

PUBLIC

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28 January 2008

UA 26/08 **Excessive use of force/torture**

ZIMBABWE **Leaders and supporters of the Movement for Democratic Change**

Zimbabwe's main opposition party, the Movement for Democratic Change (MDC), is preparing to stage nationwide political demonstrations in advance of the presidential and parliamentary elections, scheduled to take place on 29 March 2008. At one of the first MDC demonstrations in the run-up to the elections on 23 January, the police assaulted and arrested MDC supporters and leaders, and Amnesty International believes the police are likely use excessive force at the forthcoming demonstrations.

On 23 January, Morgan Tsvangirai, who leads the largest MDC faction, was taken from his home at 4am by officers from the Law and Order section of the police, which has in the past tortured political and human rights activists in its custody. Tsvangirai was held at Harare Central police station and then released without charge at about 8am. Two other MDC officials, Ian Makone and Denis Murira, were also detained and released. The arrests appear to have been an attempt by the authorities to intimidate and harass these MDC leaders.

On 21 January, police banned an MDC demonstration in Harare scheduled for 23 January, though they had given written permission for it on 18 January. The MDC then appealed, and the Magistrates' Court ruled on 23 January that, while MDC supporters could not march through Harare, they could hold a rally in Glamis Stadium, near the city centre, and the police "should not interfere with the gathering through prohibiting it, stopping it, blocking it or doing any act calculated to prevent the gathering from proceeding". However, as protestors walked to the stadium, police apparently fired tear gas, and assaulted and arrested several people.

The government's official mouthpiece, daily newspaper *The Herald*, quoted police spokesperson Assistant Commissioner Wayne Bvudzijena confirming that 15 people had been arrested. Among them were the MDC's organising secretary, Elias Mudzuri, two of his bodyguards and 12 others. Mudzuri, his bodyguards and three bystanders were later released.

BACKGROUND INFORMATION

The Zimbabwean government has persistently harassed and intimidated MDC leaders. In March 2007, Tsvangirai and about 50 other MDC and civil society leaders were arrested and severely beaten. Some were tortured.

Police repeatedly arrest and beat human rights defenders and MDC activists engaging in peaceful protest. Detainees are then often ill-treated and denied access to lawyers, food and medicine.

The Law and Order section of the Zimbabwe Republic Police has been particularly brutal in its treatment of MDC members and civil society activists who are critical of government policies. Amnesty International has corroborated evidence of torture and ill-treatment of activists in police custody by officers from the Law and Order section.

Police in Zimbabwe implement the Public Order and Security Act (POSA) in a partisan manner, allowing the ruling ZANU-PF party's members to fully enjoy their right to peaceful assembly and

association, while severely restricting activities of the MDC, human rights defenders and perceived opponents of President Robert Mugabe.

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

- calling on the Commissioner-General of Police to ensure that the Movement for Democratic Change's peaceful protests, meetings and rallies are allowed to proceed unhindered;
- asking him to ensure that all police officers under his command act with restraint when dealing with public demonstrations;
- urging him to ensure that all detainees, including members of the MDC and human rights defenders, have access to lawyers of their choice, to food and medical care.

APPEALS TO:

Commissioner-General of Police Augustine Chihuri
Zimbabwe Republic Police
Police Headquarters
PO Box 8807
Causeway
Harare
Zimbabwe

Fax: +263 4 253 212

Salutation: Dear Commissioner-General

COPIES TO:

The Movement for Democratic Change
44 Nelson Mandela Avenue
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Zimbabwe

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and 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 29 March 2008.