



Centre for
Research &
development

Sowing the seeds of human rights, peace and sustainable development

Conflictive Marange diamonds implicates the uniformed forces in ongoing human rights violations.



Report compiled by: CRD

Physical Address: 1 St Hellens Drive, Mutare

Telephone: +263 20 65411,

Email: crdzim@gmail.com,

Twitter: <https://twitter.com/crdzim>

Website: www.crdzim.com

1.1 ABBREVIATIONS AND ACRONYMS

ACHPR	Africa Commission on Human and People's Rights
DRC	Democratic Republic of Congo
GDP	Gross Domestic Product
JOC	Joint Operation Command
KP	Kimberly Process
KPCS	Kimberly Process Certification Scheme

1.2. Demilitarisation of Marange and the Kimberly Process

The Kimberly Process (KP) plenary session of 2011 in DRC allowed Marange diamonds to trade formally on the international market on condition that Zimbabwe was to fully comply with Kimberly Process Certification Scheme (KPCS) minimum requirements. The following KP meeting in Washington DC in 2012 lifted the special administrative measures on Marange after the meeting received convincing reports of compliance from KP monitoring team and some KP Civil Society Coalition members from Zimbabwe. One of the key benchmarks for lifting the special measures was the demilitarisation of the diamond fields after allegations were made of the army's complicity in diamond digging and smuggling over and above serious human rights abuses perpetrated on artisanal miners and villagers during operation Hakudzokwi. In order to ensure that the trade embargo on Marange diamonds was lifted, the army made what can be described as a tactical withdrawal by reducing the number of troops in Marange between 2010 and 2012 at the same time consolidating their geo-economic presence in the diamond fields. Accordingly, military personnel not only became shareholders but were also appointed executive officers, administrators and security officers for several if not all mining ventures that were awarded special grants to mine in Marange by President Mugabe. Despite the reduction of military bases around Marange over the years, the notorious diamond base was not disbanded as had been widely expected.

Opacity in the mining of these diamonds has promoted plunder and enrichment of a few. Thus revenue generated out of these diamond sales has not trickled down to Marange to sustain smooth mining operations let alone meet the development expectations of the mining community. In some mining ventures machines have irretrievably broken down, and several mining plants have been shut down due to lack of maintenance. Some workers have gone for more than 5 months without salaries and others have had their salaries arbitrary slashed by the executive. Security guards contracted to provide security in these mining fields have also not been spared either, as they have gone for several months without receiving their wages. (Homer Dixon: 1999) summarises resource capture as a "situation where powerful elites use their power to grab resources they anticipate will become scarce in the near future". Thus the pervasive lack of transparency in the management of the mineral resource by the elites in Marange has created what Dixon terms "suspicion and distrust", in the value chain leading to competition over resource by all players in the diamond field. [This inconspicuous competition has allowed security laxity in the mines leading to diamond leakages.](#)

In their desperation to flush out illegal panning activities senior security personnel aligned to these mining ventures have on several occasions ordered brutal attacks on suspected diamond panners by the army, riot police and security guards. As a result, several suspected illegal panners including defenceless villagers have been harassed, tortured, assaulted and murdered during recurrent security operations taking place in and around the mining community. The period between February and July 2014 saw the state security carrying out extensive raids on villagers in Chiadzwa including unprotected areas of Nyanyadzi, Nenhohwe and Hot springs, abducting suspected panners during day and night and taking them to the diamond base. They were held unlawfully for several days with all forms of human rights abuses being inflicted on them before they were eventually released. In terms of the Protected Places and Areas Act Chapter 11:12 the authorising officer has the power to regulate movement of people only in protected areas and any person who contravene provisions of this act is liable for persecution. Offenders may be fined or brought before the magistrate's courts within the 48 hours stipulated by law. Thus these operations by the joint operation command (JOC) are not

only illegal but serve to confirm that Marange diamond fields have largely remained militarised ever since the trade embargo on Marange diamonds was lifted in 2011.

1.2. Villagers narrate their ordeals at the hands of the security forces at diamond base.

The CRD met with villagers who were abducted at shopping centres and some from homesteads and driven to the diamond base and tortured for several days by the security forces on allegations that there were diamond panners.

“The situation at the diamond base is traumatising and resembles a war situation. I was treated like a prisoner of war and subjected to all forms of dehumanising acts of torture”
Danmore Ziweya.

