



Zimbabwe
HUMAN RIGHTS
NGO Forum

HUMAN RIGHTS NEWSLETTER

J U N E 2 0 1 9

WELCOME

We are excited to be re-launching our monthly human rights newsletter for all people who care about the human rights developments in the country. We hope through this newsletter, we will keep you informed about how we are working for the realisation and enjoyment of the rights of the Zimbabwean people. In this edition, the month of June 2019.

FORUM RAISES A CONCERN ABOUT THE HUMAN RIGHTS SITUATION

The Forum is gravely concerned about the deteriorating human rights situation in the country. Speaking at the quarterly human rights situation reflective meeting, the Executive Director of the Forum Ms Gorejena told the members that the tensions in the country were rising causing serious concern on the possibility of another shutdown which would expose many people to possible attacks by the State. The Forum noted that the attack by the State on civil society leaders could be a strategy to undermine them ahead of a significant crackdown on fundamental rights. In the statement released on 29 May 2019, the Forum condemned state attacks on civil society. [The statement is available here.](#)

ANTI-IMPUNITY CAMPAIGN INTENSIFIES AS 68 VICTIMS DRAG THE STATE TO COURT

The Forum intensified its anti-impunity work in June. The Forum issued a total of 68 summonses on behalf of 68 victims of human rights violations. The cases being pursued include cases where the police and army officials indiscriminately assaulted people in their homes, fired live ammunition causing injury and wanton assaults in various parts of the country. In a case which has taken 9 years, the government finally paid \$21 367 to Mr Trevor Simbanegavi in damages injuries he sustained after being tortured by the police. This, however, is a drop in the ocean compared to outstanding payments. The Forum on 30 June 2019 has published 28 cases in which the government is refusing to pay damages according to various court orders obtained by the Public Interest Unit. Read the latest [anti-impunity update here](#) for a list of cases.

FORUM WINS ORDER AGAINST MILITIA LEADER

The Forum recently secured a judgment for its client who had been stabbed by a leader of a youth militia group leader in Nyanga. Donimore Magoshe was awarded damages in the sum of USD5,000 by Harare High Court Judge Mary Zimba-Dube. The costs were in respect of shock, pain and suffering, as well as medical fees after Mr Magoshe was stabbed by Gabrus Sanyamaropa, the leader of a youth militia group, said to be known in Nyanga as the ZANLA forces. Sanyamaropa had alleged that Magoshe was a member of an opposition political party and had stabbed him on the back. The Forum is proceeding with its efforts to execute against the property of Sanyamaropa.





FORUM TAKES POLICE HEAD-ON IN EXTRA- JUDICIAL KILLING CASE

The Forum has decided to take the Zimbabwe Republic Police (ZRP) head-on in a case of extra-judicial killing in which the police have been refusing to release the report of its investigations into circumstances leading to extra-judicial killing of the late Nyasha Dewa. Nyasha Dewa was shot and killed in cold blood by the Police during the #ZimShutDown. Efforts by Dewa's family to understand the cause of their relative's shooting by the police have not received any positive feedback. In May 2019, the Forum had written to the police giving them the last opportunity to produce the results of their investigations and name the police officer responsible for the shooting. With no positive response, the Forum filed a matter at the High Court in Masvingo seeking an order to have the police compelled to release the results of their investigations as well as the post-mortem results. The matter is yet to be set down.

GOVERNMENT URGED TO CRIMINALISE TORTURE

Just last week we commemorated 26 June, the International Day in Support of Victims of Torture. The Forum and its members used the occasion of this day to call on the Government of Zimbabwe to take steps to criminalise torture in Zimbabwe. In a statement released to commemorate the day, the Forum and ZimRights expressed concern that torture in Zimbabwe continues to be a feature that is used by the Zimbabwe Republic Police (ZRP) and the Zimbabwe National Army (ZNA).

This was evidenced by the cases of torture documented during 1 August 2018 post-election violence and the ZimShutDown Atrocities in January 2018. During the January shutdown, the Forum [documented 586](#) cases of torture and assaults. See the [26 June statement by the Forum and ZimRights here](#). The 26 June commemorations were held on 29 June 2019 in Entumbane in Bulawayo. [See here for a report](#) on the commemorations.

