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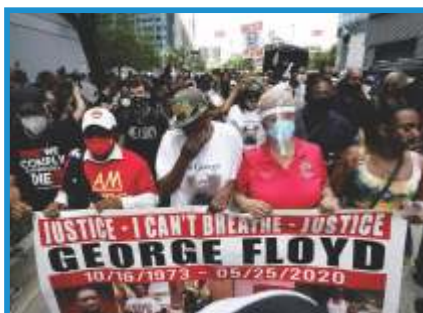
EDITION 11 | APRIL - JUNE 2020



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**HUMAN RIGHTS VIOLATIONS
CONTINUE UNABATED DURING
NATIONAL LOCKDOWN**



**GEORGE FLOYD'S DEATH SPARKS
PROTESTS AND A CONVERSATION
AROUND THE LEGACY OF RACISM**



**VIOLATIONS AGAINST THE MEDIA
FRATERNITY IN THE MIDST OF
COVID-19**



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EDITION 11: APRIL – JUNE 2020

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TABLE OF CONTENTS

1	EDITORIAL
5	ASSESSING THE COVID-19 SITUATION IN ZIMBABWE
6	Red lights on government lockdown policy to COVID-19 in Zimbabwe
6	The scourge of corruption and how it has affected the COVID-19 response in Zimbabwe
7	Corruption at immigration points and quarantine facilities
8	Human Rights Violations during the lockdown by state security institutions
10	Destruction of property and looting of goods by municipal and state police
13	CONTEXTUAL ANALYSIS
14	Zimbabwean Government Holds Public Hearings on Amending the Constitution amidst National Lockdown
16	Politically motivated violence and torture during the COVID-19 pandemic
18	Violations against the media fraternity in the midst of COVID-19
20	Expired cards debacle - Police defying Media regulatory body
20	New media laws to control media freedom through the back door
20	Zimbabwe government's efforts to control the news around COVID-19 through unreasonable regulations
21	Reburial of Zimbabwean freedom fighters
22	TRANSITIONAL JUSTICE NEWS FROM ACROSS THE GLOBE
30	PROGRESS UPDATE
31	NPRC ACTIVITIES
41	NTJWG ACTIVITIES





Welcome to the 11th Edition of the NPRC Watch Report detailing transitional justice developments emanating from the second quarter of 2020. This edition covers the three months after the Government of Zimbabwe on 30 March 2020 declared a lockdown of movement and businesses to respond to the COVID-19 pandemic in the country.

In the last edition of the NPRC Watch Report, the National Transitional Justice Working Group (NTJWG) noted with caution that the Government of Zimbabwe would need to put in place robust measures to deal with the compounded crisis being the health emergency, social crisis and deteriorating human rights situation that was unfolding as a result of the COVID-19 pandemic. The NTJWG observed that the country and indeed the rest of the world was treading in uncharted waters such that innovative public policy interventions leveraged on human rights-based approaches would have to be put in place.

To put the situation into context, by the end of June 2020, Zimbabwe had been under national lockdown for 93 days. Varying levels of the restrictions were imposed by the Government during the whole reporting period. In terms of the cases, by the end of June Zimbabwe had 605 recorded cases of people who had tested positive for COVID-19 with 7 mortalities since the disease was first detected in Zimbabwe. The NTJWG commends Zimbabweans for heeding the calls to stay at home, taking care to sanitize their hands, adhering to the wearing of masks as well as practicing social distancing where necessary during the reporting period. However, the NTJWG notes that these achievements have not come without their own negative consequences in other spheres to the people of Zimbabwe.

From the time the lockdown measures were put in place, the NTJWG had already noted that among other issues, the endemic corruption in procurement by the government, the muzzling of press freedoms and the harassment of citizens exposing corruption and bad governance would militate against the smooth implementation of the lockdown interventions. Indeed, as time passed during the reporting period, this proved to be true. Within no time, cases of rampant corruption in the procurement of COVID-19 drugs, health equipment such as testing kits and other needs started emerging. Reports of rogue security service officials from the Zimbabwe Republic Police and the Zimbabwe National Army assaulting, and torturing citizens were reported to the Zimbabwe Human Rights NGO Forum and other human rights organizations during the reporting period. Incidents of municipal police from several Town Councils in the whole of Zimbabwe confiscating wares and destroying market stalls of vendors became the order of the day. People were arrested for various reasons such as not wearing masks and not having permission letters to move around. Issues of police officers at designated roadblocks charging as much as USD\$5 bribery fees per person were common in urban areas.

The way the COVID-19 pandemic has wreaked havoc on peoples' livelihoods in Zimbabwe and across the globe shows that its effects will be more

than just a health crisis. What the NTJWG has observed thus far is that the disease has given an opportunity to the Government of Zimbabwe, among other things, to forge ahead with its policy of deploying politically motivated and state sponsored violence against its opponents. In numerous instances cases of draconian policing against citizens going on with their innocent activities have been recorded.

With regards to social protection measures, on 30 March 2020 the Government through the Ministry of Finance and Economic Development had quickly pronounced that it would provide social safety nets through cash handouts of ZWL\$300 per month as income support. Leadership from both the ruling ZANU PF party and the opposition MDC Alliance went into a frenzy collecting information from would be beneficiaries. Three months later, it is doubtful if this policy has been implemented. To make matters worse, Zimbabwe's low-income urban earner monthly basket for a family of six stood at ZWL\$9 715.46 in mid - June 2020. The Consumer Council of Zimbabwe stated that a family of six now requires ZWL\$6000 for groceries a month while a further ZWL\$3000 is required for basic requirements such as housing, transport, health and clothing.¹ This means that the policy had already been overtaken by events even before it was hatched by the Government. The NTJWG notes that policies such as this one are usually put forward before elections in a bid to harvest loyalty through preferential treatment of allies and vote buying. The Government had also, during the reporting period, promised to increase civil servants' pay by 50% as well as release a USD \$75 per month COVID-19 cushioning allowance. However, the public service workers did not see the increments

reflected in their June 2020 salaries. The NTJWG notes that the two situations of the delays in disbursing the COVID-19 cash relief handouts as well as the delay in the release of the new COVID-19 cushioning for civil servants are untenable and can only lead to a disaster especially in the public service where health workers have threatened to go on industrial action on several occasions.

COVID-19 has also exposed some negative gendered dimensions of the health crisis in Zimbabwe. For instance, the informal economy which has been dealt with a major blow by the lockdown means that most women who form the bulk of the entrepreneurs in that sector lost much needed income in the last three months. The abrupt loss of income meant that most women who previously helped support their families financially are now unemployed. Moreover, increasing cases of domestic violence due to spouses being confined at home have been recorded.² It is undeniable that another negative effect of the lockdown is that when it ends, more children could come out of the pandemic malnourished because their parents especially women have not been able to earn money.

On the political front, the Government of Zimbabwe's measures to try to contain the COVID-19 pandemic have interrupted many political and transitional justice processes.

For example, soon after the lockdown announcement, the Zimbabwe Electoral Commission announced that all election related events would be put on hold until such a time as when the government had put measures to control the COVID-19 pandemic. This was quickly reversed after a large outcry from civil

1. <https://businesstimes.co.zw/cost-of-living-nears-zwl10k/>

2. <https://reports.unocha.org/en/country/zimbabwe/card/2XxB9GOV93/>

society groups. Furthermore, the banning of large gatherings meant that groups comprising National Human Rights Institutions such as the National Peace and Reconciliation Commission (NPRC) could not convene physical meetings with the people. However, observers have accused the Government of Zimbabwe of taking advantage of the COVID-19 lockdown to press ahead with holding public consultations for the proposed Constitutional Amendment underway in Zimbabwe's Parliament. The Parliamentary Portfolio Committee on Justice, Legal and Parliamentary Affairs, after almost a month of suspending public hearings on Constitutional Bill Amendment 2, suddenly announced that public consultations would take from 14 - 20 June 2020. There were protestations from a wide section of stakeholders, but they fell on deaf ears and the public hearings went ahead. The NTJWG doubts the efficacy of such a process and notes that it is undemocratic and insensitive for the Government to hold such important processes when the citizens are not able to freely participate. Other political efforts to stifle democratic participation and free speech were recorded when scores of journalists and media personnel started experiencing major pushbacks through assaults and harassment from the police and army when they were out carrying their jobs. Thabani Moyo, the Director of the Media Institute of Southern Africa Zimbabwe Chapter, noted at the time that journalism was under fire and for the country to defeat the COVID-19 pandemic, the Government needed to focus its energies elsewhere rather than on the media fraternity which was helping them to report on the dangers of the disease as well as efforts to suppress it.

On the education front, the Government seemed not to have clear plans on when schools would reopen. However, the Government was quick to note that exam classes for 2020 would resume classes on 28 June 2020. The June 2020 examinations started in earnest but not without drama as 8 teachers unions in Zimbabwe took the government to the High Court arguing that they needed personal protective equipment (PPE) and a whole raft of protective measures before their membership could resume duties. The applicants in the matter were:

- Amalgamated Rural Teachers Union (ARTUZ),
- Progressive Teachers Union of Zimbabwe (PTU),
- Teachers Union of Zimbabwe (TUZ),
- Zimbabwe Democratic Teachers Union (ZDTU),
- Zimbabwe National Education Union (ZINEU),
- Zimbabwe Teachers Association, (ZIMTA)
- Zimbabwe National Teacher Union (ZINATU).

The Zimbabwe School Examination Council, the Minister of Primary and Secondary Education, the Civil Service Commission, the Minister of Public Service, Labour and Social Welfare and the Minister of Health and Child Care were cited as respondents. In the aftermath of the court application, Justice Charewa sitting in the High Court in Harare ordered the government to provide personal protective equipment to teachers and students and to disinfect all schools and exam centers. The government was also ordered to ensure that the schools and exam centers meet the World Health Organization prescribed measures to protect against COVID-

by 26 June 2020, before the start of exams scheduled for 30 June 2020 to begin.

On the health front, another catastrophe loomed in the horizon as medical staff in most public hospitals continued to operate without the right protective equipment. Subsequently, the Zimbabwe Association of Doctors for Human Rights (ZADHR) approached the High Court in Harare³ in a petition filed by the Zimbabwe Lawyers for Human Rights on 5 April 2020 to compel the government to provide them with PPE and adequately equip public hospitals to combat the COVID-19 outbreak. The Zimbabwe High Court subsequently ordered the government on 14 April 2020 to ensure the provision of PPE to all healthcare workers serving at public health facilities as well as to those deployed on field to trace contacts made by individuals tested positive for COVID-19.

Despite the court order, health personnel across the country staged several demonstrations, sit ins and protest actions against poor salaries and what they called the insensitivity of the government to send them to work without proper protective equipment. One of the major grievances was that instead of ensuring that the hospitals were well equipped, government officials were instead rewarding themselves with top of the range vehicles and other perks.

