

ACHPR/Res. 443 (LXVI) 2020 Resolution on the Human Rights Situation in the Republic of Zimbabwe

The African Commission on Human and Peoples' Rights, meeting at its 66th Ordinary Session, held virtually, from 13 July to 07 August 2020:

Recalling its mandate of promotion and protection of human and peoples' rights in Africa, pursuant to Article 45 of the African Charter on Human and Peoples' Rights (the African Charter);

Bearing in mind the obligations of the Republic of Zimbabwe as a State Party to the African Charter;

Considering Article 1 of the African Charter which calls on States Parties to adopt legislative or other measures to give effect to the rights and freedoms enshrined therein;

Recalling Resolutions **ACHPR/Res.89 (XXXVIII) 05**, **ACHPR/Res.128 (XXXXII) 07**, **ACHPR/Res.132 (XXXXIII) 08** and **ACHPR/Res.138 (XXXXIV) 08** on the human rights situation in Zimbabwe;

Concerned by the deteriorating human rights situation in Zimbabwe;

Further concerned by the crackdown of a peaceful anti-corruption protest, which was scheduled to be held on 31 July 2020, and the targeting of political activists and human rights defenders who are wanted for questioning by the Police in connection with the planned protest;

Alarmed by the arbitrary arrests and detention of journalists and Women Human Rights Defenders, including a Member of Parliament, who were also allegedly subjected to torture, rape and physical assault;

Deeply concerned by the arbitrary arrests and charges levelled against thirteen nurses who protested to demand better wages and working conditions, and have been accused of contravening lockdown regulations;

Further concerned by the use of detention by Zimbabwe in enforcing COVID-19 regulations, which leads to congestion of places of detention, thereby increasing the risk of the spread of the virus;

Condemns the reports of human rights violations, including the rights to freedom of expression, association and assembly.

1. The Commission calls on the Government of Zimbabwe to:
 - i. **Ensure** that measures taken by its law enforcement agents do not lead to violations of fundamental rights and freedoms, including expression, association and assembly;
 - ii. **Guarantee** at all times the right to fair trial of all detained persons, in compliance with international fair trial standards and as stipulated in the **Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa**;

- iii. **Refrain** from the crackdown of peaceful protests, arrest and detention of peaceful protestors, and adhere to obligations under the African Charter and other international human rights instruments to which Zimbabwe is a party;
- iv. **Guarantee** protection of the rights of human rights defenders, political activists, journalists, healthcare workers and other peaceful protestors, including from arbitrary arrest and detention;
- v. **Conduct** prompt and impartial investigations into all allegations of torture, rape and physical assault committed against persons in detention, including the three Women Human Rights Defenders, in addition to holding the perpetrators accountable and ensuring redress to the victims;
- vi. **Address** the concerns of the medical personnel who were advocating for better wages and working conditions during the COVID-19 pandemic.

2. The Commission calls on non-State actors, particularly leaders and members of opposition parties, other stakeholders and the general population, to refrain from incitement and all acts of violence.

3. The Commission avails itself to work with the Government of the Republic of Zimbabwe in order to address the human rights situation.

Done virtually, 07 August 2020