

PUBLIC

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6 January 2009

Further Information on UA 333/08 (AFR 46/039/2008, 5 December 2008) - Enforced disappearance/Fear for safety New concern: Prisoners of conscience

ZIMBABWE

Jestina Mukoko (f), director of the Zimbabwe Peace Project (ZPP)

New name:

**Broderick Takawira (m) provincial coordinator of ZPP
And about 30 others**

Jestina Mukoko, the director of the Zimbabwe Peace Project (ZPP), is being held at Chikurubi Maximum Security Prison in Harare. Broderick Takawira, a provincial coordinator of the ZPP, who was abducted on 8 December 2008, and other detainees including around 30 human rights activists and activists from the Movement for Democratic Change (MDC), who were abducted between October and December 2008, are also now known to be held at various detention facilities in Harare. The Zimbabwean authorities have repeatedly failed to comply with court orders to release them. Amnesty International considers Jestina Mukoko and Broderick Takawira to be prisoners of conscience, held in violation of their rights to freedom of expression and association.

On 5 January 2009 a High Court judge in Harare ruled that police must comply with an earlier High Court order for Jestina Mukoko, Broderick Takawira, and the MDC activists to be taken to a hospital to receive a medical examination and treatment, following allegations that they were tortured while they were in custody. The police have not yet complied with these orders.

Jestina Mukoko, who was abducted from her home on 3 December 2008, was left by her “abductors” at Matapi Police Station on 23 December 2008. Police had previously denied arresting her and had told the High Court in Harare that they were treating the case as a kidnapping.

The state-controlled Herald newspaper has reported that Jestina Mukoko and Broderick Takawira, together with eight of the detained MDC activists, were to be charged with “recruiting or attempting to recruit people for the purposes of undergoing military training to overthrow the Government.” It is not clear whether they have now been formally charged. The accusations against the activists are widely believed to be fabricated.

BACKGROUND INFORMATION

The abduction, unlawful arrest and detention of the human rights workers and MDC activists is consistent with a pattern of human rights violations documented by Amnesty International since March 2007 when 32 MDC activists were arrested and charged with bombing police stations. The activists were allegedly tortured and denied access to their lawyers. The charges against the MDC activists were later dropped.

The practice of unlawful arrest and detention is one of the established tactics employed by the Zimbabwean authorities to intimidate and harass critics. The ZPP is one of the leading organisations in Zimbabwe involved in monitoring and documenting human rights violations, including state-sponsored beatings, torture and killings in the run-up to the 27 June elections.

Human rights defenders in Zimbabwe operate in a very restrictive environment. They face repeated arrests, torture and ill-treatment, intimidation and harassment by state security forces and other non-state actors aligned to President Mugabe’s Zimbabwe African National Union – Patriotic Front.

Amnesty International documented several cases of enforced disappearances similar to that of Jestina Mukoko last year. Some of the victim's bodies were later found dumped. The Zimbabwean authorities have been unwilling to investigate these cases of enforced disappearances, including politically motivated killings of human rights defenders and political activists.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the Zimbabwean authorities to immediately and unconditionally release Jestina Mukoko and Broderick Takawira whom Amnesty International considers to be prisoners of conscience;
- calling for the 30 detained human rights and MDC activists abducted between October and December 2008 to be either charged or released immediately and unconditionally;
- stating concern over the reported torture of Jestina Mukoko and other detainees in custody;
- calling on the Zimbabwean authorities to ensure that all those in their custody are treated according to internationally agreed standards for the treatment of persons in state custody including guaranteeing their freedom from torture and other ill-treatment;
- expressing concern that the Zimbabwean authorities are undermining the decisions of the High Court in order to facilitate the continuation of human rights violations;
- urging the Attorney General of Zimbabwe and the Commissioner General of Police to investigate allegations of unlawful arrest, unlawful detention and reported torture of all the detainees including Jestina Mukoko and Broderick Takawira.

APPEALS TO:

Attorney General of Zimbabwe

Mr Johannes Tomana
Office of the Attorney General
Private Bag 7714
Causeway
Harare
Zimbabwe

Fax: + 263 4 777 049

Salutation: Dear Attorney General

Commissioner-General of Police

Mr Augustine Chihuri
Zimbabwe Republic Police General Head Quarters
PO Box 8807
Causeway
Harare
Zimbabwe

Fax: + 263 4 253 212

Salutation: Dear Commissioner

COPIES TO:

Zimbabwe Peace Project
PO Box BE 427
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Harare
Zimbabwe

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and to diplomatic representatives of Zimbabwe accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 February 2009.