The Zimbabwe government has over the years failed to provide and supply potable water to

citizens. In May 2020 during the lockdown, residents of the Bulawayo suburb of Luveve bore the brunt of the ineptitude of the Government and City Council when hundreds of Luveve residents suffered acute gastrointestinal diseases and at least 13 people died from drinking municipal water from the taps.⁴ In the following weeks, several residents started developing skin conditions that they worry are linked to the contaminated water. The ZANU PF led government blames the MDC Alliance led city council and the latter is doing vice versa leaving residents stranded. The NTJWG urges both the central and local government authorities to work together and respect their constitutional duties to the people of Zimbabwe to provide clean and safe water.

The NTJWG notes that the current pandemic is not only a public health emergency for Zimbabwe, it is also a crisis for human rights and for justice. The coronavirus, the drastic measures to contain it, and the calamitous economic consequences of both have put the Zimbabwean society at increased risk of social unrest, violence, as well as abuse or repression by government's security forces by exploiting the measures put in place to slow the spread of the disease. Government and societal responses to the pandemic must not be narrow or short-sighted but should, be comprehensive in their approach and based on human rights and justice.

3. *Zimbabwe Association of Doctors for Human Rights v Minister of Health and Child Care, Minister of Finance and Economic Development and Minister of Transport and Infrastructural Development HC 2163/20*

4. <https://www.sundaynews.co.zw/nine-die-from-luveve-water-crisis/#:~:text=NINE%20people%20have%20now%20reportedly,children%20and%20one%20elderly%20woman>



ASSESSING THE COVID-19 SITUATION IN ZIMBABWE



ASSESSING THE COVID-19 SITUATION IN ZIMBABWE

Red lights on government lockdown policy to COVID-19 in Zimbabwe

This section discusses several issues related to the COVID-19 pandemic situation in Zimbabwe, how the government has responded and some of the anomalies that have been recorded thus far. Some of the issues that are discussed in the section include the issues of rampant corruption, abuse of government authority, police and military brutality against citizens, stifling of media personnel, the insensitivities around the banning of public transport operators without offering a sustainable alternative and the mismanagement of quarantine centres.

The scourge of corruption and how it has affected the COVID-19 response in Zimbabwe

The shortage of drugs, medical equipment such as ventilators and other essentials such as personal protective equipment (PPE) for medical workers was quickly recorded the world over when COVID-19 took a stronghold on Europe during the first quarter of the year. The situation could not have been easier for Zimbabwe. The country has a very weak health system defined by poorly equipped medical facilities and a public procurement system marred by cataclysmic

levels of corruption when it comes to the procurement of such materials. The medical fraternity in Zimbabwe raised concerns about the state of the medical facilities and the expectation was that the Government of Zimbabwe would rescue the situation by providing funds for the equipment that was being requested. The Government made several pronouncements in response to the calls for more equipment and a higher budget to deal with the COVID-19 crisis noting that it would ensure that the response mechanisms were in place. However, what became evident within no time was that the public procurement process for the COVID-19 drugs, medical equipment and other ancillaries had been hijacked by criminals and people reportedly close to those in government. For instance, it was noted in media⁵ reports that one company that goes by the name Drax International which is fronted in Zimbabwe by one Mr. Dellish Nguwaya was alleged to have unprocedurally been awarded a USD 60 million contract to supply medical equipment and drugs to the Government of Zimbabwe. A review of the invoices and supporting documents later revealed that the goods had been overpriced for example, a mask that was sold at a going rate of USD\$3 on the global market was being sold to the Government of Zimbabwe for USD\$28.

5. <https://nehandaradio.com/2020/06/30/namibia-exposes-zimbabwe-govt-lies-there-was-no-such-donation/>

Many more revelations were to be unearthed in the scandal which ultimately led to the arrest of the said Delish Nguwaya leading to the implication of the Health Minister, Dr. Obadiah Moyo⁶ and other government officials in the same scandal.

Another company called Jaji Investments which was reportedly fronted by people believed to be known to the first family also received another tender to supply COVID-19 medication and equipment. One of the red flags that was raised against Drax International, and the Namibia-registered Jaji Investments is that the two companies that got first preference in the government tenders were not registered with the Procurement Regulatory Authority of Zimbabwe (PRAZ), a legal requirement for all companies supplying the government. Jaji used a fake bank account, fake address and lied that test kits were coming from Namibia. Jaji bought the equipment for USD\$300 from China & invoiced USD\$66375 to the Zimbabwe Government.

In other media reports, the two companies and their local representatives were seen in video footage that is available for public consumption with the President of Zimbabwe where they allegedly donated to the COVID-19 response. Subsequently there was a flurry of activity to cancel⁷ the contracts by the government as well as the arrest of all those implicated. The NTJWG welcomes such a development and calls for accountability and bringing to book for all those involved at whatever level. The NTJWG remains wary though of a seeming “catch and release” strategy of the Government where those accused of wrongdoing are arrested, taken to court and based on questionable grounds are later exonerated or their cases end up just fizzling out.



Figure 1. Delish Nyaguwa (left) meeting with President Emmerson Mnangagwa (middle) and the Minister of Finance and Economic Development Mthuli Ncube (right)

Corruption at immigration points and quarantine facilities

When the first cases of COVID-19 were revealed in Zimbabwe, there were reports that people who were coming from other countries were refusing to be tested. In other cases, highly placed relatives of government officials were reported to be bribing or demanding for their relatives to be released from the quarantine centres. When the first few deaths were recorded, this practice seemed to ease as people then became aware that smuggling relatives out would also put them in danger. As time passed, the Government of Zimbabwe designated several public schools, polytechnics, and churches as quarantine centres for people returning especially from South Africa, Botswana, the United Kingdom and other countries. The next challenge was dealing with the people who were now escaping the quarantine centres arguing that the facilities were substandard. Indeed most of the facilities that were shown on social media did not have running water, toilets were malfunctioning and the social distancing aspect of it all was not well

6. <https://www.aljazeera.com/news/2020/06/zimbabwe-health-minister-granted-bail-60m-corruption-case-200620190428039.html>

7. <https://www.herald.co.zw/drax-contracts-cancelled/>

respected. Most of the returnees spent long periods of time without being tested.

As of 22 June 2020, 2,136 returnees were quarantined in Zimbabwe in 44 centres, including 1,050 women, 910 men, 92 girls and 84 boys. The majority of returnees were quarantined in Harare (673), Matabeleland South (273), Bulawayo (259), Mashonaland West (241) and Manicaland (232). According to COVID-19 lockdown reports from the Zimbabwe Human Rights NGO Forum, in June 2020 quarantined residents were complaining about delayed testing and lack of social distancing, which potentially exposed them to the virus. The COVID-19 regulations relating to mandatory quarantine require returnees to be tested on day one, day eight and day 21, the Forum noted. In other places, those in quarantine were sharing buckets and crowded bath facilities, not observing social distancing during meals and had not been tested, the Forum noted. This situation caused spontaneous protests⁸ in several of the quarantine centres over issues of poor hygiene, the quality of food and some who protested that they had been forced to pay for their own COVID-19 tests.

By the end of the reporting period, close to 200 cases of escaped returnees in the quarantine centres had been reported. It is reported that most of the quarantined people started bribing police officers and government officials manning the quarantine centres and for a while there were several reports of people escaping from the facilities. This posed a risk to all Zimbabweans as the escapees could have infected other Zimbabweans.

A public campaign was then carried out by the Government on radio, television and social media exposing those who had escaped from the quarantine centres. This somehow led to a reduction in those escaping and the Government managed to step up on the testing of those in quarantine centres as well as ensuring that the facilities were at least habitable.

As the restrictions eased, more hotels started opening up and those who could afford private quarantine facilities were put up in hotels around the country. What was clear from all this though is that COVID-19 had higher chances of spreading because of leakages and corruption at the immigration points and in country within the quarantine centres as government officials such as the police became lax attracted by money.

Human Rights Violations during the lockdown by state security institutions

The Zimbabwe Human Rights NGO Forum (The Forum) has been carrying out a special exercise of monitoring, documenting and daily reporting on human rights violations since the COVID-19 lockdown measures were put in place by the Government.

The Forum has more details about individual cases and this is confidential information used for litigation and documentation purposes but also made public in the Forum's reports when cleared by the victims and the organisation. The table below shows the number of violations that have been perpetrated by the different state institutions and locations.

8. <https://iharare.com/protests-break-out-at-quarantine-centre-in-harare/>



Nature of Violation	Number of Victims	Location
Assault	278	Harare, Zvishavane, Masvingo, Bulawayo, Wedza, Chinhoyi, Zaka, Gweru, Chitungwiza, Bindura, Nembudziya, Chiredzi, Marondera, Mutoko, Chivi, Bikita, Zvishavane, Mvurwi, Mutare, Marondera, Beitbridge, Domboshava, Wengezi
Attacks on Journalists	15	Mutare, Gweru, Chinhoyi, Harare, Chiredzi, Masvingo, Beitbridge
Arrests	495	Masvingo, Gokwe, Gweru, Bulawayo, Chinhoyi, Hwange, Harare, Magunje, Lupane, Norton, Bikita, Mutasa, Chitungwiza, Nkayi, Makoni, Chipinge, Beitbridge, Lupane, Tsholotsho, Mwenezi, Guruve, Hwange, Murwi, Kwekwe, Chinhoyi
Malicious Damage to Property	2	Harare, Chitungwiza
Abductions	3	Harare

The number of arrests was high due to the number of people who were caught flouting the “stay at home” rule. Others were arrested for moving around without the so-called requisite “permission letters” supposedly giving them the authority to move around especially between locations and into the central business districts of the respective towns and cities. While this would seem to be a logical reaction by the police to citizens who had been warned to stay at home, these arrests show a different effect of the lockdown on desperate citizens. With an unemployment rate hovering beyond 80% and most adults self-employed, Zimbabweans are inclined to drift towards the city centres in the morning where it is easier to meet customers for their different goods and services. As most people do not live in the city centres, it was most likely that there would be citizens who would try to defy the lockdown to move around and try to earn a living.

To make matters worse, in other areas the police have been ruthless. From the data collected by the Zimbabwe Human Rights NGO Forum, there are reports where members of the Zimbabwe Republic Police have been found beating up and torturing citizens caught at night or whenever it is dark on the pretext that they are flouting curfew regulations. This is clear abuse of power and unnecessary violence.

The police in most instances are doing this to instill fear in citizens as well as forcing them to pay bribes. It is a different case when people are caught in bars or drinking in public spaces in large groups. In any case when such people are caught the NTJWG believes that there are more humane ways of dealing with such cases rather than torture and beatings.

The Government did not make it clear on where the “permission letters” were supposed to be sourced from; for what kind of situations, who would be responsible for issuing them out and for what duration. This issue continues to cause confusion among citizens leading to loopholes where the police officers manning roadblocks have been reportedly cashing in on desperate citizens who need to move around for whatever reason.



