



NPRC WATCH

ANALYSIS | PROFILES | NEWS | RECOMMENDATIONS | PARTICIPATION

ISSUES INSIDE

- CELEBRATING INDEPENDENCE DAY
- CELEBRATING AFRICA DAY
- POLICE BRUTALITY DURING NATIONAL LOCKDOWN
- ABDUCTION AND TORTURE OF MDC ALLIANCE MEMBERS
- REBURIAL OF FREEDOM FIGHTERS

NPRC ACTIVITIES

- NPRC SETS UP PEACE MONITORING TEAM
- INVITATION FOR LOCKDOWN-RELATED COMPLAINTS
- COVID-19 LOCKDOWN MID-TERM REVIEW STATEMENT
- SUSPECT DETAINED OVER LOOTING GOVERNMENT SUBSIDIZED MEALIE-MEAL
- ENGAGEMENT WITH THE GRAIN MILLERS ASSOCIATION
- NPRC ON POLITICISATION OF FOOD AID IN GWANDA
- ENGAGING VICTIMS OF POLICE BRUTALITY
- COMPLAINTS HANDLING AND INVESTIGATIONS PROTOCOL
- INFORMATION DISSEMINATION BY THE NPRC

NTJWG ACTIVITIES

- A CALL FOR LEADERSHIP IN RESPONSE TO THE COVID-19 PANDEMIC IN ZIMBABWE PRESS STATEMENT
- NPRC WATCH 9TH EDITION SUMMARY

NTJWG STAKEHOLDER ACTIVITIES

- CATHOLIC BISHOPS SPEAK ON ZIMBABWE'S INDEPENDENCE
- HIGH COURT RULES ON LAW ENFORCEMENT BRUTALITY DURING THE LOCKDOWN
- ZIMBABWEAN DOCTORS SUE THE GOVERNMENT
- DEMOLITIONS DURING THE LOCKDOWN

IN THIS EDITION

This newsletter will be a consolidation of the April and May newsletters and will detail developments that occurred in the transitional justice sphere in the past two months. This newsletter comes at a time when the world and Zimbabwe are still grappling with the COVID-19 pandemic and its effects which have seen a national lockdown being implemented in Zimbabwe since 30 March 2020. The lockdown period in Zimbabwe has currently been extended indefinitely and is subject to review every two weeks which means that Zimbabweans still have not returned to normalcy as they know it. While the national lockdown may continue to be justified as COVID-19 cases stand at 178 with 29 recoveries and 4 deaths what is clear is that it is becoming increasingly hard for Zimbabweans to stay at home as evidenced by the long queues at community boreholes and other social amenities sites as well as the increase in numbers of people accused of breaking lockdown regulations. The NTJWG therefore calls upon

Stakeholders, Friends, and Partners

the government of Zimbabwe to heed calls for better service delivery in terms of basic services such as the provision of clean, safe and portable water as well as relief in terms of provision of basic commodities bearing in mind that most citizens are informal traders and are not legally permitted to carry out their trading activities during the lockdown.

In this edition of the National Transitional Justice Working Group's (NTJWG) monthly newsletter, we focus on transitional justice issues that emanated from the past two months, Zimbabwe's Independence Day commemorations and also cover the activities of the NPRC, the NTJWG and our stakeholders. As always we welcome your feedback and urge you to stay safe during these difficult times.

CELEBRATING INDEPENDENCE DAY

April is an important month in Zimbabwe as we celebrate our nation's independence from colonial rule on the 18th of April every year as such the month is synonymous with celebratory gatherings. In an unprecedented turn of events, this year's April saw many Zimbabweans staying at home. The national lockdown limited people's movements and gatherings in compliance with the government's regulations. As a result, the traditional commemorations of this year's Independence Day celebrations were foregone. The colonial era in Zimbabwe was largely characterised by discrimination along racial lines which bred conflict, resulting in rampant human rights abuses. As we celebrate our nation's independence, it is important to reflect on our nation's journey over the past forty years, particularly on how far we have come as a nation in the promotion, protection and the means of ensuring respect for human rights of all.

