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## **Zimbabwe: No supply of arms until state sponsored violence ceases**

All shipments of small arms, light weapons and ammunition ordered from China by the Zimbabwe Government must be halted as there is a real risk that it may lead to increased human rights violations in Zimbabwe, said Amnesty International.

“The international community must not supply small arms to Zimbabwe until state sponsored violence has ceased and the rule of law is re-established.”

Amnesty International extended its call to include a halt of sales to Zimbabwe of security equipment including tear gas, water canons and other anti-riot equipment which has been used in the past by the Zimbabwe Republic Police to suppress the right to peaceful protest. Since 2000, police have used excessive force against human rights defenders.

The organization has documented serious human rights violations committed by soldiers and police in Zimbabwe against opposition supporters after the elections held on 29 March 2008. These abuses assaults and torture by soldiers, police, so-called “war veterans” and supporters of the ruling party, ZANU-PF, against people who have been accused of not having voted “correctly.” Though some victims have reported these crimes to the police, no arrests have been reported and it appears that perpetrators continue to commit abuses with impunity.

Amnesty International welcomed the mobilization of civil society in South African and other southern African countries to stop the delivery of arms to Zimbabwe through legal and civil action taken in solidarity with victims of state sponsored violence in Zimbabwe. The organization welcomed the mobilization of the trade union movement which has appealed to its members not to offload the cargo if the ship docks at any African port.

“The mobilization of civil society has proved critical in view of the inaction of governments to put an end to arms trade to countries where there is a pattern of gross human rights violations,” said Amnesty International.

“All political leaders in southern African must urgently support the efforts of civil society and demand an end to state-sponsored violence in Zimbabwe and the return of the rule of law.”

The An Yue Jiang Chinese cargo ship carrying arms supplies to Zimbabwe, highlights the absence of a global treaty to ensure proper regulation of the conventional arms trade. Following a vote of 153 states in favour to one against, Members States of the United Nations are considering the feasibility, scope and parameters for a global Arms Trade Treaty that would prevent the irresponsible trade in conventional arms, and Amnesty International and its partners are appealing for such a treaty to contain provisions to fully respect international human rights and humanitarian law.

Amnesty International called on all states to support the early establishment of a global Arms Trade Treaty that contains robust provisions to reflect states' obligations under international law and ensure these are incorporated into national law.

### **Background**

On 10 April 2008 the arms shipment arrived aboard a Chinese cargo ship – the MV “An Yue Jiang” - in Durban, South Africa. The ship's owner was the parastatal Chinese Ocean Shipping Company and it was carrying cases of weaponry and ammunition in six containers. The shipper of the arms was Poly Technologies Inc of Beijing China, the delivery address on the shipping documents was the Zimbabwe Defence Force, Harare, and the point of origin on the cargo manifest is Beijing, China. The cargo in question consisted of 3080 cases of arms contained in six containers. The Arrival Notification described the contents as follows:

7.62 x 54mm Ball - 1000 cases containing 1 million rounds

7.62 x 39mm Ball - 1331 cases containing 2 million rounds

RPC7, 40mm Rockets - 250 cases containing 1500 rounds

60 mm mortar bombs - 227 cases containing 2703 rounds

31mm mortar bombs - 176 cases containing 581 rounds

31mm mortar tubes - 93 cases containing 31 items

Legal action to stop this Chinese arms consignment was taken on 18 April by concerned South Africans with the support of human rights legal organizations in a bid to constrain the authorities from allowing transshipment of the arms through South Africa to Zimbabwe. The application was brought in the Durban High Court on the grounds of South African national law, which prohibits arms transfers that may contribute “to internal repression or suppression of human rights and fundamental freedom” or “to governments that systematically violate or suppress human rights and fundamental freedoms”. An interim ruling was issued on 18 April to confine the arms to Durban harbour pending a final court hearing but the ship sailed away. Currently many governments, including in the SADC region, and organisations worldwide are appealing for the arms transfer to be prevented to Zimbabwe, but it is feared that the arms cargo may be delivered to Zimbabwe through another route.