Figure 2. Soldier assaulting woman on June 2, 2020, on the overpass at Simon Mazorodze Road in Harare

Destruction of property and looting of goods by municipal and state police

During the reporting period, the NTJWG received hundreds of reports of destruction of market stalls especially in the high-density areas where most people depend on selling vegetables and run makeshift shops.

In scenarios reminiscent of the Murambatsvina era of 2005, City Council Police using city by-laws have taken advantage of the government measures on the lockdown to implement measures they have struggled to implement over the years. In most instances, reports recorded

note that City Council police raiding vegetable markets stalls and individuals selling different wares such as groceries from the boots of their cars near shopping centres. They then confiscate the goods and destroy whatever structures will be there. Were the City Council officials are accompanied by the police or the army, they then arrest the individuals. At face value, this looks like the government is just carrying out its job to “clean up” the cities as well preventing the congregation of masses of people in one place to control COVID-19 transmission but looking at it from hindsight reveals a policy by the government to paralyze the informal market. The informal market in Zimbabwe mainly deals in cash for goods arrangements. According to a 2018 International Monetary Fund report,⁹ Zimbabwe’s informal economy is the largest in Africa, and second only to Bolivia in the world. The sector accounts for at least 60% of all of Zimbabwe’s economic activity. This means that in most instances, the government will not have access to the Value Added Tax (VAT) as well as the 2 percent government tax on every electronic transaction.

A logical conclusion would be that the Government of Zimbabwe has now found an opportunity to descend heavily on such businesses and possibly permanently paralyze them. The argument raised by the Government that if any informal traders and small companies want to trade and operate they have to register with the government is instructive here. If a company is registered, then it is conscripted into the bandwagon of paying exorbitant taxes which makes the government happy and keeps it well-oiled in the end. For a cash strapped government, COVID-19 could not have brought a better



Figure 3. Harare City Council Police overseeing the destruction of vending stalls at Mbare Market in Harare on 19 April 2020.

“
City Council Police
confiscate the goods and
destroy whatever structures
will be there.”

opportunity to deal with the large section of Zimbabweans who are operating businesses by possibly not paying businesses and government taxes.

9. <https://www.imf.org/en/Publications/WP/Issues/2018/01/25/Shadow-Economies-Around-the-World-What-Did-We-Learn-Over-the-Last-20-Years-45583>

Transport blues as a result of the lockdown measures

When the lockdown measures were put in place by the Government on 30 March 2020, there was a blanket ban on all public transport systems. The Government moved in quickly to formalize the Zimbabwe United Passenger Company (ZUPCO) Bus Rapid System. At first the ZUPCO system was only allowed to carry essential services staff in the medical fraternity and those working in grocery shops. When the lockdown measures were eased in April 2020, there was need for more vehicles to ferry people to and from work. The government through the Minister of Local Government, Public works and National Housing, Honorable, July Moyo then made a call for public transport operators to register to get onto the ZUPCO Bus Rapid System if they want to be allowed to operate.

Some of public transport operators accepted the call and others refused citing low returns. The government remains adamant however that the public transport system of public service vehicles (PSVs) commonly known as kombis will not be allowed back onto the roads. It is interesting to note that the Government of Zimbabwe has for a long time battled to control the chaotic system of public transport largely operated on by kombis.

The COVID-19 situation has given the Government ample time to rearrange the public transport system by introducing a new system using Government owned buses¹⁰ that are also reportedly to have been brought in overpriced¹¹ and through corrupt means by individuals connected to the President. Unfortunately, the situation that has been experienced countrywide is that people who have been allowed to go to work, struggle to find transport daily. Reports of commuters having to wake up in the early hours of the morning such as 3 or 4AM to then catch buses to get them to work arriving after 8AM are commonplace. Vice versa, going back home, people are reportedly facing the same challenges as they have to queue for hours after work reaching home around 10 or 11PM at night on a daily basis. What this means is that people who are expected to be delivering essential services to the rest of the Zimbabwean population are having to spend the better part of their time queuing up for vehicles and at work which means that they will not get any time with their families, or time to rest.

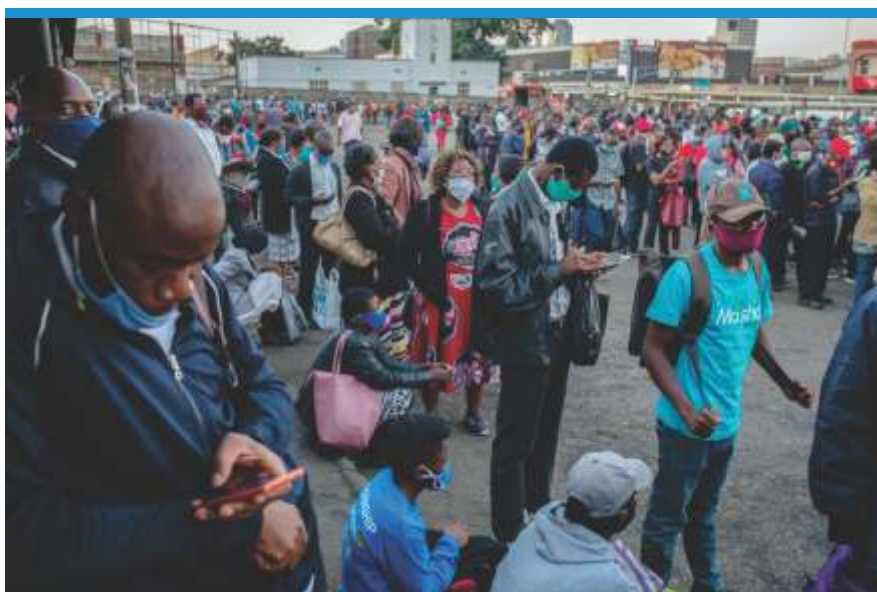


Figure 4: People line up to take buses at Market Square Bus Terminus in Harare, Zimbabwe

10. <https://www.herald.co.zw/just-in-ed-commissions-47-zupco-buses/>

11. <https://www.theindependent.co.zw/2020/05/29/zupco-bus-deal-a-hot-potato-in-govt-circles/>



CONTEXTUAL ANALYSIS



CONTEXTUAL ANALYSIS

Zimbabwe continues to be a country whose economic, political and social situations remain dire. This section discusses several emerging issues that have dominated the news and the operating terrain for the NTJWG as well as the general populace on the delivery of transitional justice in Zimbabwe in 2020. The constitutional amendment hearings were continued even amidst the COVID-19 pandemic and cases of politically motivated violence and torture increased within the reporting period.

Disturbingly, the Government in Zimbabwe has been exploiting well-meaning preventative measures to suppress individual freedoms and expand State power. Police officers have assaulted and tortured individuals who were allegedly flouting the restrictions. The police have also been reportedly extorting and soliciting bribes from people caught not abiding by these and other mandatory directives such as wearing a face mask and practicing social distancing.

The government has also been using the pandemic as a pretext to silence of critics and journalists who question the government's actions. In Bulawayo, there was a case where 2 sisters were beaten and tortured by 6 police officers because they were reportedly breaking lockdown rules.¹² The injuries the two sisters sustained amounted to torture and grievous bodily harm. What makes such situations difficult is that the police officers accused of having committed such offences are then “disappeared” by their colleagues and the cases dockets are also disappeared making it hard for justice to be

pursued for the victims and accountability from the police officers. By the end of June 2020, it was reported that the trial of the 6 police officers was due to commence on 13 July 2020 after a series of false starts.

Zimbabwean Government Holds Public Hearings on Amending the Constitution amidst National Lockdown

In April 2020, the Parliamentary Portfolio Committee on Justice, Legal and Parliamentary Affairs announced that the public hearings on the Constitution of Zimbabwe Amendment No.2 Bill would be suspended for the duration of the lockdown. However, in June 2020 a new announcement was then made that the public hearings would continue from 15 – 19 June 2020 with four teams of parliamentarians going out to different parts of the country. To ensure that the outreach was extensive, it was also announced that 2 public meetings would be conducted on Khulumani FM on 16 June 2020 and another one

12. <https://www.cite.org.zw/zca-condemns-abuse-of-women/>

on 19 June 2020 on National FM. A Zoom session was proposed for 19 June 2020.

There was an outcry from the public and several civil society organizations who argued that the conditions were not right for huge public gatherings. Part of the arguments from civil society organizations in different press statements that were released to protest this move was that the Zimbabwe Electoral Commission that administer elections had suspended by-elections citing COVID-19 measures compliance grounds and these are the processes that select our representatives to Government and yet the legislature was proposing to undertake an ancillary process during COVID-19 measures.

Habakkuk Trust, an organization affiliated to the NTJWG filed through its lawyers, Job Sibanda and Associates an urgent chamber application¹³ at the Bulawayo High Court on 11 June 2020 seeking an interdict to stop the public meetings. The application was heard on 15 June 2020. Initially, Justice Nokhutula Moyo reserved judgment. However, on 19 June 2020 Justice Moyo dismissed the application on grounds that public meetings are lawful in terms of the Statutory Instrument 2020-083 Public Health (*COVID-19 Prevention, Containment and Treatment*) (National Lockdown) Order, 2020.

All the same, the public meetings went ahead on 18 and 19 June 2020 and the Zimbabwe Human Rights NGO Forum was there to monitor them. The online sessions through zoom were conducted with only 287 people joining. The Forum observed that there were serious challenges as the meeting of the 19th was delayed to 09:11AM when it was supposed to have started at 08:30AM but still ended at the

prearranged time of 10:30AM. The public hearing slated for the National FM had been scheduled to start at 11:00AM but only started at 12:45PM without any notice of the changes. In a public hearing held in Mbembesi, Matabeleland North, a Mr. V Thsuma who is the ward 3 councillor for ZANU PF harassed monitors from the Forum's and Zimbabwe Human Rights Association insisting that they had to explain what their mandate was and what they wanted in the area. In most of the areas where the hearings were held across the country in areas such as Chinhoyi, Gweru, Mt Darwin, Marondera, Mutare, Plumtree and Masvingo challenges with public transport were noted and these deterred more people from attending the meetings.

In a further act of protestation, on 19 June 2020, two citizens Ms. Namatai Kwekweza and Ms. Vongai Zimudzi were arrested by police officers outside the New Government Complex in Harare. The 2 had sat with placards outside the complex urging the government to consult 3 million people who voted in favour of the Constitution to gather their input on the proposed amendments to the Constitution.

The duo was charged with the crime of participating in a gathering with intent to cause public violence, breach of peace, bigotry as provided under Section 37 of Criminal Law (Codification and Reform) Act [Chapter 9:23]. After spending a night in police cells, they were only released on ZWL3 000 bail. The case remains open and until it is concluded Ms. Namatai Kwekweza and Ms. Vongai Zimudzi are mandated to report to the police once every week. They are also supposed to surrender their passports.

