

PUBLIC

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15 April 2008

UA 98/08 Fear for safety/ Excessive use of force

ZIMBABWE Movement for Democratic Change supporters

The Movement for Democratic Change (MDC) has called for a general strike to begin on 15 April, to protest at the delay in releasing the results of the presidential election which took place on 29 March 2008. The strike could be followed by further such action in the coming weeks. With the delay to the release of the results, there has been an escalation in violence in which soldiers, police, war veterans and political party supporters, particularly from the ruling Zimbabwe African National Union – Patriotic Front (ZANU-PF) party, have been implicated.

Amnesty International fears that opposition supporters who take part in the strike and subsequent protest action which may follow will be subjected to violence. The organisation is also concerned that the Zimbabwe Republic Police will fail to bring perpetrators to justice allowing them to commit further violence with impunity. (See UA 26/08, AFR 46/001/2008, 28 January 2008).

On 29 March 2008, Zimbabweans went to the polls to vote in presidential and parliamentary elections. Over two weeks after voting, the Zimbabwe Electoral Commission had still not released the outcome of the presidential vote. The ensuing violence appears to be targeted at rural areas and low income suburbs where the opposition MDC reportedly won more support than the ruling ZANU-PF party. This suggests the existence of coordinated retribution against known and suspected opposition supporters. Since the elections, over 100 victims have required medical treatment. More than 20 of these have suffered severe injuries and required hospitalisation. Some of these victims have also had their property, including livestock, destroyed.

On 6 April, about 10 soldiers and two people dressed in police uniform reportedly went to the home of a known MDC activist in Gweru. They kicked him and two of his friends. They also beat them with sticks to such an extent that they required medical treatment. The matter was reported to the police, yet no-one has so far been arrested.

On 11 April, a man was attacked in his shop in Mudzi, Mashonaland East Province by persons believed to be ZANU-PF youths who reportedly broke the door down of his shop, dragged him out the building and accused him of being an MDC member. The victim alleges that the ZANU-PF youths stole groceries from his shop and that they burned grass on both of his hands before beating them and his back with wooden poles. The victim has sustained injuries including burns to both of his hands and his left arm as well as broken bones in one of his arms and in both of his hands.

The Southern Africa Development Community (SADC) held an emergency meeting in Lusaka, Zambia on 12 April to discuss the situation in Zimbabwe. President Mugabe did not attend, but Zimbabwe was represented by three ministers. The meeting called on the Zimbabwe Electoral Commission to release the presidential elections as soon as possible and SADC offered to send an observer mission to monitor the recount of votes and a possible second run-off election if none of the candidates has a clear majority. President Thabo Mbeki of South Africa was tasked to continue with the mediation between the government and the main opposition party.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:
Please write to the Commissioner-General of Police:**

- urging him to ensure that officers under his command exercise restraint when policing the general strike and do not use unnecessary or excessive force against participants. Anyone arrested in connection with the strike should have their rights guaranteed while they are in police custody, including freedom from torture and ill-treatment, access to a lawyer, food and medical care, and police must ensure that they are brought promptly before an independent judge, so that they can challenge the legality of their detention;
- expressing concern about the apparent failure of police to protect MDC supporters from attacks and failure to arrest perpetrators of human rights violations and abuses, in particular ZANU-PF supporters and war veterans, reported by victims in the post-election period;
- expressing serious concern at the escalation of violence perpetrated by police officers and soldiers against supporters and those perceived to be supporters of the political opposition following elections held on 29 March 2008 and urge him to bring an immediate end to the violence;
- mention that if the soldiers are ancillary members of the Zimbabwe Republic Police who have been engaged to carry out police duties, they have "the same powers, functions and authority, and [are] subject to the same responsibilities, discipline and penalties as a Regular Force members and [are] liable in respect of acts done or omitted to be done to the same extent as [they] would have been liable in the same circumstances if [they] were a Regular Force member". (Section 26 of the Police Act);
- calling on him to ensure that all allegations of political violence perpetrated by security officers, war veterans and political party supporters are independently and impartially investigated; that the results of such investigations are made public; and that police would do its utmost to ensure that suspected perpetrators are brought to justice;
- urging him to ensure that in facing protesters, police officers under their command act in a manner that is consistent with regional and international standards of police conduct, including the Southern African Regional Police Chiefs Co-operation Organization (SARPPCO) Code of Conduct for Police Officials, the UN Code of Conduct for Law Enforcement Officials, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

APPEALS TO:

Commissioner-General of Police Augustine Chihuri
 Zimbabwe Republic Police
 Police Headquarters
 PO Box 8807
 Causeway
 Harare
 Zimbabwe

Fax: +263 4 253 212

Salutation: Dear Commissioner-General

COPIES TO:

The Movement for Democratic Change
 44 Nelson Mandela Avenue
 Harare
 Zimbabwe

Fax: +263 4 780 301/ +263 4 780 302

and to diplomatic representatives of Zimbabwe accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 May 2008.