



*Fostering a culture  
of human rights*

# Zimbabwe Lawyers for Human Rights

## *2016 Annual Report*





## In this Annual Report ...

|     |   |    |
|-----|---|----|
| 1   | Overview of Zimbabwe Lawyers for Human Rights .....                 | 2  |
| 2   | Statement from Chairperson and Executive Director .....             | 3  |
| 3   | Strategic direction and reflecting on the past 20 years .....       | 5  |
| 3.1 | ZLHR's four priority areas .....                                    | 5  |
| 3.2 | Celebrating 20 years of protecting and promoting human rights ..... | 6  |
| 4   | Overview of ZLHR's interventions in 2016 .....                      | 11 |
| 4.1 | Legal services .....  | 11 |
| 4.2 | Capacity building .....   | 13 |
| 4.3 | Community outreach .....  | 14 |
| 4.4 | Research and advocacy .....   | 15 |
| 4.5 | Strategic stakeholders and partners interacted with .....           | 16 |
| 5   | 2016 in retrospect .....  | 18 |
| 5.1 | ZLHR in the community .....   | 18 |
| 5.2 | ZLHR at national level .....  | 21 |
| 5.3 | Capacity building .....   | 28 |
| 5.4 | Research and publications .....                                     | 30 |
| 5.5 | Strategic partner engagement .....                                  | 31 |
| 6   | ZLHR beyond Zimbabwe's borders .....                                | 35 |
| 6.1 | Advocacy .....  | 35 |
| 6.2 | Contributing technical expertise .....                              | 37 |
| 6.3 | Litigation .....  | 37 |
| 7   | Keeping everyone informed .....                                     | 38 |
| 7.1 | Press releases/conferences .....                                    | 38 |
| 7.2 | <i>The Legal Monitor</i> .....                                      | 39 |
| 7.3 | Social media platforms .....  | 39 |
| 7.4 | Human Rights Day festivities .....                                  | 40 |
| 8   | ZLHR staff .....  | 41 |
| 9   | Our partners in 2016 .....  | 44 |



## I Overview of Zimbabwe Lawyers for Human Rights

Formally established twenty years ago in February 1996, Zimbabwe Lawyers for Human Rights (ZLHR) is a not-for-profit law based human rights organisation. Our core objective is to foster a culture of human rights in Zimbabwe by encouraging the growth and strengthening of human rights at all levels of Zimbabwean society through observance of the rule of law. ZLHR is committed to upholding respect for the rule of law and the unimpeded administration of justice, free and fair elections, the free flow of information and the protection of constitutional rights, human rights and freedoms enshrined in human rights instruments in Zimbabwe and the surrounding region. It keeps these values central to its programming activities.

ZLHR is a membership organisation consisting of at least 160 lawyers with an interest in, and affinity for, human rights protection and promotion. They are drawn from all provinces of Zimbabwe with membership steadily increasing. The organisation operates from three offices located in Harare, Bulawayo and Mutare. Its reach extends to all ten provinces through the services of the full-time secretariat and support of its members. ZLHR currently has a total of 35 staff members (including 13 qualified lawyers) who are responsible for planning and implementing the core activities of the organisation.

ZLHR holds Observer Status with the African Commission on Human and Peoples' Rights. It participates actively in the activities of committees of the SADC Lawyers' Association, has affiliate status with the International Commission of Jurists, and is currently the Secretariat for the Southern Africa Human Rights Defenders Network.

### **Vision**

To be a world-class organisation that promotes a culture of human rights, equality and respect for constitutionalism and the rule of law for a just and democratic society in Zimbabwe.

### **Mission**

To protect, promote and defend human rights through sustainable litigation, education and advocacy, which contributes positively to a culture of constitutionalism, respect for the rule of law, tolerance and adherence to democratic values and practices.

### **Values**

Professionalism ... Independence ... Integrity ... Equality ...  
Tolerance ... Non-discrimination ... Courage ...  
Accessibility ... Responsiveness

### **Aims and objectives**

- To strive to protect, promote, deepen and broaden the human rights provisions in the Constitution of Zimbabwe.
- To strive for the implementation and protection in Zimbabwe of international human rights norms as contained in important sub-regional, continental and international human rights instruments.
- To endeavor to find common ground with, and work alongside, other Zimbabwean groups, organisations, activists and persons who share a broadly similar concern for, and interest in, human rights.
- To liaise and work with other human rights groups wherever situated but particularly in Southern Africa, and especially those closely linked to the legal profession.
- To do all other things necessary to promote and protect human rights, the rule of law and separation of powers in Zimbabwe and the region.



### **Board Members**

Beatrice Mtetwa - Chairperson

Precious Chakasikwa - Vice Chairperson

Selby Hwacha - Chair, Finance &  
Administration Committee

Mordecai Mahlangu - national representative

Sarudzayi Njerere - national representative

Forward Gundu - Midlands representative

Langton Mhungu - Manicaland representative

Nontokozo Dube Tachiona - Matabeleland  
representative

Charles Kwaramba - national representative

Eric Matinenga - national representative

Roselyn Hanzi (ex-officio)

## **2 Statement from Chairperson and Executive Director**

Our commitment to foster a culture of human rights at all levels of Zimbabwean society continued to define our work in 2016. We were not immune to the ever-deteriorating economic environment and political uncertainties that gripped the country. However, our dedicated team of lawyers continued to intervene, offering legal support to our many beneficiaries from different social and political backgrounds, who often exhibited great courage in defending the Constitution and asserting and demanding respect for their rights and fundamental freedoms.

