

amnesty international

ZIMBABWE
OPEN LETTER TO
PRESIDENT
ROBERT MUGABE
ON THE 20TH ANNIVERSARY
OF INDEPENDENCE

18 April 2000

AI INDEX: TG AFR/46/15/00

Your Excellency President Robert Mugabe,

I am writing to you on this 20th anniversary of Zimbabwe's independence about the protection of human rights in your country.

As you are aware Amnesty International's concern about human rights protection in Zimbabwe has been a longstanding one. Since the establishment of our organisation in 1961 we have been supporting the national struggle for human rights in Zimbabwe through our research, relief work, publicity and campaigning. Significantly, three Amnesty relief workers were expelled by the Ian Smith regime in 1966 for their work for prisoners of conscience and their families. Mr President, you may recall that in 1978 Amnesty International had adopted more prisoners of conscience in Zimbabwe than in any other

country in the world (550 cases at the beginning of that year).

Today we have no adopted prisoners of conscience in Zimbabwe. However, we have a number of concerns about the current human rights situation.

Our first concern is that human rights violations are being perpetrated against people solely because of their nonviolent exercise of their rights to freedom of association and assembly.

Freedom of association is guaranteed in Article 22 of the International Covenant on Civil and Political Rights and Article 10 of the African Charter on Human and Peoples' Rights to which Zimbabwe is a party. Freedom of assembly is guaranteed in Article 21 of the International Covenant on Civil and Political Rights and Article 11 of the African Charter on Human and Peoples' Rights.

The exercise of these rights is vital to the creation of an environment conducive to the holding of free and fair elections.

Many incidents of political violence which undermine the rights to assembly and association have been brought to our attention this year. The frequency of such reports is increasing. Yet there has been a failure on the part of the Zimbabwean authorities, including the police, to ensure that everyone in Zimbabwe can exercise their rights without threats, intimidation or attacks. The present situation calls for leadership by Zimbabwean authorities at all levels to safeguard everyone's fundamental rights and freedoms.

Mr President, in most of the incidents there are substantial allegations of involvement of supporters of ZANU-PF of which you are First Secretary. The following are examples:

On 1 April, a peaceful march in Harare was broken up by some 200 men, allegedly so-called war veterans and supporters of ZANU-PF, who, armed with sticks, knobkerries, stones and other weapons attacked the unarmed marchers. Police officers in riot gear, who were ostensibly on the scene to maintain order, failed to take responsible steps to prevent the attacks or to disarm and arrest the attackers. At least 15 marchers were reported injured, including some who needed hospital treatment. No attackers were arrested.

Following the march there have been reports of politically motivated violence on an almost daily basis. Since 1 April at least seven people have reportedly been killed in political violence. This indicates that the situation is escalating.

We have also received reports that supporters of your party have broken up meetings held by opposition parties, by engaging in fights with participants or generally disrupting the meetings. Needless to say, this is not a climate conducive to free and fair elections.

Mr President, I call upon you to publicly state that all parties should be free to hold rallies without intimidation from any other party's supporters and especially call on your own supporters to refrain from activities which would inhibit freedom of assembly and association.

Amnesty International is concerned that continued political violence will not only jeopardise the possibility that the upcoming elections are free and fair, but also have long-term

implications for human rights in Zimbabwe.

Amnesty International is concerned that your lack of condemnation of the human rights abuses by your supporters may be actually encouraging their perpetration and fostering a culture of impunity.

Mr President, I would therefore ask you to clearly condemn the human rights abuses that have taken place so far, and ask those supporting you and ZANU-PF to refrain from committing further human rights abuses in the build-up to the elections. I also urge you to ensure that the police act impartially and fully protect the rights of all persons to freely participate in non-violent political assembly and association.

Our second concern is regarding threats to freedom of expression.

Freedom of expression is guaranteed in Article 19 of the International Covenant on Civil and Political Rights and Article 9 of the African Charter on Human and Peoples' Rights.

There appears to be a climate of fear developing, created by violence, harassment and intimidation which is hindering the free expression of political opinions and undermining the possibility of free and fair elections. Amnesty International is concerned that this climate of fear is preventing all but the most courageous citizens of Zimbabwe from freely expressing themselves.

In particular Amnesty International is worried about interference with journalists. For example, on 1 April, police detained Media Monitoring Project's Edwina Spicer in Harare, while she was carrying out her work as a reporter. Then on 6 April the *Daily News* reported that two of their reporters were unlawfully held by squatters at a farm in Mvurwi.

Mr President, I call upon you to state clearly that the media in Zimbabwe are free to express their opinions and gather information without intimidation.

The last concern I would like to raise with you is the importance of the rule of law.

Since the beginning of February we have received reports of war veterans and landless people occupying farms.

On two occasions, the Zimbabwean courts have ruled that under the country's present law the occupation of commercial farms by landless people is illegal, and that the squatters should leave.

We are now receiving reports on an almost daily basis concerning violence, intimidation and threats against farmers and farm workers in the context of the ongoing takeover of commercial farms by landless people led by war veterans.

I know that the issue of land reform is a difficult and sensitive one in Zimbabwe and will not dispute the need for land redistribution.

Amnesty International is however concerned that in these and similar incidents the police have failed to intervene to provide protection to unarmed and innocent residents. The police have also failed to act in accordance with court orders which require them to evict those persons illegally occupying farms. While acknowledging that the police face a difficult task in carrying out their duty and noting a report that a police officer was killed in connection

with these occupations, it is important to adhere to the rule of law. Failure to respect rulings by the courts undermines the rule of law and the independence of the judiciary.

Mr President, I therefore urge you to ensure that the police obey court orders in these cases and undertake their responsibilities in an impartial manner and in accordance with the law. We would also ask you to urge the illegal occupants of the farms to respect the authority of the courts.

Vincent Del Buono
Deputy Secretary General

ZIMBABWE OPEN LETTER TO THE PRESIDENT OF ZIMBABWE ON THE 20TH ANNIVERSARY OF INDEPENDENCE (AI Index: TG/AFR/46/00/15) issued by Amnesty International in 18 April 2000. 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