For Zimbabwe, the end of the colonial era did not signal the end of human rights abuses, as post-colonial and independent Zimbabwe witnessed human rights violations in the form of the Gukurahundi massacres shortly after independence. Consistent violations and abuses of human rights in post-colonial Zimbabwe are also demonstrated by various episodes such as during the national elections in 2002 and 2008 Operation Murambatsvina in 2005, Operation Hakudzokwi in Chiadzwa, the 1st of August 2018 shootings and the January 2019 atrocities, which are just a few examples of the different epochs of violence that our nation has seen post-independence. It is therefore clear that while Zimbabwe became independent forty years ago, there is still much to be done to ensure the respect of human rights for all in our country. The existence of the National Peace and Reconciliation Commission (NPRC) presents an opportunity for Zimbabweans to find each other by acknowledging post-independence human rights violations and ensuring justice for the victims of these violations. This will go a long way in guaranteeing non-recurrence of violations as a way of facilitating reconciliation and fostering long-lasting peace for our nation.



CELEBRATING AFRICA DAY

The month of May is also another important month in the history of Zimbabwe and Africa as a whole as it is the month in which Africa Day is celebrated. On 25 May, the NTJWG joined the rest of the continent in celebrating Africa Day which marks the day



of the formation of the Organisation of African Unity (OAU) which is now known as the African Union (AU). The OAU now known as the AU was formed to promote unity and solidarity among African States and to coordinate and intensify cooperation for development. The theme for this year was **"Silencing the Guns: Creating Conducive Conditions for Africa's Development and Intensifying the Fight against the COVID-19 Pandemic"**. The Chairperson of the African Union, South African President Cyril Ramaphosa in his address on Africa Day acknowledged the difficult context in which this day was celebrated this year amidst the COVID-19 pandemic. He reiterated the call for silencing of the guns even while battling with this global health crisis. In the same vein the NTJWG calls upon Africans across the continent to heed the call to silencing the guns and find alternative ways of resolving conflicts. In recent times, Zimbabwe has had its fair share of when guns were anything but silenced against citizens, a case in point being the 1 August 2018 shootings. The NTJWG further calls upon the Zimbabwean government in particular and other African governments to respect human rights and address historical human rights violations in a manner that ensures that justice is served and the truth is told about the violations. Respect for human rights is key in silencing the guns across our continent and should always be prioritised.



POLICE BRUTALITY DURING NATIONAL LOCKDOWN

As of 27 May 2020 which marked day 59 of the national lockdown the Zimbabwe Human Rights NGO Forum had documented cases of human rights violations as follows; 258 assaults, 16 attacks on journalists, 370 arrests, 2 cases of

damage to property and 3 abductions. This trend illustrates a worrying disregard for the rights of the people of Zimbabwe during the lockdown period and what is even more concerning for the NTJWG is that in most of these cases the perpetrators are law enforcement officers. The NTJWG condemns the heavy handed way in which law enforcement officers are responding to perceived non-compliance with the national lockdown regulations. While the NTJWG acknowledges that law enforcement officers are mandated to ensure compliance by citizens during this period the NTJWG calls upon law enforcement officers to fulfil their mandate in a manner that does not violate the rights of the citizens. The NTJWG takes this opportunity to remind law enforcement officers across the country that the national lockdown does not suspend their obligation to respect the rights of citizens when carrying out their duties. Therefore when they encounter citizens that are violating the lockdown regulations they are obliged to carry out their duties in a manner that does not violate rights as the infringement of people's rights remains unlawful.

An example of police brutality that has been noted by the NTJWG is the case of Nokuthula and Ntombizodwa Mpofu, two sisters from the Cowdry Park suburb of Bulawayo. The sisters were assaulted by police officers from Cowdry Park Police Base for allegedly breaching the national lockdown regulations. It is reported that the sisters were arrested when they were leaving Pick n Pay Supermarket in Cowdry Park on 16 April when a police officer lashed out at them with a truncheon, damaging Ntombizodwa's phone. When she pointed out the damage to her phone, the two sisters were handcuffed and repeatedly assaulted with baton sticks. They were allegedly assaulted and subjected to tribal slurs and sexist comments about their looks before they were locked up to be released after being forced to pay an admission of guilt fine of ZWL200. The sisters reported the matter which culminated in the arrest of the following police officers; Tichaona Zariro, Christabel Munyondo, Elizabeth Denhere, Patson Gumoreyi, Zibusiso Masuku and Simbarashe Bvekwa.