13. *Habakkuk Trust v Clerk of Parliament & 2 Ors* (HB 118-20, HCB 899/20) [2020] ZWBHC 118 (18 June 2020)

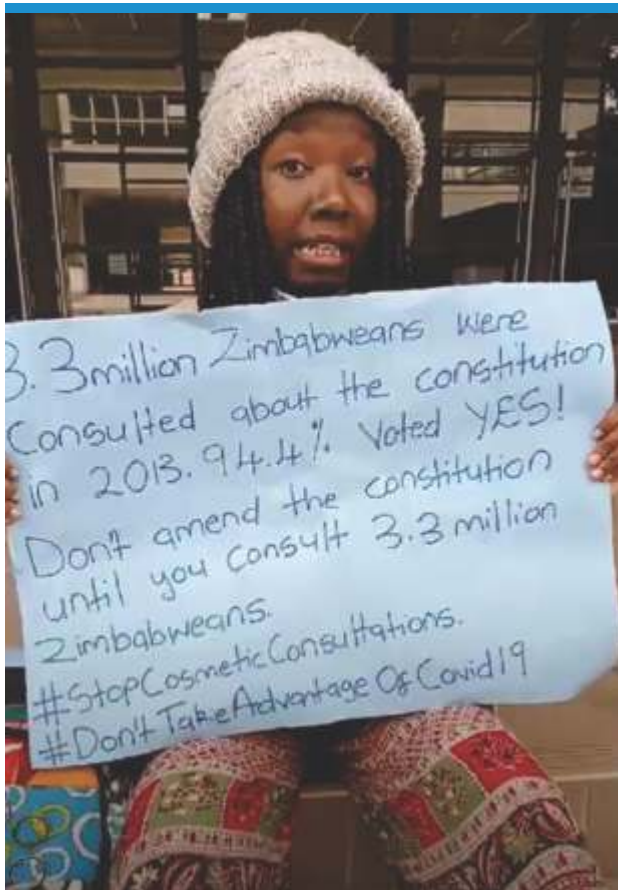


Figure 5. Namatai Kwekweza sitting in protest outside the New Government Complex in Harare on 19 June 2020.

Politically motivated violence and torture during the COVID-19 pandemic

Zimbabwe is a country that is perpetually inundated with human rights violations perpetrated by various state security institutions. During the lockdown period, several cases of human rights violations by the police, army and other quasi state bodies were recorded by the Forum and its partners. Key to note were the violations that had political undertones. For example, on 13 May 2020 there was a public demonstration in the Warren Park suburb of Harare organized by members of the MDC Alliance. The demonstration reportedly went ahead without any challenges and the police did not stop or prevent it. However, on the same

evening, Honorable Joana Mamombe (MDC Alliance legislator for Harare West), Ms. Netsai Marova and Ms. Cecilia Chimbiri who are all members of the MDC Alliance and leaders in the party's youth league were later arrested by the police at a roadblock near the National Sports Stadium in Harare. It is reported that after the arrest they were later abducted from the police at Harare Central Police Station by people believed to be State security agents. They went missing for 2 nights until they were found on a roadside in near Muchapondwa shops in Musana, Bindura South on the morning of Friday 15 May 2020, about 87 km away from Harare. The trio were badly injured and traumatized. Honorable Joana Mamombe reported that she had head injuries arising from being pushed out of a moving vehicle. The 3 reported that they were tortured and sexually violated during the abduction.

The NTJWG notes that at some point after the 3 women were reported to have gone missing, the police spokesperson¹⁴ confirmed to the state-owned newspaper (The Herald) that the police had arrested the 3 women for organizing and participating in an illegal protest. It is therefore unfortunate that the police, political party leaders from the ruling ZANU PF party as well as the Minister of Justice, Legal and Parliamentary



Figure 6. Joanna Mambo, Nestai Marova and Cecilia Chimbiri found on 15 May 2020 tortured and bruised after their abduction.

14. <https://www.herald.co.zw/mdc-a-legislator-mamombe-2-others-arrested/>

Affairs have made utterances alleging that the 3 women faked their abduction. The trio was hospitalized at a private hospital before they were then arrested reportedly for faking the abduction and organising an illegal demonstration.

The NTJWG condemns the behaviour of the State in this instance. The denials by the government are quite callous, insensitive and reflect a government that is insistent on using torture to stifle lawful political dissent in the country. The perception of invincibility created by such acts has a negative impact on victims of past human rights violations who might or are currently pursuing justice over violations committed against them in the past. The denials have become the order of the day for the Government and the ZANU PF party with suggestions that there is a “*third force*” perpetuating the violence to tarnish the image of the Second Republic. The NTJWG contends that all these arguments are facile and unnecessary. The Government of Zimbabwe must take steps to unravel and make known the findings of the investigations on whether people are faking their own abductions as well as the accusations that their own police officers are committing such heinous crimes against citizens.

On 23 June 2020, the police tried to arrest 42 students at the Chinhoyi University of Science and Technology for protesting against the arrest of the MDC trio. The students held placards demanding justice for Ms. Netsai Marova and Honorable Joana Mamombe who are alumni of Chinhoyi University of Zimbabwe.

The human rights violations against members of the opposition continued unabated in the month of June 2020.

On 2 June 2020, another abduction of an opposition political party member in the name of Mr. Davison Chamisa, the MDC Alliance Goromonzi South Youth Chair was reported. He was only discovered dumped and tortured the following day in Norton where he reported that the abductors had forced him to drink unidentified tablets, his urine and injected with unknown substances in a similar fashion to some of the violations reported by the MDC Alliance trio. Again on 25 June 2020, the wife of Mr. Denford Ngadzire MDC Alliance Harare West councilor and her 6 months old baby were kidnapped from Mr. Ngadzire's home in Mabelreign by suspected State agents driving a vehicle with no number plates. They were beaten and dumped in Dzivarasekwa in Harare, where they were later found.

As the teachers unions protested against poor salaries and the need for the Government to provide PPEs to teachers who were being compelled to report back to work to invigilate the June 2020 examinations, the President of the Amalgamated Rural teachers Association of Zimbabwe (ARTUZ), Mr. Obert Masaraure was arrested by the Law and Order Section of the Harare Central Police Station and transferred to Masvingo where he was charged with participating in an anti-government protest held on Monday 22 June 2020 in which teachers allegedly demonstrated against poor salaries and working conditions.

The protesting teachers reportedly demanded to be paid US\$520 in monthly salaries. Mr. Masaraure was charged with contravening section 37(1)(a)(i) of the Criminal Law (Codification and Reform) Act. On 27 June 2020, Mr. Masaraure was set free on RTGS\$500 bail after appearing in court.

The NTJWG reminds the Government of Zimbabwe of its international and domestic legal obligations to ensure the security of all people in Zimbabwe. In the event of breach of security of individuals, the Government of Zimbabwe has a legal duty to investigate and ensure that the perpetrators of human rights violations are brought to account. The NTJWG, therefore, calls upon the Government of Zimbabwe to ensure that a thorough and impartial investigation is conducted with the view of enabling all victims of human rights violations to obtain justice.

Violations against the media fraternity in the midst of COVID-19

Between 31 March and 15 April 2020, following the country's 21-day COVID-19 lockdown, Media Institute of Southern Africa (MISA) Zimbabwe recorded 15 cases of journalists either being assaulted, harassed or arrested while performing their constitutionally guaranteed duties. On 10 April 2020, MISA Zimbabwe filed an urgent chamber application¹⁵ with the High Court seeking an order interdicting police officers and other law enforcement agents responsible for implementing the COVID-19 lockdown from interfering with the work of journalists. It took MISA Zimbabwe's court application to stop the police and uniformed forces' media freedom violations.

On 11 April 2020, Freelance journalist Mr. Terence Sipuma was reportedly assaulted by members of the police and the army at the Kuwadzana roundabout in Harare while on his way to Chegutu to report on Zimbabwe's 21-day COVID-19 lockdown. According to Mr. Sipuma, who is a member of the Young Journalists Association (YOJA), he was stopped at the roundabout and asked where he was going.



15. Media Institute of Southern Africa – Zimbabwe and Panashe Makufa v Commissioner General of Police Zimbabwe and Zimbabwe Media Commission HC 2173/20

Mr. Sipuma also said, *“They asked where I was going and the moment I showed them my journalism I.D. (accreditation) card, I was asked to lie down (on the ground) and was beaten being accused of exposing them”*.

After a spate of these assaults and arrests, the Harare High Court ruled in favour of the journalists after being petitioned. Justice Jacob Manzunzu on 20 April 2020 ordered the police and other law enforcement agencies charged with enforcing the COVID-19 lockdown not to arrest, detain or interfere *“in any unnecessary way”* with the work of journalists.

Unfortunately, even after the court judgment, the harassment of media personnel continued unabated. On 22 May 2020, journalists Frank Chikowore and Samuel Takawira were arrested at a clinic in Harare where 3 opposition MDC Alliance officials were being treated following their alleged abduction and torture after staging a demonstration. Mr. Chikowore and Mr. Takawira who spent a night in police custody were on 23 May 2020 denied bail and remanded in custody to 26 May 2020 on charges of breaching Section 11 (b) of Statutory Instrument 83 of 2020 in terms of the COVID-19 regulations when they appeared before the court in Harare’s suburb of Mbare. The charge deals with failure to comply or obey without substantive cause, the instructions of a police officer.

In Masvingo, the Zimbabwe Union of Journalists (ZUJ) vice president, Mr. Godfrey Mtimba was arrested on charges of insulting and undermining the authority of President Emmerson Mnangagwa. Mr. Mtimba was initially charged with practicing journalism without a valid press card whilst he was taking pictures of police details

arresting MDC Alliance activists. However, the charge was later changed to undermining the authority of the President. According to the police, Mr. Mtimba addressed commuters at a bus rank in the city on the evening of 26 June 2020 and told them that they were suffering because President Mnangagwa and his sons were looting Zimbabwe’s resources.

On the evening of 24 June 2020, soldiers assaulted journalists Munashe Chokodza and Leopold Munhende who were returning home from work. The duo was assaulted with military whips at the Warren Park shopping centre in Harare. The journalists work for online news sites 263Chat and NewZimbabwe.com respectively. It is reported that when the journalists dropped off at the shopping centre, the army was apparently dispersing people from the shopping centre. They stopped the 2 and questioned them as to why they were not observing the lockdown regulations. Both Mr. Munhende and Mr. Chokodza produced their press cards and explained that they were coming from work, as they are part of the essential service workers.