A decrease in financial resources, as experienced throughout the private and non-governmental sector, did not bypass ZLHR. Together with constrained human resources, this inevitably led to longer working hours and a tightening of purse strings; however, this did not deter our team, which remained enthusiastic, committed and able to support individuals and communities who became increasingly active against bad governance practices and louder in calling for sweeping reforms that would contribute to the democratisation of the country.

As individuals and communities became more vocal in calling for political and economic reforms, state actors largely maintained and entrenched their control, leading to an increase in repression and violations and thus a greater demand for our legal services. Representation of human rights defenders multiplied to unprecedented levels between July and September 2016, with lawyers successfully representing hundreds of individuals who were arrested around the country on suspicion of having participated in escalating nationwide protests.

Throughout the year, our interventions were not just reactive, to the prevailing social, economic and political dynamics but also proactive. We worked towards becoming more accessible to vulnerable and marginalised communities who are the primary and overwhelming majority of victims or those most at risk of having their social, economic and civil rights violated. Community outreaches in the form of mobile legal clinics that attracted beneficiaries from diverse social, economic and political backgrounds were rolled out around the country. Unlike in previous years, over 60% of our beneficiaries were from the southern region with increased focus on Bulawayo, Matabeleland North and South provinces. Participants benefitted from the provision of legal aid, as well as sensitisation on the Constitution and their rights. These clinics, apart from growing in popularity across the political divide, have also provided opportunities for evidence-based analysis of key issues affecting communities that can be taken up by way of public interest litigation.

The three offices in Harare, Mutare and Bulawayo also remained open throughout the year receiving walk-in clients who increasingly sought legal aid. Of major concern to urban dwellers was the disregard



of their rights to housing, clean potable water, education and access to health care, leading to lawyers increasingly litigating on service delivery issues.

Constructive engagement resulted in our team reaching out to key stakeholders at the local and regional levels through various advocacy interventions. We also partnered with like-minded organisations on areas of mutual interest, implementing capacity building and facilitating strategic reflection sessions. These mainly focused on institutional and law reforms, and how stakeholders could leverage on each other's areas of expertise, work together and contribute towards constitutional compliance and implementation of the human rights instruments that Zimbabwe had voluntarily accepted. It was encouraging that the information generated through our research and publications continued to be well received by our stakeholders.

2016 was also a special year for us. We not only celebrated our twenty-year anniversary through a series of events that enabled us to take time to reflect and introspect on the impact of our work, but which also formally entrenched our presence in Zimbabwe. With the official opening of Kodzero-Amalungelo House, our team will forever be present and continue to contribute to developing the country through our legal services. We thank our diverse partners, particularly from civil society, international organisations, quasi-governmental institutions, and funding partners within and outside Zimbabwe, whose support enabled us to continue with our work.

We also want to appreciate all stakeholders who were willing to engage with us from the different Government ministries and departments, and indeed, Parliament and the executive. The confidence in our work shown by our beneficiaries continued to inspire and encourage us. The work continues beyond 2017! We also appreciate the commitment and dedication from ZLHR members throughout the year who continued to contribute to realising our objectives. We hope this will inspire other lawyers to join our membership and contribute to our vision.

As for our outgoing Executive Director, Irene Petras, we cannot quantify her contribution to the organisation that spans over a dozen years. She exhibited great courage, dedication and commitment to the cause of human rights. Her legacy will be remembered for generations to come.

As 2017 beckons, we will continue our work and expand our horizons through the support of our partners - particularly the beneficiaries. We will also consolidate our existing partnerships and build new allies within and outside Zimbabwe to expand our services for the betterment of our country.

We will continue to call for reforms within the justice delivery system, as well as in other key rule of law institutions, for a Zimbabwe that will become the subject of envy in years to come. We look forward to the journey and hope that you will join and support us.



*ZLHR Board Chairperson, Beatrice Mtetwa*



## 3 Strategic direction and reflecting on the past 20 years

### 3.1 ZLHR's four priority areas

In 2016, ZLHR continued to implement its restructuring along the four priority areas. The areas are (a) Access to civil, social and economic justice; (b) Institutional strengthening and accountability; (c) Rights literacy; (d) Protecting the rights and safety of Human Rights Defenders. It was also a year of reflecting on the last 20 years of ZLHR's existence, having been formally established in February 1996 by a group of lawyers.