FOCUS ON THE RIGHTS OF PEOPLE IN CORRECTIONAL FACILITIES

The Forum is catalysing efforts towards the realisation of human rights for all, including prisoners. On 6 June 2019, the Forum partnered with ZACRO in engaging various stakeholders at a function in Harare. This was a follow-up to the launch of the 2018 report, ["Rights Behind Bars: A Study of Prison Conditions in Zimbabwe"](#). The function was attended by members of civil society as well as representatives from the Zimbabwe Human Rights Commission, the Gender Commission, the Ministry of Justice and the Parole Board of Zimbabwe.

The study is based on a study of prisons and conditions of detention carried out by the Forum in partnership with ZACRO with a focus on the living conditions, particularly the socio-economic rights of prisoners. The report revealed the appalling living conditions in prisons which fall short of international standards. This meeting provided an interface for stakeholders to discuss ways to improve these conditions in line with the new prison system regime introduced by the 2013 Constitution. [See event report here.](#)

HUMAN RIGHTS EDUCATION COMES TO GWANDA AND GOKWE

Many people fail to claim their rights because of a lack of knowledge. To empower marginalised communities, in June, the Forum teamed up with Legal Resources Foundation and held three mobile human rights clinics in rural Gwanda and Gokwe as well as urban Kariba. This is an effort to promote citizen awareness of their rights. Through these platforms, the Forum engaged with about two hundred people on basic human rights, the remedies available in cases of violations and gave free legal advice and psycho-social support. Participants expressed concern over the level of police brutality in their communities and were advised of the Forum's Anti-Impunity campaign, which is an effort to provide legal support to victims of organised violence and torture by the security services. For the full report of the Gwanda meeting, [follow this link here.](#)

Bones have the right to be heard

Transitional justice discussions took centre stage in June with many initiatives being implemented by the National Transitional Justice Working Group (NTJWG). Ms Shari Eppel, the Director of Ukhutula Trust, spoke to Skyz-FM on her work with families of Gukurahundi victims in Matebeleland. She helps families find their 'dead' and helps with expert exhumations and reburials. [Read her reflections here](#). You can also listen to her [radio interview here](#).

NTJWG HAS TOOLS FOR YOU

What is it that we can do to make sure that Zimbabwe's past of violence does not become its future? This is a question that the National Peace and Reconciliation Commission (NPRC) is struggling with. But they are not planning to struggle alone. Which is why they are hitting the road around the country establishing provincial peace committees. On 29 May 2019, the NPRC announced that it will be devolving its operations to the ten provinces in the country by [establishing Provincial Peace Committees](#) beginning 31 May 2019 ending on 2 July 2019.

The NPRC announced that the Provincial Peace Committees will be mandated to solve conflicts in their areas because a "one-size-fits all" approach has proved impractical. If you wish to participate in these engagements, NTJWG has put together some resources for you. You can learn about the NPRC from the [Guide here](#). If you are passionate about inclusion, the NTJWG's [Code of Inclusion is available here](#). If you are a survivor of past violations and you want to participate effectively in the work of the NPRC, write to the NTJWG, and they have [a small gift for you](#).

FEATURES FOR JUNE

Anti-Impunity Report Exposes Government's Accountability Deficit

On 13 June 2019, the Forum launched the 2018 Anti-Impunity Report in Harare at a function attended by colleagues from civil society, the diplomatic community, the media, the law sector, Parliament and survivors of police brutality. The report is based on an analysis of over 30 000 cases of organised violence and torture documented by the Forum since 1998. It exposes the legal loopholes in Zimbabwe's human rights framework and the accountability deficit of the current administration in refusing to honour its obligations to the victims.

The Anti-Impunity Report shows us that this is by design. Then the report asks the ultimate question, 'Will the dream of justice be ever realised for the victims?' For a full report on the launch and presentations by facilitators, please follow this link. [Download the full report here](#).



REMEMBERING ZIMBABWE'S TORTURE VICTIMS

Our feature for this month is a reflection on Zimbabwe's torture victims and the role of the NPRC. We offer this reflection in memory of all victims who are no longer among us and hope that our efforts will ultimately lead our country into truth, justice and accountability. [Read here](#).

INTERNATIONAL ADVOCACY

UNITED NATIONS URGED TO ACT AGAINST CRIMINALISATION OF HUMAN RIGHTS WORK IN ZIMBABWE

On 25 June 2019, the Executive Director of the Forum, Ms Blessing Gorejena, delivered a statement at the 41st Session of the United Nations Human Rights Council (UNHRC), in Geneva. She urged the UNHRC to act against the criminalisation of human rights work in Zimbabwe. Watch the presentation in [the UNHRC here](#).