The soldiers apparently remarked, *“You journalists think you are special in this country”*, before ordering them to roll on the ground and assaulted the duo. They both sustained injuries in the process.¹⁶

“

After a spate of these assaults and arrests, the Harare High Court ruled in favour of the journalists after being petitioned

16. <https://zimbabwe.misa.org/2020/06/24/two-freelance-journalists-assaulted-by-soldiers-in-harare/>

Expired cards debacle - Police defying Media regulatory body

With the Government seeking to find ways of dealing with what it called the “*the peddling of fake news*” and misinformation on COVID-19, several actions were put in place. The NTJWG observes that the government was using these actions to target dissenting voices, civil society, the media and opposition political parties. One of the controversial measures was a decision by the police to arrest journalists who had expired press cards from 2019. Even though they are expired, the accusations of using out-of-date press cards ignored the Zimbabwe Media Commission’s statement that journalists could continue working with their 2019 press cards until the Commission got around to issuing 2020 cards.

New media laws to control media freedom through the back door

MISA Zimbabwe noted that the Government of Zimbabwe was trying to enforce new laws without the much-needed parliamentary scrutiny and public participation. In its COVID-19 lockdown regulations, the Zimbabwe Government came up with a raft of Statutory Instruments such as Statutory Instrument 83 of 2020, a law that penalises the publishing of fake news with up to 20 years in jail. It is unfortunate to note that a number of people have already been arrested and charged under these regulations, with their cases still pending in the courts. These regulations would be undesirable in a free society as they go against the tenets of freedom of expression. Fake news regulations are usually strict liability laws, where the onus is on the accused to prove that what they communicated is not false news, rather than on the State to prove that a crime was committed.

They negate the maxim that an accused is “*innocent until proven guilty*”. It is for this reason that there is little justification for such laws in a democratic country.

Zimbabwe government’s efforts to control the news around COVID-19 through unreasonable regulations

On 20 May 2020, the Zimbabwe Media Commission added new categories to their accreditation list. Traditionally one would only be accredited as a foreign or local journalist but after the new changes there were going to be 6 categories:

- (1) Local Journalists;
- (2) International Media;
- (3) Online Media;
- (4) Content Producers,
- (5) Photographers; and
- (6) Productions - Media practitioners in the film sector.

In a meeting that was then held on 22 May 2020 between representatives from MISA Zimbabwe and the Zimbabwe Media Commission (ZMC) Chief Executive Officer Mr. Tafataona Mahoso, MISA lamented that the new categories had the potential of discriminating against some journalists from exercising their right to media freedom as provided for by the Constitution especially in the era of COVID-19. MISA Zimbabwe argued that there was no legal basis for the new accreditation categories.

To ensure that the ZMC stopped threatening the work of journalists who work on the production of online news, an urgent application was instituted by the Zimbabwe Online Content Creators Trust (ZOCC) on 25 May 2020, seeking an order for the suspension of the ZMC’s



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.

accreditation process which was set to commence in Harare on 26 May 2020.¹⁷ Subsequently, through an interim order the ZMC was ordered by the High Court to suspend its accreditation process. The High Court judge said the ZMC should also not proceed with implementation of its proposed new categories for accreditation. This was an important victory and push back of the Government's ploy to stifle press freedom during the time of COVID-19.

Reburial of Zimbabwean 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 Mr. 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 policy referred to by the Ministry of Home Affairs and Cultural Heritage does not appear to be 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. halting of this process until such a time when it can be done in a manner that is stakeholder inclusive.

17. Zimbabwe Online Content Creators Trust (ZOCC) v Zimbabwe Media Commission (HH 359-20, HC 2534/20) [2020] ZWHHC 359 (03 June 2020)

TRANSITIONAL JUSTICE NEWS FROM ACROSS THE GLOBE

Across the world, thousands of survivors, their families and governments took time to remember past events that have led to violence, war, murder, disappearance of people, genocide and torture among other violations. The stories narrated below give hope that evil deeds from the past can never be hidden and that some of the best ways to atone for them is for states to take active steps to hold perpetrators accountable and ensure justice for the victims and their families.



10 April: Good Friday Agreement 22 years on

On 10 April 2020, people in Northern Ireland marked the 22nd anniversary of The Good Friday Agreement (GFA). The GFA or Belfast Agreement is a pair of agreements signed on 10 April 1998 that ended most of the violence of the Troubles, a political conflict in Northern Ireland that has been ongoing since the 1960s. The 3 decades of violence cost more than 3,500 lives and left millions broken emotionally. The agreement managed to create a number of institutions between Northern Ireland and the Republic of Ireland, and the United Kingdom. Issues relating to sovereignty, civil and cultural rights, weapons, demilitarisation, justice and policing were also central to the agreement. While the world dealt with the COVID-19 pandemic many in Northern Ireland took time to mark the 22nd anniversary through different online events calling for restorative justice for victims of past violence.

16 April: Rwanda remembers the 1994 genocide

It is now 26 years since the genocide in Rwanda, that killed some 800,000 ethnic Tutsis and politically moderate ethnic Hutus in the violence that began on April 6, 1994, after President Juvenal Habyarimana and his counterpart Cyprien Ntaryamira of Burundi - both Hutus - died when their plane was shot down over the Rwandan capital. The people of Rwanda still take time each year to remember those who died in the genocide through public ceremonies known as Kwibuka in the local Kinyarwanda language.

The ceremonies which run for a week from the 16th of April every year are presided over by the President and senior government officials. For last year's 25th anniversary, thousands of people marched from parliament to the national soccer stadium in Kigali. This year because of COVID-19, Rwanda started the week-long commemorations with families under lockdown and radio stations and television channels airing programmes and songs to remember the victims. President Paul Kagame said in a recorded speech carried on the state-run broadcaster that Rwanda had to remember the genocide despite the coronavirus outbreak.

It is important to note that because of the persistence of the Rwanda Government and the perseverance of its people to seek closure and unity, government led efforts are still being carried out to exhume and rebury loved ones 26 years later.



20 April: Victims of the holocaust remembered globally through digital means

The Holocaust, also known as the Shoah, was the World War II genocide of the European Jews. Between 1941 and 1945, across German-occupied Europe, Nazi Germany and its collaborators systematically murdered some 6 million Jews, around two-thirds of Europe's Jewish population. The Holocaust profoundly affected countries in which Nazi crimes were perpetrated, but also had universal implications and consequences in many other parts of the world. Due to the international nature of the genocide, many international states still share a collective responsibility for addressing the residual trauma, maintaining effective remembrance policies, caring for historic sites, and promoting education, documentation and research, seven decades after the genocide. The day on which the commemoration takes place may vary between countries, as may the name for the commemoration but each year across Europe, Israel, the United States of America and parts of the former Soviet Union, the Remembrance Day commemorations are held.

At one event, the importance of preserving the memories of survivors was stressed especially in the face of COVID-19 in such a poignant manner. One elderly survivor of the Holocaust observed that *"The virus is absolutely attacking the memory of the Holocaust because it is attacking the elderly,"*¹⁸ adding that he was aware of several survivors who had died from coronavirus-related complications.

Beyond preserving the memories of the Holocaust, the lesson to be drawn from this experience is that memories of other traumatic events in Zimbabwe and beyond need to be preserved by digital and other more permanent means so that the legacies of human rights violations can forever be remembered and help to prevent violence in future.

16 May: Rwandan genocide funder arrested near Paris, France

Félicien Kabuga, who used 28 aliases and relied on powerful connections in both Africa and Europe to evade justice, was arrested near Paris, France after evading international police for almost 26 years. Mr. Kabuga was detained in a dawn raid in Asnières-sur-Seine, where he had been living under a false identity. The French public prosecutor's office and the police said Mr Kabuga had been living under a false identity in a flat with the complicity of his children. The International Criminal Tribunal for Rwanda has charged the 84-year-old with genocide and crimes against humanity. He is alleged to have been the main financier of the

18. <https://www.globaltimes.cn/content/1186174.shtml>

ethnic Hutu extremists who slaughtered 800,000 people in 1994. The United States of America had offered a \$5m (£4.1m) reward for information leading to Mr Kabuga's arrest.

The businessman from the Hutu ethnic group is accused of being one of the main financiers of the Rwandan genocide, paying for the militias that carried out the massacres. He also founded and funded the notorious *Radio Télévision Libre des Mille Collines (RTLM)*, a Rwandan broadcaster that actively encouraged people to search out and kill anyone who was from the Tutsi ethnic group.

The lesson learnt here is that the arrest of Félicien Kabuga serves as a stark reminder that those responsible for genocide can be brought to account, even 26 years after their crimes.

25 May: George Floyd's death sparks protests and a conversation around the legacy of racism

On May 25, 2020, George Floyd, a 46-year-old black American man, was killed in Minneapolis, Minnesota, during an arrest for allegedly using a counterfeit bill. Protesters are taking to the streets across the United States of America, demanding justice for the murder of the black man by Derek Chauvin, a white police officer, who knelt on Floyd's neck for almost 8 minutes while Floyd was handcuffed and lying face down, begging for his life and repeatedly saying "I can't breathe". Officers J. Alexander Kueng and Thomas Lane further restrained Floyd, while officer Tou Thao prevented bystanders from intervening. During the final 3 minutes, Floyd was motionless and had no pulse while Chauvin ignored onlookers' pleas to remove his knee, which he did not do until medics told him to.

The United States of America must address its racist past if it is to dismantle the structural racism that allows for such abuses. The protests marked "Black Lives Matter" took a new twist and engulfed the whole of the United States and several other countries in Europe that benefitted from colonialism and still practice racist policies and tendencies.

During the riots and peaceful protests that followed the killing of George Floyd in May 2020, a number of monuments and memorials were destroyed or removed,



Figure 7. Minnesota police officer Derek Chauvin pressing his knee into the neck of George Floyd for more than eight minutes.

or commitments to remove them were announced. Protesters noted that the monuments stood as symbols of oppression that celebrated the exploits of slave traders, colonialists, leaders of racist movements and other such ideas. Most of the monuments in question were in the United States, but others were in the United Kingdom, Belgium, New Zealand, India and South Africa. For example, in the United Kingdom the statue of Edward Colston, who made a fortune in the 17th century from trading in West African slaves, was torn down and thrown into Bristol harbor on 7 June 2020 by a group of demonstrators taking part in a worldwide wave of protests. In Belgium, sculptures of King Leopold II were targeted due to his prominent role in the colonization of the Congo. In New Zealand, a statue of a British military officer was removed, and in India another was relocated. In South Africa, a statue of the last president of the Orange Free State was taken down.

Statues of figures from Britain's imperialist past have in recent years become the subject of controversies between those who argue that such monuments merely reflect history and those who say they glorify racism. Even Britain's wartime hero, Winston Churchill, was under renewed scrutiny: a statue of him on Parliament Square in London was sprayed with graffiti that read "*Churchill was a racist*".¹⁹ These debates in Britain echo controversies in the United States of America, often focused on statues of confederate generals from the Civil War, and in South Africa, where Cape Town University removed a statue of British colonialist Cecil Rhodes in 2015.

