



Press Statement

21 October 2013

STATEMENT IN COMMEMORATION OF AFRICA HUMAN RIGHTS DAY

ON the occasion of Africa Human Rights Day on 21 October, Zimbabwe Lawyers for Human Rights (ZLHR) joins the rest of the African continent in marking this important day on the human rights calendar.

Africa Human Rights Day, which is set aside by the African Union annually to reflect upon the entry into force in 1986 of the African Charter on Human and Peoples' Rights ("the African Charter"), serves to reflect on the sincerity of the commitment by African leaders to respect, promote and protect human rights on the continent and progress in this regard.

That African leaders, in their wisdom, committed to the establishment of the African Commission and the African Court to promote and protect human and peoples' rights is a testament to the fact that such rights are not alien to the African continent and its citizens.

Africa Human Rights Day gives us an opportunity to remember and honour all those who laid down their lives fighting for the emancipation of the oppressed majority on the continent and in this country to realise the inherent dignity of each and every African and Zimbabwean citizen. As we mark this day, we do so with respect and appreciation of our fellow countrymen and women who fell in the process of confronting the past injustices and dissipations of governments.

In this regard, we appreciate the critical role played by various generations of fighters who sacrificed their lives in the interest of a better Africa and Zimbabwe.

Being deeply committed to fostering a culture of human rights and respect for the just rule of law in Zimbabwe and throughout the region, ZLHR regrets that the majority of Zimbabweans do not have anything considerable to celebrate as the fundamentals of democracy in the country continue to be undermined.

Citizens continue to be subjected to flagrant violations of their fundamental rights by State and non-State actors. Arbitrary arrests, detention, prosecution and persecution of human rights defenders and ordinary citizens, including harmless mothers and children, continue even under a successor government to the coalition administration. National healing processes have failed to materialise or to contribute meaningfully to rebuilding the shattered lives of those who have suffered grave violations in Zimbabwe throughout history. Impunity remains a blight on the nation through failure to prosecute known perpetrators of grave human rights violations.

It is unacceptable that the majority of Zimbabweans remain unemployed or informally employed and unable to clothe, feed, house, treat and educate themselves and their families in a Zimbabwe which is so blessed with abundant and unexploited natural resources despite the shallow promises of empowerment and indigenisation programmes.

Workers continue to grapple with grinding poverty, slave wages in much of the public and private sector, and continued assaults on their fundamental rights and freedoms while others are fighting eviction from their lodgings in actions instigated by those in powerful positions. Overzealous members of the Zimbabwe Republic Police (ZRP) continue to act with impunity by interfering with legitimate trade union activities in cases where they know they are not legally mandated to intervene. This has even been confirmed by the country's courts where courts have called the ZRP to respect the law and stop assuming extra-judicial powers to ban trade union activities.

The civic sector – a critical ally in the struggle for realisation of rights, development and poverty reduction - continues to face sustained harassment, intimidation and unlawful interference in its activities, while lawyers continue to be compromised in the execution of their professional duties of protecting the rights of human rights defenders because authorities associate them with the cause of their clients.

As we reflect on progress in attaining and maintaining the tenets of the African Charter, it is of deep concern that the government continues to ignore with impunity the implementation of several of the African Commission's recommendations - among them the right of Diasporans to vote in national elections.

It is a scandal that eight years on, victims of Operation *Murambatsvina* are still surviving in plastic shacks without basic essential services - again in contravention of clear recommendations by the African Commission and the United Nations for the government to ensure adequate shelter, medicine and education is immediately provided to those affected.

Instead of enacting and selectively applying laws that infringe on citizens' rights such as prying into their communications, criminalising free speech and access to diverse information, and freely assembling, the government must focus on speeding up reforms and harmonisation of laws to ensure compliance with the new constitutional dispensation and the norms and standards espoused in the African Charter.

Socio-economic and cultural rights remain a pipedream as evidenced by the insatiable appetite and planned blatant violation of citizens' right to shelter through demolitions and evictions without the prior provision of alternative decent accommodation.

ZLHR calls upon government authorities to implement in good faith their human rights obligations and commitments. We call upon law enforcements agents to cease the arbitrary and illegal actions of violating the rights of legitimate human rights defenders pursuing their noble work.

ZLHR urges the African Union to be more proactive to ensure the African Commission's resolutions and recommendations are respected and effectively implemented.

We reiterate that promotion and protection of human rights is everyone's collective responsibility and ZLHR stands together with citizens of Africa and Zimbabwe in the continuing struggle for a better and more dignified life for all.



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