- ✓ *Access to justice programme:* ZLHR seeks to ensure that communities are equipped to enable them to not only access social, economic and civil justice, but in the long term demand for rights and hold state and non-state actors accountable for their actions. Consequently, through its programming ZLHR acknowledges the crucial role of informed, empowered communities that assert their rights to access social, economic and civil justice. Through litigation and increasing awareness of the remedies in the Constitution during mobile legal clinics, ZLHR provides communities – especially the rural population – a chance to contribute and influence the evolution of governance systems in the country. In the long term, service delivery, public services accountability, social and economic justice will become issues that communities increasingly engage with.
- ✓ *Institutional strengthening and accountability programme:* This priority area seeks to strengthen the efficiency and effectiveness of state institutions in delivering on their mandate in order to remain accountable to the public. Through various activities, ZLHR seeks to ensure increased public awareness and scrutiny of the key rule of law state institutions, such as those involved in justice delivery – the judiciary, the police and the National Prosecuting Authority – to contribute towards changed attitudes and practices. It also aims at enhancing the oversight role of Parliament in holding the other arms of government accountable to the constitutional ethos.
- ✓ *Rights literacy:* Interventions seek to empower communities through sharing of information, participation in public talks, targeted debates and dissemination of simplified material. The activities aim to increase knowledge of the constitutional provisions on the declaration of basic and fundamental rights of citizens, with communities gaining knowledge on duties of the arms of government as well as general human rights in international human rights instruments. In the long term, empowered women, men and children from all social, economic and political backgrounds will effectively assert their rights, call for transparency and hold those in public office accountable and engage in governance issues from an informed perspective.
- ✓ *Protection of human rights defenders:* Key interventions include provision of a legal safety net, capacity building through trainings and other support, research and advocacy. The activities are earmarked to ensure that human rights defenders (HRDs) are not only able to continue with their work, but to do so in a safe environment. This is a holistic, integrated approach that is also forward looking by building litigation capacity of lawyers, including the younger generation, for sustained strategic litigation advocacy. This is complemented by another dimension of advocacy work with strategic stakeholders that is carried out at national, regional and international forums, to increase awareness on safety and other challenges faced by HRDs as well as learning from best practices to improve the support.



## 3.2 Celebrating 20 years of protecting and promoting human rights

### 20th anniversary

The organisation celebrated 20 years of existence in 2016 with a number of events that involved participation of ZLHR's various strategic stakeholders and partners. Some of the activities organised included a discussion between some founding members, the secretariat, human rights lawyers and funding partners as they reflected on how the organisation had evolved over the years to be institutionalised and becoming a human rights force to be reckoned with in the country and the broader region. The twenty-year anniversary celebrations also included donations to two charitable organisations as a way to give back to the communities. This took place in Mutare and Harare. At the end of the year the celebrations drew to a close with the unveiling of the future of the organisation when its new and permanent home, Kodzero-Amalungelo House, was officially opened on 9 December 2016.

### Reflecting on 20 years of defending human rights

Conversations with Dr Beatrice Mtetwa, Selby Hwacha and Irene Petras was a discussion led by two founding members, Beatrice Mtetwa and Selby Hwacha, together with one of the first secretariat staff members of ZLHR, Irene Petras. They reflected on how the organisation was established, how it eventually became institutionalised and how the operations have evolved over the last 20 years. They also highlighted the challenges faced, success stories and areas that could be improved, as well as the future vision of the organisation. This event was hosted by Gera Sneller, the Royal Netherlands Ambassador to Zimbabwe, and presented an opportunity for ZLHR members and strategic partners to reflect on the future as the organisation continues with its evolution, positioning itself in Zimbabwe's democratic trajectory.



*Founder members, Bryant Elliot and Selby Hwacha, chat before the 20th Anniversary discussion*







### Conversations



*ZLHR lawyers and stakeholders at the 20th anniversary discussion*





## Sponsored walk

Over 181 people joined ZLHR in its sponsored walks that were held in April in Harare and Mutare. Participants who joined ZLHR secretariat and general membership were drawn from long-standing partners within civil society, funding partners, students and beneficiaries. The walkathons followed two different routes that stretched for approximately 5 kilometres in the two cities. This not only presented an opportunity for participants to shake off excess calories through exercise, but was a great way to raise awareness of ZLHR's work, as during the walk participants distributed simplified flyers highlighting the organisation's work and also displayed banners with information and key messages on the institution's interventions. This walkathon was also a great way for the organisation to give back to the community, as the proceeds were eventually donated to the Adult Rape Clinic in Harare, an institution housed at Parirenyatwa Government Hospital which provides support to rape victims and which was facing financial challenges. In Mutare, the money raised during the sponsored walk was donated to Sakubva Old Peoples' Home.

*ZLHR outgoing Executive Director, Irene Petras chats with the European Union Delegation to Zimbabwe Ambassador, Philippe van Damme, during the sponsored walk in Harare*



*Participants prepare to set off at the Hellenic Sports Club in Harare, during the sponsored walk*

*ZLHR lawyers Sheila Jarvis & Eric Matinenga brave the 5 km walk in Harare*





*Participants brave the heat in Mutare during the sponsored walk*



## **Looking ahead**

On 9 December 2016, Kodzero-Amalungelo House was opened. The building is set to house not only the ZLHR offices, but has office space to house other like-minded CSO partners as well as law firms. It also boasts a Human Rights Institute. The Institute has conference facilities for hire, comprising a training center, a variety of meeting rooms and also a fully equipped moot court that will be used as a training centre to enhance the practical advocacy skills of lawyers, plus a library and resource center.

