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ZIMBABWE

Terror tactics in the run-up to parliamentary elections, June 2000

Introduction

Amnesty International has been gravely concerned at the persistent reports of widespread human rights abuses taking place in Zimbabwe since March 2000. As a reflection of this concern, Amnesty International sent delegates to the country to investigate these reports. Their preliminary findings are reflected in this briefing document.

Amnesty International's delegates met with various government officials, some political parties, and sections of Zimbabwean civil society to discuss their findings and concerns as part of the organization's ongoing efforts to work with Zimbabweans towards making respect for human rights a reality in this country.

Amnesty International has concluded from its inquiries that there is evidence that the Government of Zimbabwe is either instigating or acquiescing in serious violations of human rights including extrajudicial executions, torture and other cruel, inhuman or degrading treatment or punishment. There appears to be a deliberate and well-thought out plan of systematic human rights violations with a clear strategy, constituting state-sponsored terror in the run-up to the June elections. The issues of land reform and perceived racial inequalities, though of legitimate concern to most Zimbabweans, must not be seen as the root cause of the current politically-motivated violence.

The politically-motivated violations of human rights that have occurred in Zimbabwe over the past three months--and the complete lack of accountability of those responsible for it--is both of immediate concern and of concern also against the background of a history of impunity in Zimbabwe. The serious violations and abuses of human rights during the war of independence from 1965 to 1980, especially by the government led by Ian Smith, were covered up by the blanket amnesty that accompanied independence. Zimbabwe was soon after gripped by the terror created by the Zimbabwe National Army 5th Brigade operations in Matabeleland that resulted in thousands of executions, "disappearances" and torture. These atrocities were themselves subject to an amnesty in 1988. This same pattern of impunity is evident in this recent wave of politically-motivated violence. The official flouting of key court rulings and threats against the

independence of the judiciary have also compounded the current problem of impunity.

Extrajudicial executions and the infringement of the rights to freedom of assembly and association

Amnesty International is very concerned by the level of apparently orchestrated threats and violence against perceived or real supporters of the opposition parties. The organization concluded that these incidents were occurring with the complicity of the government, through lack of protection by the police of those at risk, and/or failure to conduct impartial investigations into abuses, or through direct involvement of state agents in killings, or through verbal incitement of the perpetrators by members of the government including at the highest level.

Among other cases brought to Amnesty International's attention was that of a youth member of the Movement for Democratic Change (MDC) from Mataga village in the district of Mberengwa, Midlands province. Last week the youth member (referred to as A for reasons of security) was visited by people she said were supporters of the ruling party, the Zimbabwe African National Union (ZANU -PF) and war veterans of Zimbabwe's 1970s struggle for independence. They accused A of joining a party "that wants to give Zimbabwe back to the whites." She said that she was assaulted by them.

A reported the case to the police. She said that the next day a 300-strong crowd returned and force-marched her and her husband to a nearby tree, where both "were thoroughly beaten" for five hours with machetes, batons and axe handles. They were made to chant ZANU-PF slogans and sing the ruling party's liberation songs. She said that many suspected MDC members were rounded up from their homes and taken to that tree that day. They were forced to surrender their MDC cards, T-shirts and literature. A claimed that five police officers stood by about 50 metres away watching while they were being beaten and took no steps to intervene.

In another example, Blessing Chebundo, the MDC candidate for Kwekwe constituency in the Midlands, had to flee the town together with his campaign manager and their families following attempts to kill them, and following the final destruction of their houses and all their belongings. Blessing Chebundo had been warned previously to leave MDC. One of the campaign manager's children spent a week in hospital after being beaten and left in a burning house.

Blessing Chebundo reported that the attacks against him included, on 9 May, being doused with petrol at a bus station. He managed to grab one of his five attackers, thereby preventing another from setting him on fire because the attacker would have been burned in the process. Kwekwe police, who were given the name and address of one of the alleged attackers, interviewed three

witnesses, but to Amnesty International's knowledge have made no arrests to date.

On 15 May, Blessing Chebundo was at home when petrol bombs were thrown into his house, burning it down completely. He said that he survived this attack by stabbing one of the attackers, an alleged ZANU-PF youth member, with a knife, and fought the aggressors back with the help of MDC youths. Blessing Chebundo said that he telephoned the police while his house was burning and the attackers were still outside. The police, who were stationed only 500 metres from the house, informed him that they had no transport. He said that they only arrived on the scene 20 minutes after the attackers had been chased away.

