

Civil Society Press Statement on Resolving the Zimbabwe Crisis

26 July 2016

Salutations...

We, the institutions who are party to this statement, are concerned by deteriorating economic conditions in the country and the violent State response to civilian protests especially in the last few weeks. Since January 2016, the country has witnessed close to 40 civilian led protests. These protests have questioned the social, political and economic governance of the country and there has been growing citizen consensus for reform. The calls for reform have been met with State heavy handedness and the violation of people's rights. During the current month of July 2016, CSOs have assisted protesters and hundreds of victims of organised violence and torture in Bulawayo, Harare, and Beitbridge. The majority of these people were victims of random police brutality during and after public protests held across the country from 1 - 6 July 2016. Many injured people could not seek medical assistance because of the heavy police presence in the high density suburbs. Reports indicated that uniformed and plain clothes police were involved, as well as youth militia dressed in police uniforms. Between 1 January and 15 July 354 cases of political violence were reported.

It should be noted that ordinary civilians were the majority of victims. Many of them have no known political or protest group affiliation, nor were they involved in the protests prior to being assaulted. Victims were dragged from their houses after tear gas was fired into their rooms. Uniformed forces were involved in most of the incidents and dogs were used to indiscriminately savage people who resisted arrest.

Citizens who sought medical assistance and counselling following these incidents include:

- 4 members of the National Vendors Union of Zimbabwe after being attacked by anti-riot police on the 15th of July
- On the 6th of July, 76 people in Bulawayo, and 25 in Harare's Budiriro and Mufakose suburbs sustained various injuries from attacks by the police. In Bulawayo, 43 children were affected by tear gas when police indiscriminately fired tear gas into Burombo Residential Flats.
- On the 4th of July, 41 people sought medical assistance after being assaulted by riot police in Epworth
- On 2 July, three young people from were attacked by a mixed group of military police, ZRP and CIO members in Beitbridge, as they walked in the town at night.

Arrests of protesters that were attended to by the ZLHR between 4 and 13 July included:

- 165 in Harare
- 107 in Bulawayo
- 30 in Matabeleland South
- 24 in Matabeleland North, and
- 6 in Midlands

96% of the people arrested within these 9 days were charged with violating provisions of the Criminal Law, Codification and Reform Act. 304 stood accused of public violence, or inciting public violence, 22 with Obstructing traffic, 16 under POSA and 1 for attempting to overthrow the government.

In order to have a lasting solution to the current challenges, civil society is of the view that there needs to be:

1. Holistic and full implementation of the Constitution, especially as it relates to security sector reform and governance; full restoration of the rule of law; respect for basic rights and freedoms as well as other institutional reforms which in our view are requisites that will enable Zimbabwe to hold credible elections in 2018.

2. Institutional and security sector reform - There is ample evidence that Zimbabwe's security sector remains highly partisan, unprofessional and politicised. The Office of the Prosecutor General and the Zimbabwe Republic Police remain politicised.

3 Reform of the electoral framework and political environment - The capacity of the Zimbabwe Electoral Commission (ZEC) to administer credible elections needs to be addressed and a clear roadmap for democratic free and fair elections set out

4. Promoting freedom of expression, free media and freedom of choice - There needs to be greater freedom of expression through:

- the repeal and alignment of media and access to information legislation with the new Constitution;
- licensing of new radio and television broadcasters to increase media diversity and plurality,
- promoting alternative sources of information that include new and social media, and
- ensuring a independent and genuine public service broadcaster

5. Economic reforms - We believe that in order to attract foreign and domestic investment, the government needs to craft unambiguous policies that generate confidence among investors. A genuine commitment to democratising economic governance, which includes respecting the rule of law and property rights will assist in sending positive signals to investors.

HAVING deliberated over several meetings on the current situation in Zimbabwe, and the growing tension that is being dually fuelled by a growing, restless economically battered citizenry and an unyielding political leadership in Government, we hereby call upon:

The Zimbabwe Human Rights Commission to investigate the incidences of human rights violations that have occurred in the wake of protests by various citizens of Zimbabwe, play its public protector role and where perpetrators have been identified, their actions should be condemned and they should be made to face the law;

To direct the Commissioner-General of Police to investigate cases of suspected criminal violations of human rights or freedoms and to report to the Commission on the results of any such investigation as provided in section 243(h) of the Constitution;

To secure appropriate redress for victims of police brutality, including recommending the prosecution of any offending police officers, in cases where people were subjected to torture, inhuman and degrading treatment, as provided for in section 243(g) of the Constitution.

