

Jestina Mukoko remains in custody in Zimbabwe

After her abduction on 3 December and subsequent three week disappearance human rights activist Jestina Mukoko, Chair of the Zimbabwe Peace Project, has appeared in court in Harare and along with 8 other detainees is to be charged with recruiting and training activists in Botswana to violently overthrow Mugabe's government. Zimbabwe Lawyers for Human Rights (ZLHR) have issued a timeline of events between 25 December and 6 January naming judges and those detained. A total of 32 people now are known to be in police custody after having been abducted by the security forces

According to ZLHR the sequence of events has been as follows. On 24 December the abducted activists appeared in the High Court and an urgent application for the release of the detainees was heard by Honorable Mr. Justice Yunus Omerjee. Justice Omerjee ruled that 22 defendants and two year old child Nigel Mutemagau, taken into custody with his parents, should be released immediately as their detention is unlawful. Justice Omerjee also ruled that Jestina Mukoko and 8 others should be released into the care of a medical clinic, where they should receive treatment for injuries caused by torture during their detention, medical affidavits show that they have been severely beaten on the soles of the feet and beaten with fists and blunt instruments.

The police did not comply with this order and instead the detained were transported to various police and prison cells where they are being held in solitary confinement. Mukoko is being held at maximum security Chikurubi Female Prison, where she has not received the medical treatment she urgently needs.

On 29 December lawyers were able to access Mukoko for a short time before a court appearance she was "produced from solitary confinement, in handcuffs and leg irons" and lawyers were informed for the first time that she is to face charges of "recruiting or attempt to recruit individuals for training in banditry, insurgency, sabotage or terrorism" a charge which carries a potential sentence of life imprisonment.

On 31 January a further application was made for the release of Mukoko on the grounds that she had been kidnapped and the police had initially treated her case as a kidnapping. Her lawyer argued that "the police should disclose who handed her over to the police, explain their failure to arrest and prosecute such individuals for kidnapping." Minister of State Security Didymus Mutasa submits an affidavit confirming that Mukoko was abducted by state security agents. A ruling was made by Justice Alphas Chitakunye on 2 January that Mukoko be taken for medical treatment then back into custody, however this order was ignored and Mukoko is returned to solitary confinement.

Mukoko then appeared in court on 6 January where she was again denied release, magistrate Olivia Mariga said in the ruling that "All the accused should remain in custody pending determination of the matters in the superior courts," and delayed court proceedings until 14 January.