Conversations such as these will have to take place in Zimbabwe as the country continues to examine its colonial past in addition to the post-independence era. Zimbabwe still has the statue of Cecil John Rhodes and his grave in Matopos 35 km outside Bulawayo. There are schools named after Queen Elizabeth, Allan Wilson, Prince Edward and hundreds of roads named after British colonialists who caused havoc in the lives of black people in Zimbabwe. The same argument can be raised about some of the black liberators as well but that will have to be examined in a more engaging and inclusive process nationally possible led by the NPRC.

3 June: Sudan protesters mark anniversary of 2019 massacre

Sudanese pro-democracy protesters who helped bring down former president Omar al-Bashir returned to the streets on 3 June 2020 to mark the first anniversary of a massacre in front of the army headquarters in Khartoum that left more than 100 protesters who were gunned down. On the day in question, tents belonging to the protesters who had camped at the Government buildings were burned and an untold number of bodies were thrown into the Nile. Many of the soldiers

19. <https://www.independent.co.uk/news/uk/home-news/winston-churchill-racist-graffiti-statue-blm-protest-westminster-a9553476.html/>

filmed themselves as they marched through the sit-in area, beating protesters with canes and demanding they chant in favour of the military. Within a few hours, there was nothing left of the sit-in that had lasted almost 2 months.

Painting the surrounding walls, streets and trees, thousands of protesters chanted slogans demanding justice and freedom and full civilian rule for Sudan. The protesters also called for the perpetrators of the mass killing to be held accountable soon. Demonstrators chanted anti-military slogans and said they held the Rapid Support Forces (RSF), a militia headed by the current deputy chairman of the Sovereign Council, Mohamed Hamdan Dagalo, responsible for the deaths. While at the same protest event, families of the victims hinted they might seek justice at the African Court on Human and Peoples' Rights if they are not satisfied with the results of the investigation. This comes after reports that the immunity law in Sudan's new constitutional charter seeks to protect members of the state from criminal proceedings, including Mohamed Hamdan Dagalo, also known as "*Hemeti*", the head of the RSF, which is widely accused of being behind the massacre. Other protesters noted that they wanted the Council of Ministers and the Sovereign Council to announce 3 June as an official holiday in the entire country because they would never forget their people and the martyrs.

Addressing the nation on 3 June 2020, the Prime Minister stressed that Sudan needed to break the "*devil cycle of political violence*". "*The transitional government is waiting for the results of the investigation committee in order to impose justice and the rule of law. We are committed to disclosing the entire details of the crimes committed on 3 June 2019 and that is the only way forward towards reconciliation and peace in our country,*" said Prime Minister Abdalla Hamdok.²⁰

4 June: Thousands in Hong Kong Hold Tiananmen Vigil

The Tiananmen Square protests or the Tiananmen Square Incident, commonly known as the June Fourth Incident in mainland China, were student-led demonstrations held in Tiananmen Square in Beijing during 1989. In what became known as the Tiananmen Square Massacre, troops armed with assault rifles and accompanied by tanks fired at the demonstrators and those trying to block the military's advance into Tiananmen Square. Estimates of the death toll vary from several hundred to several thousand, with thousands more wounded. No investigations or justice has ever been given to the victims by the Chinese government.

Every year outside mainland China, several countries hold vigils to remember the day. This year in Hong Kong, thousands of people in Hong Kong flouted a police

20. <https://www.middleeasteye.net/news/sudan-justice-far-away-protesters-mark-anniversary-2019-massacre>



ban on as they gathered to memorialize the Tiananmen Square massacre. The protesters noted that they had to let survivors know that we have not forgotten the children and loved ones they had lost.

19 June: International Day for the Elimination of Sexual Violence in Conflict

19 June every year, is marked internationally as the International Day for the Elimination of Sexual Violence in Conflict. In a statement, the member entities of United Nations Action against Sexual Violence in Conflict²¹ expressed their grave concern at the continued use of sexual violence as a tactic of war, terrorism and political repression, and called on all parties to conflicts to commit to ceasing such acts as part of the Secretary-General's call for a global ceasefire made in the context of the COVID-19 pandemic.

The group also noted that women and girls are disproportionately impacted by conflict-related sexual violence as its perpetration severely affects survivors, their families and their communities causing lasting harm, and undermining efforts to achieve peace as well as just and inclusive societies.

The group went further to note that durable peace is not possible without women's expertise and contributions, and thus urged all parties and stakeholders to ensure the meaningful participation of women at all levels of decision making whilst immediately putting an end to violence. The network is chaired by the Special Representative of the Secretary-General on Sexual Violence in Conflict.

21. The UN Action against Sexual Violence in Conflict unites the efforts of Department of Peacekeeping Operations (DPO), Department of Political and Peacebuilding Affairs (DPPA), Office of the Coordination of Humanitarian Affairs (OCHA), Office of the High Commission for Human Rights (OHCHR), Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC), International Organization for Migration (IOM), Joint United Nations Programme on HIV/AIDS (UNAIDS), United Nations Development Program (UNDP), United Nations Population Fund (UNFPA), United Nations High Commission for Refugees (UNHCR), United Nations Children's Fund (UNICEF), United Nations Office for Disarmament Affairs (UNODA), United Nations Office for Drugs and Crime (UNODC), UN Women and World Health Organization (WHO)

23 June: Lebanon Forms a Commission for the Missing and Forcibly Disappeared

Almost a year and a half after passing Law 105 for the Missing and Forcibly Disappeared Persons in Lebanon, the government has finally appointed the members of the National Commission for the Missing and Forcibly Disappeared—the key feature of Law 105. Since the negotiated political settlement that ended the Lebanese war in 1990, no serious attempt has been made to deal with the war's legacy. Accountability for human rights violations committed during the conflict has been absent.

There has been no effective truth-seeking process, formal acknowledgement of victims' suffering, or the establishment of an accurate and objective war narrative. This has allowed political and social factions to compete for control of the historical record, with the different sides blaming each other, resulting in multiple politicized and fragmented narratives. The appointment of the Commissioners will be central to the effectiveness and credibility of the Commission, and their moral authority will be vital to its success.



PROGRESS UPDATE

NPRC ACTIVITIES

APRIL – JUNE 2020

2 April: NPRC set up a National Peace Monitoring Team

Soon after the 21day lockdown was put in place, the NPRC set up a National Peace Monitoring Team comprising of Commissioners, Commission Secretariat and Members of the Provincial Peace Committees. The team was responsible for receiving and reporting on complaints arising from the enforcement of the lockdown in various sectors. The NPRC also gave out information through social media and other media platforms explaining its mandate and noted that it is mandated to receive and investigate complaints from the public in instances where conflicts arise as a result of human rights violations as provided in section 252 (f) of the Constitution and section 3(2)(a) of the NPRC Act{Chapter 10:32}. The emphasis was on ensuring that the public can issue complaints through various forms such as:

- In writing and handled at the Commission office
- Made orally or by telephone to a Commission office
- Sent to the office by post, tele facsimile or email
- Complete a complain form online via the NPRC's website and transmit it electronically to the Commission

8 April: NPRC issues notifications of its availability during the lockdown

In its COVID-19 lockdown response, the NPRC kept notifying citizens that the body was ready to receive complaints related to the lockdown and other matters within its jurisdiction. This was an important gesture as most institutions closed because of the COVID-19 lockdown when the government announced the lockdown.

9 April: NPRC tackles unfair distribution of food during the lockdown

In its monitoring of the enforcement of the lockdown, the NPRC received and noted complaints that millers and retailers were hiking prices for mealie meal and urged the stakeholders involved in the distribution and sale of subsidized mealie meal to come up with mechanisms that were better, safer and peace-engendering while also promoting decongestion and social distancing. The NPRC noted that *"We cannot continue doing business as usual. COVID-19 is real"*.²²

22. <https://twitter.com/NPRCZim/status/1248113185556762624>

13 April: The NPRC continues to carry out investigations on corrupt food distribution

The NPRC issued an alert related to the COVID-19 lockdown enforcement urging citizens to report all cases of partisan or unfair distribution of food stuffs as well as any human rights violation during the lockdown period to the NPRC via their WhatsApp: +263714035328 or email: complaints@nprc.org.zw. The notices promised “We will investigate without fear or favour”.

15 April: The NPRC issued a “COVID-19 LOCKDOWN MID TERM REVIEW STATEMENT”

wherein several issues including the ones raised below were noted:

- **Increased cases of gender-based violence:** The NPRC thus urged families to live harmoniously as well as urged the Government to take all cases reported to the police seriously.
- **The NPRC noted violence against media practitioners on the ground and urged the security sector to exercise restraint.** The Commission also urged journalists to avoid journalistic “sensationalism” in the process of reporting on COVID-19 in the country.
- **The NPRC noted the promise for the provision of safety nets by the government to the vulnerable populations in Zimbabwe.** In light of reports of partisan distribution and manipulation of registration, the Commission urged for nonpartisan management of the relief aid.
- **The NPRC called out corruption** and urged for non-corrupt tendencies throughout the value chain supplying COVID-19 supplies.
- **The NPRC commended the government for the successful enforcement of the lockdown** and the cooperation of the citizenry. It also noted that there were some who defied the lockdown and this needed to be rectified.

16 April: The NPRC investigates and leads to the arrest of a corrupt individual

The NPRC issued a report that following a complaint by Samuel Jack Matikiti Transparency International Zimbabwe in connection with looting & hoarding of government subsidized mealie meal in Kuwadzana in Harare, 5 on 15 April 2020, the Commission engaged ZRP Propol Harare and the suspect was arrested and detained at ZRP Kuwadzana under CR 148/4/20 pending court appearance.

18 April: The NPRC engages the Grain Millers Association of Zimbabwe in the light of corrupt distribution of mealie meal

The NPRC issued a statement lamenting the fact that subsidized mealie-meal had become a source of conflict that needed to be diffused before it got out of hand during the lockdown period. The NPRC went further to observe that many people were spending long hours queuing for mealie-meal and sometimes they would not get it.

In a follow up exercise, the NPRC engaged the Grain Millers Association of Zimbabwe Chairman, Mr. Tafadzwa Musarara and agreed to the below:

- There must be fair distribution of mealie meal
- The subsidized retail price of ZWL\$70 is not flouted
- Wholesalers to sell directly to consumers not to retailers who were inflating the prices
- All payments methods to be accepted
- Social distancing to be enforced when buying

20 April: Zimbabwe Independence Day congratulatory message

The NPRC issued a statement congratulating Zimbabwe on its 40th independence and urged the government to continue pursuing peace and national healing for the prosperity of all Zimbabweans.

25 April: NPRC gets involved with the returnees in quarantine centers

NPRC noted with dismay the dumping of returnees from Botswana by the roadside in Bulawayo after the end of their quarantine at United College of Education (UCE) and Bulawayo Polytechnic in Bulawayo. It was alleged that the returnees had been dumped by government social welfare workers. The NPRC commended the Bulawayo Provincial Affairs Minister Judith Ncube and Reverend Pedzisai Sam Sithole of the Crown of Glory Ministries who assisted the returnees after the social welfare officers told them to find their own way to their homes.