According to Danmore aged 38 of Nenhohwe in Nyanyadzi, “It was around 2pm in the afternoon of 5 June 2014 when a white ford ranger and a ZRP Mazda trucks filled with armed support unit police and soldiers with 3 vicious dogs stormed at Nenhohwe shopping centre looking for illegal panners. After failing to locate any, one armed member of the support unit came to Mafisheni Shop and force marched me into one of the trucks accusing me of alerting illegal panners of their impending raid. The officer confiscated my phone and asked me where i had hidden all the panners. I told him that it was not my responsibility to monitor the movements of illegal panners in the area but he did not have any of that. They drove me to the diamond base and we arrived at around 3pm. What struck me as i entered the diamond base was the sight of about 10 to 18 badly wounded panners lying on the ground who then confirmed to me later in the night that they had been assaulted for several days at the base. Others had been bitten by dogs in the mining fields and brought to the base for further punishment. I was immediately brought before a tent referred to as assistant commissioner’s tent. A senior police officer stood there with 2 soldiers, two ZRP support unit and one ZRP police officer holding large wooden sticks and interrogated me on the whereabouts of diamond panners. After failing to produce a convincing response to him I was ordered to lie down on my stomach and those 5 officers took turns to assault me on my buttocks. One of the soldiers boasted that operation Hakudzokwi was in full swing and that I was going to tell them everything that that needed to know about diamond dealers and panners at Nenhohwe.

I received 25 five strokes on my buttocks and when I tried to stand up I immediately collapsed to the ground. After a while I was ordered to join the rest of the group to which I staggered in excruciating pain. At 6pm I was assaulted with the rest of the group, this time i received 6 strokes on my back. We spent the whole night singing around the fire where buckets of cold water were regularly poured on us by some soldiers who appeared drunk as they took turns to guard us throughout the night. The next morning i was beaten 20 strokes on my buttocks and at that moment I had to lie that I was asthmatic and needed medication. I was then referred to a medical officer who gave me some tablets to take. I immediately befriended him and he protected me from further beatings by ordering me to fetch water and do some cleaning at the camp. However i watched in horror as other victims were subjected to severe beating by the armed forces. In some cases people were forced to take turns to beat each other with wooden sticks under the watchful eyes of these soldiers. Victims would be severely punished if they do not hit each other hard enough with the wooden sticks. A dish of boiled plain rice was the only meal served for all the victims once a day. Some sacks full of (Mutaka) diamond ore left by fleeing illegal panners raided during security operations around the diamond fields were also brought to the camp. One Chinese national from Anjin

who had brought illegal panners to the base was severely assaulted by soldiers after he made attempts to take pictures of the beatings.

On the 3rd day I was beaten 12 strokes on the buttocks and one soldier in his bid to force me to give him names and contacts of illegal panners held my leg against the fire and I sustained burns on my right leg. On 8 June I was beaten 15 strokes and 15 again on 9 June 2014 and then released. Together with 7 other victims we were ordered to paste our bodies with ashes so that other security forces operating around Marange will easily recognise that we were coming from the diamond base and will therefore not inflict further punishment on us. As we left the base we were again ordered to sing and irate soldiers assaulted us with wooden sticks as we ran past the boom gate. I walked for more than 24 kilometres back home in excruciating pain in my back. The situation at the diamond base is traumatising and resembles a war situation. I was treated like a prisoner of war and subjected to dehumanising acts of torture.”

Titus Shongwi of Nenhohwe was also abducted from his home on 24/05/14 at 6.am when a well-known senior police officer from Nyanyadzi Police Station accompanied by seven soldiers with two dogs broke into his homestead and entered his bedroom where he was sleeping with his blind wife.

“I was driven to the diamond base and held there for two days and nights. I was accused of panning diamonds illegally in Chiadzwa .I was severely assaulted and made to frog jump daily at the base without food and then released. This experience has left my family psychological traumatised.”



Dairai (first) and Benedict (second) show their faces pasted with ashes as they leave the diamond base.

Dairai and Benedict were picked inside Broadway shop at HotSprings business centre by a reaction team of state security operatives from Marange on 14 June 2014 and taken to the diamond base. They were accused of illegally panning diamonds in Chiadzwa. They were assaulted the whole night at the diamond base and released the next day at 5pm. Due to the severity of his injuries Benedict was advised to seek further medical treatment by medical authorities who treated him at Nyanyadzi Hospital. The CRD helped Benedict to access medical treatment through the Counselling Support Unit Human Rights Victims fund. Benedict described the behaviour of the security operations as barbaric.