*Human rights lawyers go through the timeline highlighting key activities during 20 years of ZLHR's work*





## Kodzero-Amalungelo House opening

On 9 December 2016, ZLHR officially opened its new home, Kodzero-Amalungelo House, as the organisation continued to celebrate 20 years of its existence. This event coincided with the annual commemoration of the United Nations International Human Rights Day that is held on 10 December each year. A total of 110 people attended the official opening representing CSOs, the diplomatic community, beneficiaries, ZLHR members, members of the law society, Judicial Service Commission and funding partners. The guest speaker, Justice Moses Chinhengo, commended the work done by human rights lawyers over the years who had worked tirelessly to promote and protect human rights and encouraged the organisation to also deal with issues of corporate complicity in gross human rights violations. The Charge d'Affaires of the Royal Danish Embassy officially opened the building together with the ZLHR board chairperson. The opening of the building did not only provide an opportunity for ZLHR members and partners to celebrate the opening of the new refurbished premises but also to reflect generally on the achievements, and gaps that needed to be addressed, in contributing to the promotion and protection of human rights.

*Participants follow proceedings during the official opening of Kodzero-Amalungelo House in Harare*



*ZLHR Board Chairperson, Beatrice Mtetwa, cuts the ribbon with Ms. Signe Skovbakke Winding Albjerg during the official opening of Kodzero-Amalungelo House*

*Law Society of Zimbabwe President, Vimbai Nyemba, chats with ZLHR staff, board member and a representative of DANIDA*



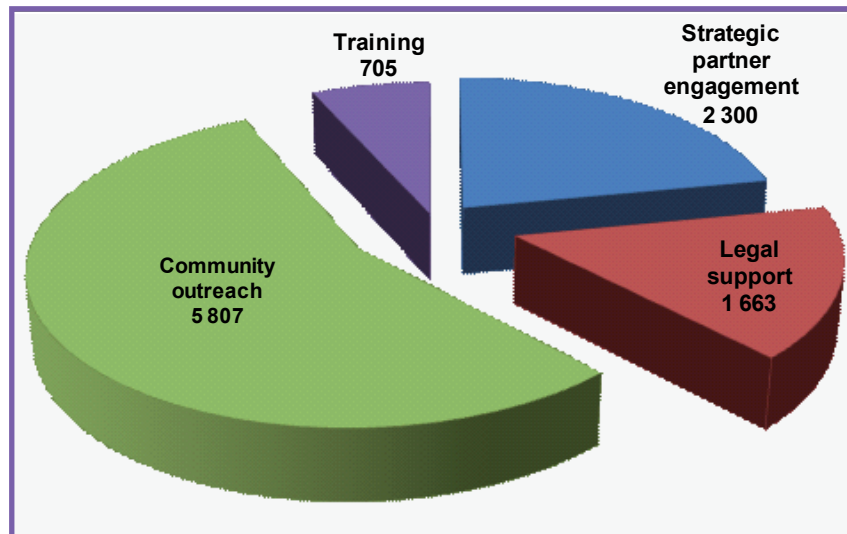


## 4 Overview of ZLHR’s interventions in 2016

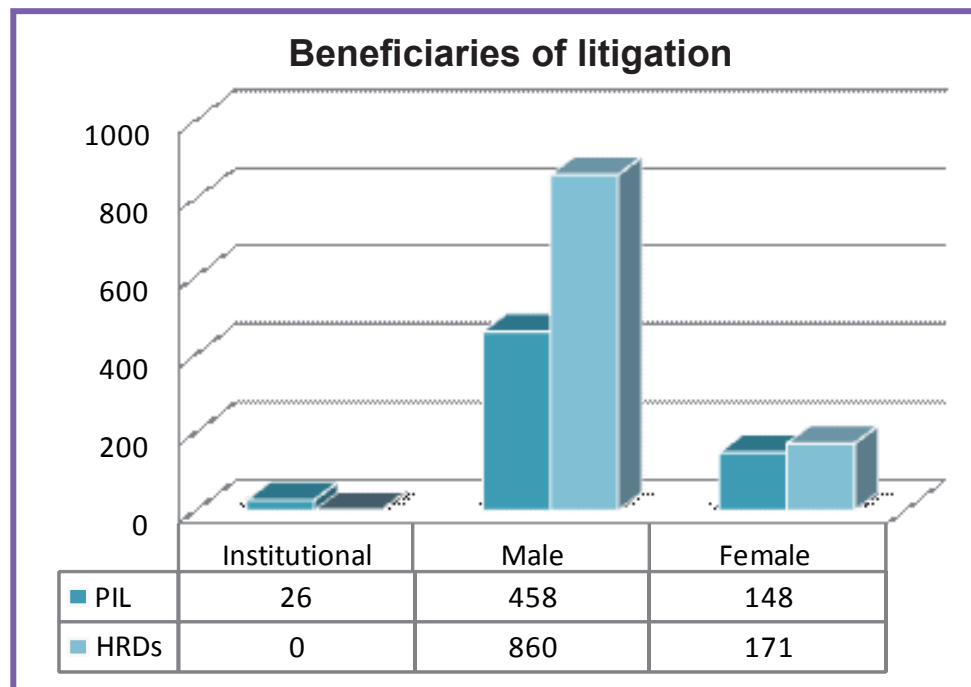
### 4.1 Legal services

In 2016, during Zimbabwe Lawyers for Human Rights interventions:

