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Policing in Zambia: Sometimes fatal, seldom fair

Contempt for human rights remains embedded in the Zambian police force, whose officers shoot and kill as an alternative to arrest and routinely torture ordinary citizens as part of crime investigations, Amnesty International said today.

In a new report, released on the eve of a World Bank meeting that will discuss Zambia's human rights record, the organization outlines how the country's police force is influenced by political meddling to the extent where paramilitary police use teargas and batons to break up peaceful public gatherings, where journalists are arrested for reporting the news to the nation and politicians are detained on political charges. Police officers can also shoot and kill with impunity.

"The Zambian authorities are failing to take police officers to court for killing and torturing people," Amnesty International said. "This only serves to perpetuate a cycle of violence which increasingly victimises ordinary people and does nothing to fight crime."

Zambia promised major reforms to its police force at the previous World Bank meeting in Paris in May 1998, in response to criticism voiced by local and international human rights organisations. A year later, these promises remain largely unfulfilled.

In 1998 alone, Zambian police shot to death more than 30 people between January and November. Numbers from previous years are similarly high, and the actual figure of fatal police shootings is believed to be much higher.

The government has announced reforms of the Zambia Police Service, some of which continue. Most have either failed or the authorities lacked the political will to implement them fully. A Police Service Mission Statement adopted in 1995 speaks of "applying the law fairly and firmly to all", but has yet to show concrete results, especially where members of the police themselves are concerned.

"Until the authorities make clear that shooting to kill cannot be tolerated as an alternative to arrest, ordinary people will continue to die at the hands of the police force," Amnesty International said. "Most victims were never given a chance to defend themselves -- not in court, nor from such unnecessary violence."

The report also outlines how members of Zambia's police force systematically torture and ill-treat people during arrest, interrogation and detention. As with police shootings, many of the victims are criminal suspects whose names and cases are rarely mentioned in the national media. Such obscurity gives police a free hand to violate the rights of ordinary citizens.

Both regional non-governmental organizations and Zambian human rights groups confirm that the police use torture. Allegations include police pouring a highly corrosive substance onto the genitals of a detainee, stripping a woman naked and lashing her with a hosepipe-like instrument, dragging a

handcuffed man through town then punching and kicking him for five days, and shooting a man in the back after he resisted arrest.

A local human rights activist told Amnesty International that it is “a matter of routine [for police] to torture, especially those who don’t have a lawyer. In rural areas, there is no human rights at all. Torture is easy. No one is watching. The police are the law, they can torture you all night in cases of theft ... The police will always deny it. But you can clearly see in court the evidence of beatings, and they [suspects] are gasping until squeaking from being choked”.

Zambia took a positive first step towards eradicating torture in October 1998 by acceding to the UN Convention against Torture (CAT), under which it is obliged to take “effective legislative, administrative, judicial or other measures to prevent acts of torture...”. However, such steps have so far failed to show results and police continue to ignore both the CAT and other international human rights standards.

“In the absence of justice for those who kill and torture, and without the political will for change, the people of Zambia will remain terrorised by the very people put in place to protect them,” Amnesty International said.

International human rights standards guarantee the right to peaceful assembly. Yet Zambia’s police officers have resorted to beating peaceful demonstrators with batons and using tear gas inside buildings. Other international standards, which call on police to avoid using force, including firearms, when policing non-violent assemblies, also seem to have been more consistently breached than observed.

Under both the current and previous governments police have often prevented opposition political parties, human rights activists and other government critics from staging peaceful public rallies and press conferences.

Government-initiated reviews have indicated the need for wide-reaching police reform, and cabinet ministers have called for better training for police and security personnel. Amnesty International has welcomed these stated intentions, but regrets that the Zambian authorities have not taken steps toward making police more accountable.

The organization recommends urgent legal changes, such as making torture a crime punishable under the Penal Code; administrative changes, such as improving training and accountability for paramilitary police; and institutional changes, such as creating a mechanism for independent and impartial investigations of police officers alleged to have violated human rights.

“All of Zambia’s current and proposed policing reforms must be underpinned by an unwavering political will to make them work,” Amnesty International said. “Only strong and public commitment to human rights at the top levels of the Zambian government will ensure that the police begin to apply the law ‘fairly and firmly to all’”.

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To receive a copy of the report, or to arrange an interview, please call Amnesty International in London, UK on +44 171 413 5566. ISDN available.