In an instance of alleged direct state involvement, two MDC members, Tichaona Chiminya and Talent Mabika, were killed on 15 April near Buhera, Manicaland province, when a petrol bomb was thrown into their car. Police deployed in the area reportedly failed to intervene. Police subsequently were given the names of two alleged culprits - believed to be members of the state intelligence service, the Central Intelligence Organization (CIO). To the best of Amnesty International's knowledge, as of this date no arrests have been made nor any witnesses questioned. Amnesty International is greatly concerned about the police inaction in this case.

In another incident David Stevens, a member of the MDC and a farmer in Macheke, Mashonaland East, was killed on 15 April. In this case a witness to the killing was abducted by war veterans from the police station in Murehwa, where he had gone to report the earlier abduction of David Stevens. The witness informed Amnesty International that war veterans took him to their office where he found Stevens, all beaten up and bleeding. The witness said that he and Stevens were beaten further before being bundled into a car and driven away from Murehwa. They were then forced to walk up a hill. After complaining that they could not walk further, they were returned to the car. Their captors shot David Stevens fatally at point blank range in the presence of the witness. No arrests have been made in this case to date.

Torture and cruel, inhuman or degrading treatment

Amnesty International is concerned that systematic assaults, amounting to torture acquiesced in by the state, have been inflicted with impunity on real or perceived opposition supporters held illegally in different parts of the country by ruling party supporters, especially by the war veterans.

A number of these incidents took place, in the first half of May, in a doctor's surgery in Budiro, a suburb in the outskirts of Harare. The surgery is run by war veteran leader Dr Chenjerai "Hitler" Hunzvi. It is reported that people were taken there to be tortured because of their alleged connections to the MDC. On 17 May one of the torture victims was killed while fleeing from the surgery,

by a group of people reportedly linked to the ruling ZANU-PF party.

Amnesty International interviewed several victims who reported they had been tortured in the surgery. Forensic medical experts experienced in documenting evidence of torture have also examined some of the victims. Their findings were consistent with the forms of torture described by the victims.

Among other cases, X (not named for reasons of security) was abducted from a street 50 metres from the surgery while on his way home from work. He described how five persons, allegedly ZANU-PF supporters and war veterans, grabbed him by his arms and legs after demanding to know his name. The victim believes that he was abducted because his brother is involved with the MDC. He said that the attackers beat and kicked him in the street and squeezed his testicles. Inside the surgery they reportedly beat him further until he bled from the mouth and nose. According to his account, they only stopped when he feigned unconsciousness. They held him captive in the surgery for four days, during which time he was moved between various rooms as the torture was meted out. Among other tortures, they allegedly beat him with broom handles on his hands, back, buttocks and on the soles of his feet. He said that they threatened him with death by one of his tormentors, allegedly second in command, producing a knife and challenging anyone to slash his throat. Although he was not slashed with the knife, as one of the war veterans intervened saying that X was not active in politics, the torture continued. They reportedly forced him to put his index finger on the floor, and to run round and round very fast while keeping his finger on the floor, until he was dizzy. He said that he was undressed in the bathroom, his mouth bound with his shirt, and then his head was pushed into the toilet bowl while one of the torturers flushed the toilet. Some of them laughed and ululated. He felt that he was suffocating. "That was the most extravagant torture night I experienced," he said. More than two weeks later after these events X's marks and wounds were still clear and raw to Amnesty International's delegates.

In a second case, on 8 May, Y was abducted from a shopping centre near Dr Hunzvi's surgery. He alleged that groups of six people took turns to torture him, and that some 90 people altogether were involved. Y said that a group of women forcibly removed all his clothes. According to his account, his torturers connected two wires to the electricity and applied electric shocks to his arm pits and his genital area. A forensic medical examination confirmed that physical scars in the places where he said he was subjected to electric shock torture were consistent with his allegations. Reportedly, they also subjected him to other forms of torture including piercing his skin with metal bottle tops. He said that they forced him to raise his arms and battered his ribs with sticks and that they also beat the soles of his feet so that he could not walk with ease for two days. According to Y, his torturers demanded to know about the MDC - 'the big fishes, my position in the party and where the leaders live.'

Both victims, X and Y, also stated that they had seen many more people being tortured while they were in the surgery. They also reported that while they were held there, police officers came to the surgery and secured the release of some victims, apparently those whose cases had been reported to the police, but others remained there at the mercy of the people holding them.

