



**NATIONAL  
TRANSITIONAL JUSTICE  
WORKING GROUP  
ZIMBABWE**

**STATEMENT ON COMMEMORATING THE UNITED NATIONS DAY IN SUPPORT OF VICTIMS OF ENFORCED DISAPPEARANCES:**

## **Standing in Solidarity with Victims and Survivors of Abductions**

Today, 30 August 2020, the National transitional Justice Working Group (NTJWG) joins the rest of the world in commemorating the United Nations Day in Support of Victims of Enforced Disappearances. This annual commemoration is an important reminder for States of their obligations to investigate, prosecute perpetrators of the human rights violations committed and serve justice to victims in the form of acknowledgement, truth, justice and reparations. This commemoration also serves to give hope to victims, survivors and their families that their pain and suffering will not be forgotten until they receive justice without fear of retribution.

The NTJWG believes that human rights violations, such as enforced disappearances, have no place in Zimbabwe's society, and should not keep on happening. The NTJWG believes that in the absence of comprehensive institutional reforms, promotion of truth, proper memorialisation and documentation of Zimbabwe's history, abductions and the other accompanying violations will keep on recurring. The NTJWG is of the hope that with the necessary political will, it is possible for Zimbabwe to rebuild on its pre-existing ethos of peace, unity and prosperity to enable all Zimbabweans to realize the enjoyment of fundamental human rights and freedoms.

Nearly every city and village in Zimbabwe has a story to tell about enforced disappearances. Since Gukurahundi to date, civilians have been snatched - off the streets or from their homes by the police, the military or men in civilian clothing, never to be heard from again. The victims are usually tortured, arbitrarily detained or killed. In most cases, the families of the victims are left haunted, not knowing if their beloved ones are dead or alive.

The most befitting example in Zimbabwe is the unfortunate case of Itai Dzamara who was abducted, and whose fate is unknown since March 2015 to this day.

At present, we are witnessing an alarming rise in incidences of enforced disappearances since the national lockdown commenced in March 2020. In Zimbabwe, reaction to real or perceived threats by government is triumphing over hope for a rights-based approach. During the lockdown alone, Member of Parliament Joana Mamombe was abducted along with her party counterparts Ceciclia Chimberi and Netsai Marova on 13 May 2020. These women were tortured and dumped at Muchapondwa (you will be murdered) Business Centre in Bindura on 15 May 2020. On 30 July 2020, 22-year old Tawanda Muchehiwa was abducted, tortured and left to die in Bulawayo. On 21 August 2020, Councillor Lavender Chiwaya was abducted and murdered by unknown assailants in Hurungwe. Between 2019 and 2020 alone, Zimbabwe has recorded 78 known cases of abductions (Zimbabwe Human Rights NGO Forum, 2020) which have not been accounted for to date.

Citizens in Zimbabwe have observed and suffered from a long range of human rights violations the consequences of which will be felt for generations to come. There are few crimes as chilling as enforced disappearances. There is no closure for the families as hope is often mixed with fear. Families suffer and frequently find themselves without a breadwinner and the difficulty to obtain any support or benefits from the State as they cannot prove the death of the disappeared one. The nation is living in constant fear, and is scared to call-out the government when it

wrong due to fears of abductions, and the accompanying violations such as sexual assault, torture, beatings and other forms of inhumane and degrading treatment. According to Article (1) (2) of the International Convention for the Protection of All Persons from Enforced Disappearance, no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.

Under section 69 of the Constitution of Zimbabwe, every person accused of an offense has the right to a fair and public trial within reasonable time before an independent and unbiased court. Abductions are illegal.

### **It is against this background that the NTJWG:**

- Calls on the Government of Zimbabwe to return to Constitutionalism, establish effective mechanisms for transitional justice, and reform its institutions which guarantee the personal security of all citizens as stipulated under section 52 of the Constitution. Institutional reforms should include human rights training, and education, for the security sector and other state agencies. All training should be in line with international human rights standards, such as the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force, and Firearms by Law Enforcement Officials. The culture of scapegoating and not taking ownership on the part of the government should cease, henceforth. As stipulated under section 44 of the Constitution, the State, every person (including juristic persons), and all institutions and government agencies must respect, protect, promote, and fulfil the rights, and freedoms set out in this chapter.
- Implores the National Peace and Reconciliation Commission (NPRC), to identify and reveal the fates of the thousands of people who have been disappeared between 1982 up to date. Despite the Commission's limitations-it might not name names, but should be able to account for a small proportion of victims. This may open the door to much more extensive prosecutions, reparations, and truth-telling. This may be a way of setting a powerful precedence in Zimbabwe for dealing with enforced disappearances, and other massive human rights violations.
- Appeal to all concerned citizens and stakeholders in Zimbabwe to push for the ratification and implementation of the International Convention for the Protection of All Persons from Enforced Disappearances. At this juncture, Zimbabweans must also work with the international community in unequivocally censoring governments that use enforced disappearance as a political tactic.
- Calls on government to find not only effective ways to support the families of the disappeared but also provide justice to the disappeared themselves. We do this by finding the truth about what happened to them, supporting the families, and pursuing accountability for the perpetrators.
- Encourages the civil society organisations in Zimbabwe and other actors to document all cases of enforced disappearances, and find the remains of the deceased so as to facilitate proper exhumations, and reburials.

**'Never Again.'**