“I was not in the protected area of Chiadzwa and I had no diamonds on me. If they had any suspicions they could have taken me to the nearest police station for questioning and I would have defended myself in the court of law upon arrest. I was abducted at gun point and assaulted at the diamond base for a crime that I did not commit. These people are indiscriminately committing heinous crimes at the diamond base against defenceless citizens and it is very difficult to identify these perpetrators by name worse off they rotate from time to time.”

The Newsday of 22 June 2014 carried an article in which Maruva Jena of Chiadzwa village lambasted the activities of the state security in Marange.

“Last week more than 40 people were rounded up by police at Hot Springs while watching soccer at the business centre. They were accused of being diamond panners or keeping panners at their homesteads, I followed them to the police base because my relatives were arrested too. What I saw is very disheartening. The amount of torture cannot even be equated to that of the Smith regime.” said Jena.

1.3. Failure to ratify convention on torture increases vulnerability of communities in the mining area of Marange

The United Nations Convention against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment was adopted in 1984 and enforced in 1987. The convention criminalises torture and compels each state party to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. Articles 12 to 14 of the convention compels the state party to allow competent investigation into allegations of torture and allow victims to obtain redress in the courts of law and have an enforceable right to fair and adequate compensation and rehabilitation (ACHPR: 2014). Unfortunately, President Mugabe refused to sign and ratify this convention in Zimbabwe and various arms of the security sector have relentlessly applied torture on citizens in Zimbabwe with impunity. Although the constitution in Zimbabwe outlaws torture, many victims of state brutality and torture have failed to seek redress through the courts for fear of victimisation. Allegations of torture have been labelled against the police by 29 villagers who were arrested at Chingwizi Camp in Masvingo. Hundreds of suspected diamond panners and villagers have been tortured and some have lost their lives at the hands of the security forces in Marange with a very few cases being heard in the courts of law.

The KP defines conflict diamonds as *“rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments”*. Attempts by civil society groups and other progressive stakeholders in the KP to redefine and broaden the term conflict diamonds to *“rough diamonds that fund armed conflict and human right violations”* has been met with suspicion and resistance by the Zimbabwean government. President Mugabe indicated that the involvement of the security forces in commercial ventures will in the medium and long term contribute significantly to the country’s gross domestic product (GDP) in his address to mark the 34th Defence forces day on 12 August 2014. However, the minister of finance Patrick Chinamasa and his predecessor Tendai Biti have repeatedly raised concern over a pittance of revenue coming to fiscus from Marange diamond sales especially from mining ventures like Anjin where the military is a shareholder. As (Professor D Scott: 2013) rightfully put it, *“the human rights violations in the*

Marange diamond fields are ongoing, nevertheless, the diamonds from the area are allowed into the global diamond trade system.”

1.4. Compiled list of victims (without pictures) of human rights abuses captured by CRD between January to September 2014.

	NAME OF VICTIM Particulars, Age, Region, District	NATURE OF ABUSE	PERPETRATOR	DATE
1	John Muchena, ID- 75 3600/6k 75. Age 29yrs. Tonhorai Mutare West	Assault and dog bite: dog bite wound on the leg.	National Eye Security –Marange Resources. Security forces at Diamond Base	09/01/2014
2	Douglass Gonopenda, ID 75-107798 R44, Age 41, Chako Chipinge.	Torture and Assault: suspected fracture to his left hand	National Eye Security –Marange Resources	0/01/2014
3	Sydney Mwarera, ID 44-089032 K44, Nechitima Chimanimani	Recovering from Dog bite wounds to his left hand.	National Eye Security –Marange Resources	20/01/2014
4	Grace Mubuwa, ID 75-468048 Y 75, Age 28, Mutare	Grace was attacked by vicious dogs whilst panning diamonds together with a syndicate of 3 panners in Marange Resources mining concession and sustained dog bite wounds on her right leg.	National Eye Security –Marange Resources	24/01/2014
5	Tatenda Shongwi, ID-44 098758 H 44, Age 24, Chikukwa Chimanimani	Severely assaulted and sustained injuries to his right hand.	Anjin	4/01/2014
6	Maxwell Mhlanga, ID 66-053257597, Age 30, Chakohwa Chimanimani	Attacked by three vicious dogs at the hands of company guards and sustained dog bite wounds to his left hand	Mbada Diamonds	27/01/2014
7	Tichaona Mazano, Age 33, ID 77-0169569 77, Mvuma	Battled with 7 Anjin guards with three vicious dogs at Chirasika mining concession and sustained minor dog bite wounds on his stomach.	Anjin	04/02/2014
8	James Chomugarira, Age 22, ID 44-097909J 44, Mhakwe	Cornered to a razor wire fence by 4 Anjin guards with 6 vicious dogs at	Anjin	05/02/2014

