

Comments on the Operational Guidance Note on Zimbabwe (March 2009), prepared for Still Human Still Here by Elizabeth Williams, Research Information and Policy Unit (RIPU) of the Immigration Advisory Service (IAS)

1. This document has been prepared by members of the Still Human, Still Here campaign. It is being published, along with the COI referred to within in it, to help legal practitioners representing asylum seekers. It is meant to be used as a guide to some of the COI available. It was prepared 25 March 2010. There is, however, no guarantee that the COI referred is comprehensive and it should not be a substitute for case specific COI research.
2. **THIS DOCUMENT IS A GUIDE FOR LEGAL PRACTITIONERS OF RELEVANT COI, WITH REFERENCE TO THE OPERATIONAL GUIDANCE NOTE ON ZIMBABWE ISSUED ON 24/03/09. THIS DOCUMENT SHOULD NOT BE SUBMITTED TO UKBA, THE TRIBUNAL OR IN PROCEEDINGS. LEGAL PRACTITIONERS ARE WELCOME TO SUBMIT THE COI REFERRED TO IN THIS DOCUMENT.**
3. The 24 March 2009 Zimbabwe Operational Guidance Note (OGN) is now one year old. It is therefore not surprising that the country of origin information (COI) it contains is out of date. However, the COI contained within the OGN is problematic not only due to the lack of currency of the information but also due to the fact that:
 - COI contained in the OGN is unreliable
 - COI contained in the OGN is not representative of the original source of information
 - COI contained in the OGN is not representative of the information currently available in the public domain.
4. It should also be noted that there is a serious lack of transparency in the referencing of the COI within the OGN. In the list of source documents, some sources were not referenced at all whilst others had the wrong or indirect URL or incomplete citation. Other sources were not in the public domain. As the references typically appear at the end of each paragraph of the OGN, for paragraphs which cite more than one source, there is no indication of which information refers to which source. Moreover, country reports produced by the Home Office Country of Origin Information Service (COIS) were regularly cited, despite them being compiled reports of original sources. Given that no section headings or paragraph numbers of the COIS reports were included in the citation, it was time-consuming to ascertain the original source of information. This lack of transparency in the referencing of the COI contained in the OGN made an analysis of the reliability of its selection and application to policy conclusions extremely difficult.
5. This review only examines the use of COI in the following section of the OGN:
3.6 MDC supporters, human rights defenders and other perceived opponents of ZANU-PF.
Each concluding paragraph within this section of the OGN will be examined in turn.

3.6.14 Conclusion.

In the period immediately before the AIT heard the country guidance case of RN, there was already evidence that the very high levels of political violence that were seen in the period between the first and second presidential polls had abated. This is still the case up to the present. Human rights abuses continue at levels broadly comparable to those which have existed in Zimbabwe for the past several years outside periods of heightened tension such as at election times.

6. The second sentence of this concluding paragraph appears to be based on the COI cited in paragraph 3.6.5 of the OGN:

3.6.5 The situation did deteriorate for a while, with incidents of political violence/human rights abuses against MDC supporters, human rights defenders and others perceived to oppose ZANU-PF increasing between October and December 2008 before falling back again in 2009 to levels broadly comparable to those which have existed in Zimbabwe for the past several years outside periods of heightened tension such as at election times.

7. The reference given for the information in paragraph 3.6.5 is the '*COI Service Country Situation Update 9/2/09*'. Having searched the archive of COIS reports, it appears that this report is not available in the public domain, demonstrating a lack of transparency in the referencing of COI in the OGN.¹ Having searched through the March 2009 COIS report which was published almost to the same day as the Zimbabwe OGN, it is assumed that the information was based on the following excerpts of reports from the Zimbabwe Human Rights NGO Forum (ZHRF) and the Zimbabwe Peace Project:

UK Home Office Country of Origin Information Service, Zimbabwe COI Report March 2009, 25/03/2009

7.04 Based on ZHRF records in 2008 the levels of violence peaked during the election period (March to June) then returned to broadly similar average monthly levels experienced in each of the previous four years. See reports for December 2008 [35l]; December 2007 [35h]; December 2006 [35d]; December 2005 [35w]; and December 2004 [35f]