The Commissioner General of the Police to urgently institute a probe of police conduct during the protests and stay away by citizens during the month of July, and ensure that culprits of rights abuses are brought to book.

The Ministry of Home Affairs and the Ministry of Justice, Legal and Parliamentary Affairs, to condemn the brutalization of citizens by police officers when on duty and make public pronouncements on the illegality of police officers violating the rights of citizens when dispensing their duties;

To expedite the setting up of an Independent Complaints Mechanism to receive and investigate complaints of misconduct and abuse of office by members of the security services as provided in section 210 of the Constitution, and

To reassure the public that the police force is bound by the laws of Zimbabwe and that their conduct must remain guided by the laws of Zimbabwe and be done in a professional and non-partisan manner,

Parliament through the Portfolio and Thematic Committees on Justice, Legal and Parliamentary Affairs, Human Rights, Peace and Security

- To call the respective Ministers of Home Affairs and Justice, Legal and Parliamentary Affairs as well as the Commissioner-General of Police to appear before Parliament and answer to questions on allegations of police brutality against civilians and misconduct and unprofessionalism in exercising their duties,

SADC REGION CIVIL SOCIETY ORGANIZATIONS

- To continue supporting and rendering solidarity to the people of the region, particularly those in Lesotho, Democratic Republic of Congo, Mozambique and Zimbabwe, given the unstable situation in these countries,
- To continue amplifying key concerns and increase pressure on SADC community and the government of Zimbabwe to urgently address the economic crisis and attendant human rights concerns of citizens of Zimbabwe.

SADC Heads of State and Government

- Urgently condemn the brutalization and heavy-handedness that has been meted out on protesting civilians by the *GoZ*, and urge the government to recognize the constitutionally provided for freedom of assembly and association and freedom to demonstrate and petition.
- That Summit decisively addresses the promulgation of destructive economic policies by Zimbabwe, which have a cross-national effect, and that have the direct consequences of limiting trade in the region and curtailing the ability of the most vulnerable in society to attain food security and basic livelihoods,
- That the Summit supports and seriously consider the concerns of the political parties on electoral reforms and the existing playing field and insist on Zimbabwe meeting SADC Principles and Guidelines Governing Democratic Elections that should include:
 - a. A non-partisan public media exists which ensures that different political actors have got access to public media.
 - b. A transparent electoral process that ensures greater transparency in all facets of the process.
 - c. Immediately put in place mechanisms to ensure the existence a clean voters' roll.
 - d. A SADC-led elections supervisory mechanism for Zimbabwe's next vote to prevent state-sponsored violence, which is in place at least 6 months before the elections and 3 months after. In addition, SADC should urge the political

principals in Zimbabwe to have broad domestic, regional and international observation of the elections in the interest of openness.

- e. Facilitate technical support to the Zimbabwe Electoral Commission by credible institutions that provide technical assistance to other SADC Countries.

Endorsing Organisations

- Amnesty International-Zimbabwe
- Catholic Commission for Justice and Peace in Zimbabwe
- CIVNET
- Counseling Services Unit
- Gays and Lesbians of Zimbabwe
- Justice for Children
- Legal Resources Foundation
- Media Institute of Southern Africa-Zimbabwe
- Media Monitoring Project Zimbabwe
- Non-violent Action and Strategies for Social Change
- Research and Advocacy Unit
- Students Solidarity Trust
- Transparency International-Zimbabwe
- Women of Zimbabwe Arise
- Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender
- Zimbabwe Association of Doctors for Human Rights
- Zimbabwe Civic Education Trust
- Zimbabwe Human Rights Association
- Zimbabwe Lawyers for Human Rights
- Zimbabwe Peace Project
- Zimbabwe Women Lawyers Association
- Crisis in Zimbabwe Coalition
- CPIA
- Heal Zimbabwe Trust
- Organising for Zimbabwe
- National Association of Youth Organisations
- National Association of Non-Governmental Organisations
- Zimbabwe Democracy Institute
- Zimbabwe Election Support Network
- Zimbabwe Coalition for Debt and Development

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