

# CONSPICUOUS DESTRUCTION: WAR, FAMINE AND THE REFORM PROCESS IN MOZAMBIQUE

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IN A 208-page report Africa Watch assesses the human rights record of the Mozambican government and the opposition Mozambique National Resistance (RENAMO).

## Conspicuous Destruction

Mozambique has suffered years of war, famine and authoritarian government, and the extraordinary cruelties of the rebel RENAMO forces. At last, peace is a real prospect. Currently, negotiations are being conducted in Rome that hold out the best promise of an end to the fighting for 13 years. Coming at this crucial juncture in Mozambican history, *Conspicuous Destruction* is the first report to deal with a wide spectrum of human rights in the country.

The civil war between the FRELIMO government and the RENAMO rebels has been exceptionally brutal. Massacres, mutilations such as the cutting off of ears, noses, lips and sexual organs, and the forcible relocation of population, have been characteristic of a war that has claimed hundreds of thousands of lives and reduced much of the country to stone-age conditions. RENAMO has gained a reputation

for extreme brutality: first-hand evidence gathered by Africa Watch and presented in this report indicates that this reputation is well-deserved. In 1992, RENAMO has continued to commit atrocities against civilians, including forcing parents to kill their own children, and has carried out attacks on food convoys. Contrary to RENAMO claims, mutilations of civilians continue up to the present time.

These violations are not wholly random or indiscriminate. Africa Watch has obtained evidence of a rudimentary justice that exists in RENAMO-controlled areas, and shows how RENAMO tactics differ systematically from one area to another.

One of RENAMO's most flagrant abuses has been the forced recruitment of child soldiers. Recent evidence obtained by Africa Watch indicates that this remains a deliberate policy, with children as young as eight years old being forced to join and commit atrocities.

*Conspicuous Destruction* also demonstrates that the Mozambique army has also been guilty of a range of abuses. Some have been systematic, such as scorched earth tactics in Zambezia province,

while others, such as widespread looting of relief convoys, have been due to the low and intermittent pay and poor morale of the soldiers. Government soldiers have been responsible for some incidents of mutilation, as well as killings of civilians.

During the 1980s, the war caused two major famines in Mozambique. RENAMO bears much of the blame, for destroying infrastructure and stealing food, and for blocking or attacking international food aid. However, the government is also to blame. Scorched-earth tactics in Zambezia province in 1987 were important in creating the famine there at the time, hungry soldiers often loot food convoys, and there is massive diversion of international food aid.

In 1992, due to the combined effects of severe drought and continued warfare, Mozambique faces famine on an unprecedented scale, with millions of people facing extreme hunger. It is imperative that the two warring parties reach agreement on proposals to allow humanitarian relief to reach the population in all parts of the country. The most immediate obstacles to this are RENAMO's refusal to allow overland relief convoys, and continuing diver-



*The war has been exceptionally brutal*

sion of aid by corrupt members of the government and army. The Mozambican Attorney General, who is instigating a crackdown on corruption, has received little cooperation from many levels of the government and army, and has also received death threats.

During the last two years, Mozambique has moved radically from being an authoritarian state, to adopting a liberal constitution that guarantees civil and political rights in a multi-party system. The report is the first to assess the government's record to date in respecting the rights guaranteed by these reforms.

Among other issues, this report analyses the new constitution, the rule of law and the freedom of the press. On paper, the reforms are extremely encouraging. In practice, they have proved less easy to enforce. According to Africa Watch's interviews with prisoners detained for alleged involvement with RENAMO, many are still subjected to forms of physical abuse, are denied access to proper legal representation, and are subjected to unfair trials. One of the problems facing the government is that the economic crisis and the current structural adjustment programme mean that it is almost impossible to retain lawyers in government ser-

vice, and to train policemen, security officers and magistrates to the required level.