The monthly reports can be accessed via the ZHRF website

7.05 The NGO, Zimbabwe Peace Project, in its Early Warning Report on Human Rights and Food Related Violations, December 2008, documented incidents of politically motivated violations in 2008. The numbers of incidents rise from the turn of the year peaking in April, May and June - during the election period - then subside at year's end to levels slightly above the pre-election figures. The cases recorded are presented in the table below:

ACTS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
Murder	0	0	7	27	47	78	15	21	7	3	-	2	207
Rape	1	1	4	4	1	4	12	5	9	6	-	9	56
Kidnapping/ abduction	3	7	5	149	85	133	44	17	20	9	-	25	496
Assault	163	178	219	771	704	804	470	285	348	348	-	291	4581
Theft/ looting	14	6	8	80	64	99	61	48	39	35	-	124	578
Malicious Damage to	20	12	38	345	214	141	66	36	35	31	-	41	979

¹ See the COIS Service website, Zimbabwe Archive
http://www.homeoffice.gov.uk/rds/country_reports_zimbabwe.html

Property (MDP)													
Torture	6	2	6	157	60	102	38	21	19	8	-	17	436
Unlawful Detention	18	8	6	125	114	103	15	21	34	17	-	26	487
Harassment/ Intimidation	343	449	475	1484	4288	2127	460	423	746	564	-	595	11954
Displacement	15	12	23	1219	670	134	114	56	47	43	-	117	2450
Discrimination	10	10	15	19	32	25	28	27	29	39	-	73	306
Attempted Rape	-	-	-	-	5	6	7	2	1	2	-	0	23
Attempted Murder	-	-	-	-	4	2	3	2	2	1	-	0	14
TOTAL	593	685	806	4380	6288	3758	1333	964	1336	1106	-	1320	22569

7.11 The Zimbabwe Human Rights NGO Forum (ZHRF) document, Political violence report December 2008, released on 13 February 2009 [35l] (p15), and the NGO, Zimbabwe Peace Project, in its Early Warning Report on Human Rights and Food Related Violations, December 2008, [95b] documented incidents of politically motivated violations during 2008. Both documents indicate that incidents peaked in April, May and June, then subsided as the year progressed. The ZHRF December 2008 report indicated that levels of violence by the end of the year had returned to similar levels experienced in previous years (2004 to 2007). (December 2008) [35l]; December 2007 [35h]; December 2006 [35d]; December 2005 [35w]; December 2004 [35f] See also Overview: 2008 above.

8. With regards to the figures cited in paragraph 7.05 of the March 2009 COIS report above, it is clearly inaccurate to describe the 100% increase on incidents of violence in December 2008 compared to January 2009 as 'slightly above pre-election figures'. Moreover the executive summary of the report (which is not included in the COIS report) suggests a rather different picture:

Provincial reports strongly suggest that politically motivated human rights malpractices still maintain their earlier observed stubborn retreat trend, imprints of abuses still dotted in most constituencies, members of the public reportedly still being harassed, assaulted, abducted, and threatened with dire consequences for what passes as generally flimsy and petty reasons like publicly complaining of the hard times, wearing own party regalia, listening to Studio 7, reading independent press, belonging to a political party of one's choice, commenting on delays in the implementation of the 15 September 2008 Global Political Agreement, condemning abduction of human rights defenders, among others. In the wake of these spates of nightly and broad daylight abductions, a growing sense of vulnerability has once more gripped the nation.²

9. The information contained in paragraph 7.05 of the March 2009 COIS report is thus not an accurate representation of the Zimbabwe Peace Project report.
10. Evidence available at the time of publication of the 24 March 2009 OGN supports the position in the Zimbabwe Peace Project report that persons unable to show loyalty to the ZANU-PF regime were at risk. In February 2009 Amnesty International stated that it was "concerned about the role played by the security forces in silencing *perceived political*

² Zimbabwe Peace Project, Early Warning Report on Human Rights and Food Related Violations, December 2008, http://www.kubatana.net/docs/hr/zpp_human_rights_food_violations_081231.pdf

opponents including human rights defenders and political activists from opposition parties.³ Similarly Human Rights Watch reported in January 2009 that “Zimbabwe's September 2008 Global Political Agreement (GPA) has not brought an end to ZANU-PF's attacks on its opponents and critics. The party continues to use state institutions such as the police and the justice system as a weapon against MDC supporters, civil society activists, and human rights defenders”.⁴

