

now". They were separated and detained for at least six hours, before being cautioned and released. Four of the youths were reportedly assaulted by police officers who beat them with their fists during their detention at Lusaka Central Police Station, resulting in one sustaining a serious ear injury. The activists were allegedly forced to remove their T-shirts, leaving some, including young women, partially undressed.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Individuals were harassed, intimidated and prosecuted for their real or perceived sexual orientation or gender identity. LGBTI individuals continued to live in fear as a result of homophobic attacks backed by the authorities. Following statements by senior government officials in 2013 urging people to report LGBTI people in their communities, individuals continued to suffer harassment and intimidation by their relatives, their communities and the police. Most suffered quietly with no support or protection from the state.

On 3 July 2014, a court in the town of Kapiri Mposhi acquitted two men charged under the country's anti-sodomy laws. James Mwape and Philip Mubiana were released after being held in custody for over a year. They denied the charge of "having sex against the order of nature". The judge found that the state had not proved its case beyond reasonable doubt. The two men, both aged 22, were first arrested on 25 April 2013, and detained until 2 May 2013, when they were released on bail. They were rearrested on 5 May 2013 and forced to undergo anal examinations - which violate the prohibition of torture and other ill-treatment - by government doctors.

ZIMBABWE

Republic of Zimbabwe

Head of state and government: **Robert Gabriel Mugabe**

The executive continued to enforce old unconstitutional laws including those limiting the rights to freedoms of expression, association and assembly. Violations of economic and social rights continued, including forced evictions in rural and urban areas. Mass job losses occurred as companies closed due to an unfavourable economic climate. Intra-party violence was recorded in the ruling ZANU-PF party and the main opposition party. There were reports of torture by the police.

BACKGROUND

Despite adopting a new Constitution in 2013 most laws that were rendered unconstitutional by the new Constitution remained in operation. The economy continued to lose the traction gained during the period of the Government of National Unity (February 2009 to August 2013). Intra-party jostling for positions within President Mugabe's ruling ZANU-PF party came to a head towards the party's sixth congress in December 2014. The intra-party tension, mainly fuelled by the uncertainty over the succession of the 91-year-old President, resulted in violent clashes during faction-sponsored demonstrations. Nine provincial chairpersons lost their positions, including party stalwarts Joice Mujuru (who was also the country's Vice-President), Rugare Gumbo, Nicholas Goche, Webster Shamu and Olivia Muchena, in an unprecedented purge of party structures fronted by President Mugabe's wife, Grace Mugabe. The purge created a sense of uncertainty and government ministers were split into two main factions.

REPRESSION OF DISSENT

The Zimbabwe Republic Police continued to use brutal force and torture against anti-Mugabe protesters and human rights defenders. Intra-party violence was recorded in both the ruling ZANU-PF party and the main opposition party, the Movement for Democratic Change (MDC-T) led by Morgan Tsvangirai.

State institutions' abuse against political opponents continued mainly in the context of factional rivalry within ZANU-PF. The police were used to arrest perceived opponents and prosecutions were brought on apparently politically motivated charges. For example, Jabulani Sibanda, a former war veterans' leader, was arrested on 27 November for refusing to attend Grace Mugabe's provincial rallies where other party leaders were denounced. He was charged under Section 33 of the Criminal Law (Reform and Codification) Act for "undermining the authority of the President", then released on bail. Jabulani Sibanda had reportedly accused President Mugabe of "attempting to stage a coup both in the boardroom and bedroom" in reference to his wife's appointment to the position of leader of ZANU-PF's women's league.

Deposed ZANU-PF party spokesperson Rugare Gumbo was questioned by police on allegations related to ongoing factional fights. It was reported that he had been interrogated on his links with a political online blogger known as Baba Jukwa on Facebook. Edmund Kudzayi, editor of a state-controlled newspaper, was arrested and faced several sedition charges which he denied. He was also accused of being linked to the same online blogger. The blogger had more than 400,000 followers and was involved in a naming and shaming campaign against ZANU-PF officials before the July 2013 elections. The trial continued at the end of the year.

On 6 November, journalist and pro-democracy activist Itai Dzamara was brutally attacked by anti-riot police in Harare and

left unconscious. He collapsed on admission to hospital and had to be resuscitated and admitted to the intensive care unit. As leader of the Occupy Africa Unity Square (O AUS) protest group, Itai Dzamara had submitted a petition to President Mugabe in October calling on him to resign. The group staged a sit-in protest in Harare's Africa Unity Square, a park adjacent to Parliament. Kennedy Masiye from the Zimbabwe Lawyers for Human Rights, who had responded to a call by the activists, was also beaten by anti-riot police despite identifying himself as a lawyer representing his client Itai Dzamara. Police threw away Kennedy Masiye's practising certificate and assaulted him; he suffered a broken arm and was hospitalized.

On 26 November, four members of O AUS, Tichaona Danho, Charles Nyoni, Terry Manzini and Shungu Mutize, were arrested and detained after submitting a petition to the Speaker of Parliament and staging a peaceful protest in the Speaker's gallery. They were severely beaten and released without charge after six hours. At the police station, the men were ordered to undress. Three officers whipped them, ordered them to beat each other, demanded to know their group's mission and implored them to stop protesting against President Mugabe. Efforts by human rights lawyers to represent them were frustrated by police officials who denied holding the men. Later they were ordered to dress, go home and not inform anyone about their detention.

Prominent MDC-T activist and former MP Job Sikhala was arrested on 27 November. He was released the following day and summoned to report back on 29 November. Job Sikhala reported with his lawyers, who were barred from accompanying him during interrogation, and was allegedly tortured. He was hospitalized soon after his release.