They were expected to appear in court on 8 May but it was decided that further investigations should be carried out before the suspects appear in court; there have been no further developments since then. The NTJWG unreservedly condemns the conduct of police officers in this case which shows a lack of respect for human rights and speaks to the culture of impunity among law enforcement officers in Zimbabwe. Given the historical context of Zimbabwe where law enforcement officers have often been purported

perpetrators of human rights violations it is clear that cases such as this should be investigated and the perpetrators made accountable and justice served for the victims. The NTJWG therefore calls on the Zimbabwean government to ensure that this matter is investigated and the perpetrators are prosecuted. This will go a long way in curbing the culture of impunity in Zimbabwe which is a vital step in guaranteeing non-recurrence of human rights violations.

ABDUCTION AND TORTURE OF MDC ALLIANCE MEMBERS

On 13 May 2020 MDC Alliance Member of Parliament Honorable Joana Mamombe and party members Cecelia Chimbiri and Netsai Marova were arrested at a roadblock by the police along Samora Machel Avenue in Harare. They were taken to Harare Central Police Station on charges of breaking lockdown regulations and staging an unsanctioned demonstration. Their arrest was confirmed by the Zimbabwe Republic Police Spokesperson Assistant Commissioner Paul Nyathi in an article in the Herald newspaper on 14 May 2020. However, when their lawyers and families followed up with the police on their location, the three women could not be located. The Zimbabwe Republic Police (ZRP) through a series of three tweets on Twitter, a social media site, denied having the three in their custody on 14 May 2020. In the early hours of 15 May 2020, the trio was found badly bruised and traumatised, dumped at Muchapondwa Business Centre in Bindura South. They reported that they had been, psychologically, physically and sexually assaulted, including being forced to drink and eat human excreta. The NTJWG has noted with concern that the ZRP on 26 May charged the three women with violating Section 37 of the Criminal Code gathering with intent to promote public violence, breach of peace and Section 5(3) and (1) of COVID-19 Regulations SI99 of 20 on gatherings. These charges have been brought against the trio at a time when they are still receiving treatment for the injuries they sustained during the period of their abduction.



The NTJWG is particularly concerned that the government of Zimbabwe seems more focused on further persecuting the three women than investigating their abduction and torture. The Minister of Foreign Affairs General Sibusiso Moyo through a press statement dated 25 May indicated that the abduction of the three MDC Alliance female officials was a stage-managed theatrical display meant to tarnish the image of the government. Minister Moyo further added that the trio had violated the terms of the lockdown by staging an authorised demonstration. In the statement, Minister Moyo suggested that there is a third force behind the abductions and assault of the trio. Sentiments such as those expressed by the Minister are regrettable and trivialise the experiences of victims of human rights violations. The history of our country is marred with cases like that of Itai Dzamara and Jestina Mukoko among others, which were characterised by abductions, torture and enforced disappearance and the recurrence of such violations does not bode well for national healing and reconciliation processes in our country. The NTJWG therefore calls for the thorough investigation of this matter which should culminate in the perpetrators being held accountable and justice being served for the victims.

REBURIAL OF FREEDOM FIGHTERS

According to an article published by the Herald newspaper on 29 May 2020, the Ministry of Home Affairs and Cultural Heritage has come up with a Liberation War Mass Graves and Human Remains Management Policy to help address some of the challenges being faced in maintaining some of the shrines both at home and in neighbouring countries. It was reported on 28 May 2020 there was a reburial of the remains of 300 people who were killed during the liberation war at Matumba Six Shrine near Old Mutare. Speaking at the reburial Deputy Home Affairs and Cultural Heritage Minister Mike Madiro said that the reburial would not be the last one. Exhumations and reburials are a critical element of transitional justice and should be done in a manner that ensures and promotes truth telling about what happened to the dead, who they were and who the perpetrators are. The NTJWG also wishes to remind the Zimbabwean government that in the case of ZPRA Veterans Trust v Fallen Heroes Trust and Others Case No. HC 880/11) [2011] ZWBHC 61, the High Court sitting in Harare ordered the government to come up with a legal process, after consultation with all stakeholders and interested parties countrywide, which shall be the framework for any exhumation of the remains of persons who died or disappeared during the pre-independence or post-independence military or political hostilities in Zimbabwe. In light of this case the policy referred to by the Ministry of Home Affairs does not suffice as on the face of it, it is not the product of a consultative process and seems to have been clandestinely developed during a global pandemic that has necessitated the implementation of a national





lockdown. The NTJWG is therefore calling for the halting of this process until such a time when it can be done in a manner that is stakeholder inclusive and in compliance with the order given in the Fallen Heroes case.