- 10 475 people directly benefitted
- over 56% of beneficiaries participated in community outreaches
- 660 000 copies of *The Legal Monitor* were produced and disseminated
- updates on ongoing cases were disseminated on the Twitter handle, @ZLHRLawyers, which gained a following of 18 400 by end of year



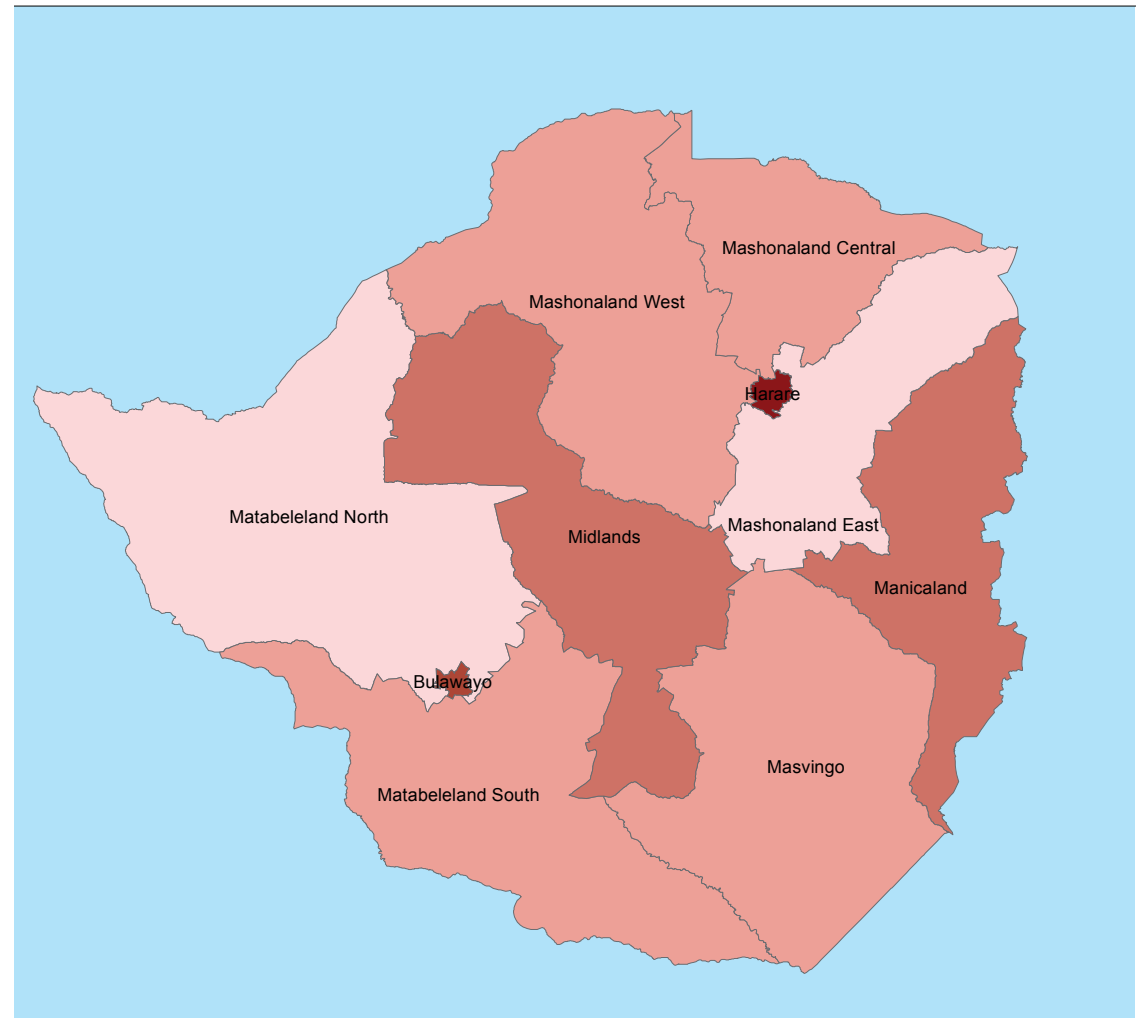
- ZLHR lawyers continued to empower citizens to assert their right to access social and economic justice
- ZLHR continued to assist HRDs through provision of legal safety nets from persecution or prosecutions for asserting their fundamental rights and freedoms



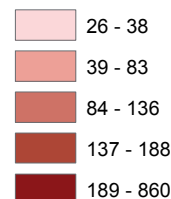
## ZLHR's litigation efforts

- ✓ 1 663 beneficiaries were provided with legal services
- ✓ 1 031 (63%) benefitted from emergency and follow up service under Protection of HRDs, while 632 (37%) benefitted from Public Interest Litigation (PIL) under the Access to Justice priority area
- ✓ 860 males and 171 females were represented by lawyers following their arrest, detention and/or prosecution under the Protection of HRDs priority area
- ✓ Rural communities (individuals and villages) increasingly benefitted from PIL efforts
- ✓ 487 cases (206 HRDs and 281 PIL)
- ✓ 19% women, 79.5% men, 1.5% institutions were beneficiaries of litigation
- ✓ Most HRDs cases were in Harare province with a total of 122 cases benefitting 621 people representing 60%, the majority of whom were targeted following protests
- ✓ 16% of beneficiaries were from Bulawayo, 7.5% from Matabeleland South and 16.5% were from the other 7 provinces
- ✓ ratio of support to women was relatively lower in 2016 than in previous year.