There was continued abuse of Section 121 of the Criminal Procedure and Evidence Act (CPEA), which allowed the authorities to veto bail granted by the courts to accused persons for seven days pending an appeal. On 22

August, the state prosecutor invoked Section 121 to delay the release of six MDC-T party activists and MP Ronia Bunjira, who had been arrested during protests demanding the fulfilment of ZANU-PF's pre-election pledge to create 2 million jobs. The opposition activists were accused of contravening the CPEA for allegedly obstructing or endangering free movement of persons or traffic. Angela Jimu, a journalist who was covering the opposition march, was beaten by police and had her cameras confiscated. She was detained by police. Section 121 was challenged in several cases before the Constitutional Court as it amounted to arbitrary denial of the right to liberty for accused persons, particularly in cases involving ZANU-PF opponents and human rights defenders.

Sixteen activists from the opposition Transform Zimbabwe party were detained in April for about five hours in Tsholotsho for distributing political material and were released without charge. The party's leader, Jacob Ngarivhume, continued to face charges under Section 24(6) of the draconian Public Order and Security Act (POSA). Police claimed that Jacob Ngarivhume addressed an unsanctioned political meeting when he delivered a sermon at a church in June, where he had been invited for a religious meeting.

On 14 July, 13 Transform Zimbabwe activists were arrested in the town of Gweru following a peaceful protest against the arrest of Jacob Ngarivhume, who had been arrested and detained on 12 July for convening a party executive meeting. Jacob Ngarivhume was charged with contravening Section 24(6) of POSA. The 13 activists were charged under Section 37(1)(a)(i) of the Criminal Law (Codification and Reform) Act for allegedly participating in a demonstration with the intention or realization that there was a risk or possibility of forcibly disturbing the peace, security and order of the public. The state alleged that the activists had gathered intending to promote public violence.

However, they were acquitted after the state failed to prove its case.

On 22 July, police using the POSA banned planned marches in Bulawayo, Gweru, Harare and Mutare by National Railways of Zimbabwe workers, who were members of the Zimbabwe Railway Artisans Union, to demand payment of outstanding salaries. However, on 6 August the High Court ruled that police had no powers to ban trade union demonstrations.

On 21 August, the Victoria Falls Magistrates' Court acquitted four officials from the civil society organization Bulawayo Agenda who were facing charges under POSA. Mmeli Dube, Butholezwe Kgosi Nyathi, Nthombiyezansi Mabunda Tozana and Thulani Moyo were arrested in June and charged with contravening Section 25(1) (b) of POSA for allegedly failing to notify the regulatory authority of a public meeting. The magistrate ruled that the state had failed to prove a case against the activists.

Abductions

In November, abductions were recorded for the first time since 2009.

On 12 November, former ZANU-PF Harare province chair, Jim Kunaka, was abducted by unknown people in Mbare township. He was reportedly forced into a car, blindfolded and driven to a bushy area where he was assaulted with iron bars before being dumped. The abduction was reported at Harare Central Police Station. Jim Kunaka's abduction took place at a time of intense jockeying for positions within ZANU-PF.

On 2 December, pro-democracy activists Allan Chinewaita, Jerry Mugweni and Itai Dzamara were abducted by men in three cars while engaging in a peaceful protest in Harare. They were reportedly taken to ZANU-PF headquarters and were robbed, slapped, beaten and spat at by party youths. They were then driven to Harare Central Police Station where they were handed to security agents who tortured them before releasing them without charge. They were hospitalized with severe injuries.

HOUSING RIGHTS - FORCED EVICTIONS

Despite provisions in Section 74 of the Constitution protecting people from arbitrary evictions, the government and local authorities carried out evictions without court orders.

On 25 September, Harare City Council served 324 “illegal settlers” with 48-hour eviction notices: a completely inadequate timeframe. In September, the Council demolished informal business structures in the city centre without a court order, threatening family livelihoods dependent on the informal sector, as the economy shrank with over 80% formal unemployment.

In August, the authorities forcibly shut down Chingwizi Holding Camp, established to accommodate an estimated 20,000 people displaced by the floods in Chivi district in early 2014, resulting from the construction of the Tokwe-Mukosi dam. The crisis at the camp was a result of the government’s failure to plan for the relocation of the flood victims that saw them living in deplorable conditions lacking basic services including adequate access to clean water. The government restricted humanitarian access by barring NGOs from the settlement. The closure was carried out amid protests against attempts to close the camp clinic which turned violent. The authorities responded by using brutal force, beating villagers and indiscriminately arresting some 300 people, mainly men and community leaders, to facilitate the forcible relocation of women and children to one-hectare plots from which they had no possibility of deriving viable livelihoods. Thirty people were charged with committing public violence in contravention of Section 36 of the Criminal Law (Codification and Reform) Act. Twenty-six of the villagers were granted bail on 8 August. Another villager, Sophia Tagwireyi, was granted bail in September while two spent three months in custody before being granted bail. Patrick Chineunda Changwasha remained in detention at the end of the year. The detainees alleged they had been tortured by police while in custody.

Twenty-six of the villagers were acquitted in December.

In September, hundreds of family homes were demolished by the Epworth Local Board and Chitungwiza Town Council with police support, and without court orders. Evictions were carried out at night with no time provided for residents to remove belongings. Police used tear gas during the demolitions. At least 30 people were arrested and released without charge and 12 people were injured. The evictions in Epworth were stopped through a High Court order.