

PUBLIC

AI Index: AFR 46/012/2009

12 February 2009

UA 39/09 Torture/ ill-treatment/ medical concern/Prisoners of Conscience

ZIMBABWE	Fidelis Chiramba (m), aged 72]
	Gandhi Mudzingwa (m)] Activists for the Movement for Democratic
	Kisimusi Dhlamini (m)] Change (MDC)

Political activists Fidelis Chiramba, Gandhi Mudzingwa and Kisimusi Dhlamini are being detained at Chikurubi Maximum Security Prison in the capital, Harare after they were taken into custody by security forces in late 2008. All three men have serious medical problems, and need specialist treatment in hospital. Fidelis Chiramba and Gandhi Mudzingwa are known to have conditions that are life-threatening. The authorities at Chikurubi Maximum Security Prison are denying them access to the treatment they need.

The three men are all being held on allegations of either recruiting youth to undergo military training or bombing of police states and railway lines. They men deny these allegations and appear to be victims of a well established pattern of harassment and intimidation of political opponents by President Mugabe's government. They are activists for the Movement for Democratic Change (MDC).

Fidelis Chiramba, aged 72, the chairperson of a branch of the MDC in Zvimba South district of Mashonaland West Province, was arrested at his home in the town of Banket on 31 October 2008. He has injuries believed to have resulted from torture, and is also suffering from heart failure. On 30 January, a magistrate in Harare ordered the authorities at Chikurubi Maximum Security Prison to allow Fidelis Chiramba to be examined at a hospital. The prison authorities did not comply with this order until 6 February, when Fidelis Chiramba was taken to Avenues Clinic in Harare. Doctors at the clinic recommended that he be admitted as his condition was so serious, but the authorities refused, and took him back to the prison. Another order was issued by a magistrate's court in Harare on 11 February for the three detainees to be examined by doctors.

Gandhi Mudzingwa, a former personal assistant to MDC leader Morgan Tsvangirai, was abducted on 8 December. He was examined by doctors at Avenues Clinic who found that he had high blood pressure, which could lead to him suffering a stroke if not treated immediately.

Another detained MDC activist, Kisimusi Dhlamini, was also seen at the same clinic on 6 February. Doctors report that he has injuries consistent with being beaten on the soles of the feet, which is a form of torture known to have been used by the Zimbabwean authorities. If injuries from this form of torture are not adequately treated victims are at risk of having their feet amputated.

BACKGROUND INFORMATION

There about 27 prisoners of conscience and other political detainees being held at Chikurubi Maximum Security Prison. The detainees are victims of a wave of abductions that started in October 2008. Despite court orders compelling the Zimbabwean authorities to take the detainees to court, the authorities have repeatedly frustrated efforts for the detainees to access medical care.

Following the signing of a power-sharing agreement in September 2008, the Zimbabwean constitution was amended by parliament on 5 February to create way for the establishment of a unity government. In February, the parties also created the Joint Monitoring and Implementation Committee (JOMIC), which is responsible for monitoring and implementing the agreement. As part of its duties, the Committee must determine complaints of breaches to the agreement such as the continued detention of political detainees.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

To the Officer-in-Charge of Chikurubi Maximum Security Prison:

- calling for the immediate and unconditional release of Fidelis Chiramba, Gandhi Mudzingwa and Kisimusi Dhlamini, in order for them to receive the medical treatment they urgently need;
- urging the prison authorities to treat all detainees in accordance with internationally guaranteed standards for the treatment of all people in custody, in particular Rule 22(2) of the UN Basic Principles for the Treatment of Prisoners, which requires prison officials to transfer sick prisoners who require specialist treatment to specialized institutions or to civil hospitals.

To Professor Welshman Ncube, Chairperson of the Joint Monitoring and Implementation Committee (JOMIC):

- expressing concern at the reports of torture and withholding of medical treatment for those detained in Zimbabwe for their political and human rights activism, including Fidelis Chiramba, Gandhi Mudzingwa and Kisimusi Dhlamini;
- saying that Amnesty International believes that these detainees are prisoners of conscience;
- calling him to personally investigate the allegations of torture and failure by the prison authorities to fully implement court orders calling for detainees to receive medical treatment;
- urging him to instruct the director of the Zimbabwe Prison Service to immediately release the prisoners of conscience, and allow them to be hospitalised;
- calling on him to urgently convene a meeting of the JOMIC and order the release of all prisoners of conscience.

APPEALS TO:

Officer in Charge – Chikurubi Maximum Security Prison
Chikurubi Prison Complex
Private Bag 7392
Greendale
Harare
Zimbabwe

Salutation: Dear Officer-in-Charge

Prof. Welshman Ncube
Chairman of the Joint Monitoring and Implementation Committee
Email: wncube@africaonline.co.zw

Salutation: Dear Prof. Ncube

COPIES TO: diplomatic representatives of Zimbabwe accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 March 2009.