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Zimbabwe's human rights record remains poor despite safeguards in new Constitution

The Government of Zimbabwe must guarantee all human rights enshrined in the new Constitution, Amnesty International said in a Human Rights Agenda issued as President Robert Mugabe approaches the 100th day of his new term.

In the report, Human Rights Agenda for the New Government – 2013 to 2018, the organization urges the Zimbabwean government to take significant steps to improve the country's poor human rights record. It also must address impunity for past violations and provide remedies to victims.

“There is no doubt that the new government will be judged on the basis of its human rights record and ability to improve the living conditions for everyone in the country,” says Noel Kututwa, Amnesty International's Deputy Director for Southern Africa.

“The new Constitution offers a golden opportunity for the government to begin to right the wrongs of the past, to deliver justice for its people and to allow freedom of expression. With political will all that is possible.”

“We want to see the new government sending a clear signal that it is committed to breaking away from a past where human rights were blatantly violated.”

Amnesty International called on the government to immediately repeal or amend all laws that are not aligned with the new Constitution. Laws such as the Public Order and Security Act and the Criminal (Codification and Reform) Act were used in the past to deny people their rights to freedom expression, association and peaceful assembly.

The new Constitution, drafted during the period of a coalition government and enacted in May this year, provides for a wide range of human rights under the Declaration of Rights (Chapter 4). The human rights in Chapter 4 include economic, social, cultural, civil and political rights that are enforceable by law .

Amnesty International is concerned about the new government's continued harassment and intimidation of human rights defenders – particularly NGO leaders being prosecuted for undertaking their legitimate work, which is guaranteed under international law.

“The rights to freedom of expression and association of all those working to promote or protect human rights must be respected. The government must immediately and unconditionally drop the charges against anyone arrested for exercising their internationally guaranteed rights,” said Noel Kututwa.

The report also calls for an official moratorium on forced evictions. It urges a review of Operation Garikai, a government programme designed to re-house some of the 700,000 people made homeless by mass forced evictions in 2005 (known as Operation Murambatsvina), with the aim of providing effective

remedies to the victims.

Earlier this month, the Minister of Local Government, Public Works and National Housing Dr Ignatius Chombo, reportedly ordered the destruction of “illegal structures” in the country as part of what was termed a “clean up.” Scores of small businesses and houses were torn down in Ruwa and Epworth townships near Harare. Government has also threatened to carryout evictions in Seke rural area and in Chitungwiza town, south of Harare.

“Forced eviction is unconstitutional in Zimbabwe. Section 74 of the Constitution recognizes the right to ‘freedom from arbitrary eviction.’ Under international law people facing eviction are entitled to adequate notice, they should be genuinely consulted, be given viable alternative housing and are entitled to compensation,” said Noel Kututwa.

The Human Rights Agenda also calls for an immediate official moratorium on executions, with a view to abolishing the death penalty for all crimes and commuting all death sentences.