The press in Mozambique is enjoying its newly granted freedoms, regularly carrying reports of government abuses and corruption. This encouraging development is marred by intermittent government interference, including the dismissal and intimidation of critical journalists.

In *Conspicuous Destruction*, Africa Watch is able to shed new light on some of the secrets of the FRELIMO regime in its Marxist days, such as the fate of prominent dissidents imprisoned following independence in 1974. The government has never publicly disclosed details of what happened to a number of dissidents, including Lazaro Nkavandame, Joana Simaiao and Uria Simango; according to information obtained by Africa Watch, they were executed in 1983 when it was feared that the South African forces would free them and recruit them to RENAMO.

## Introduction and Summary

This report is concerned with human rights in Mozambique. It has a twin focus. One set of concerns relates to the war between the Mozambique Armed Forces (FAM) and the rebel Mozambique National Resistance (RENAMO). This war is 17

years old, and despite repeated attempts to obtain peace over the last four years, still continues at the time of writing. Both sides have been responsible for human rights abuses in the course of the war, though evidence conclusively shows that RENAMO has committed the large majority of gross abuses. As should be manifest, RENAMO's abuses are no excuse for those committed by government forces and do not diminish their significance. The manner in which the war has been fought is a major contributor to the chronic famine which has afflicted the country since the early 1980s.

The second focus is on the reforms instigated by the ruling Mozambique Liberation Front (FRELIMO) under President Joaquim Chissano, under which the country is moving from an authoritarian one-party state to a pluralist political system on the Western model. The 1990 constitution and related legislation are the centrepiece of this transition, and represent the most wholehearted attempt to build an institutional and legal framework to guarantee respect for human rights so far attempted in the history of Mozambique. Major concerns remain, relating to the ability of the government to implement the promised changes. One of the most serious obstacles is the chronic lack of qualified personnel, notably lawyers, and the poor prospects for obtaining such personnel in government service while current economic problems and programmes persist.

## The Origin of This Report

Since its creation as a regional division of Human Rights Watch in May 1988, Africa Watch has been concerned with the vast scale of human rights abuses in Mozambique. This concern has coincided with concerted efforts by the Mozambique government to improve its human rights record and to obtain credibility and support from Western countries, particularly the United States. In 1990, the Mozambique government invited Africa Watch to undertake research into human rights in the country. This was the first occasion on which a government has extended such an invitation to Africa Watch. While in the

country, the government allowed Africa Watch representatives to visit prisons without obstruction or interference, and conduct interviews with detainees under conditions of complete privacy. Africa Watch was also able to meet with senior members of the government, up to and including the president. The level of access provided and degree of frankness shown by the Mozambique government was unprecedented in Africa Watch's dealings with African governments.

In this report, Africa Watch criticises both the government and RENAMO for abuses of human rights committed in the course of war, including violence against civilians, unjustifiable forced relocations, and abusive practices in forcible conscription. In such circumstances, there is the ever-present danger that those who are advocates of or sympathizers with one side in the conflict will use selective quotation from the report in order to make politically partisan points. Therefore, Africa Watch has tried wherever possible to make a broad assessment of the culpability of each side concerning each area of human rights abuse. In general, it is undoubtedly the case that RENAMO has been guilty of a wider range of abuses than the government and FAM; the abuses have been on a larger scale, more frequent, more systematic, and with less recourse to justice for the victims.

From chapter 7 onwards, Africa Watch assesses the progress made by the FRELIMO government towards a democratic system of government which respects civil and political rights. Considerable progress has occurred, but the record is not unblemished, and significant areas of concern remain, not least because of the lack of resources and personnel (such as lawyers) needed to put the reforms into meaningful practice. RENAMO does not figure in this account save as a party to the peace negotiations. This is because RENAMO, unlike many African resistance movements, has made no attempt worthy of consideration to build up any form of civil society in the areas it controls. Despite RENAMO's avowed liberal-democratic ideologies, it has made no constructive contribution to the reform process.

