

EXTRA 16/99

Fear of Torture

8 February 1999

ZIMBABWE Grace Kwinjeh] Journalist
Dr Ibbo Mandaza] Publisher Zimbabwe Mirror Newspaper

Amnesty International fears that the two above-named journalists, who were detained on 8 February 1999, are at risk of torture or ill-treatment in detention.

Fears for their safety are heightened after two other journalists recently arrested by police were transferred into military custody and severely tortured for 24 hours at a torture centre outside Harare, the capital (see Extra 07/99, AFR 46/03/99, 22 January 1999).

Grace Kwinjeh, a reporter; Fernando Goncalves, an editor; Ferai Mungazi, a former editor; and Dr Ibbo Mandaza, the publisher of the independent *Zimbabwe Mirror* newspaper, were arrested by the Criminal Investigations Division (CID) of the Zimbabwe Republic Police. Fernando Goncalves and Ferai Mungazi were released from police custody, pending a court appearance, on 9 February. Grace Kwinjeh and Dr Ibbo Mandaza remain in custody, reportedly on the orders of a senior police official. Dr Ibbo Mandaza requires medication for a lung illness.

All four are charged with allegedly publishing a false report "likely to cause fear, alarm or despondency among the public". The charges are in connection with an article published by the paper on 30 October 1998 which reported that a Zimbabwean family had received just the head of their son, a soldier in the Zimbabwe National Army (ZNA) killed in the Democratic Republic of the Congo, where the army is deployed.

Following publication of the article, Grace Kwinjeh subsequently received an anonymous telephone call from a man who wanted to know the source of the story. She later told Amnesty International that the call had frightened her. Fernando Goncalves also received a number of threatening calls relating to the same article.

Amnesty International considers the detainees to be prisoners of conscience.

BACKGROUND INFORMATION

In a televised address to the nation on 6 February 1999, President Robert Mugabe attacked the media, human rights activists and "some agents of Britain" who he alleged were undermining the loyalty of the Zimbabwe National Army (ZNA).

In his address, the president also attacked four Supreme Court judges who had written to him asking him to reaffirm his commitment to the "rule of law" in Zimbabwe. The judges had also asked him to confirm that the power of arrest remained with civilian police and not the armed forces, that he would not tolerate torture, that he would sanction an investigation into allegations of the recent torture of two journalists and that he would reaffirm his confidence in the judiciary and police to investigate alleged crimes.

President Mugabe replied that the judges had no right to instruct him on any matter and called upon them to resign and become politicians instead.

In a sweeping attack against some journalists and human rights activists, he named Clive Wilson, managing director of the *Standard* newspaper and its' publisher Clive Murphy -- along with human rights lawyer David Coltart and Mike Auret, the national director of the Catholic Commission for Justice and Peace -- as having an "evil" agenda to topple his country's black government. He said "They have pushed our sense of racial tolerance to the limit" and warned that he would take "very stern measures against them". This is an apparent threat of extra-legal action against them, since they have committed no recognizable criminal offense.

The president condoned the alleged torture of the journalists, Mark Chavunduka and Ray Choto, saying: "If the *Standard* had not behaved in such a blatantly dishonest and unethical manner, the army would not have acted the way they did". The *Standard* printed an article on 10 January alleging that a plot within the ZNA to overthrow the government of Robert Mugabe had been foiled and that 23 soldiers and officers had been arrested. Mark Chavunduka and Ray Choto remain out on bail, pending trial.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- expressing fears for the safety in detention of Grace Kwinjeh and Dr Ibbo Mandaza, following the recent torture of two other journalists arrested in January 1999;
- seeking assurances that they will not be transferred into military custody and will have full access to legal representatives, family and medical care;
- urging that they be immediately and unconditionally released from custody as prisoners of conscience, detained solely for their legal activities as journalists;
- urging the Zimbabwean authorities to reaffirm their opposition to torture under any circumstances.

APPEALS TO (please note that fax tones may be difficult to obtain out of office hours):

President Robert Mugabe
Office of the President
Private Bag 7700
Causeway, Harare, Zimbabwe

Telegrams:President, Harare, Zimbabwe

**Faxes: + 263 4 756 443 (Ask for the fax machine to be turned on) /
263 4 734 644 / 263 4 792 044**

Salutation:Dear President Mugabe

Minister of Home Affairs Dumiso Dabengwa
Ministry of Home Affairs
Private Bag 505D
Harare, Zimbabwe

Telegrams:Minister Home Affairs, Harare, Zimbabwe

Faxes: + 263 4 726 716

Salutation:Dear Minister

Police Commissioner Augustine Chihuri
Police Headquarters
PO Box 8807, Causeway
Harare, Zimbabwe

Telegrams:Police Commissioner, Harare, Zimbabwe

Faxes:+ 263 4 728 768

Salutation:Dear Police Commissioner

COPIES TO:

The Zimbabwe Mirror
PO Box MP 1005,
Mount Pleasant, Harare, Zimbabwe
Faxes:+ 263 4 704953

The Standard/The Independent Newspapers
PO Box 661730
Kapje, Harare, Zimbabwe

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 8 March 1999.