

138/96

AI INDEX: AFR 46/02/96

30 JULY 1996

ZIMBABWE: AMNESTY INTERNATIONAL CONDEMNS ATTACKS ON GAY RIGHTS GROUP

On the day that the Zimbabwe International Book Fair opened in Harare, Amnesty International called upon the Zimbabwe authorities to take all necessary steps to guarantee the physical safety of members of a group campaigning for lesbian and gay rights in Zimbabwe.

“Why should this group not be allowed to exercise their right to freedom of expression and association without threat of arbitrary arrest, violence or harassment?” Amnesty International said today.

The Gays and Lesbians of Zimbabwe (GALZ) group has come under attack -- including threats of violence and imprisonment, and a ban on their participation at a public event -- for carrying out their work as human rights activists.

“Although police protection has been formally requested for GALZ, there has been no official response, while law enforcement officials have said gays and lesbians have no right to help from police if attacked,” Amnesty International said. “Government inaction to protect GALZ members would amount to condoning such abuse.”

A Zimbabwean pressure group calling itself Sangano Munhumutapa threatened to burn down all the stands at the book fair if GALZ participated. An official of the ruling political party, the Zimbabwean African National Union - Patriotic Front, reportedly made similar threats. A group of young protestors continued today to stage unruly demonstrations against gays and lesbians outside the book fair entrance, reportedly threatening violence against them.

On Monday 29 July the Zimbabwean Board of Censors, acting in conjunction with the Ministry of Home Affairs, issued an order banning GALZ from participating in the book fair, which is an important forum for community organizations to promote discussion about social issues -- including human rights. The Board of Censors defined the GALZ publications as “undesirable” or “likely to be associated with breaches of the peace, disorderly or immoral behaviour”, according to Section 17 (1) of the Censorship and Entertainments Control Act.

Anyone found guilty of contravening the order would be liable to be imprisoned for two years, fined Z\$1,000, or both. Amnesty International fears that this banning order could lead to the imprisonment of those distributing, or displaying, GALZ literature or other material relating to gay and lesbian rights at the book fair, in which Amnesty International is also participating.

The GALZ material that would have been displayed discusses human rights issues, such as pamphlets on what homosexuality is and why gay rights are human rights, the legal position of gays and lesbians in Zimbabwe, and described the GALZ-sponsored counselling service.

The banning order follows a sustained campaign by the Zimbabwean Government which is challenging the very notion that its gay and lesbian citizens have human rights.

Opening last year's book fair, President Robert Mugabe said in his speech that homosexuals were "sodomists and sexual perverts" who should not have any rights at all. He told the 1995 book fair participants that it was "extremely outrageous and repugnant" that homosexuals "should have any advocates in our midst and even elsewhere in the world".

Government pressure brought to bear on book fair organizers resulted in GALZ being denied a stand at the 1995 event as well. Homosexuality is criminalized in Zimbabwe under its common law concerning sodomy and unnatural offences.

Amnesty International believes that the persecution of persons for their homosexuality is a violation of their fundamental human rights, and considers those imprisoned for their sexuality, or for the legitimate exercise of their right to freedom of expression and assembly, to be prisoners of conscience.

In the current context, Amnesty International is concerned that the banning order could be a prelude to further human rights violations against GALZ members and supporters. For example, the government is rumoured to be considering amending the constitution to eliminate the right to privacy, in a move that could undermine the legal defence of gays and lesbians. The government banning order also denies human rights activists the right and the means to defend the human rights of others.

"Freedom of expression and freedom of association are the rights that make it possible to discuss, meet and organize around the defence of human rights, including rights related to a person's sexual orientation," Amnesty International said.

Book fair organizers said that GALZ validly registered to exhibit its literature, but today stated that they had no choice but to withdraw the acceptance of GALZ as an exhibitor, after the government prohibition of their participation was issued. GALZ has now filed an urgent motion before the courts seeking an injunction against the banning order, on the grounds that such a ban is unconstitutional.

ENDS\