## ZLHR legal services beneficiaries per province



Beneficiaries



0 35 70 140 210 280 Kilometers



## 4.2 Capacity building

- A total of 705 people participated in trainings around the country
- Participants included lawyers, CSO Directors, CSO staff, community based organisations, journalists and key populations
- 22 lawyers were trained on litigation skills
- 371 human rights defenders received training on safety, risk management and how to access legal services and remedies
- 198 stakeholders participated in health, key populations related trainings
- 43% of participants were female



*Directors and senior management from CSOs follow proceedings during a training at ZLHR offices*



*Journalists attend ZLHR training on health rights in Harare*



### 4.3 Community outreach



Above: Prisca Dube makes a presentation during an MLC in Ngozi Mine, Bulawayo



Top left: Lizwe Jamela of ZLHR chats with some community members before an MLC in Binga

Bottom left: Nosimilo Chanayiwa and Prisca Dube follow proceedings amongst a group of women during an MLC at Simbumbu Business center, Gwanda



#### 4.4 Research and advocacy

In 2016 through its programming, ZLHR:

- ✓ Engaged with various government departments on issues of institutional and legal reform and protection of human and fundamental freedoms for all
- ✓ Produced a publication - Handbook on Enforced Disappearances
- ✓ Produced and disseminated 128 press statements/alerts on litigation cases as well as the general human rights situation in the country
- ✓ Produced analysis of Reserve Bank of Zimbabwe Amendment Bill
- ✓ In partnership with other CSOs, ZLHR collaborated with 67 CSOs to produce the Second Cycle Stakeholders Report that was submitted ahead of the United Nations Human Rights Council led Universal Periodic Review of Zimbabwe. This booklet was printed and disseminated
- ✓ Convened a meeting to review and discuss the provisions of the Cyber Crimes Bill

In its advocacy and regional human rights efforts, ZLHR

- Attended two sessions of the African Commission on Human and Peoples' Rights and presented written statements on the human rights situation as well as the situation of human rights defenders
- Conducted advocacy meetings ahead of the United Nations Human Rights Council led Universal Periodic Review of Zimbabwe



*ZLHR lawyer Bellinda Chinowawa follows proceedings during CSOs Stakeholder Report Consultation in Harare*

#### 4.5 Strategic stakeholders and partners interacted with

ZLHR engaged with various stakeholders on areas of common interest from different government and quasi-government departments and institutions, and non-state players, including members of the public

- Parliament of Zimbabwe:
  - Senate Thematic Committee on Human Rights
  - The Portfolio Committee on Health
  - Senate Thematic Committee on HIV
  - Portfolio Committee on Justice, Legal and Parliamentary Affairs
  - Parliament Women's Caucus
- The Ministry of Justice, Legal and Parliamentary Affairs
  - Judicial Service Commission
  - Universal Periodic Review Steering Committee
  - Law Development Commission
- The Ministry of Health
- Constitutional Commissions
  - Zimbabwe Human Rights Commission
  - Zimbabwe Gender Commission



*Outgoing ZLHR Executive Director, Irene Petras, chats with the Royal Netherlands Ambassador to Zimbabwe during 20th anniversary celebrations*



*Prisons working group attending a meeting at ZLHR offices*

We also engaged with:

- National Aids Council
- African Commission on Human and Peoples' Rights
- United Nations
  - United Nations Special Procedures
  - United Nations Office of the High Commission on Human Rights
- Southern Africa Development Community Lawyers Association
- Law Society of Zimbabwe
- International Bar Association
- Various civil society organisations working in Zimbabwe, Africa and other parts of the world
- Various media houses working in Zimbabwe and other parts of the world
- Members of the public
- Funding partners





*Lawyers from South Africa, including George Bizos, offer solidarity to HRDs who were being prosecuted for asserting their rights to freedom of expression in Harare*

*Below: Civil society representatives participate at a meeting organised by ZLHR in Bulawayo on CSOs operating space*



*Below: ZLHR Acting Executive Director, Roselyn Hanzi, signs MoU on Help Desks with other representatives of CSOs and the JSC at the official opening of Murambinda Magistrates Court*



*An elderly participant makes a presentation during the UPR public debate*





## 5 2016 in retrospect

During the year, ZLHR secretariat and members worked to assist people from all social and economic backgrounds through the provision of legal support, community outreaches, capacity building, research and advocacy. Despite the economic challenges and financial constraints faced by the organisation, the team continued to sustain a presence in communities around the country. Outreaches were implemented in collaboration with community based organisations (CBOs), presenting an opportunity for lawyers to empower diverse communities with information on the Bill of Rights provisions in the Constitution and strengthening their capacity to assert and demand their fundamental and basic human rights. Throughout 2016, ZLHR members were reinigorated as the organisation celebrated twenty years of its existence.

### 5.1 ZLHR in the community

Equipping communities with knowledge of their constitutional rights and obligations contributes to increased rights literacy in communities. It also empowers individuals and communities to be active citizens who can engage in local and national affairs and assert and demand their civil, economic and social rights. The often low-cost interactions also provided a platform for dialogue between lawyers and community members, enabling lawyers to gather evidence on human rights cases and understand the human rights issues affecting communities.