### The War

Mozambique has been at war since September 1964. For ten years, the independence struggle was fought by

FRELIMO against the Portuguese colonial government. Since independence the FRELIMO government has faced the RENAMO insurgency. RENAMO owes its existence to Rhodesian backing (up to 1979), South African backing (since 1980) and local Mozambican opposition to FRELIMO's programmes, especially villagisation and the suppression of traditional forms of authority and religion. RENAMO steadily grew in strength until about 1988, since then the government has generally been in the ascendancy. At the time of writing, all parts of Mozambique are affected by the war.

The total cost of the war is incalculable. The United Nations estimates that war and war-related hunger and disease have cost a total of 600 000 lives, but this is no more than a gross estimate. Most of the country's economic infrastructure is destroyed or inoperable, and much of the population is dependent on a massive international aid programme. Hundreds of thousands of people are refugees in neighbouring countries or displaced inside Mozambique. Many rural areas have been reduced to a Stone-Age condition, without trade or modern manufactured goods, education or health services and suffering from constant insecurity. Mozambique needs to be built almost from scratch.

### Violence Against Civilians

The war has involved widespread violence against civilians, including both the systematic use of mutilations and killings and indiscriminate violence during sweeps through contested areas. The mutilation of civilians, by cutting off ears, noses, lips and sexual organs, and by mutilating corpses, has been one of the most characteristic abuses of the war in Mozambique. Contrary to claims by the RENAMO leadership, such abuses are neither isolated incidents, nor were they confined to the movement's early days. Such incidents appear to be a central part of RENAMO's strategy of advertising its presence and its strength, and of terrorising the local population and the opposing soldiers. Government soldiers are also responsible for incidents of mutilation.

Both RENAMO and FAM are responsible for indiscriminate killings of civilians, primarily during operations designed to force the civilian population to relocate in areas under the military control of the

relevant party, or as a punitive measure to punish civilians for allegedly assisting the enemy. The largest massacres have been carried out by RENAMO, though significant killings and attacks on civilian targets have also been carried out by FAM and the pro-government Naparama militia.

Both RENAMO and FAM have procedures for disciplining troops responsible for violence against civilians and failing to obey directives. In both cases, the offences that have been punished have been those committed against civilians living in each army's "consolidated" zone. There is very little evidence of disciplinary action against those responsible for abuses during military actions in contested areas, with the implication that distinction is drawn between enemy combatants and civilians suspected of supporting them.

### Control of the Population

A primary aim of both parties to the conflict has been to exercise control over as much of the civilian population as possible. In part this is to deny the enemy access to supplies held by the civilians, in part to extract resources from the population (labour, food and relief aid destined for the civilians) and in part to establish legitimacy. The government's former policy of villagisation was intended to meet the twin goals of social transformation and counter-insurgency.

The forcible control of the population involves a number of abuses. These include the policy of forced relocation carried out by both sides, and accompanying restrictions on movement and economic activity. In controlling and relocating the population, force is used, and families are split up. Those brought under RENAMO control are then subjected to a heavy burden of exactions, including procurement of food and forced labour, and in the case of young women, being forced to serve the sexual demands of RENAMO members. In RENAMO-controlled areas, however, cultivation is possible and the local civilians are often described as eating relatively well.

In government-controlled zones, the hardships suffered by the population are somewhat different. Typically, the relocated population is herded together in a garrison town, where it is entirely dependent on internationally-donated famine relief

## ♦ MAIN FEATURES

supplies. As this supply is unreliable, famine conditions are common. Under such conditions of overcrowding and lack of sanitation, epidemic disease causes a sharp increase in mortality.

In December 1990, the government and RENAMO signed an accord allowing freedom of movement. Since then there has been a decrease in abuses associated with forced control of the population, but serious incidents have continued to occur. Both parties pledged to respect freedom of movement in an article in the Third Protocol of March 12, 1992.