11. With regards to the Zimbabwe Human Rights Forum (ZHRF) cited at paragraphs 7.04 and 7.11 of the March 2009 COIS report, on 14th October 2009, the ZHRF suspended the production of its Monthly Political Violence Reports and announced that it was updating its statistics on politically motivated violence for 2008 and the beginning of 2009 due to it receiving new cases that had previously been unrecorded.⁵ The information cited in the ZHRF reports is therefore unreliable and should be removed from the OGN. It is noteworthy that this suspension of ZHRF reports was noted by COIS at paragraph 7.05 of its December 2009 report.⁶
12. Consequently, the COI contained in paragraph 3.5.6 relies both on an unreliable source of information, and is misrepresentative of an original source..

3.6.15

Despite numerous ongoing incidents, the widespread and seemingly indiscriminate attacks that led the AIT to conclude that anyone who was unable to demonstrate loyalty to ZANU-PF would be at risk have not been repeated since the summer of 2008. There was a notable increase in abuses from October to December 2008 with a series of abductions/detentions of activists and human rights defenders, which continued into 2009 with attacks on/arrests of MDC supporters who sought to reclaim property that had been taken from them at the height of the political violence, assaults/arrests of those in diamond mining areas, of white farmers, and also attacks by soldiers apparently lashing out because for example they were unpaid or were unable to access money from banks. There has also been a new spate of incidents of violence between MDC and ZANU-PF supporters.

3.6.16

Although deplorable, a significant feature of the human rights abuses that are occurring now is that they have been for reasons other than those which led the AIT to conclude that those who were unable to demonstrate loyalty to ZANU-PF would generally be at risk. The evidence of the past six months or so therefore no longer supports the contention that Zimbabweans are at risk merely because they would be unable to show support for ZANU-PF (and there have been instances where ZANU PF supporters have been harassed or hurt, especially if perceived to have 'betrayed' the regime). A grant of asylum solely on this basis will not therefore usually be appropriate.

³ Amnesty International, Zimbabwe: A five point human rights agenda for the inclusive government, 10/02/2009 (my emphasis)
<http://www.amnesty.org/en/library/asset/AFR46/009/2009/en/6bc0ed33-f6b2-11dd-b29a-27125ba517bb/afr460092009en.html>

⁴ Human Rights Watch, Crisis without Limits: Human Rights and Humanitarian Consequences of Political Repression in Zimbabwe, 22/01/2009 Section V
<http://www.hrw.org/en/reports/2009/01/21/crisis-without-limits-0>

⁵ Zimbabwe Human Rights NGO Forum, Suspension of the production of the Monthly Political Violence Reports, 14/10/2009 http://www.hrforumzim.com/frames/inside_frame_monthly.htm

⁶ UK Home Office Country of Origin Information Service, Zimbabwe COI Report, 23/12/2009