Amnesty International is gravely concerned that, although X and Y and other victims reported their cases to the police, the police took no substantial action to curtail the use of the surgery as a site of torture until one of the abductees was beaten to death on 17 May while trying to flee from the surgery. Then the police moved in and arrested 46 war veterans and ZANU-PF supporters, some of whom have been charged in court and remanded in custody. To Amnesty International's knowledge the owner of the surgery, Dr Hunzvi, has apparently not been questioned about these incidents.

Freedom of expression & human rights defenders

Amnesty International is concerned about threats to the freedom of expression in this very tense situation. Journalists from both the domestic independent media and international media, who face threats in the normal course of their work have not received any protection from law enforcement agencies.

The Zimbabwe Union of Journalists, who have asked for police protection when their members report from the areas where threats to journalists and their work are greatest, have received no response. Amnesty International believes that the police failure to provide protection sufficient to enable effective reporting of the situation in these areas is seriously affecting the right to freedom of expression and thus undermining the ability to document human rights violations.

Of further concern is the police failure to provide protection to human rights defenders, such as human rights and civic education workers, who, while deployed by civil society organizations to undertake non-partisan voter-education and the training of local election observers, have been threatened and subjected to violence by war veterans and ZANU-PF activists. Amnesty International's delegates interviewed some of these victims. Some had had their T-shirts, bearing their organization's name, ripped off them; others, in Bulawayo, Marondera and Mt Darwin, for example, had been assaulted. These people have been subjected to human rights violations at the instigation of or with the acquiescence of the government while attempting to ensure that all Zimbabweans receive information to better enable them to participate in the election process. Such actions are contrary to the obligations of all states under the Human Rights Defenders Declaration (Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms). Amnesty International also became aware of the tangible fear and apprehension among ordinary people,

particularly in the countryside, that their vote will not be secret and that there will be reprisals after the elections.

Impunity & Accountability

One of the most critical issues in the history of human rights in Zimbabwe is the fact that serious violations of human rights have neither been investigated nor the perpetrators identified and punished. In 1980, the independence settlement included a blanket amnesty for perpetrators of human rights violations and abuses committed during the war for independence. Those who served in Rhodesia's military and security forces who had been involved in extrajudicial executions and torture were thus incorporated without sanction into the new Zimbabwe government's military and security forces. Inevitably this sent a clear signal that the commission of human rights violations was acceptable and would go unpunished. Methods of carrying out human rights violations were also passed from the Rhodesian to the newly integrated Zimbabwean forces, often practised by the very same people.

As a result, the pattern of violations during the Matabeleland crisis of 1983-1988 was similar to that during the war of independence. Once more, political expediency resulted in a blanket amnesty, so that no-one was brought to justice for the extrajudicial executions and political killings, rapes and torture.

Amnesty International is concerned that this longstanding climate of impunity is facilitating the repetition of similar human rights abuses in the run-up to the June elections.

Climate of intimidation in the run-up to the elections

In conclusion, the government has failed to ensure that all Zimbabweans are able to exercise their rights to freedom of expression, association, assembly and movement in the run-up to the elections. The government must urgently act to end human rights violations so that all Zimbabweans are able to participate in the election process freely and without fear. Amnesty International therefore urges that the following steps be taken without delay:

Recommendations

in order to end the culture of impunity an independent, international and impartial commission of inquiry should be constituted and invited to Zimbabwe to investigate reports of extrajudicial executions, torture and ill-treatment in accordance with international standards for such inquiries; the government of Zimbabwe should invite the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture to visit the country and conduct investigations;

all government officials and political party leaders must immediately and publicly condemn the violence by their political supporters and ensure that they will co-operate with any impartial investigation into abuses allegedly committed by their supporters;

frequent and consistent public assurances should be given by all political party leaders that there will be no reprisals after the elections, regardless of the outcome;

the President and government should act swiftly to end human rights violations and ensure effective investigation of incidents that have already taken place;

the police should take swift and impartial action consistent with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials to protect all persons in Zimbabwe from human rights violations and to investigate all politically-motivated killings and assaults;

the police must immediately act to ensure the safety of journalists, election observers, human rights monitors and others involved in civic education preparatory to the elections;

the international community should ensure that their observers remain in the country for as long as necessary after the elections to help ensure that the aftermath is free from human rights abuses and to report publicly on any that may occur;

governments around the world, including in Southern Africa, should condemn the abuse of human rights in Zimbabwe.

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