	Chimanimani	Chirasika and sustained deep cut wound on his face. Received treatment at Mutambara Hospital.		
9	Tawanda Mudzengerere, Age 25, ID 25-06976 F 25 Juru growth point.	Dog bites on chest and face.	National Eye Security-Marange Resources	06/02/2014
10	Liberty Shiri, ID 63-442748 M75, Age 29, Odzi Mutare	Minor Dog bite injuries at the hands of mine guards.	National Eye Security-Marange Resources	27/02/2014
11	Wellington Gononga, Age 27, Nyanyadzi Chimanimani	Severe dog bites wounds caused permanent injuries to Wellington's right hand.	National Eye Security –Marange Resources	22/02/14
12	Elton Manyani, ID 63 41504956 E47, Age 23, Murehwa	Dog bites injuries to left leg and right hand.	Anjin	26/02/14
13	Tendai Mudawapi, Age 20, Mutare	Assaulted and bitten by a dog at the hands of company guards	National Eye Security-Marange Resources.	05/03/2014
14	Befree Nechipote, Age 9, Nemaramba, Chimanimani	Assaulted by a reaction of company guards, soldiers and support unit near Marange Resources. Released because of continuous nose bleeding. Sustained internal injuries.	Soldiers, Support unit and National Eye Security-Marange Resources.	08/03/2014
15	Paradzai Kapasa, Age 25, Muedzengwa Village Mutare West.	Brutalised at Marange Resources by mining guards when caught panning for diamonds. Sustained dog bite injuries all over his hands.	National Eye Security-Marange Resources.	28/03/2014
16	Oswel Simango, Age 25, Chipinge	Oswel fought with 4 vicious dogs at Marange Resources when mining guards caught him panning diamonds. Sustained dogbite injuries on hands and legs.	National Eye Security guards-Marange Resources	03/04/2014
17	Hardwork Muradzikwa, Age 22, Murambinda Buhera	Hardwork was caught at Marange Resources with a syndicate of 3 panners by armed guards with 5 dogs. Hardwork was bitten by a dog on his left leg and taken to the diamond base where he was severely assaulted by soldiers and eventually dumped at Odzi River with dog bite wounds, swollen buttocks and feet.	National Eye Security guards-Marange Resources/Security forces at Diamond Base.	30/03/2014

18.	Norest Karoro, ID 48-149077 C48, Huyuyu Mutoko	Assaulted for panning for diamonds by mine guards at Marange Resources.	National Eye Security-Marange Resources.	21/03/2014
19.	Titus Shongwi, ID 44-078745 D 44, Age 28, Nenhowe Chimanimani	Abduction, torture and assault	Police/Soldiers at Diamond base	25/05/2014
20	Danmore Ziweya, ID-63-1221905 Q 44, Nenhowe Chimanimani	Abducted at Nenhohwe business centre, tortured and assaulted for 5 days at Diamond base. Sustained swollen buttocks, open wound and burns to his leg from exposure to fire at the hands of security forces at the diamond base.	Soldiers, Support Unit at Diamond base	05/06/2014
21	Paonei Muumbe, Age 32 Chipinge	Abducted in Chiadzwa, tortured and assaulted on buttocks and feet for 3 days at the diamond base. Dog bites injuries sustained on the day Paonei was captured.	Soldiers and support unit	6/06/2014
22	Shadreck Mwaashidzwa, ID 44-045026 V 44, Age 45, Biriri Chimanimani	Severely assaulted by mining guards and soldiers at diamond base. Sustained swollen buttocks and broken fingers.	Masimba guards of Gyame and soldiers at Diamond Base.	07/06/2014
23	Stephen Matekenya, ID 75-447214 Q 50, Age 25, Mutasa.	Assault and torture	Gynyame security and soldiers at Diamond base	09/06/2014
24	Lovemore Mapungwana, Age 36, ID 63-1105077 F13, Chipinge	After paying 65 dollars to guards in order to pan for diamonds at Marange Resources luck ran out for Lovemore and his syndicate of 4 panners when a reaction of security guards with vicious dogs and tear gas pounced on them. Love more sustained dog bite injuries on his knee.	National Eye Security-Marange Resources	10/06/2014
21	Dadirai Chimwoyo ID 75-168501 R 44, Age 35, Hot Springs Nyanyadzi	Abducted at Hot Springs and assaulted, tortured at Diamond base. Sustained swollen buttocks from severe assault.	Soldiers and support unit-Diamond Base	14/06/2014
22	Benedict Zinyenga, ID 75-43061064 D 42, Nenhowe	Abducted at Hot Springs and torture, assaulted at Diamond Base.	Soldiers and support unit-	14/06/2014