NPRC ACTIVITIES

NPRC Sets Up Peace Monitoring Team

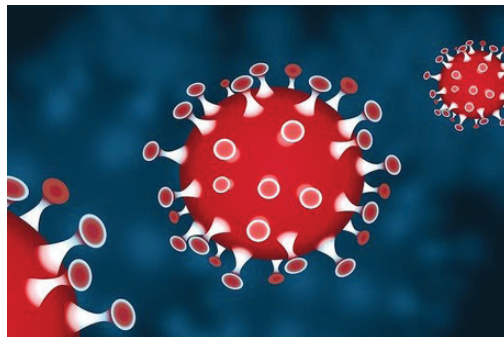
As a way of ensuring that the NPRC remains accessible to Zimbabweans during the lockdown period, the NPRC set-up a National Peace Monitoring Team comprised of Commissioners, the Secretariat and members of Provincial Peace Committees (PPCs). In order to get the contact details of the Chairperson, Deputy Chairperson and members of the Commission's Secretariat responsible for each province, please visit the NPRC's Facebook or Twitter page @NPRCZim.

INVITATION FOR LOCKDOWN-RELATED COMPLAINTS

On the 13th of April, the NPRC urged citizens to report all cases of partisan or unfair distribution of food aid as well as any human rights violation during the lockdown period to the NPRC via **WhatsApp on 0714035328 or on email: complaints@nprc.org.zw**. The NTJWG encourages Zimbabweans to make use of these platforms to get in touch with the NPRC and report their complaints.

COVID-19 LOCKDOWN MID-TERM REVIEW STATEMENT

On the 15th of April, the NPRC released its COVID-19 lockdown mid-term review statement. In its statement, the NPRC commended the people of Zimbabwe for adhering to the lockdown regulations, while encouraging those who had defied to comply. The NPRC also commended the restraint shown by law enforcement officers, but flagged out that there were "a few misguided and undisciplined elements who had violated the rights of citizens". The NPRC further stated that there was a need to improve the relationship between the media and the security sector. In the statement the media was also implored to practice responsible and peace-oriented journalism by avoiding sensationalist reporting. The security sector was also urged to respect the constitutional rights of all accredited media practitioners.



Both the security sector and the media are critical stakeholders and were urged to exercise restraint, maturity, respect and tolerance towards each other in the performance of their constitutional obligations. The NPRC also applauded the Government of Zimbabwe for its initiative to provide safety nets for the vulnerable and deserving populations of our society as a result of the lockdown. The NPRC urged transparency, fairness and non-partisanship in the registration of beneficiaries and the distribution of resources. This statement by the NPRC is welcome and complements the voices of those calling for respect for human rights during this time of crisis. The NTJWG wishes to reiterate that any human rights infringements by State agents are not acceptable, and such violations should be duly and promptly investigated and the perpetrators held accountable. The press statement can be accessed here: <http://www.nprc.org.zw/covid-19-lockdown-mid-term-review-statement/>

SUSPECT DETAINED OVER LOOTING GOVERNMENT SUBSIDIZED MEALIE-MEAL

On the 18th of April 2020, the NPRC announced that following a complaint by Transparency International Zimbabwe in connection with looting and hoarding of government subsidised mealie-meal in Kuwadzana 5, Harare, it had engaged the Zimbabwe Republic Police (ZRP) for further investigation. The NPRC's engagement with the police resulted in a suspect being detained at ZRP Kuwadzana under CR 148/4/20 pending court appearance. The NTJWG commends the collaboration between the civil society, the NPRC and the ZRP that culminated in the detention of a suspect in this matter. This is a good first step in ensuring transparency and accountability around government subsidies and food aid in communities which remains an issue that has since plagued Zimbabwe causing tensions and conflict in communities. The NTJWG urges the NPRC to keep the public informed on developments in this case.

