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Zimbabwe: Impunity enables ever more human rights violations

The Zimbabwean government has systematically ensured that those responsible for torture, abductions and political killings are never brought to justice, Amnesty International said in a new report released today; *The Toll of Impunity*.

"Impunity has become the central problem in Zimbabwe where state and non-state actors commit widespread human rights violations without being brought to justice. Unless the cycle of impunity can be broken, human rights abuses will continue unchecked and victims and their families will not see justice," the organization said.

The failure to bring to justice those who committed human rights violations during the June 2000 Parliamentary elections seems to have given a green light for further violations committed later in 2000, in 2001 and most recently at the time of the March 2002 Presidential election. This report uses case studies to illustrate how impunity has been promoted by the Government of Zimbabwe and it proposes key recommendations on how to break that impunity for perpetrators of human rights violations.

Under President Robert Mugabe, the presidential power of amnesty has been used several times to excuse politically motivated human rights violations. Following the 1995 presidential elections, a presidential amnesty was declared to shield from justice those who carried out politically-motivated beatings, burning of homes and intimidation perpetrated by supporters of ZANU-PF during the elections. More recently, a presidential amnesty issued on 6 October 2000 granted immunity for politically motivated crimes committed during the period 1 January 2000 to 31 July 2000. Although the order made exceptions for some grave crimes, it protected perpetrators of human rights abuses by exempting from prosecution those alleged to have committed acts including grievous bodily harm (torture), common assaults, kidnapping and abductions.

Beyond the use of presidential amnesties, clemencies and indemnities the Zimbabwean authorities have employed a range of techniques to cover up state involvement in politically motivated violence and to prevent perpetrators of human rights violations from being brought to justice. These include:

- the use of state-sponsored "militia" to obscure the identification of the state's agents as the perpetrators of human rights violations;
- preventing human rights defenders and the independent media from investigating and publishing accounts of human rights violations;

politically manipulating the police;
undermining the judicial system by eroding the independence of the judiciary and circumventing its effectiveness.

This week marks the second anniversary of the "disappearance" of Patrick Nabanyama, a polling agent for the opposition Movement for Democratic Change (MDC) in the June 2000 Parliamentary elections. According to witnesses, he was abducted on 19 June 2000 by a group of "war veterans", supporters of the ruling Zimbabwe African National Union (Patriotic Front), ZANU (PF). The ten "war veterans" were acquitted of charges of the murder of Patrick Nabanyama, on the grounds of lack of evidence. Two years on, his body has not been found and no-one has been brought to justice for his "disappearance".

Amnesty International calls on the Zimbabwean authorities to bring an end to human rights violations perpetrated by state and non-state actors and to bring those responsible to justice.

"To break the cycle of impunity, the authorities in Zimbabwe must ensure conditions exist for the proper and impartial reporting and investigation of alleged human rights violations. There should be a clear and public signal given to the Zimbabwe police to abide by the highest standards of professionalism and respect for human right," the organization added.

In the longer term, the authorities in Zimbabwe should repeal or amend laws that violate human rights and take steps to ratify the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Government should also invited the United Nations Special Rapporteurs on torture and on the independence of judges and lawyers, to investigate matters falling within their mandates.

Amnesty International called on member states of the Southern Africa Development Community, in particular, and upon the international community, in general, to bring pressure to bear on the Zimbabwean government to end impunity.

For a copy of the report visit: <http://www.web.amnesty.org/ai.nsf/index/afr46/034/2002>

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