

Zimbabwe

RIGHTS UNDER SIEGE: Arrest and assault of journalist Stanley Karombo



The independent media has come under increasing attack from the Government of Zimbabwe which has used repressive legislation to silence critical voices. The police have used the legislation as a pretext to intimidate, harass and arbitrarily arrest journalists. The intensity of attacks on the independent media has increased as the government has come under increasing scrutiny from the international community. Stanley Karombo is one of many journalists who have been attacked by the police.

Stanley Karombo a freelance reporter based in Mutare, Manicaland Province was arrested and charged on 19 March 2003 under the Access to Information and Protection of Privacy Act (AIPPA). He was arrested for allegedly practising journalism without accreditation. The arrest took place when Stanley Karombo was overheard by a police officer while on his mobile phone speaking about the stay-away organised by the opposition Movement for Democratic Change (MDC) on 18 and 19 March. The police officer took his phone from him and accused him of being an MDC supporter. He was assaulted by two police officers and their colleagues from the Law and Order section of the police. They accused him of talking to people who were “selling” their country.

Police arrested him and took him to his home where they conducted a search of his house. They then demanded that he should produce his accreditation card. When he informed them that he was not accredited and currently not doing any media work, he was further assaulted. He was then taken to Mutare Police station where he was reportedly denied immediate access to his lawyer and a visit from his family. He was only given legal access to his lawyer on the following day, 20 March. and was released on bail on 24 March. A trial date was set for 30 April 2003.

The Access to Information and Protection of Privacy Act (AIPPA) was enacted following the presidential election in March 2002. This restrictive piece of legislation: restricts access to information held by public bodies; establishes a government controlled media and information commission which regulate the independent media; requires the accreditation of journalists and media houses; and criminalizes defamation.

Other arrests under AIPPA

On 24 January 2003, Fanuel Jongwe, *Daily News* senior reporter and five foreign journalists working with the Lutheran World Foundation were arrested in Zvishavane for allegedly working as journalists without licences. They were charged under the AIPPA and were released on 28 January. The charges were later dropped due to lack of evidence.

Take action!

1. Write to government officials in Zimbabwe

Key targets are the **President**, the **Minister of Justice, Legal and Parliamentary Affairs** and the **Minister of State for Information and Publicity**.

In your letters make the following points:

- state that you are concerned about the continued harassment and arrest of media organisations and journalists such as Stanley Karombo and the increasing role of the police in perpetrating these human rights violations;
- express concern that the Access to Information and Protection of Privacy Act contravenes regional and international human rights standards which guarantee the right to freedom of expression;
- point out that Article 9 of the Windhoek Declaration on Promoting an Independent and Pluralistic Press to which Zimbabwe is party, states: *“African States should be encouraged to provide constitutional guarantees of freedom of press and freedom of association”*;
- point out that Article 9 of the African Charter on Human and Peoples’ Rights to which Zimbabwe is party, asserts that: *“every individual shall have the right to express and disseminate his opinions within the law”*. In addition, Article 10 asserts that: *“every individual shall have the right to free association provided that he abides by the law”*. Article 11 of the charter asserts that: *“every individual shall have the right to assemble freely with others”*;

- urge the Zimbabwe government to:
 - repeal or drastically amend all restrictive legislation including the Access to Information and Protection of Privacy Act;
 - publicly condemn repression of the independent media and actively promote human rights including the right to freedom of expression ;
 - take immediate steps to ensure that all law enforcement officials conduct their duties in a manner consistent with respect for human rights and that human rights are firmly entrenched in police training at all levels;
 - ensure that all reported cases of ill-treatment are immediately investigated with a view to bringing the perpetrators to justice.