13. Extremely limited COI is presented in the OGN to conclude that the situation in Zimbabwe has changed since the promulgation of *RN*. Setting aside the argument as advocated by the Immigration Law Practitioners Association (ILPA) that the OGN does not identify a change of circumstances which could provide a legal basis for failing to comply with *RN*, the COI presented in the OGN does not accurately reflect the current country situation, nor that of the time of publication in March 2009.
14. Rather, the available COI as set out in the following paragraphs 13 to 22 supports the contention that “Zimbabweans are at risk merely because they would be unable to show support for ZANU-PF”, in contravention to the conclusion above at 3.6.16.
15. Amnesty International reported in February 2010 that despite the formation of the unity government one year before “torture, harassment and politically motivated prosecutions of human rights defenders and perceived opponents have persisted, while villagers in parts of Zimbabwe have suffered ceaseless intimidation by supporters of former ruling party ZANU-PF.”⁷ Georgette Gagnon, Africa director at Human Rights Watch (HRW) similarly stated that “ZANU-PF has continued committing grave human rights abuses and acting as if the agreement had never been signed.”⁸ For this reason HRW stated in January 2010 that the European Union should maintain its travel restrictions and asset freezes on President Robert Mugabe and his inner circle.⁹
16. Amnesty International also reports on the continued politicisation of the security forces despite the formation of the unity government, stating that “the Zimbabwean army and intelligence services, as well as the Attorney General’s office, have remained under ZANU-PF control.”¹⁰ Reportedly Mugabe continues to refuse to disband the Joint Operations Command (JOC), which was widely held responsible for organising the June 2008 post-election violence in Zimbabwe.¹¹
17. Political violence perpetrated by ZANU-PF supporters is reported to have been directed not only at MDC MPs, MDC members, MDC supporters, MDC family members but also perpetrated against perceived MDC members and persons unable to show loyalty to the ZANU-PF regime.
18. In July 2009 reports emerged that ZANU-PF backed militias were again being deployed in areas where the MDC made inroads in the 2008 election in order to mobilise people to adopt the Kariba draft constitution.¹² The outreach programme of the constitutional reform process is to begin in April 2010.¹³ Already in September 2009 there were fears that ZANU-

⁷ Amnesty International, Zimbabwe: Abuse of human rights continues under unity government, 10/02/2010
<http://www.amnestyusa.org/document.php?id=ENGPRES201002111539&lang=e>

⁸ Human Rights Watch, EU: Keep Sanctions on Mugabe's Inner Circle, 29/01/2010
<http://www.hrw.org/en/news/2010/01/29/eu-keep-sanctions-mugabe-s-inner-circle>

⁹ Human Rights Watch, EU: Keep Sanctions on Mugabe's Inner Circle, 29/01/2010
<http://www.hrw.org/en/news/2010/01/29/eu-keep-sanctions-mugabe-s-inner-circle>

¹⁰ Amnesty International, Zimbabwe: Abuse of human rights continues under unity government, 10/02/2010
<http://www.amnestyusa.org/document.php?id=ENGPRES201002111539&lang=e>

¹¹ Zimbabwe Independent, JOC Won't go - Zanu PF, 17/12/2009
<http://www.theindependent.co.zw/local/24787-joc-wont-go-zanu-pf.html>

Nehandar Radio, Mugabe refuses to disband notorious JOC, 21/05/2009
<http://www.nehandaradio.com/zimbabwe/opinionwriters/denfordmagora/joc210509.html>

¹² SW Radio Africa, ZANU PF militias back in action in rural areas, 01/07/2009
<http://www.swradioafrica.com/news010709/zpfmilitias010709.htm>

¹³ Zimbabwe Times, War vets to campaign for Kariba Draft , 22/03/2010

PF had again set up torture bases¹⁴ and by the end of January 2010 ZANU PF was reported to have established secret militia bases in Masvingo and some parts of Manicaland province in order to intimidate villagers.¹⁵ Further reminiscent of the 2008 post-election violence it was reported that ZANU-PF militia and soldiers had created 'no-go areas' for the MDC and constitution campaigners, setting up unofficial roadblocks to prevent entry to entire districts.¹⁶ Isaiah Muzenda Masvingo provincial war veterans chairman stated in March 2010 that "we have agreed that the constitutional reform process is just similar to an election [...] and as war veterans and party youths we are going to dig deeper into our bags of tricks so that we push our party's agenda. The establishment of bases in the countryside has been helpful to us during election time and therefore we are definitely going to re-employ it. The idea is not to beat up people but to teach people"¹⁷

