not intervened when they observe attacks by the youth militia. In addition, in February 2009 it was reported that the government detained about 30 MDC supporters on charges of receiving military training in neighboring Botswana—a charge strongly denied by the Botswana government. The activists said they were abducted in Zimbabwe by state security agents and that their confessions were obtained by torture.” (ibid)

A report by *Human Rights Watch* under the heading 'Zimbabwe: One Year On, Reform a Failure' states:

"The Global Political Agreement, which took effect on February 11, 2009, was approved in September 2008 by the Zimbabwe African National Union - Patriotic Front (ZANU-PF), the longtime ruling party led by Mugabe and by the Movement for Democratic Change (MDC), the former opposition. It was designed to resolve Zimbabwe's political and economic crisis and chart a new political direction for the country.

Recent research by Human Rights Watch in Zimbabwe suggests that there has been no meaningful political transition, and that ZANU-PF continues to engage in political violence against perceived opponents. Groups of war veterans and ZANU-PF youth, who have been deployed in the past to target the opposition, remain intact. ZANU-PF still uses elements in the security forces as instruments of repression. Military-led violent invasions of commercial farms continue.

In the first week of February 2010, police disrupted MDC-organized constitutional reform meetings, beat up participants, and arbitrarily arrested 43 people in Binga, 48 in Masvingo, and 52 in Mt. Darwin." (Human Rights Watch (12 February 2010) *Zimbabwe: One Year On, Reform a Failure*)

It also states:

"ZANU-PF continues to use its control of state-owned print and electronic media to manipulate public opinion in its favor while using hate speech and other offensive language against MDC. Without an open media environment, Zimbabweans will be unable to participate fully in the ongoing constitutional reform process or in future elections, Human Rights Watch said."(ibid)

Another report by *Human Rights Watch* under the heading 'Rule of Law' states:

"ZANU-PF and its supporters have continued to violently invade commercial farms in total disregard of the rule of law, and police intimidation and harassment of MDC and human rights activists persist unabated. Police, prosecuting authorities, and court officials aligned with ZANU-PF have persecuted MDC legislators and activists through politically motivated prosecutions. At least 17 MDC legislators face various trumped-up criminal charges, with at least five legislators already convicted by the courts.

On October 14, 2009, a magistrate in Mutare ordered the rearrest of senior MDC official and minister-designate Roy Bennett on charges, initiated by ZANU-PF in 2006, of sabotage, banditry, terrorism, and inciting terrorism. Although Bennett was eventually granted bail, at this writing charges against him have not been dropped, and the trial is underway." (Human Rights Watch (20 January 2010) *World Report 2010 – Zimbabwe*)

A report by *SW Radio Africa (London)* under the heading 'Zimbabwe: Court Cases Against 300 MDC Activists Drag On in Manicaland' states:

“Almost 300 MDC activists in Manicaland province are still to stand trial, a year after police charged them with trying to reclaim their livestock looted by ZANU PF supporters during the election violence in 2008.

The activists have been appearing in court for remand hearings at least twice a month. For many it involves traveling long distances to appear before magistrates in Mutare, Rusape, Nyanga and Chipinge.

The court delays have also become a huge drain on the financial resources of the MDC in Manicaland, who have to pay legal and travel costs for their activists.” (SW Radio Africa (London) (20 April 2010) *Zimbabwe: Court Cases Against 300 MDC Activists Drag On in Manicaland* - Tichaona Sibanda)

This report also states:

“In the run up to the election tens of thousands of MDC supporters across the country had their homes and villages destroyed by ZANU PF youths and so called war vets, to intimidate them from voting against ZANU PF.

During the mayhem villagers in the province lost cattle, goats, chickens, ploughs and food stocks harvested from their fields. There has been no intervention from the coalition government to ensure the return of the looted property and no compensation has been paid to the villagers.” (ibid)

It also states:

“We are facing a serious challenge as a party because of the selective application of the law. The irony of the arrests is that the police have so far done nothing to help the people who had their properties destroyed or looted by ZANU PF. The victims were arrested for trying to reclaim their belongings,’ Muchauraya said.

The MP said their activists cannot turn to the police for assistance and have no alternative access to justice. ‘If they try and take back what is theirs, they are arrested. To us this is political persecution and the least the inclusive government can do is to come up with a political solution to this political crisis,’ the MDC legislator added.” (ibid)

References:

Freedom House (7 April 2010) *Countries at the Crossroads 2010*
<http://www.freedomhouse.org/modules/publications/ccr/modPrintVersion.cfm?edition=9&ccrpage=43&ccrcountry=200>
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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:

All Africa

Amnesty International

BBC Monitoring

Electronic Immigration Network (EIN)

European Country of Origin Information Network (ECOI)

Freedom House

Human Rights Watch

Lexis Nexis

Refugee Documentation Centre Query Database

United Kingdom Home Office

United States Department of State