2. Write to government officials in Botswana, South Africa, and Zambia

Key targets include the **President** and **Minister of Foreign Affairs** of Botswana, South Africa and Zambia. In your letters make the following points:

- state that you are concerned about the continued harassment and arrest of media organisations and journalists such as Stanley Karombo and the increasing role of the police in perpetrating these human rights violations;
- express concern that the Access to Information and Protection of Privacy Act contravenes regional and international human rights standards which guarantee the right to freedom of expression;

- point out that Article 9 of the Windhoek Declaration on Promoting an Independent and Pluralistic Press to which Zimbabwe is party, states: *“African States should be encouraged to provide constitutional guarantees of freedom of press and freedom of association”*;
- point out that Article 9 of the African Charter on Human and Peoples’ Rights to which Zimbabwe is party, asserts that: *“every individual shall have the right to express and disseminate his opinions within the law”*. In addition, Article 10 asserts that: *“every individual shall have the right to free association provided that he abides by the law”*. Article 11 of the charter asserts that: *“every individual shall have the right to assemble freely with others”*;
- call upon the governments of Botswana, South Africa and Zambia to bring all possible pressure to bear on the Zimbabwean government to repeal or drastically amend all restrictive legislation including the Access to Information and Protection of Privacy Act and promote and respect the fundamental human rights to freedom of expression, association and assembly;
- urge the governments of Botswana, South Africa, and Zambia, to use their influential voices directly and as member states of SADC to publicly signal that the repression of fundamental rights in Zimbabwe is unacceptable.

Addresses

1.Zimbabwe

<p>President His Excellency, The Honourable Robert Mugabe, Office of the President, Munhumutapa Building, Box 7700, Causeway, Harare, Zimbabwe.</p> <p>Fax: + 263 4 708 820/ 708 557.</p> <p>Salutation: Dear President</p>	<p>Minister of Justice, Legal and Parliamentary Affairs The Honourable Patrick Chinamasa Ministry of Justice, Legal and Parliamentary Affairs, 5th Floor Corner House, Private Bag 7751, Causeway, Harare, Zimbabwe.</p> <p>Fax: + 263 4 790 901/ 772 999</p> <p>Salutation: Dear Minister</p>	<p>Minister of State for information and Publicity The Honourable Jonathan Moyo Ministry of State for Information and Publicity 10th Floor, Linquenda House PO Box CY 825, Causeway, Harare Zimbabwe</p> <p>Fax: +263 4 707 213</p> <p>Salutation: Dear Minister</p>
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2 i) South Africa

<p>President His Excellency Mr Thabo Mbeki, Office of the President, Private Bag X1000, Pretoria 0001, South Africa</p> <p>Fax: +27 12 323 8246. Email: president@op.gov.za Salutation: Dear President</p>	<p>Minister of Foreign Affairs , Dr NC Dlamini-Zuma, Foreign Affairs Ministry, Private Bag X152, Pretoria 0001 South Africa</p> <p>Fax: + 27 12 351 0253 email: minister@foreign.gov.za, Salutation: Dear Minister</p>
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ii) Botswana

<p>President, His Excellency, Mr Festus Mogae, Office of the President, Private Bag 001, Gaborone, Botswana</p> <p>Fax: +267 350 888. Email: op.registry@gov.bw Salutation: Dear President</p>	<p>Minister of Foreign Affairs, Hon. Lt. Gen. Mompoti Merathe, Ministry of Foreign Affairs, Private Bag 00368, Gaborone, Botswana.</p> <p>Fax: +267 313 366. Salutation: Dear Minister</p>
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iii) Zambia

President	Minister of Foreign Affairs
His Excellency, Mr Levy Mwanawasa, Office of the President, State House, PO Box 30208, Lusaka, Zambia. Fax: +260 1 252 545. Salutation: Dear President	The Honourable Kalombo Mwansa, Ministry of Foreign Affairs, PO Box 50069, Lusaka, Zambia Fax: +260 1 250 240. Email: foreignlsk@zamtel.zm Salutation: Dear Minister

Feedback

Please send copies of any replies you get from the officials of Zimbabwe, South Africa, Botswana and Zambia to: Southern Africa Team, Amnesty International, Peter Benenson House, 1 Easton Street, London, WC1 0DW, United Kingdom.