19. There have been numerous reports of persons being threatened and beaten for not supporting the Kariba draft constitution, demonstrating the risk to persons even if they are not necessarily engaged in politics. In January 2010 Masvingo villagers were threatened with reprisals by armed soldiers if they didn't support the Kariba draft.¹⁸ Similarly Amnesty International reported in February 2010 that villagers in Mutoko, Muzarabani and Mount Darwin were being warned that they will be beaten unless they support the ZANU-PF position on the draft Kariba constitution.¹⁹ The same source notes that similar threats were made and materialised in the run up to the June 2008 presidential elections.²⁰ In mid November 2009 it was reported that soldiers beat up a man and left him unconscious for wearing an 'Anti-Kariba Draft Constitution' T-shirt which the soldiers perceived to be anti-Mugabe.²¹
20. In addition to persons being threatened and beaten for being perceived to not support the Kariba draft constitution, there is further evidence that persons are targeted for not being able to demonstrate that they support ZANU-PF. Most recently, in March 2010 a magistrate received death threats from ZANU-PF youth militia who accused him of selling out the party by jailing five ZANU-PF youths convicted of participating in violence in 2008.²² Also in March 2010 it was reported that in Masvingo ZANU-PF youth militia were forcing villagers to buy ZANU-PF party cards in order to raise funds for the party.²³ In Zaka, Bikita and Gutu militias

<http://www.thezimbabwetimes.com/?p=28179>

¹⁴ Radio Vop, NEED TO INCLUDE TITLE OF ARTICLE, 19/09/2009

http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=7185

¹⁵ Radio Vop, Zanu PF Sets Up Torture Bases, 26/01/2010

<http://news.radiovop.com/index.php/national-news/3133.html>

¹⁶ The Zimbabwean, Zanu thugs on rampage create no-go zones, 21/09/2009

http://www.zimbabwesituation.com/sep23_2009.html#Z6

¹⁷ Zimbabwe Times, War vets to campaign for Kariba Draft , 22/03/2010

<http://www.thezimbabwetimes.com/?p=28179>

¹⁸ SW Radio Africa, Armed soldiers and militias force villagers to adopt Kariba draft, 20/01/2010

<http://www.swradioafrica.com/news200110/karibadraft200110.htm>

¹⁹ Amnesty International, Zimbabwe: Abuse of human rights continues under unity government, 10/02/2010

<http://www.amnestyusa.org/document.php?id=ENGPRES201002111539&lang=e>

²⁰ Amnesty International, Zimbabwe: Abuse of human rights continues under unity government, 10/02/2010

<http://www.amnestyusa.org/document.php?id=ENGPRES201002111539&lang=e>

²¹ Radio Vop, Soldiers Beat Man Over Constitution T-Shirt, 15/11/2009

http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=7442

²² Zimbabwe Mail, Villagers Warned Against Attending Tsvangirai's Rally, 14/03/2010

<http://www.thezimbabwemail.com/zimbabwe/4771.html>

²³ Zimbabwe Mail, Villagers Warned Against Attending Tsvangirai's Rally, 14/03/2010

<http://www.thezimbabwemail.com/zimbabwe/4771.html>

were reported to be forcing persons to buy ZANU-PF membership cards or risk not being registered to receive government food assistance.²⁴ It was reported on 13 January 2010 that ZANU-PF militia in Gokwe were beating up people who were not ZANU-PF party card carrying members and recording their names ahead of the constitutional process which was to start the following week, further demonstrating the treatment of persons unable to show loyalty to the ZANU-PF regime.²⁵ Also in January 2010, villagers in parts of Mashonaland East were forced to attend ZANU-PF rallies and war veterans and youth militia were still forcing people to denounce the MDC.²⁶

21. In December 2009, villagers in Manicaland were beaten by ZANU-PF militia for refusing to donate their personal belongings including cash to the ZANU-PF for the Unity Day Celebrations.²⁷ Also in December 2009, a man was severely beaten and forcibly evicted from his home by ZANU-PF militia who were acting on the orders of Chief Masasire to take his field because he was not a member of ZANU PF.²⁸ In October 2009 it was reported that ZANU-PF had begun forced recruitment into the ZANU-PF militia in Mudzi.²⁹
22. In August 2009, soldiers beat up a man for playing an 'anti-Mugabe' mobile phone ringtone.³⁰ Similarly in July a MDC MP was arrested for playing an 'anti-Mugabe' song.³¹ Furthermore, a man was taken to court for 'insulting' Mugabe by stating that he "has failed and must go."³² Reportedly several people have been arrested under security laws for 'making utterances likely to cause hatred, contempt or ridicule of the President and his Office.'³³
23. The evidence therefore supports the conclusion that persons unable to show loyalty to ZANU-PF are at risk in Zimbabwe. It should also be noted that it is reported that ZANU-PF violence is increasing as the party attempts to gain support ahead of elections which are expected to take place once the constitution has been agreed.³⁴ There are also reports that ZANU-PF youths are being trained at the Border Gezi Youth Indoctrination centres "to create no go areas for the opposition" ahead of the elections, further reminiscent of the 2008 post-election violence.³⁵

