
amnesty international

ZIMBABWE

A human rights brief for election observers

1 June 2000

AI INDEX: AFR 46/12/00

DISTR: SC/CO/GR

In the run-up to national elections scheduled for 24-25 June 2000, Amnesty International is concerned at widespread reports of human rights abuses including the arbitrary deprivation of life and the denial of the right to mental and physical integrity, the right to be free from torture and ill-treatment, and the right not to be subjected to arbitrary denial of liberty. These abuses have caused a pervasive atmosphere of fear and intimidation which in turn is hampering the rights to freedom of assembly, association, movement and expression.

The ability to exercise the right to freedom of assembly, association, movement and expression is in turn pivotal to the establishment of a climate in which free and fair elections can take place. Amnesty International has emphasized to the Zimbabwean government the need for urgent steps to ensure that everyone is able to exercise these rights in the context of the forthcoming elections without fear of becoming a victim of human rights abuses.

Amnesty International is therefore calling on those intending to monitor or observe the Zimbabwe elections to include human rights monitoring as a central part of their brief, and to consider following the recommendations below:

1. The political role of the international community

The intergovernmental organizations (IGOs) sending observers to monitor or observe the elections in Zimbabwe should give consistent and vigorous attention to human rights concerns in observing the elections. Amnesty International is calling on these organizations to raise with the Zimbabwean authorities the very many incidents of human rights abuses that have taken place, and the concern that police failure to take effective action to end the abuses has fostered a climate in which further abuses can be perpetrated with impunity.

On arrival, observers should assess whether the context in which the elections are to be held meets certain fundamental requirements for free and fair elections, and keep these requirements under review after the elections. Such requirements would include:

- clear public signals from the government as well as from the body organizing the elections that abuses will not be tolerated;
- an effective system for registering and dealing with complaints about restrictions on the freedom to vote;
- public awareness of how to complain about intimidation or other abuses;
- clear instructions issued to the police by senior police authorities about how to ensure that people are free from intimidation and pressure.

Amnesty International is calling on the intergovernmental organizations who send observers to bring any shortcomings in these requirements to the attention of the relevant Zimbabwean authorities and review the situation both during and after the elections.

2. Proper preparation of observers

Sometimes international election observers are poorly trained and ill-equipped to monitor human rights abuses that take place in the context of elections. Proper training for election monitors would include encouraging a discussion of the international standards that guarantee basic fundamental rights such as the right to life, the right to be free from torture and ill-treatment, the right not to be subjected to arbitrary deprivation of liberty, and the right to freedom of expression, association, movement and assembly. They should be provided with the texts of relevant human rights standards¹ and appropriate manuals.²

3. No international "silent witnesses"

All international election observers should report through explicit and proper channels any human rights abuses they may witness or serious allegations they receive. The IGOs involved should take appropriate steps to raise these issues with the government without delay.

¹Relevant standards would include: the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Torture Convention), and the African Charter on Human and Peoples' Rights.

²For example, manuals prepared by the United Nations including the Manual on the Effective Investigation and Documentation of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (the "Istanbul Protocol") and the Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions; and manuals prepared by non-governmental organizations such as "Monitoring State-sponsored Violence in Africa - A Practical Guide", by Article 19.

4. Broad human rights observation

All human rights, their exercise and their enjoyment, are indivisible and interdependent. In order for citizens to participate freely in elections, the authorities are responsible for ensuring that all the rights that are pivotal to such participation can be enjoyed by all without discrimination. Observers should have a copy of the UDHR and other key human rights instruments noted above, and should record human rights abuses that occur both before and after the actual dates of polling but which have a direct bearing upon the ability of people to exercise their rights. Often abuses occur far away from polling stations. There should not only be monitoring of the actual voting procedure but of the environment and human rights conditions away from the polling stations as well.

5. On-site human rights monitoring

On the days of the voting, election observers should have unhindered access to all polling stations, to be able to observe any human rights abuses, such as violence against those presumed to be opposing party supporters and intimidation of voters including threats and assertions that their voting is not secret. The observers should be mandated to be able to ask the authorities urgently to take remedial action. They should record and report what action the authorities take (or refrain from taking).

6. Frequent and public reporting

Election observers must make frequent and comprehensive public reports, through the leaders of their observer teams, regarding the human rights situation. In particular public reporting of any concerns about politically motivated violence and intimidation is important to ensure, as far as possible, a climate conducive to the holding of free and fair elections in which everyone is free to exercise his or her rights to freedom of association, movement, assembly and expression.

7. The role of the police and security forces

Election observers should monitor the conduct of the national police and security forces, to verify their adherence to international human rights standards and criminal justice standards in the context of dealing with any human rights abuses arising in the context of the elections. Such observers should note whether the police or security force action is prompt, appropriate and proportionate in accordance with international policing standards. Election observers should be encouraged to carry with them the texts of international human rights standards relevant to the conduct of the police and security forces.³

8. Support for the role of national non-governmental organizations (NGOs)

National NGOs have run non-partisan voter education workshops and trained local observers to monitor the elections. They are concerned that this work has been interpreted

³Relevant standards include: the UN Code of Conduct for Law Enforcement Officials, the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the Torture Convention, and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. A compilation is available from Amnesty International.

as indicating support for opposition parties and that their trainees have been subjected to politically motivated assaults and intimidation. IGO election observers, in consultation with national NGOs, should seek effective ways to protect local observers, for example by "twinning" with the national observers to jointly monitor the same polling station or the same area.

9. Continued protection of human rights either side of the elections

Election observers should endeavour to reach Zimbabwe as soon as possible in advance of the elections, to commence monitoring as soon as possible. They should urgently bring to the attention of the authorities any human rights abuses they notice so that these could be remedied or addressed prior to election days. Some effective international monitoring presence should remain in the country for as long as necessary after the elections, to help ensure the elections aftermath is free from human rights abuses and, if it is not, to continue publicly reporting and lobbying for problems to be addressed.

10. Documenting political discourse

Election observers should note statements made by officials of the ruling party and opposition parties that have a bearing on human rights. Writing down the exact words used in a threat, or a pledge of commitment to upholding human rights, and the date and location where they were spoken, will be important means to measure the freedom and fairness of the election process.

KEYWORDS: ELECTIONS1 / HARASSMENT1 / FREEDOM OF EXPRESSION1 /
FREEDOM OF ASSOCIATION1 / UDHR / NON-GOVERNMENTAL
ORGANIZATIONS / POLICE / MILITARY

An extensive range of our materials on this and other subjects is available at
<http://www.amnesty.org> and Amnesty International news releases can be received by
email: <http://www.amnesty.org/news/emailnws.htm>

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM