

# URGENT ACTION

## HUMAN RIGHTS DEFENDER FACING TWO TRIALS

**Pastor Evan Mawarire, a human rights defender in Zimbabwe, is set to appear before the magistrates' court on 19 September for the charge of 'inciting public violence' and at the High Court on 25 September for the charge of 'subversion of constitutional elected government'. The two trials are related to his human rights work.**

**Evan Mawarire, a human rights defender and leader of the #ThisFlag movement in Zimbabwe, is set to appear in court on 19 September and 25 September for two separate trials which are as a result of his human rights work.**

He was arrested on 1 February upon arrival at Harare International Airport. He and his family had fled the country fearing for their lives. He was charged under Section 22 of the Criminal Procedure Act with 'subversion of constitutional elected government' for #ThisFlag's role in calling for a national shutdown down in Zimbabwe on 6 July 2016 in protest against the deteriorating socio-economic conditions in the country. The sentence for this charge is imprisonment for up to 20 years. He was on 8 February released on bail on condition that the state keeps his passport. In April, Evan Mawarire's lawyer challenged the bail conditions citing the state's lack of preparedness for the trial. The High Court returned his passport and ordered that he report to the police once every week. The court also took his parents' title deeds as surety. His trial begins on 25 September at the High Court.

Evan Mawarire was arrested again on 26 June for holding prayers with University of Zimbabwe medical students who were protesting against fee increases. He was charged with 'inciting public violence' at the University of Zimbabwe and released on bail, for a second time, on condition that he reports once a week to the police and hands over his passport for a second time. The magistrate set the trial date for 12 September and the court decided to remove the bail conditions. However, the authorities refused to return his passport. The trial was postponed to 19 September after four state witnesses failed to show up for the trial.

### Please write immediately in English or your own language:

- Calling on Zimbabwean authorities to drop all charges against Evan Mawarire;
- Urging them to stop harassing, intimidating and persecuting Evan Mawarire and to guarantee his safety and personal security;
- Reminding them that as outlined in the UN Declaration on Human Rights Defenders, all states have a responsibility to prevent and investigate allegations of human rights abuses against human rights defenders, including violence, threats or any other arbitrary action as a result of the legitimate exercise of their work;
- Urging them to end all form of harassment, intimidation, arbitrary arrests and unlawful detention of political opposition leaders and human rights defenders in Zimbabwe through misuse of the criminal justice system.

### PLEASE SEND APPEALS BEFORE 30 OCTOBER 2017 TO:

The President of the Republic of Zimbabwe

His Excellency Robert G. Mugabe  
Munhumutapa Building  
Samora Machel Avenue  
Harare  
Zimbabwe  
Email: info@opc.gov.zw  
Salutation: Your Excellency

The Minister of Justice

Hon. Emmerson D. Mnangagwa  
Emmerson D. Mnangagwa  
New Government Complex  
Corner 4<sup>th</sup> and Samora Machel Avenue  
6<sup>th</sup> Floor, Block C address 3  
Harare, Zimbabwe  
Fax: +263 4 772999  
Salutation: Dear Minister of Justice

**And copies to:**

The Executive Director  
Zimbabwe Human Rights Commission  
Commissioner  
Ms Makanatsa Makonese  
144 Samora Machel Avenue  
Harare  
Zimbabwe  
Email: info@zhrc.org.zw or  
complaints@zhrc.org.zw

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the fourth update of UA 169/16. Further information:

<https://www.amnesty.org/en/documents/afr46/5629/2017/en/>

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### ADDITIONAL INFORMATION

ThisFlag is a non-aligned social media movement that uses the hashtag #ThisFlag. It was founded by Evan Mawarire, a pastor based in Harare, Zimbabwe. In April 2016, he posted a video online expressing his frustration at the state of the nation. In June 2016, Evan Mawarire invited disgruntled citizens to sign an online petition to force Energy and Power Development minister Samuel Undenge to step down over allegations of mishandling public funds through tender irregularities

On 6 July 2016, through ThisFlag he successfully organised a national stay away with the majority of working Zimbabweans, formal and informal, around the country heeding his call to stay away from work in a bid to make government respond to pleas for better governance. Evan Mawarire called for people to stay away from work peacefully and to not engage in any violence. The stay away was however marred by some acts of violence especially in Bulawayo where vehicles and some government property. Demonstrators also burnt tyres on the roads.

After the stay away, Mawarire announced that he was asking Zimbabweans to heed his call for a further two day stay away from Wednesday 13 July to Thursday 14 July 2016. On 12 July 2016, a day before the second stay away, Mawarire was arrested and charged with Section 36 of the Criminal Law (Codification and reform) Act Chapter 9:23 for "inciting public violence and disturbing peace".

Name: Evan Mawarire  
Gender m/f: male

Further information on UA: 169/16 Index: AFR 46/7099/2017 Issue Date: 18 September 2017