²⁴ Zimbabwe Mail, Villagers Warned Against Attending Tsvangirai's Rally, 14/03/2010
<http://www.thezimbabwemail.com/zimbabwe/4771.html>

²⁵ Radio Vop, Zanu-PF terrorising villagers ahead of constitutional talks – 13/01/2010
http://www.radiovop.com/index.php?option=com_content&task=view&id=7674&Itemid=755

²⁶ SW Radio Africa, Villagers forced to attend ZANU PF rallies in Murehwa, 07/01/2010
<http://www.swradioafrica.com/news070110/villagers070110.htm>

²⁷ SW Radio Africa, Zimbabwe: Fresh Violence Erupts in Nyanga – 23/12/2009
<http://allafrica.com/stories/200912230780.html>

²⁸ The Zimbabwean, Zanu thugs leave man for dead, 14/12/2009
<http://www.thezimbabwean.co.uk/2009121427471/human-rights/zanu-thugs-leave-man-for-dead.html>

²⁹ SW Radio Africa, ZANU PF begins forced militia recruitment in Mudzi, 19/10/2009
<http://allafrica.com/stories/200910191655.htm>

³⁰ Radio Vop, Soldiers Beat Resident For Playing Anti-Mugabe Ringing Tune, 17/08/2009
http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=6984

³¹ SW Radio Africa, Another MDC MP arrested, this time for playing anti Mugabe song, 31/07/2009
<http://www.swradioafrica.com/News310709/MParrest310709.htm>

³² Zimbabwe Standard, In the Dock for 'insulting' Mugabe, 12/12/2009
<http://allafrica.com/stories/200912140887.html>

³³ SW Radio Africa, Another MDC MP arrested, this time for playing anti Mugabe song, 31/07/2009
<http://www.swradioafrica.com/News310709/MParrest310709.htm>

³⁴ SW Radio Africa, Concern over upsurge of political violence in rural areas, 17/03/2010
<http://www.swradioafrica.com/news170310/violence170310.htm>

³⁵ Radio Vop, Zanu PF Sets Up Liberation War Zones, 21/03/2010

24. Such is the political climate that in January 2010, an aspiring ZANU-PF MP told party activists that he had 'authority and an open licence' to eliminate opponents from the MDC.³⁶ He also stated that he moved around with his guns in his vehicle and was always prepared to deal with 'sell-outs' stating that "It's either you are ZANU PF or an enemy. To people like Nyamuranga [an MDC official] I have just one message for them; I will kill him from defecting from ZANU PF to join the MDC. This should also be a warning to anyone here wishing to join the MDC".³⁷

25. Incidents of political violence committed by ZANU-PF agents against MDC supporters include:

Extra-judicial killings³⁸

Beatings³⁹

Intimidation including death threats⁴⁰

Forced displacement⁴¹

Homes being set alight⁴²

Homes being raided⁴³

<http://news.radiovop.com/index.php/national-news/3465.html>

³⁶ SW Radio Africa, ZANU PF official boasts he has authority to kill MDC activists, 25/01/2010

<http://www.swradioafrica.com/news250110/licencetokill250110.htm>

³⁷ SW Radio Africa, ZANU PF official boasts he has authority to kill MDC activists, 25/01/2010

<http://www.swradioafrica.com/news250110/licencetokill250110.htm>

³⁸ I Africa, Killed for playing a song? 08/09/2009

http://www.zimbabwesituation.com/sep9_2009.html#Z7

Radio Vop, MDC-T Activist Murdered In Fresh Political Violence, 31/08/2009

http://www.radiovop.com/index.php?option=com_content&task=view&id=7073&Itemid=75

Radio Vop, Soldiers Beat Resident For Playing Anti-Mugabe Ringing Tune, 17/08/2009

http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=6984

³⁹ The Zimbabwean, Zanu thugs leave man for dead, 14/12/2009

<http://www.thezimbabwean.co.uk/2009121427471/human-rights/zanu-thugs-leave-man-for-dead.html>