FROM OUR MEMBERS JUSTICE FOR CHILDREN (JC): POLICE OFFICERS RECEIVE TRAINING ON CHILD PROTECTION LAWS

• Justice for Children launched the Age Of Consent, Sexual Intercourse With Young Persons & Access To Sexual & Reproductive Health Care In Zimbabwe publication on 20 June 2019. The publication's emphasis is on the age of consent, which has remained a standing topical issue in Zimbabwe. It is the consequences and effects of the age of consent that have continuously triggered the ongoing discussion, ranging from the incessant child marriages to the disturbingly high levels of child sexual abuse. Access to health services, particularly sexual and reproductive health services, is yet another. Read the full publication [here](#).

• In Mutare on 28 June, Justice for Children (JC) conducted a capacity building workshop for over 25 law enforcement officers from Manicaland, including ZRP Victim Friendly Unit (VFU) officers, on child protection laws, the Pre-Trial Diversion (PTD) program, court processes and the handling of survivors of sexual abuse and children in conflict with the law. See the full report [here](#).

• Watch the interview with JC Director on the report [here](#).

LEGAL RESOURCES FOUNDATION (LRF) LEADS DIALOGUE ON SAFE PUBLIC SPACES

Legal Resources Foundation facilitated a Policy Dialogue entitled Reform Towards Safer Public Spaces on 5 June 2019. Participants were drawn from community-based organisations, independent policy experts, the general public and representatives of the Harare City Council. Policy issues in line with the ineffectiveness of by-laws, decongesting transport routes for safer spaces and City of Harare environmental issues were discussed. See a full video report [here](#)

ARE OUR LEARNING INSTITUTIONS SAFE: RESEARCH AND ADVOCACY UNIT (RAU)

Research and Advocacy Unit launched a Violations Against Teachers report which emphasised that education institutions in Zimbabwe have become sites of repression. Children have been forced to attend political rallies, schools have become places where partisan political meetings take place, and teachers have become the targets of intimidation and violence. The full report is available [here](#).

RAU also convened a youth engagement conference in Mutare on 10 June 2019. The youth engagement focussed on youth unemployment and its challenges on skills retention in the country. Participants were drawn from youth organisations in Manicaland, the general public, church representatives and the Mayor of Mutare. Key issues that came out of the workshop were the need for inclusive policies to improve youth employment and the need for national policies that foster entrepreneurship. [See full report here.](#)

THE CONSTITUTION IN EVERY LANGUAGE: CATHOLIC COMMISSION FOR JUSTICE AND PEACE (CCJP)

• The Catholic Commission for Justice and Peace embarked on the know your constitution outreach on 15 June 2019. The awareness covered the following areas Mutare, Nyamaropa, Chipinge, Mutasa, Gokwe, Hwange, Bulawayo, Tsootsho, Gwanda, Plumtree, Fort Rickson, Marian Hill, and Masvingo. An estimated 1300 people have benefitted from the outreach. Earlier in the year, CCJP launched vernacular versions of the Constitution of Zimbabwe. The available versions include Chewa, Chibarwe, English, Kalanga, Koisan, Nambya, Ndau, Ndebele, Shangani, Shona, sign language, Sotho, Tonga, Tswana, Venda and Xhosa.

GALZ APPLAUDS BOTSWANA HIGH COURT

• GALZ convened a capacity building workshop at Holiday Inn in Mutare, focusing on the government's pledge to end HIV/AIDS by 2030. Participants were drawn from 70 Members of Parliament from various portfolios including health, justice and gender. Key issues that came out of the workshop were access to health services, legal barriers to justice as well as sharing of lived experiences from LGBTI community members. See the full [report here](#).

• Botswana decriminalises same-sex relations. The Botswana High Court has decriminalised same-sex relations in a move commented by the United Nations [Independent Expert on sexual orientation and gender identity](#). "This landmark ruling sends a positive message to gay, lesbian and bisexual, trans and other gender-diverse people in Botswana, showing they are in a country in which their dignity and integrity are valued and effectively protected under the rule of law," said the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz. [See the full report here](#). In response to the developments, GALZ has issued a [statement available here](#), welcoming the ruling as an outstanding victory for the country and Africa at large.