#### **Mobile legal clinics**

The mobile legal clinics were implemented as “one-stop service centres” for communities. These one-stop centres are designed to provide an integrated service to communities through knowledge sharing on broad human rights, legal advice and legal representation. The ZLHR secretariat often carried out preliminary preparatory activities ahead of actual implementation in the target provinces. All sessions were preceded by publicity undertaken by community mobilisers identified by lawyers from the CBOs operating in the different provinces. The objective was to increase access to lawyers, share knowledge and raise awareness through participatory activities that included low-cost situational trainings (focusing on human rights, constitutional rights and the law), with translated simplified materials being disseminated.

There was increased interaction with communities in the southern region as a consequence of ZLHR rolling out a project that was specific to Bulawayo and Matabeleland provinces. Information gathered during such outreaches was not only used to pursue legal action but also contributed to research and advocacy on institutional reforms (legal and policy) for greater accountability of state actors.

*ZLHR staff take initial instructions from participants on human rights issues affecting their community*





*Lizwe Jamela makes a presentation during an MLC organised by the Bulawayo regional office*

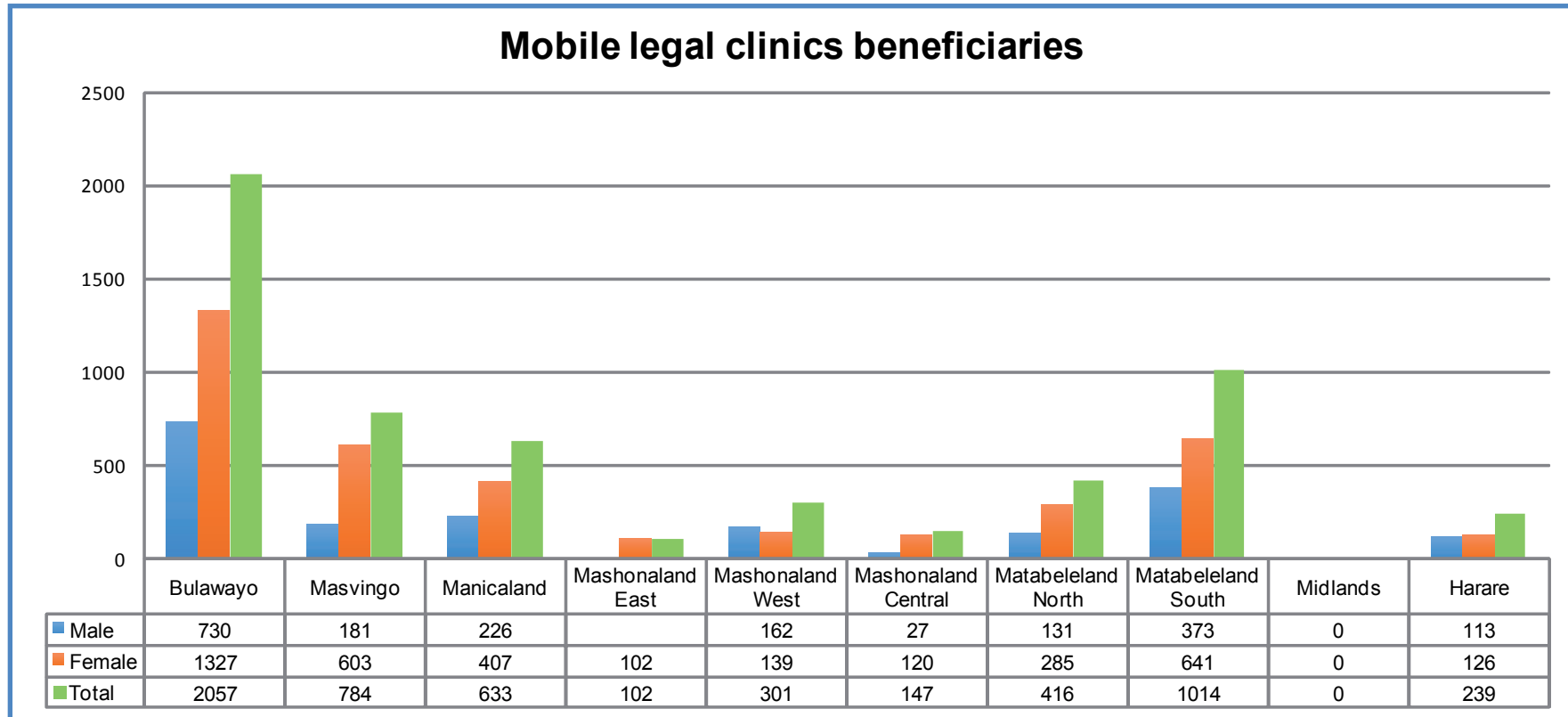
- ✓ 43 mobile legal clinics were carried out in 9 provinces
- ✓ A total of 5 963 people from different social, economic and political backgrounds benefitted
- ✓ 66% of participants were women from the targeted communities



*ZLHR regional office manager, Blessing Nyamaropa, makes a presentation during an MLC*

*Left: ZLHR member, Chris Ndhlovu, chats with a community member collecting ZLHR material during a mobile legal clinic held at the official opening of Murambinda Magistrates Court*