Radio Vop, MDC Living In Fear In Zaka, 17/11/2009

http://www.radiovop.com/index.php?option=com_content&task=view&id=7453&Itemid=171

Integrated Regional Information Networks News (IRIN), Zimbabwe: Violence spikes after MDC's withdrawal from government, 27/10/2009

<http://www.irinnews.org/Report.aspx?ReportId=86773>

SW Radio Africa, MDC activist left for dead by ZANU PF war veterans in Makoni, 20/10/2009

<http://www.swradioafrica.com/news201009/mdcactivist201009.htm>

The Zimbabwean, Thirteen MDC members attacked by gang, 22/09/2009

http://www.zimbabwesituation.com/sep23_2009.html#Z6

Radio Vop, Zanu PF and MDC Youths Clash, 22/09/2009

http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=7193

SW Radio Africa, MDC official's mother viciously attacked with iron bar, 24/07/2009

<http://www.swradioafrica.com/news240709/mdcofficials240709.htm>

⁴⁰ Zimbabwe Mail, Villagers Warned Against Attending Tsvangirai's Rally, 14/03/2010

<http://www.thezimbabwemail.com/zimbabwe/4771.html>

Zim Net Radio, Zanu-PF thugs on rampage in Mutoko, 18/10/2009

<http://www.zimnetradio.com/news/zimnet271530.html>

⁴¹ SW Radio Africa (UK), MDC activists still live in fear of violence in Mashonaland Central, 30/10/2009

<http://www.swradioafrica.com/news301009/mdcactivists301009.htm>

⁴² The Zimbabwean, MDC supporter's house burnt down, 17/03/2010

<http://www.thezimbabwean.co.uk/2010031729421/human-rights/mdc-supporters-house-burnt-down.html>

SW Radio Africa (UK), Fresh violence rocks Chiweshe in Mashonaland Central, 23/10/2009

<http://www.swradioafrica.com/news231009/fresh231009.htm>

⁴³ SW Radio Africa, Politically motivated violence erupts in Mudzi, 12/03/2010

Arrests⁴⁴
Enforced disappearances⁴⁵
Confiscation of MDC membership cards⁴⁶
Denial of medical treatment⁴⁷
Politicised food distribution⁴⁸
Forced job losses.⁴⁹

26. Furthermore an internal inconsistency is observed at paragraph 3.6.16 of the OGN which concludes that ZANU-PF supporters have been harassed or hurt especially if perceived to have 'betrayed' the regime. This is adduced to support the contention that those unable to show loyalty to ZANU-PF are at risk, whereas it further advances the opposite argument.
27. For the reasons outlined at paragraphs 13 to 24 above, the following section of the concluding paragraph 3.6.18 is inconsistent with the available COI:

3.6.18

Ordinary Zimbabweans who are not politically active or in sensitive occupations will not generally be at continuing risk of politically motivated mistreatment. There have, however, been ongoing reports of incidents in which MDC supporters have been attacked for e.g. wearing MDC 'regalia' or expressing anti-ZANU-PF views, so each case will need to be considered on its merits. The evidence indicates that these are generally local incidents at the hands of ZANU activists/supporters, but there is not yet evidence that an applicant would be able to rely on the Zimbabwean justice system for sufficient protection.

<http://allafrica.com/stories/201003121109.html>

⁴⁴ Voice of America News, Nine MDC Legislators Arrested in Harare, 19/08/2009

<http://www.voanews.com/english/archive/2009-08/2009-08-19-voa56.cfm?moddate=2009-08-19>

Amnesty International, Zimbabwe; Arrest and Detention of Four Student Leaders, 06/08/2009

<http://www.amnesty.org/en/for-media/press-releases/zimbabwe-arrest-and-detention-four-student-leaders-20090806>

SW Radio Africa, Another MDC MP arrested, this time for playing anti Mugabe song, 31/07/2009

<http://www.swradioafrica.com/News310709/MPArrest310709.htm>

⁴⁵ The Zimbabwean, Intimidation stepped up, 17/03/2010

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