28 April: NPRC conducts media outreach work

The NPRC Commissioner Charles Masunungure was on the Zimbabwe Broadcasting Corporation (ZBC) TV explaining the investigative and complaints handling role of the NPRC. He went further to report that the NPRC had engaged the security sector over complaints against them by the public during enforcement of the COVID-19 lockdown in the country.

29 April: NPRC issues notifications of its availability during the lockdown

The NPRC urged the public to continue lodging any complaints they had about the enforcement of the lockdown and also informed the public that they were collaborating with the Zimbabwe Anti-Corruption Commission, the Zimbabwe Republic Police, the Gender Commission relevant government departments, CSOs, Traditional leaders & churches during execution of their mandate.

30 April: The NPRC carries out monitoring work on food distribution during the lockdown in Matabeleland

NPRC Chairman Retired Justice Nare addressed a high-powered meeting in Gwanda in Matabeleland South Province, on the non-politicization of food aid, and called for transparency in the procurement and distribution of mealie meal to the intended beneficiaries. The meeting was attended by NPRC Commissioner Leslie Ncube, the Matabeleland South Provincial Affairs Minister JOC members, Provincial Coordinator's office, Department of Social Welfare, Town Clerk, Mayor of Gwanda and urban councilors.



Figure 8. NPRC addresses meeting in Gwanda on 30 April 2020

2 May: The NPRC assesses quarantine facilities in Matabeleland

The NPRC took part in the assessment of quarantine facilities in Plumtree by a Matabeleland South team led by the Chairperson of the Cabinet Taskforce on COVID-19, H.E. Hon. Vice President Kembo CD Mohadi. The facilities are the ones that are being used to accommodate the returning citizens from Botswana. There was no report or update from the NPRC on this matter to an extent that a

a twitter user by the name @Mujecha wrote the following: “Another repetition of CYCLONE Idai. Assessment after assessment but nothing comes out. Can’t you just share the first report done by those @WHO_Zimbabwe guys who were there last week”.



Figure 9. Inspection of quarantine facilities in Plumtree by the NPRC on 2 May 2020

7 May: The NPRC meets with victims of police brutality during the lockdown

The NPRC led by Commissioner Leslie Ncube went to Cowdray Park suburb in Bulawayo to interact with the 2 women, Ms. Ntombizodwa and Nokuthula Mpofu who were badly assaulted by police officers on April 16 2020 because they reportedly had defied the lockdown orders.²³ The 2 sustained injuries and their matter was reported by most news agencies online.²⁴ The sisters opened a case against the police officers who assaulted them. Narrating their ordeal to the NPRC representatives, the duo noted that they were handcuffed, assaulted, labelled 'prostitutes' and tribally insulted by the police officers based at the Cowdray Park police base after they were unlawfully arrested on the day in question. The women said they were harassed and detained overnight without a charge laid against them. In a case all too common for cases of human rights violations by the state security services, the women noted that after reporting their case on Monday, the officer in charge told them he would contact them on the same week on Thursday. However, they never heard from him again. To make matters worse, the women reported that when they followed up with the police, they were told by some police officers that they did not know the police officers

23. <https://www.newzimbabwe.com/bulawayo-police-assault-victims-identifytorturers/>

24. https://www.facebook.com/permalink.php?id=268430511304&story_fbid=10157381046181305

they were talking about and no names of the arresting officers had been recorded in their docket. The accused police officers are reported to be Simbarashe Bvekwa, Tichaona Zariro, Patson Gumoreyi, Elizabeth Denhere, Zibusiso Masuku and Christabel Munyondo. The women's legal representative, Nqobani Sithole of Ncube Attorneys implored the National Prosecuting Authority (NPA) to redo the investigations before the matter is brought before the courts.



Figure 10. NPRC meets with two assaulted victims of police brutality during national lockdown

8 May: NPRC Provincial Peace committee member passes on

On behalf of the NPRC, Rtd Justice S.M. Nare, the Chairperson of the NPRC sent out a condolence message on the passing Reverend Themba Siwela on 7 May 2020 at Masvingo General Hospital. Rev Siwela was one of the 2 Deputy Chairpersons of the Masvingo Provincial Peace Committee.

18 May: NPRC Complaints handling and Investigations Thematic Committee Chair Charles Masunungure on ZTN Live

The hour long interview which focused on the work of the thematic Committee's work of investigating complaints lodged with the NPRC. He noted that Zimbabwe is a country that has experienced conflict for a considerable period of time and its people have to deal with this challenge. The presenter noted that in the NPRC's work, the NPRC gone on Provincial Outreach programs where issues around the Gukurahundi, general underdevelopment of the country and the machete wars had been raised and there was need for the public to know if the interventions were working to deal with the conflicts. The Commissioner noted that the Commission had been seized with most of the matters but would want to

urge members of the public to make individual complaints to the Commission so that they would investigate the cases.

With regards some cases of reported state sponsored violence, the Commissioner gave an example of the MDC Alliance who he said they went to meet at their headquarters in Harare in 2019. He noted that one of the main issues that was raised by the MDC Alliance leadership was that the human rights violations from the riots of January 2019 had not been dealt with by the NPRC. The Commissioner then noted in the interview that he explained to the MDC Alliance that as a Commission they had not seen a single case reported to them.

The NTJWG believes that the answer given by the Commissioner pertaining to this issue could have been better structured. The reports about the state sponsored violence by State security officials were commonplace. Reports were made and published locally and internationally by various civil society organizations. There were video and sound clips that made their rounds on social media. Given that the levels of trust between Zimbabweans and State security personnel are very low, it is to be expected that civilians would be reluctant to report cases of abuse by State security agents to the police. The NTJWG believes that the NPRC can come up with more innovative, victim centred ways of collecting and collating information on human rights violations rather than expect citizens to be the ones to initiate such.

19 May: Commissioner Patience Chiradza - Conflict Prevention, Management Resolution and Transformation Thematic Committee

The wide-ranging interview which can be viewed [here](#). Key among other issues discussed included questions on how the NPRC is working towards ensuring that Zimbabweans do not engage in destructive conflict as Commissioner Chiradza had earlier on noted that not all conflicts are bad. The commissioner also alluded to the mechanism of an Early Warning System which the NPRC has developed to help with forecasting conflicts and thereby giving them the capacity to intervene in reasonable time especially during election time as this is where most of Zimbabwe's political conflicts have been witnessed. Queried about the impartiality of the NPRC in the light of the institution receiving government funding, the Commissioner noted that the NPRC indeed receives funding from government but only because the Government is constitutionally mandated to do so. She also observed that the NPRC has a 5-year Strategic Plan which was agreed to by all relevant stakeholders including members of the public. She noted that the Strategic Plan defines the NPRC's work plan and that is what they use to

source for funding from international partners and the government. Due to this arrangement, she observed that whatever funds they ask for are meant to support that work plan and therefore it becomes difficult for any institution including the Government of Zimbabwe to give the NPRC its own agenda outside the scope of the strategic plan. With regards the issue of political party participation in the Provincial Peace Committees, the Commissioner observed that this is one of the positive arrangements coming out of the Provincial Peace Committees because the political parties become part and parcel of the local deliberations about managing conflict in any given area. Asked about the NPRC's legacy she noted that the NPRC and the Thematic Committee were focusing on the transformational results of conflict management in Zimbabwe through the work done by their Monitoring and Evaluation Unit as they focus on the successes and importance of intervention. The Commissioner also alluded to the work that the NPRC and her Committee are currently carrying out including work on the Marange Diamond fields conflicts, the plight of the Chimanimani people who have refused to resettle because they do not want to be moved from their original homelands especially considering that is where their relatives are buried after the Cyclone Idai disaster as well other conflicts arising out of human beings, wildlife and the environments in most parts of the country. Lastly, she also noted that the NPRC was working with different political parties in Zimbabwe to ensure that there was nonviolent engagement within the country through bilateral engagements with them.

25 May: The Research and Knowledge Management Thematic Committee Chairperson, Mrs. Choice Ndoro was on ZTN Live

In this program the Commissioner discussed the work of the Committee in an interview that went on for over an hour. The whole interview can be watched [here](#). Key among some of the issues discussed included the fact that the Thematic Committee has over time carried out research which traces the causes of conflict in pre-colonial, colonial and post-colonial Zimbabwe and it is available for public consumption. She also noted that the NPRC is developing a Satisfaction Index which will be used to assess the level of satisfaction of victims after they would have been assisted by the NPRC to handle their complaints. Mrs. Ndoro also highlighted that the NPRC is also carrying out baseline surveys on various issues that have to do with conflict, its management and prevention in Zimbabwe. She also noted that the NPRC is and will be reaching out to the citizenry through public and private hearings as well as its complaints handling mechanisms. She reiterated that the work of the NPRC will be its legacy and it all has to do with finding justice for Zimbabweans, ensuring a peaceful nation and that most

importantly Zimbabweans will come to a point where they say “Never Again” to brother hurting sister, and people turning on each other”.

28 May: Healing Reconciliation and Rehabilitation Thematic Committee Leslie Ncube

The Commissioner discussed various issues in the *interview* related to the issues of reconciliation of victims and perpetrators in Zimbabwe. Among some of the issues the NPRC has dealt with, he noted the plight of the San Community, noting that they have not had a Chief for a substantial period of time and that they were constantly marginalized. The NPRC noted this complaint and engaged the Ministry of Local Government to understand what the challenges were and how it could be resolved. The Commissioner also discussed issues around the exhumations of remains of the Gukurahundi victims and noted that the NPRC and Government were not going to rush the process because they wanted to ensure professionalism, humanness and avoid retraumatizing survivors. He also noted that they wanted to engage experts in the process so that it would be done well. When asked about what sort of policy recommendations had been made by the NPRC to the Government, the Commissioner noted that they had engaged government on the issue of processing documentation for Gukurahundi victims especially the death and birth certificates. He noted that it can be taxing for people to travel from Matabeleland to go to Harare to sort out such matters when they could have been dealt with in the same area. The second issue he highlighted was that of the decline in machete wars in the areas where artisanal mining was being carried out. He noted that through the work of the NPRC, the Zimbabwe Republic Police had been engaged and encouraged to carry out their work without fear or favour so that communities could remain safe in such areas where gold panning was rife.

