

Amnesty International condemns Zimbabwe amnesty

Amnesty International has described the clemency order issued by the President on 6 October as unjust and unacceptable. The order grants total amnesty to every person liable to criminal prosecution, whose guilt or innocence has not been determined by a court, for any politically motivated crime committed during the period 1 January 2000 to 31 July 2000.

Although the order makes exceptions for some grave crimes, the amnesty protects perpetrators of human rights abuses who are liable to prosecution for, or are charged with, assault with intent to do grievous bodily harm (torture), common assaults, kidnapping and abductions (involving in at least one case a "disappearance") in connection with the 12 and 13 February referendum and the 24 and 25 June elections.

"There must be a prompt, thorough, impartial and independent investigation of all the serious human rights abuses which occurred in the period before the elections in Zimbabwe in June this year and those responsible must be brought to justice," Amnesty International added.

Amnesty International opposes the granting of pardons, amnesties and similar measures of impunity for crimes under international law, which prevent the emergence of the truth, the determination of guilt or innocence by a court and reparations for victims.

"This pardon represents a lost chance for justice and the possibility of breaking the cycle of impunity that has riddled Zimbabwe. By failing to tackle impunity for gross human rights abuses, the order provides no

deterrent either to continuing human rights abuses or contempt for international human rights law," Amnesty International said.

Zimbabwe has had a disturbing pattern of impunity going back to the Rhodesian government, when Ian Smith was Prime Minister. Amnesty International calls for a repeal of this clemency order, as it did with respect to the amnesty given at independence to the officials of Ian Smith's government in the 1970s, and the amnesty for the perpetrators of the Midlands and Matabeleland atrocities in the 1980s. Amnesty International fears that this amnesty will only fuel new human rights abuses, like the previous ones have done.

"There can be no true reconciliation or an environment in which human rights can develop, if the truth about the gross human rights abuses which have occurred in Zimbabwe is not established and those responsible for them fail to be held accountable," Amnesty International stressed.

Given that Zimbabwe is preparing for a presidential election in early 2002 this pardon for human rights abuses in an election campaign is giving the wrong signal.

Amnesty International especially challenges the international community to meet its obligations to end impunity and bring to justice those responsible for gross human rights abuses by condemning unambiguously this executive order. "The international community should expressly acknowledge that the amnesty seriously undermines the obligations of Zimbabwe under international human rights law," Amnesty International said.

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