

Further Information on UA 39/09 (AFR 46/012/2009, 12 February 2009) - Torture/ ill-treatment/ medical concern/ Prisoners of Conscience

ZIMBABWE	Fidelis Chiramba (m), aged 72 Gandhi Mudzingwa (m) Kisimusi Dhlamini (m)]] Activists for the Movement for Democratic] Change (MDC)
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Political activists Fidelis Chiramba and Gandhi Mudzingwa are currently receiving medical treatment in hospital, but they risk being returned to Chikurubi Maximum Security Prison in Harare. A third activist, Kisimusi Dhlamini, has not received the medical treatment he needs outside Chikurubi Maximum Security Prison.

Fidelis Chiramba, aged 72, the chairperson of a branch of the Movement for Democratic Change (MDC) in Zvimba South district of Mashonaland West Province, has injuries believed to have resulted from torture, and is also suffering from heart failure. Prison authorities did not comply with an order for him to be examined at a private hospital, issued on 30 January by a magistrate's court in Harare, until 6 February. Doctors at Avenues Clinic in Harare who saw Fidelis Chiramba recommended that he be admitted as his condition was so serious, but the authorities refused, and took him back to the prison. Following another magistrate's court order on 11 February, ruling that Fidelis Chiramba, Gandhi Mudzingwa and Kisimusi Dhlamini should be examined by doctors, Fidelis Chiramba was taken to Avenues Clinic on 12 February. He is still being treated there, and is guarded by prison staff.

Gandhi Mudzingwa, a former personal assistant to MDC leader and now Prime Minister Morgan Tsvangirai, has dangerously high blood pressure, which could lead to him suffering a stroke. He was also taken to Avenues Clinic on 12 February, when his condition further deteriorated. He is still being treated there, and is guarded by prison staff.

All the detainees in hospital are reported to be handcuffed to their beds. Amnesty International fears that those in hospital are at risk of being sent back to prison without getting full treatment.

MDC activist Kisimusi Dhlamini is still held at Chikurubi Maximum Security Prison. He has not received treatment in hospital, even though the magistrate's court ordered on 11 February that he should be examined. Doctors at Avenue Clinic who saw him on 6 February 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.

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.

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 previously 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. JOMIC is made up of 12 members - 4 members each from President Robert Mugabe's ZANU-PF and the two formations of the MDC. It has three co-chairpersons and Professor Welshman Ncube is the Chair for the month of February. 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 Kisimusi Dhlamini, so that he can receive the medical treatment he urgently needs;
- calling for assurances that Fidelis Chiramba and Gandhi Mudzingwa will be permitted access to all necessary medical treatment in hospital, and will not be returned to prison;
- 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):

- calling for the immediate and unconditional release of Kisimusi Dhlamini, in order for him to receive the medical treatment he urgently needs
- 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 all those held for their political and human rights activism are prisoners of conscience;
- calling him to personally investigate the allegations of torture and failure by the prison authorities to immediately and 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 all prisoners of conscience, and allow them to be hospitalised where necessary;
- 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 7 April 2009.