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Southern African Development Community: Policing to protect human rights

Every day in countries of the Southern African Development Community (SADC), human rights are under attack from the police. Excessive or unjustified lethal force is used to suppress peaceful protest and government opponents are arbitrarily detained.

In a report - - *Policing to protect human rights* - - released today, Amnesty International describes how police inflict torture and ill-treat criminal suspects and political activists in the majority of the countries surveyed.

"States which tolerate such acts are not helping to reduce crime or to find fair solutions to political problems," the organization said. "Instead, they gravely undermine the professionalism of the police and fail in their duty to protect victims of crime and prevent human rights violations."

However, the report also notes, that the Southern African Regional Police Chiefs Co-operation Organization (SARPCCO), is taking the lead in promoting professional and effective policing through training in ethical and human rights standards.

In countries such as Botswana, Malawi and South Africa, non-governmental and community-based organizations have cooperated with police to improve services to victims of crime, particularly women and children, and to develop effective partnerships with the police to implement crime reduction plans based on careful intelligence and lawful methods.

"Enhancing the security for all living in the SADC region must be built upon good governance, the promotion and protection of human rights for all without distinction and respect for the rule of law," Amnesty International added.

In order to break the cycle of impunity and to encourage best practice, there must be effective mechanisms for the independent investigation of police abuses. "Few countries of the region have set up effective mechanisms to detect and remedy abuses and Amnesty International is calling on the majority of remaining states to do so urgently," the organization emphasized.

In addition, most of the countries still need to:

repeal or amend laws which facilitate human rights abuses, particularly those which permit excessive use of force or incommunicado detention;

integrate human rights training with training in operational skills; and

improve the accessibility and accountability of police services to all communities without distinction.

Achieving these goals however, has been severely undermined in a number of countries which have flagrantly violated the internationally recognized requirement of police to conduct their duties in an impartial manner. Biased policing in relation to minority and vulnerable communities and the political opposition has been a problem in Angola, Mozambique, Namibia, Swaziland, and Tanzania.

In Zimbabwe the undermining of professional and impartial policing has taken an extreme form in the past two years. Police have been directly involved in the torture, ill-treatment, and arbitrary arrest of members of the opposition Movement for Democratic Change (MDC). They have also been complicit in nationally widespread acts of violence, arson and rape committed by state-sponsored militia against supporters of the MDC.

Redressing this situation remains a serious challenge to the authority and integrity of SARPCCO and the institutions of SADC itself.

Elsewhere in the region growing public concern over violent crime has pushed governments and police authorities to respond "by all means necessary" to combat crime, particularly where police officers themselves have become victims of armed criminals. In several SADC countries, including Angola, Mozambique, South Africa and Zambia this has led to suspected criminals being arbitrarily arrested, tortured or killed. The violent activities of some anti-crime vigilante groups in countries such as Malawi, Tanzania, Zambia and South Africa have added to a climate of crisis.

In South Africa this pressure to respond ruthlessly emerged at a time when the transition from the practices of the *apartheid* past seemed barely completed. However, in a significant ruling on the use of force on 21 May 2002, the Constitutional Court, while affirming police officers' right to self-defence, made it clear that the state should never allow excessive force and should uphold human rights for everyone, including suspected criminals.

"This call could apply to other countries in the region. All governments in the region need to display greater political will in seeking solutions to the rise in violent criminality in a manner consistent with the protection of human rights," the organization stressed. They should encourage the public to accept that real solutions lie in improving the ability of the police to investigate crime lawfully and effectively and in co-operation with the affected communities.

Amnesty International members and other civil society organizations in SADC countries are contacting their governments to call for action to ensure that respect for human rights is the guiding principle for accountable policing, and that measures to improve the efficiency of the police are also measures which promote respect for human rights.

To link to the report - - *Policing to protect human rights* -
-<http://www.web.amnesty.org/ai.nsf/index/afr030042002>

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