ENGAGEMENT WITH THE GRAIN MILLERS ASSOCIATION

On the 18th of April 2020, NPRC Commissioner Reverend Charles Masunungure, who is in charge of the Complaints Handling and Investigations Committee, reported that the NPRC had engaged the Grain Millers Association of Zimbabwe (GMAZ). This engagement was motivated by the fact that the NPRC had received numerous complaints around subsidized mealie-meal distribution and sales throughout the country. Commissioner Rev Masunungure's report stated that the NPRC

had been in contact with Mr Tafadzwa Musarara, the Chairperson of the Grain Millers Association of Zimbabwe. As a result of that engagement, it had been agreed that GMAZ would engage the police to ensure that:

1. **There is fair distribution of the product on a one bag per customer basis;**
2. **The subsidised retail mealie-meal price of ZWL\$70 is not flouted;**
3. **Wholesalers sell direct to consumers and not retailers who will inflate the price later;**
4. **All payment methods be accepted by those selling the product;**
5. **Social distancing in queues is strictly observed; and**
6. **GMAZ would be on the ground making spot checks at random distribution points.**

The NTJWG commends this initiative by the NPRC and encourages the NPRC to continue building strategic partnerships that will enable it to diffuse conflicts that could potentially lead to violence in our country.

NPRC ON POLITICISATION OF FOOD AID IN GWANDA

On the 30th of April 2020, the NPRC convened a meeting in Gwanda which was attended by the Town Clerk, the Mayor, local councillors and representatives from the Department of Social Welfare, amongst others. This meeting was aimed at addressing the issue of politicisation of food aid and to call for transparency in the procurement and distribution of subsidised mealie-meal. The NTJWG commends the initiative being taken by the NPRC to engage stakeholders over this issue which continues to plague our communities.

ENGAGING VICTIMS OF POLICE BRUTALITY

On the 7th May of 2020, the Commissioner Leslie Ncube led an NPRC delegation that visited sisters Nokuthula and Ntombizodwa Mpofu who were assaulted by police officers in Bulawayo on 16 April 2020. In an interview with journalists from the Centre for Innovation & Technology (CITE) Commissioner Ncube condemned the conduct of the police officers and indicated that the NPRC will keep working on the matter until the responsible police officers are brought to book. The NTJWG commends the NPRC for taking up this case and urges the Commission to work with the Zimbabwe Republic Police as it is empowered to do by the Constitution to ensure that this case is thoroughly investigated and the police officers involved are held accountable. The conduct of the police in this case is an example of the culture of impunity by law enforcement officers in Zimbabwe which has been a source of conflict between the police and citizens for many years. This case therefore falls squarely within the ambit of the mandate of the NPRC as it has conflict inducing elements and the NTJWG urges the NPRC to be actively involved in it and keep the nation updated on developments around this case.

COMPLAINTS HANDLING AND INVESTIGATIONS PROTOCOL

On 8 May the NPRC published its complaints handling and investigations protocol. The protocol outlines who may lodge a complaint with the Commission, where complaints can be lodged and how a complaint is lodged. The NTJWG welcomes the publication of this protocol by the NPRC as it is important for dissemination of information to stakeholders particularly survivors who may be interested in lodging complaints with the Commission. To access the protocol please visit <http://www.nprc.org.zw/complaints-handling-and-investigations-protocol/>

INFORMATION DISSEMINATION BY THE NPRC

From 18 May to 28 May 2020, the NPRC took part in a five part series on the ZimPapers TV Network that focused on the NPRC Visibility and Awareness Campaign. Commissioner Reverend Masunungure kicked off the series on 18 May in an episode where he discussed the mandate of the NPRC Complaints Handling and Investigations Thematic Committee. The next episode was headed by Commissioner Patience Chiradza on 19 May 2020 and the episode focused on a discussion of the mandate of the NPRC Conflict Prevention, Management, Resolution and Transformation Thematic Committee. The third episode was headed by Commissioner Choice Ngoro on 25 May 2020. She unpacked the mandate of the NPRC Research and Knowledge Management Thematic Committee. Commissioner Leslie Ncube was in charge of the fourth session on 28 May and he focused on the mandate of the NPRC Healing, Reconciliation and Rehabilitation Thematic Committee. The NTJWG commends the initiative taken by





the NPRC to disseminate information about its work to the public, this is a welcome initiative that is responsive to the current context where the phenomenon of the COVID-19 pandemic has resulted in public gatherings being discouraged. The NTJWG urges the NPRC to generate more publicity for such initiatives in the future and to upload all the video clips of these sessions on its website and social media pages to enable stakeholders who could not follow the series live to have access to it and benefit from the discussions held during each episode of the series. To listen to the first episode of the series, you may visit <https://www.pscp.tv/w/1YqxoQAmELvGv>