28 May: Responses to corruption during COVID-19: Successes, Challenges and Solutions with Fadzai Jekemu (TIZ) John Makamure (Zimbabwe Anti-Corruption Commission – ZACC), Nkosana Maphosa (Academic), Rev Charles Masunungure (NPRC)

In the live *program*, Fadzai Jekemu of Transparency International Zimbabwe (TIZ) discussed matters related to corruption in Zimbabwe generally as well as the challenges that were being faced by the country during the COVID-19 lockdown. She noted that the country has been losing close to USD 1 billion annually from corruption. With regards the COVID-19 pandemic, Fadzai Jekemu noted that TIZ had received over 1000 cases of corruption related to maize meal distribution across the country. Over 1000 reports related to social welfare funds that were

supposed to be distributed by the Government during the lockdown were received by TIZ. She also noted that TIZ was in receipt of more than 500 reports of police brutality and bribery during the COVID-19 lockdown period. The NPRC and the ZACC Commissioners joined the interview by telephone and noted the same issues that they during the lockdown period they had received complaints of unfair and corrupt maize and other food distribution. Most of the cases related to for example, maize retailers who would receive for example, a 30-ton truck of maize meal but would only sell 7 tonnes and then tell customers that the product was finished. The Commissioners suspected that the retailers wanted to sell it on the black market where it would fetch more money. Other reports the Commissioners talked about concerned the issue of illegal procurement processes especially related to the COVID-19 equipment purchases. Fadzai mentioned one case in point, where the Government of Zimbabwe paid US \$28 each for a mask and she questioned how the government could afford such when it was failing to give people social safety nets they had promised basing it on the argument that the government could not afford such social safety nets. Nkosana Maphosa discussed the role of the law, the Chapter 12 institutions and the government's will to fight corruption where he noted that the government needed to walk the talk if corruption was to be dealt with in Zimbabwe.

30 June: Conversations on Artisanal Mining Communities in Zimbabwe on Diamond FM (Penhalonga Peacebuilding and Extractives Initiative)

Joseph Mashingaidze General Manager Conflict Prevention, Management Resolution and Transformation of the NPRC held a live radio show on the promotion of peaceful co-existence of Artisanal Mining Communities in Zimbabwe on Diamond FM (Penhalonga Peacebuilding and Extractives Initiative).

NTJWG ACTIVITIES

APRIL – JUNE 2020

18 April: A Call for Leadership Statement by the NTJWG

In Response to COVID-19 in Zimbabwe, the NTJWG issued a statement calling on the government of Zimbabwe to ensure the provision of basic health care, economic justice and security for citizens facing the ravages of the COVID-19 pandemic, noting that it is not just a health crisis but a humanitarian and security disaster. To read this statement please visit: <https://www.ntjwg.org.zw/wp-content/uploads/2020/04/NTJWG-A-Call-for-Leadership-Statement.pdf>

The Zimbabwe Human Rights NGO Forum Commemorates the International Day in Support of Victims of Torture

24 June: Public Lecture on Torture Eradication in Zimbabwe

As a lead up to the 26 June commemorations, the Zimbabwe Human Rights NGO Forum hosted a Facebook Live Public Lecture under the theme “*Towards Eradicating Torture in Africa and Zimbabwe*”. The speaker was Commissioner Lawrence Muguru Mute who is the Special Rapporteur on Freedom of Expression and Access to Information for the African Commission on Human and Peoples Rights. Commissioner Mute is also a member of the African Commission on Human and People’s Rights’ Committee on the Prevention of Torture in Africa and the United Nations Fund for Victims of Torture and the Special Rapporteur on Freedom of Expression and Access to Information. To access the public lecture, visit:

https://www.facebook.com/watch/live/?v=657781781615284&ref=watch_permalink

25 June: The Forum stands with Capitalk Radio Station manager Nyaradzo Makombe-Hazangwi

The Forum recorded a human rights violation on the station manager for Capitalk FM Radio who was reportedly suspended on allegations of approving an 'unbalanced' radio programme that the Forum sponsored at the station on the 25th of June 2020. Capitalk FM is owned by Zimbabwe Newspapers Limited (Zimpapers), a state-controlled mass media company. It is reported that Zimpapers CEO Mr. Pikirayi Deketeke explained the suspension on the basis that the program lacked balance and that “*allegations were being made without the other side being given an opportunity to defend themselves*”.

The background to the above matter is that The Forum hosted a radio programme

to discuss the state of affairs in respect of torture in the country as part of commemorations of the United Nations International Day in Support of Victims of Torture. Among the strategic objectives of the commemorations, the Forum intended to utilize the radio program to zero in on the prevalent cases of torture in Zimbabwe and to call for the ratification of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The panellists were in various locations and were live on-air via telephone. The program was however disrupted in unclear circumstances. Being a sponsored program, there was an expectation that an immediate explanation from the station would be given to give the reasons for the termination of broadcasting services midway the program, but this did not happen.

The Forum placed on record that this was a sponsored show, in which the Forum decided on the panellists. The show was discussing a topical human right issue whose prevalence is a matter of public record. Torture is a crime in terms of both national and international law, there is no debate to that. In the case of Ms. Jestina Mukoko, a torture survivor, the Constitutional Court of Zimbabwe made a finding that the State violated her rights through its agents responsible for abducting and torturing her for weeks, and she was awarded damages. That account has long ceased to be allegations. The Forum contended that the other panellists spoke of the policy aspects of torture, and the psychological impact of torture. Nothing unlawful or defamatory was said against anyone during the show.

26 June: Press Statement in Commemoration of the International Day in Support of Victims of Torture

The Zimbabwe Human Rights NGO Forum issued a statement to commemorate the day and noted that Zimbabwe is yet to ratify the UN Convention Against Torture which is the key international instrument used to hold states accountable when the crimes of torture are committed. In the statement the Forum paid tribute to victims of torture from as far back as the Gukurahundi and noted some recent ones such as the 1 August 2018 disturbances, the January 2019 “*ZimShutDown*” crackdown, and the May 2020 the abduction and torture of the 3 MDC Alliance youth leaders Honorable Joana Mamombe, Ms. Cecilia Chimbiri and Ms. Netsai Marova, the assault of Ms. Ntombizodwa and Ms. Nokuthula Mpofo from Cowdray Park, Bulawayo and the fatal shooting of Mr. Paul Munakopa from Bulawayo by the Zimbabwe Republic Police on 23 May 2020.

The Zimbabwe Human Rights NGO Forum’s Anti-Torture Roundtable

In commemoration of the International Day in Support of Victims of Torture, the

Zimbabwe Human Rights NGO Forum hosted an anti-torture round table discussion on the 26th of June. The panellists were Mr. Dzikamai Bere, the Zimbabwe Human Rights Association Director, Dr. Frances Lovemore the Executive Director of the Counselling Services Unit, Ms. Jestina Mukoko, the NGO Forum Chairperson, Mr. Tony Reeler, an Independent Expert and Mr. Wellington Nkawu, a torture survivor. The panellists called for the ratification and domestication of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and an end of torture in Zimbabwe noting its long-lasting psychological impact. To view the round table discussion visit:

<https://www.facebook.com/HStvradio/videos/732398840850897>

The Zimbabwe Human Rights NGO Forum launches reports on torture and human rights violations

In commemoration of the International Day in Support of Victims of Torture, the Zimbabwe Human Rights NGO Forum launched two reports titled “Guns Run Amok” and “Ruled by Violence” which can be accessed by visiting the two links below respectively:

<https://drive.google.com/file/d/1JxgQNQhjZMvSNp7jfVczGHe8lvDG4HD/view>

https://drive.google.com/file/d/1iEiGxSSB3XE0F_iEHsGIYTEBfx40oGTB/view

26 June: Press Statement on the International Day in Support of Victims of Torture

The NTJWG joined the world in the commemorations of the International Day in Support of Victims of Torture on the 26th of June 2020 and condemned the use of torture from as far back as pre-independence Zimbabwe to date. In the statement the NTJWG reminded the State of its obligation to protect the people from being subjected to torture, inhumane and degrading treatment and highlighted its concern over the culture of impunity that has been witnessed in Zimbabwe with perpetrators of torture not being held accountable. The NTJWG called for the ratification and domestication of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. You can access this press statement by visiting:

<https://twitter.com/ntjwgzimbabwe/status/1276407561462394880>

29 June: Presentation of the NPRC Briefing

On the 29th of June 2020, the NTJWG met with the NPRC and presented its Briefing for the first half of the year. During the briefing the NTJWG highlighted its concerns over the exhumations discourse that appears to have been taken over

by the Executive to the exclusion of the NPRC; the NPRC's failure to publicise its 2018 and 2019 Annual Reports according to section 16(7) of the NPRC Act [Chapter 10:32]; and the way in which the departure of former Commissioner Netty Musanhu from the Commission was announced on Twitter. The NTJWG acknowledged the efforts made by the NPRC to disseminate information on its mandate and the mandate of its different committees during the national lockdown period, the NPRC's efforts to curb politicisation of food aid and corruption in the distribution of subsidised mealie meal, the NPRC's press statement in which it reviewed the national lockdown and condemned the human rights violations that were being perpetrated by law enforcement officers. In response to the NTJWG's concerns over its failure to meet its reporting obligations, the NPRC highlighted that its 2018 report was presented to Parliament and the 2019 report had been submitted to the Minister of Justice, Legal and Parliamentary Affairs for presentation to Parliament. While the NTJWG welcomed this information, it pointed out the importance of timeous reporting by the NPRC which also includes timeous publication of NPRC reports. The NTJWG and the NPRC acknowledged that there was need for more to work to be done to further the transitional justice agenda in Zimbabwe and agreed to continue engaging and collaborating to ensure effective transitional justice processes are carried out. To access the briefing, please visit:
<https://www.ntjwg.org.zw/wp-content/uploads/2020/07/1st-Half-of-2020-Consolidated-NPRC-BRIEFING.pdf>

About The National Transitional Justice Working Group

The National Transitional Justice Working Group (NTJWG) is a platform established by 46 Zimbabwean organisations representing various transitional justice stakeholders to provide the interface between transitional justice stakeholders and the official transitional justice processes in Zimbabwe.

Vision

A peaceful, just, accountable and democratic society.

Mission

To create inclusive space for the coordination of transitional justice stakeholders, share experiences; build synergies for comprehensive, accountable, victim centered and participatory transitional justice processes in Zimbabwe.

Values

- Integrity
- Inclusivity
- Impartiality

Members

Mr. Alec Muchadehama	Chairperson
Mr. Paul Themba Nyathi	Deputy Chairperson
Rev. Dr. Fradereck Chiromba	Promotion of Truth Thematic Leader
Ms. Roselyn Hanzi	Justice and Accountability Thematic Leader
Rev. Dr. Ray Motsi	Memorialization Thematic Leader
Ms. Abigail Matsvayi	Gender Thematic Leader
Mr. Wellington Nkawu	Survivors Thematic Group Leader
Dr. Frances Lovemore	Reparations and Rehabilitation Thematic Leader
Mr. Anthony Reeler	Institutional Reform Thematic Leader
Ms. Samukeliso Khumalo	Gender Independent Expert
Mr. Otto Saki	Independent Expert

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