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COUNSELING SERVICES UNIT (CSU) CONTINUES ITS HEALING MISSION

- In June 2019, a total of 96 clients (41 Female and 55 Male) received medical treatment and counselling at the Counselling Services Unit.
- All clients received legal assessments from the resident legal officer. Referrals for further legal assistance were made to law-based organisations including the Chapter 12 Commissions
- All the 96 cases were documented according to the Istanbul Protocol.
- CSU also partnered with WLSA to deliver medical, psychological and legal services to victims of the 1 January military crackdown. A total of 79 (33 Female and 46 Male) clients were assisted through this program, coming from Harare and Chinhoyi.

ZIMBABWE LAWYERS FOR HUMAN RIGHTS (ZLHR) COMES TO THE AID OF TARGETED CIVIL SOCIETY

- It was also a busy month for the legal team who also represented Civil Society and labour leaders charged with subverting a constitutionally elected government. 7 CSO leaders who were arrested on their way from the Maldives were granted bail following a bail application filed by ZLHR Lawyers. They could afford to [smile](#), and [beam](#) all thanks to ZLHR Lawyers.
- Zimbabwe Lawyers for Human Rights hosted Mobile Legal Clinics to promote public awareness of the Constitution in [Marondera](#), [Manicaland Province](#), [Tsholotsho](#), [Muzarabani](#), and [Rushinga](#). The mobile legal clinic held in [Pfungwe](#) was attended by more than 300 people, thumbs up to the convening team.
- ZLHR was also instrumental in ending the persecution of Amalgamated Rural Teachers Union of Zimbabwe leader Obert Masaraure after [dismissing the State's application](#) for revocation of his bail. Masaraure was charged with subverting a constitutionally elected Government. In Gokwe, ZLHR offered emergency legal assistance to [Stephen Mangoma](#), a teacher charged with misconduct charges after he allegedly denounced President Mnangagwa's ZANU PF party and criticised Education Minister Mavima for causing untold suffering among citizens.

ZIMBABWE PEACE PROJECT (ZPP) ADVANCES PEACE AND JUSTICE IN COMMUNITIES

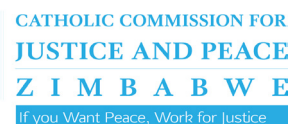
- The Zimbabwe Peace Project's community ambassadors in Chilonga, Chiredzi, ward 7 intervened in a plot to marry-off a 16-year-old girl to a religious leader. In a landmark collaboration between Plan International and the ZRP Victim Friendly Unit, which was coordinated by ZPP, the Lobola negotiations were cancelled. The successful intervention of ZPP through its Peace Ambassadors and their tenacity in fighting the scourge of Child marriages, is much celebrated
- ZPP convened a radio programme on 17 June in commemoration of the International Day in Support of Survivors of Torture on Capital FM. Facilitators of the radio programme were Jestina Mukoko, ZPP National Director accompanied by Wilbert Mandinde from Zimbabwe Human Rights NGO Forum and Rumbidzayi Zinyemba from Counselling Services Unit (CSU).
- ZPP facilitated a citizen opinion poll on the National Dialogue agenda. Participants were ordinary citizens drawn from different areas in Harare. See **VIDEO 1 [HERE](#), VIDEO 2 [HERE](#) AND VIDEO 3 [HERE](#)**

ZIMBABWE WOMEN LAWYERS ASSOCIATION (ZWLA) ENGAGES LOCAL COMMUNITIES ON THE BILL OF RIGHTS

- ZWLA convened a community dialogue on 5 June in Chinhoyi at Shackleton on domestic violence. Key issues discussed included effective modes of communication in conflict situations, and citizen obligations to respect human dignity and the maintenance of peace in all situations.
- On 11 June, ZWLA conducted training of community legal educators at Inyati, Bubi District. Participants were drawn from the community who were trained on Constitutional provisions so that they can be a source of information in their communities. The training strengthened the referral pathway for victims and survivors of human rights violations to relevant stakeholders.
- On 11 June, ZWLA conducted training of community legal educators at Esigodini, Umzingwane District on The Domestic Violence Act. Key issues that community legal educators were trained on include gender and the law, and management of referrals for survivors of gender-based violence to relevant stakeholders.

MEDIA INSTITUTE OF SOUTHERN-AFRICAN (MISA) SPREADS THE WORD ON ACCESS TO INFORMATION

- MISA convened a 2-day workshop to engage parliamentary committee on media reforms on 27 and 28 June in Gweru. The workshop was attended by the Zimbabwe Media Commission, Journalists, and members of the Parliamentary portfolio committee on information media and broadcasting services. The workshop was convened to familiarise parliamentarians with the proposed laws meant to replace the Access to Information and Protection of Privacy Act (AIPPA). [See the full report here](#)



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