### Forced Recruitment

In principle, all adult males are eligible for conscription into FAM. In practice, standard recruitment procedures coexist with incidents of forcible conscription, in which young men are rounded up at gunpoint to join the army.

Forcible conscription is the most common method used by RENAMO to obtain its combatants. Young men and boys are captured and taken to RENAMO bases, where they are compelled to join the RENAMO army. RENAMO's forces contain numerous child soldiers, including many combatants less than ten years of age. The processes of capture, enlistment and enforcement of discipline involve numerous rights abuses. However, RENAMO does include some volunteer soldiers, mostly those disillusioned with FRELIMO's former policies of socialist transformation.

### The Creation of Famine

The combination of military strategies and human rights violations outlined above have been instrumental in reducing much of Mozambique's population to a state of chronic famine. While starvation has been rare, if it has occurred at all, millions of people have endured miserable conditions of prolonged hunger, destitution and hopelessness. The famine, including suffering caused by the breakdown of public health and curative facilities, has cost many more lives than have been lost directly on account of the violence itself. The destruction of houses, shops and trucks, the forcible displacement of large sections of the population, the requisitioning of food and labour, and the blocking or looting of relief



*More than 900 000 people died and another 5 million displaced by the war*

supplies have all contributed to a wholly artificial food crisis in the country, which has persisted for the best part of a decade. Natural adversities such as drought and floods have played only a secondary role in the calamity.

While there is no reliable evidence to prove that either RENAMO or FAM deliberately used starvation in order to punish or kill civilians, the creation of widespread famine was an inevitable and predictable consequence of their military strategies, pursued for other reasons. Any ignorance that either party could claim on this manner was dispelled by the disaster of 1984. The major famine that struck Zambezia in 1987 was a direct result of gross violations of human rights.

The drought of 1991/2 has again created widespread famine conditions, and the war is again preventing the provision of adequate emergency relief to the needy population. At the time of writing, the main obstacles to an effective relief programme are RENAMO's refusal to allow free passage of overland aid convoys, and corruption in the army and government, leading to the diversion of foreign aid. The Attorney General, Eduardo Mulembwe, has instigated a crackdown on corruption, but is not receiving full support from many levels of government and the military.

### The Total Impact

The total impact of the war on Mozambican society is literary incalculable. Tens of thousands have been killed in the war and hundreds of thousands by the associated hunger and disease. Much of the infrastructure of the society has been destroyed, and national income is at a lower level than before independence. Education has come virtually to a standstill, and an entire generation has grown up without knowing the benefits of even the most basic physical security, let alone social services or economic development.

### Civil Society

At independence from Portugal in 1975, the incoming FRELIMO government inherited little that gave cause for optimism that a functioning civil society could be established. Almost the entire skilled population, which was wholly or partly of Portuguese descent, left with the colonial power. There were very few educated Mozambicans to assist in governing the country, and FRELIMO was unwilling to work with many, whom it perceived as having collaborated with Portugal.

FRELIMO committed itself to an ambitious programme of national mobilisation for socialist transformation, suspending many civil and political rights for the wholehearted pursuit of social and

economic advancement. FRELIMO became a Marxist-Leninist vanguard party, monopolising the political process. The strategy failed. Not only did post-independence politics become increasingly authoritarian and abusive of human rights, but FRELIMO failed to deliver on socioeconomic development either.

One particularly important violation was the execution of a number of leading FRELIMO dissidents, who had been secretly detained shortly after FRELIMO assumed power. They included Lazaro Nkavandame, Joana Simaiao and Uria Simango. The government has refused to disclose details of their fate, which is now becoming public for the first time: they were executed in 1983 when the government feared they would be freed by South African agents and recruited to RENAMO.

#### The 1990 Constitution

The constitution adopted by the FRELIMO government in November 1990 marked a complete reversal of course from the earlier commitment to socialist rule. The constitution guaranteed all the liberal civil and political rights that are recognised in western democracies, allowing for a multi-party system, free trade unions, a free press and an independent judiciary committed to the rule of law.

