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Zimbabwe: Withdrawal of EU observers may send the wrong signal, encourage further violations

The withdrawal of the European Union's (EU) election observers deepens Amnesty International's concerns that human rights violations orchestrated by the ruling party in the run-up to the presidential elections will escalate unchecked by impartial international eyewitnesses.

"It is alarming that the largest contingent of international observers will not be on the ground during these crucial days leading up to the election. By their very presence they acted as a check to state-sponsored violence and intimidation occurring on a daily basis," Amnesty International said.

"The lack of impartial international observers will facilitate further suppression of the rights to freedom of expression."

The human rights organization appealed to the other remaining observation teams from the Southern African Development Community (SADC) Parliamentary Forum, the Commonwealth and the Organization of African Unity to send a larger number of observers to make up for the absence of the EU. Some 30 EU observers had been accredited to judge the fairness of the 9 to 10 March presidential election, with another 120 due in the week before the balloting.

"The decision to withdraw EU observers will give the green light for further serious human rights violations in Zimbabwe," the organization added.

In the run-up to the elections, professional policing has been undermined by political instructions. Eyewitnesses described to Amnesty International how some 400 marching supporters of the ruling party were escorted by police yesterday into the downtown capital city of Harare from the University of Zimbabwe. The demonstrators subsequently stormed into the Harare headquarters of the opposition Movement for Democratic Change (MDC), assaulted the occupants with stones and broke the windows of the building. Several people were reportedly injured.

Riot police, seen by MDC staff members from their vantage point in the building, remained nearby but did not intervene during the 15-minute incident. Amnesty International has learned that after the mob assaulted MDC staff members and passersby, riot police then moved in to further assault the victims of the attack. The police reportedly fired five to six tear gas cannisters into the lobby of the building, then chased and assaulted MDC staff members as they fled out the front door. This attack was apparently facilitated by the police mis-using authority granted to them by the newly promulgated Public Order and Security Act (POSA).

"Yesterday's attack on the MDC staff members in Harare exemplifies the pattern in which partisan policing is involved in assaults on opposition supporters by ruling party militia or arbitrary arrests by police officers," Amnesty International said.

During the past two weeks, Amnesty International has documented other grave violations of the right to public assembly and association, which the organization believes were facilitated by the lack of international observers. These include:

Some 11 church leaders were arrested on 16 February for an inter-denominational event in Bulawayo. Police officials claimed that the march by Roman Catholic, Anglican, Presbyterian, and Methodist churches would endanger public order or breach the peace. At the end of the second service, police arrested Anglican Reverend Noel Scott at his pulpit on charges that he violated the POSA. Other leading clergy and worshippers followed police who had detained Rev. Scott, to the central police station of Bulawayo, where they prayed outside the police station. Another 10 people, including Catholic priest Father Kevin O'Doherty were also arrested and charged under the POSA, and were later released on remand on 18 February.

Police arrested some 15 members of the National Constitutional Assembly (NCA) on 15 February for taking part in a peaceful demonstration that had been banned by police under the POSA. Several of those arrested alleged that they had been assaulted by police while in custody.

On 10 February, Zimbabwean police cancelled a rally in Gokwe by MDC presidential candidate Morgan Tsvangirai, stating that the rally would be likely to degenerate into violence and was therefore banned under the POSA. Yet police did not intervene when ZANU-PF attacked the rally organizers on 9 February and burned their vehicle.

Some 60 independent and foreign journalists demonstrated outside of parliament on 30 January, leading to the arrest of three journalists. Charges against them, were later dropped when the protest was deemed by authorities to be a "professional meeting".

Amnesty International believes that inaction or use of excessive force by police violates international standards for policing. Despite the POSA stating that only force that is reasonably justifiable in the

circumstances can be used, other provisions of the law endanger the right to freedom of expression.

Background:

The expulsion of Pierre Schori, Swedish ambassador to the United Nations and the head of the EU's observation mission, on 16 February appears to have triggered yesterday's EU decision to immediately implement sanctions previously approved by the General Affairs Council on January 28. The limited sanctions include a travel ban on President Robert Mugabe and his close political associates, as well as a freeze on overseas assets. The organization understands that Schori was forced to leave Harare on 16 February after his visa was revoked by Zimbabwean authorities.

For more information on Zimbabwe, please visit:

http://www.web.amnesty.org/mavp/av.nsf/pages/zimbabwe_at_risk

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