



## A Call for Leadership in Response to COVID-19 in Zimbabwe

As with other members of the family of nations, Zimbabwe finds itself having to respond to a global threat that knows no discrimination. As the COVID-19 virus evolves, so too will the responses of nations. Given the novelty of the virus, and the minimal scientific understanding of the threat, it seems logical for Zimbabwe to have entered a lockdown to curtail transmissions, as science and medicine grapple with solutions.

But for Zimbabwe, this comes within the context of protracted economic and political instability. Calls for reforms in the health and security sectors, among others, have long been echoed. Today, we come face to face with the consequences of a socio-economic and rule of law infrastructure that does not conduce to the best possible response to a disaster of COVID-19 proportions. The state of unpreparedness ravages our people in multi-faceted ways. The virus that threatens to infect thousands if not millions, faces a disarmed healthcare system. Socio-economic deterioration exposes many to the risk of infection and subdued capacity for survival in the wake of COVID-19 responses that include lockdowns, and the risk of encountering brutal security enforcement is all too real if one leaves home confinement in search for survival.

### The Right to Health

COVID-19 tests our national preparedness to deal with significant disasters in an extraordinary way. Yet the test comes at a time when our health system finds itself in man-made crisis. For the past years, the crisis of mismanagement, under-resourcing and brain drain in the public health sector has been exacerbated by the industrial action of medical professionals fighting for a review of their conditions of service and the state of public health facilities that most of our people rely upon.

The Government's consistent response has been to dismiss these realities, rightly raised by the health professionals, and instead threatening disciplinary action and dismissals. The disaster that faces us dictates that government commits resources to fight the pandemic, and take leadership. Government does not have to wait for court orders or external pressure for basic measures to be rolled out, as the High Court had to order in the case of Zimbabwe Association of Doctors for Human Rights v Minister of Health & Others.

While Zimbabwe may benefit from external philanthropic gestures, government funding ought to sustain the national response.

### Socio-economic Security

The Committee on Economic, Social and Cultural Rights (CESR) aptly observes in General Comment No. 14 that the right to health is closely linked to and dependent upon the realisation of other human rights, including the right to water, food, housing and work. For a country where life and survival for the majority depends on the informal economy, confinement to the home and cessation of economic activity is a matter of life and death. Government's foremost duty to its subjects is the preservation of life. Within our capacities as a nation, government should see to it that people are catered for in their survival needs.

The NTJWG welcomes the courts' judgments ordering various local governments and central government to ensure provision of constant supply of water. Without water, hygiene is impossible, and so is life itself. The NTJWG points out that it needs not wait for courts for government to do the responsible, and ensure the provision of basics.

### Security Enforcement of Measures

To date, human rights groups have recorded worrying figures of human rights violations, with the Zimbabwe Human Rights NGO Forum having verified and reported almost 170 arrests, 160 assaults, and 10 attacks on journalists. The government reports that arrests have reached the thousands. Since the dark days of Gukurahundi, the police and the army have been implicated in gross human rights violations. The NTJWG has observed remnants of this culture of impunity permeating the lockdown enforcement. State security forces continue to derogate from the freedom from torture and cruel, inhumane and degrading treatment or punishment, and the rights to human dignity and personal security.

No doubt, states of disaster are extraordinary times calling for suspension of certain freedoms for the public good. Nonetheless, our Constitution, in letter and spirit,

contemplates such situations, and calls for a fine balance such that basic rights, including human dignity, are not infringed. Thus government and its agents remain bound to be Constitution-compliant in enforcing the lockdown and other COVID-19 response measures. No person should have to fear for their life and security at the hands of State security, and journalists should carry out their lawful duties to capture and disseminate information, in pursuit of truth and truth-telling, free from unjustified interference. Access to information is a critical need in this crisis.

The unceasing calls for legal and security sector reform, and for implementation of the Constitution, are all the more urgent in this crisis. For example, the need to act on section 210 to create an independent complaints mechanism is evident, as this will allow the public to report security sector human rights violations and get redress. The call is amplified for government to provide leadership as is expected of it by its subjects.

### A Call for Leadership

We are hard-pressed as a nation to ensure that our response to this dreadful pandemic, does not create an opportunity for further atrocities added to our catalogue of dark episodes in our past. Our national response to the pandemic must inspire hope.

For all intents and purposes, COVID-19, and how we respond to it, is not only a pressing health and humanitarian issue; it also is a human rights and a transitional justice issue, and the response should be accordingly attuned. Human rights should be at the centre of any public health measures, strategies and interventions. Institutions of government must uphold human rights and the rule of law, and not take occasion to subvert due process and constitutional standards. The NTJWG acknowledges to this end, the statement issued by the National Peace and Reconciliation Commission, raising similar concerns and encouraging a human rights oriented approach in the national response.

Responsible leadership at this juncture, calls for depoliticising response action. The principles of good governance as captured in section 3(2) of our Constitution embody the kind of leadership required at this defining time. It is imperative for government to be candid about infections, both in the statistics it releases and the information of how cases are being managed. It is not the time to put up appearances and engage in politicking at the expense of health and lives.

The pandemic threatens lives. As such, government and its institutions and functionaries are reminded that government's foremost charge is protect the lives of its subject, and wilful and negligent failure to do so will no doubt meet with the people's demand for accountability, now and in the future.

As the nation demands accountability and leadership, we encourage citizens to be responsible and to exercise self-leadership to protect ourselves, our families and communities. Citizens need to follow the WHO guidelines and other international best practices to avoid, combat and prevent the spread of COVID-19. This is through maintaining physical distance, observing the best possible personal hygiene, and sharing responsible and accurate messaging.