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Tanzania: Zanzibar opposition figures face treason trial and death sentences

The charges of treason being brought by the Zanzibar government against 18 members of the Zanzibar opposition party, the Civic United Front (CUF), illustrate the disturbing absence of human rights protection in the semi-autonomous island of Zanzibar, Amnesty International said in a new report issued today.

"The treason charges against the members of the CUF are politically motivated. There is no substance to the allegations of a violent conspiracy by the defendants to overthrow the Zanzibar government. The proceedings are merely an attempt by the government to intimidate and suppress its opponents," Amnesty International said.

Today's release of the report coincides with a High Court hearing in Zanzibar, adjourned from last week, which may set a trial date. At last week's hearing, police tear-gassed and beat CUF supporters outside the court, injuring several and arresting about 15. Two policemen were also injured.

In the report, Amnesty International documents the lengthy proceedings -- which contravene international fair trial standards -- against the 18 members of the CUF. It places the case in the context of a pattern of human rights violations against CUF activists in Zanzibar following the 1995 elections, which were widely seen as rigged to keep Zanzibar President Salmin Amour in power.

The first arrests in the treason case were made at the end of November 1997 on the eve of an important by-election on Zanzibar, which CUF nevertheless won. Fourteen CUF members and supporters were initially arrested and charged with sedition, but the next month the charge was changed to conspiracy to commit treason, which is a non-bailable offence and carries a mandatory death sentence.

Over the following months a further four CUF members were later charged with the same offence, including Juma Duni Haji, the winner of the November 1997 by-election and a former opposition candidate for the Tanzanian vice-presidency. In all, four members of the House of Representatives have been arrested, including Hamad Rashid Mohamed, a former Tanzanian deputy finance minister.

Treason charges were drafted in early 1999 against a further ten senior CUF members, who might also be arrested and tried with the other 18 defendants.

Amnesty International believes that the numerous delaying tactics of the Zanzibar government, the weak state of the judiciary and the defendants' treatment in court so far, make it extremely unlikely that the accused could receive a fair trial according to recognized international standards, in particular the right to be tried by an independent and competent court. The trial could be further delayed so as to weaken opposition campaigning for the next elections in October 2000.

"The eighteen individuals are prisoners of conscience who are imprisoned solely on account of their non-violent opinions and peaceful political activities," the organization declared. "The Zanzibar government must set them free and withdraw the charges against them."

Amnesty International is concerned about the ill-health of a number of the defendants, including two women, as a result of the poor prison conditions in Zanzibar Central Prison and the denial of adequate medical treatment.

The organization urges the Tanzanian government of President Benjamin Mkapa to acknowledge its constitutional responsibilities under the terms of the Union with Zanzibar, as well as its obligations under international law, to protect the human rights of all its citizens -- including Zanzibaris and these treason trial prisoners.

"The Tanzanian government should take all the necessary measures to ensure that Zanzibaris enjoy the same basic rights and freedoms as those prevailing throughout the rest of the United Republic of Tanzania," the organization concluded.

Background

During the Zanzibar elections in 1995 there was widespread intimidation and violence against CUF supporters, particularly by the youth wing of the *Chama Cha Mapinduzi* (CCM, Party of the Revolution), the ruling party in both Zanzibar and mainland Tanzania. In response the CUF protested by instructing its elected MPs to boycott parliamentary proceedings.

Between the elections and 1998, numerous CUF supporters were arrested on trumped-up criminal charges, tortured in police custody and imprisoned. Hundreds of CUF supporters were dismissed from their jobs, their homes were demolished, their children were refused education, and many fled to the mainland for their own safety.

Following lengthy attempts by the Secretary General of the Commonwealth and the United Nations Secretary General to settle the political crisis in Zanzibar, an agreement was finally reached between CCM and CUF in April 1999. Far-reaching reforms for democratisation, human rights and fair elections were set out in the Commonwealth Agreement, but few have yet been implemented. Although the CUF is allowed to operate more freely, the Zanzibar government continues to press ahead with the trial, intent on convictions and death sentences.

Tanzania retains the death penalty, although there have been no executions since 1994.

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For more information or to receive a copy of "*Prisoners of Conscience face treason trial in Zanzibar*" please call Ben Rowse at Amnesty International's press office in London, UK, on + 44 171 413 5808 or visit our website at <http://www.amnesty.org>