NTJWG ACTIVITIES

A Call for Leadership in Response to the COVID-19 Pandemic in Zimbabwe Press Statement

On the 18th of April 2020, the NTJWG released a statement calling for leadership in response to the COVID-19 pandemic in Zimbabwe. The NTJWG through its secretariat has been monitoring the situation prevailing in the country during the lockdown. There has been a disturbing trend of human rights abuses by law enforcement officers and this trend is addressed in the statement. The statement also voices the NTJWG's concerns over the state of preparedness of our health sector to combat the COVID-19 pandemic and the demolitions of vending stalls and tuck-shops carried out by local authorities during the lockdown period. To read this statement please visit: <https://www.ntjwg.org.zw/wp-content/uploads/2020/04/NTJWG-A-Call-for-Leadership-Statement.pdf>

NPRC WATCH 9TH EDITION SUMMARY

On the 12th of April 2020, the NTJWG published a summary of the 9th Edition of the NPRC Watch Report which covers major developments in the transitional justice field in Zimbabwe and around the world between July and December 2019. The summary highlights the main issues covered in the report, including the press statements published by the NTJWG about exhumations and the NPRC's reporting obligations, a timeline highlighting the NPRC's activities, comments that have been made about the NPRC's work by stakeholders and activities of the NTJWG and its stakeholders. To read this summary please visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/04/9th-Edition-Summary-NPRC-WatchReport.pdf>

NTJWG STAKEHOLDER ACTIVITIES

Catholic Bishops Speak on Zimbabwe's Independence

In commemoration of the 40 years of Zimbabwe's independence, the Zimbabwe Catholic Bishops' Conference (ZCBC) released its pastoral letter reflecting on Zimbabwe's journey since 1980. In its letter, the ZCBC reflected on what our country has achieved since 1980 and called for the acknowledgement of our country's dark history which is marred by epochs of violence such as the Gukuruhundi massacres which led to the killing of thousands of civilians in the 1980s in the Matabeleland and Midlands regions. The ZCBC acknowledged the importance of the NPRC within the peace and reconciliation processes in Zimbabwe, whilst highlighting the lack of clarity on the NPRC's lifespan and how this is detrimental to public confidence in the NPRC and its ability to fulfil its mandate. To read this letter, you may visit <https://catholicchurchnewszimbabwe.files.wordpress.com/2020/04/zimbabwe-40-40.pdf>.

HIGH COURT RULES ON LAW ENFORCEMENT BRUTALITY DURING THE LOCKDOWN

According to the Zimbabwe Human Rights NGO Forum (2020), from the beginning of the national lockdown on the 30th of March 2020 to the end of May 2020, there had been 258 cases of assault of Zimbabweans by law enforcement officers. This shows that even during a global crisis such as the COVID-19 pandemic, the culture of impunity and abuse of human rights remains rampant among law enforcement officers. In an effort to put an end to these human rights abuses, the Zimbabwe Lawyers for Human Rights (ZLHR) and Ms. Lucia Masvondo, a woman from Karoi who was bitten by dogs as law enforcement officers enforced the lockdown regulation, approached the High Court in early April 2020 challenging the conduct of law enforcement officers. The respondents were listed as the Minister of Health and Child Care, the Minister of Local Government, Rural and Urban Development July Moyo, the Minister of Home Affairs Minister, Minister of Defence and War Veterans Affairs, the Urban Councils Association of Zimbabwe and the National Prosecuting Authority. Justice Tagu and Justice Musakwa sitting in the Harare High Court granted the applicants interim relief on the 14th of April by giving an interim order that the implementation of the COVID-19 regulations shall be carried out with full respect for the dignity, human rights and fundamental freedoms of people. The order states that it is unlawful for enforcement officers to affront the dignity of persons by assaulting them or ordering them to carry out humiliating acts that are only intended to debase or degrade their dignity. The NTJWG welcomes this ruling and wishes to remind law enforcement officers that

the non-compliance with a court order may be interpreted as contempt of court, a punishable crime under Zimbabwean law. Furthermore, the NTJWG reiterates the need for our nation to move away from a culture of human rights abuses by law enforcement officers which can only be achieved through the reform of the security sector in Zimbabwe.