		Sustained swollen buttocks from severe beatings.	Diamond Base	
23	Farai Madenga, Age 23 years, Bikita Masvingo.	Shot two bullets in the head by mine guard at Marange Resources whilst panning for diamonds. According to his brother Lloyd Madenga Farai was shot with a shotgun twice in the head one bullet went through the skull and another one below the ear. Cause of death: Severe head injuries secondary to gunshot wounds.	National Eye Security-Marange Resources.	03/07/2014
24	Simbarashe Mlambo, Age 25, Musikavanhu Masvingo	Severely mauled by two dogs of Marange Resources on his private parts when caught panning diamonds. He claimed his hands were tied on his back by the guards during the attack. Graphic pictures are available on special request.	National Eye Security –Marange Resources	17/08/2014
25	Mujaji Shingirai, ID 707-173164R75, Age 25 years, Mukwada Village Chiadzwa	Shot by Marange Resources guards when caught panning in their mining area. Guards opened fire indiscriminately.	National Eye Security-Marange Resources	29/08/2014
26	Tryson Zvenyika, Age 28 years, Dorowa	Bullet penetrated deep into his buttocks. Dr told him it cannot be removed. Tryson was shot at Marange Resources whilst panning for diamonds.	National Eye Security-Marange Resources	29/08/14
27	Lucknoh Wenzira, Age 25 of Tonhorai Chiadzwa	Sustained mossberg gunshots in the back. He was caught at Marange Resources panning for diamonds.	National Eye Security-Marange Resources	29/08/14
28	Elijah Manono of Chipinge	Shot and killed by a shotgun at Marange Resources. Guard fired indiscriminately at panners. Two bullets to the head killed him instantly	National Eye Security-Marange Resources	29/08/14
29	Cleopas Mubuwa	Shot four times in the head with mossberg gun at Marange Resources when caught panning for diamonds. Fighting for his life at Mutambara hospital	National Eye Security-Marange Resources	29/08/14
	Gwinyai Stanely Jahwi 42-	Bitten by dogs when found		11/09/14

30	742606 Y42 Chief Makoni,Rusape	panning for diamonds in Mbada mining company.	Mbada Diamonds	
31	Tonderai Kaswa ID 75-341596 N75 Manzununu Mutare.	Found panning for diamonds at boundary between Marange resources and Mbada. Beaten 40 strokes under his feet.	National Eye Security guards- Marange Resources	12/09/14
32	Brian Mazhakata ID 50-083774J50 of Watsomba DC Mutasa	Attacked by dogs when caught panning in Marange Resources.Sustained dog bite injuries to his hands.	National Eye- Marange Resources	14/09/14

5.0 Reference

Constitution of Zimbabwe Amendment (No.20) Act 2013, Fidelity Printers and Refiners, Harare

Homer DT 1994 Environment Scarcity and violence, University Press, Princeton

Scott P D, *Conflict Diamonds The Kimberly Process and The Loopholes That Persist*, The Social, Economic and Environmental Implications of Diamond Mining in Chiadzwa, Kansai Gaidai, Japan

Protected Places and Areas Act Chapter 11.12, Revised Edition 1996, Government Printers Harare

[file:///C:/Users/MUPFUMI/Desktop/Final%20KP%20Plenary%202011%20Communique%20\(03-11-2011\).pdf](file:///C:/Users/MUPFUMI/Desktop/Final%20KP%20Plenary%202011%20Communique%20(03-11-2011).pdf)

<http://www.issafrica.org/cdct/mainpages/pdf/Terrorism/Legislation/Zimbabwe/Zimbabwe%20Protected%20Places%20&%20Areas%20Act%20Ch%2011-12.pdf>

<http://webcache.googleusercontent.com/search?q=cache:sqDT8xN7LYcJ:https://www.newsday.co.zw/2014/06/19/diamond-companies-accused-pampering-manicaland-chiefs/+&cd=3&hl=en&ct=clnk&gl=zw>

www.achpr.org/instruments/uncat/ratification

<http://www.diamonds.net/News/NewsItem.aspx?ArticleID=40092>

<http://www.herald.co.zw/zdf-the-making-of-a-peoples-force/>