

PUBLIC

AI Index: AFR 56/010/2001

7 June 2001

Further information on UA 25/01 (AFR 56/004/2001, 31 January 2001) and follow-up (AFR 56/005/2001, 9 February 2001 and AFR 56/009/2001, 16 March 2001) - Fear of Torture/Prisoners of Conscience

TANZANIAJuma Duni Haji

Machano Khamis Ali

Suleiman Seif

Ahmed Seif

At least 17 others

Most of those charged with the murder of a police officer during a demonstration on Pemba Island have been released. However, prisoners of conscience Juma Duni Haji and Machano Khamis Ali remain in detention, despite Zanzibar's Attorney General having ordered their release.

On 28 May, Attorney General Iddi Pandu ordered the release of prisoners of conscience Juma Duni Haji and Machano Khamis Ali. He told journalists that "The police has failed to produce any evidence beyond reasonable doubt against the suspects... The case should be dropped and the suspects released".

In a court hearing on 4 June, Police prosecutor Ramadani Hamis challenged the Attorney General's decision and asked for "thorough clarification" thereof before the two detainees could be released. The two remain in detention and are expected to appear in court again on 18 June 2001.

About 18 other CUF party leaders, who had also been charged with the murder and were held in Wete prison, were reportedly released at the beginning of June, and had their charges dropped. At least one detainee is still being held on Pemba in connection with the murder. It is not known whether opposition member of parliament Ahmed Seif and his brother Suleiman were among those released. The authorities apparently still want three other suspects thought hiding in Kenya.

BACKGROUND INFORMATION:

Juma Duni Haji and Machano Khamis Ali have been held in Zanzibar Central Prison since they were arrested on 23 February and charged with the murder of a police officer during a 27 January demonstration in Wete, Pemba island. Neither is believed to have been in Pemba at the time of the demonstrations. Both men are leading members of the opposition Civic United Front (CUF). They had recently been released after being held as prisoners of conscience for three years on fabricated charges of treason.

NOTE:

Many members of the Urgent Action network received letters from the Tanzanian Inspector General of Police, Mr Omar Mahita, in response to appeals on the original Urgent Action. The letters all refer to a geographical error in the text of the Urgent Action, which refers to "the islands of Unguja, Pemba and Zanzibar" (Unguja is in fact another name for Zanzibar). We would like to apologize for this. Amnesty International's research team at the International Secretariat has responded directly to the Inspector General of Police, acknowledging the error, restating AI's concerns, requesting a response to the specific concerns raised in the action and offering to discuss these concerns

in more detail. A copy of the letter has been sent to all Urgent Action coordinators.

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

- if you received a reply from the Inspector General of Police, thank the authorities for the response and request a response to AI's substantive concerns, including those mentioned below;
- welcoming the release of most of the detainees held in Wete prison on murder charges in connection with killing of a police officer during the 27 January demonstration;
- expressing concern that Juma Duni Haji and Machano Khamis Ali are still being detained, although the Attorney General has ordered their release;
- asking the authorities to explain the reasons and legal basis for their continued detention, and to clarify whether they are under arrest and what are the charges against them;
- stating that if they are still detained on the charges of murder, Juma Duni Haji and Machano Khamis Ali are prisoners of conscience, who should be released immediately and unconditionally;
- asking the authorities to clarify the identity of the one detainee still held in Pemba on murder charges;
- seeking assurances that the detainees will not be tortured or ill-treated, and that they are granted regular access to their lawyers, families and necessary medical treatment;
- urging that others detained or wanted in connection with the murder are guaranteed a fair trial and humane treatment, and that if extradited from another country, this is done in a proper legal manner through formal judicial procedures.

APPEALS TO:

President Benjamin Mkapa
Office of the President
PO Box 9120
Dar es Salaam
Tanzania

Telegrams: President Benjamin Mkapa, Dar es Salaam, Tanzania

Faxes : + 255 222 11 3425

Salutation: Your Excellency

President Amani Abeid Karume
Office of the President of Zanzibar
PO Box 2422
Zanzibar
Tanzania

Telegrams: President Amani Abeid Karume, Zanzibar, Tanzania

Faxes: + 255 242 33722 / + 255 242 31822

Salutation: Your Excellency

Mr. Omar Mahita,
Inspector General of Police
Tanzania Police Headquarters
PO Box 9223
Dar es Salaam
Tanzania

Telegrams: Inspector General of Police, Dar es Salaam, Tanzania

Faxes: + 255 222 118334 (c/o Ministry of Home Affairs)

Salutation: Dear Inspector General

Police Commissioner of Zanzibar

Mr. Khalid Iddi Nauzani

Zanzibar Police Headquarters

PO Box 4220

Zanzibar

Tanzania

Telegrams: Police Commissioner of Zanzibar

Faxes: + 255 242 33722/ + 255 242 31822 (c/o the President's Office)

Salutation: Dear Commissioner

COPIES TO:

Mr Andrew Chenge

Office of the Attorney General

PO Box 9050

Dar es Salaam

Tanzania

Telegrams: Attorney General, Dar es Salaam, Tanzania

Faxes: + 255 222 116654

Salutation: Dear Attorney General

Mr Iddi Hassan Pandu

Attorney General's Chambers

P O Box 239

Zanzibar

Tanzania

Telegrams: Attorney General, Zanzibar, Tanzania

Faxes: + 255 242 33722 / + 255 242 31822 (c/o Office of the President)

Salutation: Dear Attorney General

and to diplomatic representatives of Tanzania accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 July 2001.