ZIMBABWEAN DOCTORS SUE THE GOVERNMENT

On the 14th of April 2020, medical practitioners in Zimbabwe were relieved when the High Court in Harare ordered the government to provide personal protective equipment to all medical staff to protect them from contracting coronavirus. The High Court's order came as a result of an application made by the Zimbabwe Association of Doctors for Human Rights (ZADHR), represented by the Zimbabwe Lawyers for Human Rights, after ZADHR's efforts to engage the government on the provision of protective personal equipment and equipment for medical institutions had failed. While the NTJWG welcomes this ruling by the High Court, it is concerning that medical practitioners had to resort to approaching the courts to get relief in this matter as the need for protective clothing by health workers is obvious. The preceding points at the imminent need for reform in the health sector in Zimbabwe. The state of public health institutions in Zimbabwe has become a great source of conflict in the country with the poor being subjected to inadequate health care services at ill-equipped health facilities, while the wealthy particularly political-elites have been able to access world-class health care abroad. The NTJWG therefore calls upon the Government of Zimbabwe to allocate more resources to this sector and ensure that those resources are accounted for. There is an urgent need to revamp the country's health sector. Furthermore, the NTJWG urges the Government of Zimbabwe to engage more with medical practitioners regarding how to improve their working conditions, as this has repeatedly been a source of conflict between the government and medical practitioners.

DEMOLITIONS DURING THE LOCKDOWN

On 26 April 2020 Zimbabwe Lawyers for Human Rights (ZLHR) on behalf of informal traders, residents and residential associations represented by the Trustees of the Chitungwiza Residents Trust, Mr Obert Muchawaya, Mr Ruben Kondo, Mr John Watambwa, Mr Jabulani Moyo, Kushinga Epworth Residents Association and Mr Bright Masuka made an urgent chamber application in the High Court sitting at Harare presided over by Justice Munangati-Manongwa. The respondents were the Minister of Local Government and Public Works, the Urban Councils Association of Zimbabwe, the Association of Rural District Councils of Zimbabwe, the Chitungwiza Municipality and the Epworth Local Board. The applicants challenged legality of the widespread demolitions of vending stalls and tuck shops by local authorities in Chitungwiza and Epworth. Justice Munangati-Manongwa granted the applicants interim relief through an interim order that directed for the demolitions to be stayed citing that they were not done in compliance with existing town planning laws in particular section 32 of the Regional Town and Country Planning Act. The order also directed that the applicants and any other informal traders be barred from conducting business in undesignated areas and they were ordered to conduct any informal business subject to the prior approval of the local authorities. The demolitions came as a result of Circular Minute 3 of 2020 which was issued on the 8th of April 2020, addressed to town clerks or secretaries and chief executive officers advising them of a Cabinet resolution to take advantage of the national lockdown to clean up and renovate small and medium enterprises and informal traders' workspaces which was issued by Secretary for Local Government and Public Works. The circular implored the recipients to make every effort to comply with the resolution. However the relief granted to the informal traders was short lived as the Ministry of Local Government and Public Works ordered the resumption of demolitions of Small and Medium Enterprises' informal structures in urban centres countrywide stating that "the court in its final determination ordered that the Circular Minute Number 3 of 2020 is legal and the clean ups and renovations of Small and Medium Enterprises and informal traders' workspaces by local authorities should proceed". The NTJWG is concerned that this seems to be an erroneous interpretation as the court only granted interim relief and no final order was granted in this regard. While the NTJWG accepts that illegal structures may be demolished it calls upon the local authorities to carry out the demolitions in a manner that complies with the dictates of the law. Legal compliance is necessary to ensure that the violations that occurred during Operation Murambatsvina do not recur as way of saying "Never Again" to human rights violations of that nature.

FEEDBACK AND THIS NEWSLETTER

Please share with us your feedback on the content that we have just shared with you. To view or download the newsletter online click: <http://www.ntjwg.org.zw/publications.html>.