#### The Legal System

According to the 1990 constitution, the legal system is modelled on that found in Western democracies. In practice, the functioning of the courts is constrained by a severe lack of trained personnel, by widespread ignorance about the rights and duties of law enforcement and judicial officers (by both defendants and the officers themselves) and by the continuation of abusive practices such as arbitrary arrest and physical maltreatment.

Africa Watch was able to interview security detainees, under conditions of privacy. The evidence obtained from the interviews shows that many were arrested arbitrarily, usually on suspicion of supporting RENAMO. They were rarely given access to legal counsel (and were unaware of their right to such counsel), and in many cases convictions were based upon uncorroborated confessions, obtained under

duress, including torture. Some detainees met their lawyers only on the day of the trial, and many felt that their cases had not been properly presented to the court. Prison conditions in general were poor, with severe overcrowding and lack of sanitation.

#### The Press

Like most institutions of civil society, the press in Mozambique became an instrument of government during the first decade of the FRELIMO government. Journalists were given strict instructions as to what was permissible, and the Journalists Union failed to protect the rights of journalist who were detained or harassed by the authorities. A number of journalists were detained after printing or broadcasting stories to which government officials objected. Some journalists were killed while covering the war, including at least one executed and mutilated by RENAMO.

The reforms enacted since 1990 have radically altered the position of journalists in Mozambique, allowing them to operate without censorship for the first time. The result of this new-found freedom has been the publication of much criticism of the government in the press. However, there are also indications that members of the government retain a more authoritarian attitude to the press, and are unwilling to countenance coverage of certain subjects or criticism that is considered too forthright.

Africa Watch applauds the government's efforts to ensure respect for human rights and the rule of law, through the adoption of a new constitution and legal system, and commitments to respect civil and political rights. There are, however, significant ways in which the record can be improved.

There is a pressing need for those who are primarily responsible for gross human rights abuses during the war, on both sides, to be accountable for their actions. Those suspected of gross abuses should be investigated, and where appropriate, charged and brought to trial according to due process of law before an independently constituted court. Africa Watch believes that the prosecution of those with the highest level of responsibility for the most severe abuses of human rights is a legal obligation upon the Mozambique government, will not jeopardise the prospects for national reconciliation, will increase respect for the rule of law and is required to

demonstrate respect for the dignity and worth of their victims.

In addition, Africa Watch urges the Mozambique government to go further and to establish an independent human rights commission, dedicated to monitoring compliance with domestic and international commitments to respect human rights in Mozambique, with powers to investigate and publicise abuses.

Africa Watch is concerned that the lack of the material means for enforcing these rights will impair actual progress. In particular, the acute shortage of lawyers and the lack of training and supervision for law enforcement officers present a major obstacle. Given the bankruptcy of the Mozambique government and the Western donors' emphasis on structural adjustment, good governance and human rights, there is considerable responsibility on the donor community to assist in enabling Mozambique to obtain the resources for such tasks. In making this comment, we do not suggest that the impoverishment of the country relieves the government of its obligation to refrain from abuses of human rights. The lack of resources cannot be held to blame for such violations as the physical abuse of detainees, for example. On the other hand, the donor community could assist Mozambique in ensuring that detainees obtain the right to counsel in other matters where resources are a factor.

Should the war continue, Africa Watch calls upon both RENAMO and FAM to cease violence against civilians, to end forced relocations and other restrictions on movement, to halt forcible conscription and the recruitment of children under 15 years of age for military service, and to renounce military strategies that contribute to famine.

In particular, there is an immediate and pressing need for both sides to agree to the immediate delivery of urgently required humanitarian assistance to the civilian population in all areas of the country, by means of peace corridors, neutral zones, or some similar arrangement. ♦

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