



Civil Society Anti- Impunity Round Table Meeting

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Zimbabwe suffers a deep culture of systematic violations of human rights, supported by impunity, disregard for the rule of law and an ineffective legal framework for greater human rights accountability. Violence has manifested at every political event since Zimbabwe's inception. Perpetrators remain in positions of power and victims remain marginalized and blamed. Impunity creates the conditions for new violence because there are no sanctions for human rights violators.

The Zimbabwe Human Rights NGO Forum convened a Civil Society Organisations (CSOs) anti- impunity round table meeting. This meeting was on the backdrop of the launch of its Anti- Impunity Report that was on the 18th of June 2019 and a shadow bill it developed in terms of Section 210 of the Constitution which the Forum presented at a stakeholders' validation meeting in Harare on the 16th of July 2019. This bill was further discussed with the Parliamentary Portfolio Committee on Defence, Security and Home Affairs at a breakfast meeting hosted by the Zimbabwe Lawyers for Human Rights.

Objectives

The goals of the anti- impunity round table meeting were as follows:

- To present the findings of the anti- impunity report;
- To create a platform for victims of torture to express their experiences;
- To acknowledge and recognize the challenges of human rights lawyers in fighting impunity;
- To strengthen the collaborative relationship between victims and partners in the fight against impunity;
- To amplify the call for the government of Zimbabwe to uphold the rule of law to end impunity.

The background to the report was given. It was highlighted that the anti- impunity report is an indicator of how impunity undermines democratic gains and the primary obstacle to upholding the rule of law. The report is a further highlight to all citizens the need for government to ratify the UNCAT and to ensure that the State makes a step towards fighting impunity and fully recognise the gravity of the torture situation in Zimbabwe. There is a need for a reminder of the effects of violence for society as whole in order to adequately move forward.

Disaggregation of participants

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|---------------|-----------|
| MALE | 10 |
| FEMALE | 6 |
| TOTAL | 16 |

Victim testimonies

Mr Zenzele Ndebele gave a recall of the experiences of the past violations he has faced in the past and countering the challenges he faces. He indicated that in March 2019 he was arrested and charged with criminal nuisance after being found in possession of empty tear gas canisters.

He recalled that in the many other instances he had been arrested, he was not made aware of the charge put to him by the police for long periods of time until a lawyer is present or the time for him to appear in court is approaching, as such being required to sign a warned and cautioned statement. Upon arrest, his cell phone was taken by the police and as such he had no access to contact his family and his lawyers leaving him to go for hours without food or water.

He also indicated that due to him being a prominent figure, his arrests have attracted attention and many people would come to visit him at the police station some he did not know. Due to suspicion and fear, he did not accept any clothes or food from them unless it was brought by his family.

Mr Ndebele also indicated that the after the arrest and court processes, the intimidation continues. It also becomes traumatic for the family as he is constantly followed and often fears for the security of his family when he is away.

He implored the actors present that they need to do more in order to eliminate political influence over judicial processes. He stated that although laws are in place, advocacy work has to be done in order to strengthen institutions that have an oversight mechanism in order that they execute their mandate without fear and effectively.

Parliamentarians' perspectives

Member of Parliament, Honourable K Phulu indicated that legal actions are necessary for creating jurisprudence on dealing with human rights violations in Zimbabwe. He commended the efforts of players such as the Zimbabwe Lawyers for Human Rights who have come up with strategic interventions of pre-trial intervention which prevent people from going missing and offer free legal representation which would otherwise be exorbitant.

He indicated that there is need to make sure that there is more that needs to be done to avert torture by advocating for laws that protect the general citizenry. He highlighted that the model bill in terms of Section 210 of the Constitution is a powerful tool that should be used for lobby purposes. He further recommended that the Parliamentary Portfolio on Justice and Legal and Parliamentary Affairs be apprised of the model bill as this portfolio fits within its mandate with realignment of laws with the Constitution.

Recommendations

During the plenary session, the following points were the recommendations for mapping the way forward:

- CSOs need to ensure that they work together in order to ensure that there is adequate support for victims of violence.
- There has to be more practical action to combat the issues of impunity.
- Accessing human rights defenders who have been arrested is difficult, it is more imperative that there be a systematic synergy amongst civil society actors to best assist victims
- The Zimbabwe Human Rights NGO Forum must approach the political caucuses with its model law in terms of Section 210 of the Constitution as an advocacy initiative to raise awareness of the importance of such a law.

- Ordinary citizens need to be capacitated on what actions they can take within the communities in the fight against impunity. Citizens are tired of lip service and want to see real actions that produce tangible results.
- There is a real perception within the citizenry that human rights defenders gain some benefits from the violations that are perpetrated against them. This is a narrative that needs to be fixed in order that the citizenry realises that people actually suffer irreparable harm and support is crucial for human rights defenders.