#### ***Madumabisa Village Mobile Legal Clinic***

In 2016, ZLHR held a number of mobile legal clinics (MLCs) in Matabeleland provinces and one of them was in the Hwange area. It was implemented at Madumabisa village in collaboration with Hwange Community Radio Trust, which was responsible for mobilising participants. A total of 60 people (33 females and 27 males) attended, a much lower figure than previously anticipated due to heavy rains. There were three sessions during this outreach that included – *Rights literacy*: This broadly focused on the socio-economic rights provided in the Constitution. Lawyers also focused on labour rights. The discussion was guided by the context in which the outreach was conducted, namely, in an area where Hwange Colliery Company employed most of the people. A number of the participants or their family members were employed by the mine and had not been paid their wages for years. *Legal advice*: Participants had the opportunity to consult lawyers, with most people seeking legal advice on labour issues. Of common concern was the failure by Hwange Colliery Company to pay salaries for over a year. The community also sought advice on issues relating to obtaining national documents, access to housing, and health care. *Dissemination of information*: During the MLC, lawyers disseminated 100 copies of reading materials; these included simplified factsheets on the rights to health as well as copies of the ZLHR weekly newsletter, *The Legal Monitor*, that had stories of human rights issues from Matabeleland provinces.

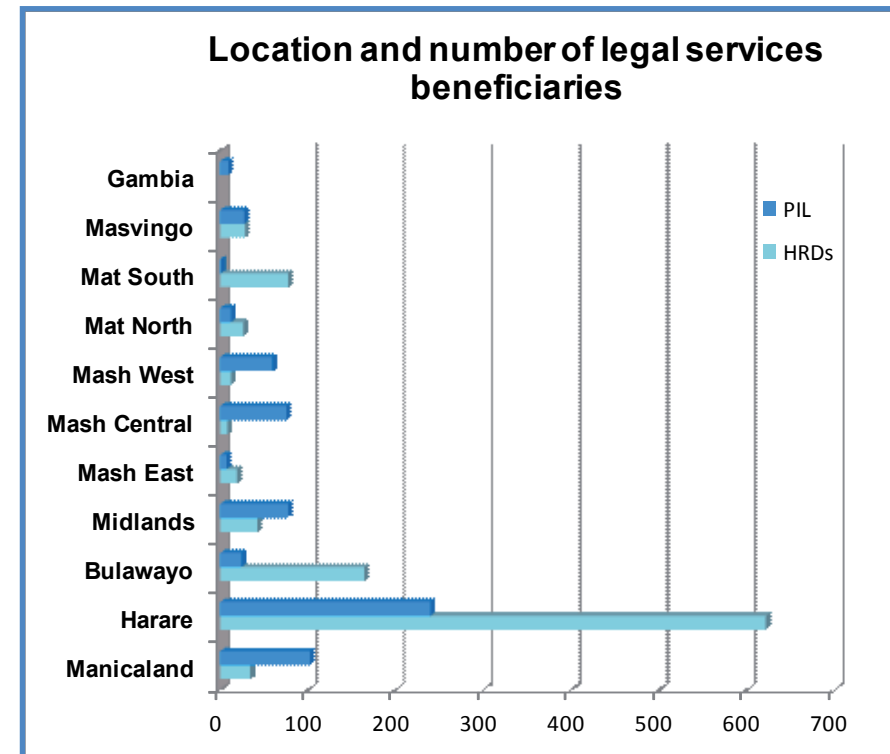


## 5.2 ZLHR at national level

Litigation was the main intervention and was complemented by other activities that included research, advocacy and capacity building. The Protection of Human Rights Defenders programme area provided legal support to human rights defenders (HRDs) who were arrested or targeted by state actors for asserting their economic, social, civil and political rights. This support was on an emergency basis and also as follow up to prevent the beneficiaries who were prosecuted and tried from being convicted, enabling them to continue with their work of defending the Constitution and asserting their fundamental freedoms and human rights. HRDs were better able to continue with their work knowing full well that lawyers would be available to assist them.

Victims of human rights violations from different social backgrounds were assisted within the Access to Justice priority area. Lawyers instituted litigation to enforce constitutional rights and obligations before the superior courts, challenging unconstitutional laws and arbitrary decisions. Public interest litigation (PIL) continued to be taken up benefitting individuals and communities whose social, economic, cultural, civil and political rights had been, or were at risk of, being violated. A number of these cases were of strategic impact, i.e. having a wider impact beyond the primary litigant of the case. ZLHR also pursued anti-impunity cases that focused on instituting civil claims against state and non-state actors who, through their actions that included use of torture, assault, malicious prosecutions and persecutions against individuals, violated fundamental human rights of individuals.

- 487 litigation cases carried out (emergency assistance to HRDs, follow up and public interest matters)
- 1 663 people benefitted from all legal services
- 281 PIL cases were conducted benefitting 632 (38% of total beneficiaries)
- 206 cases involving HRDs legal services benefitted 1 031 (62%)
- 2 PIL cases filed at the African Commission on Human and Peoples' Rights
- 37% of all litigation beneficiaries from PIL Cases
- 98.5% success rate in emergency and follow-up cases finalised in 2016



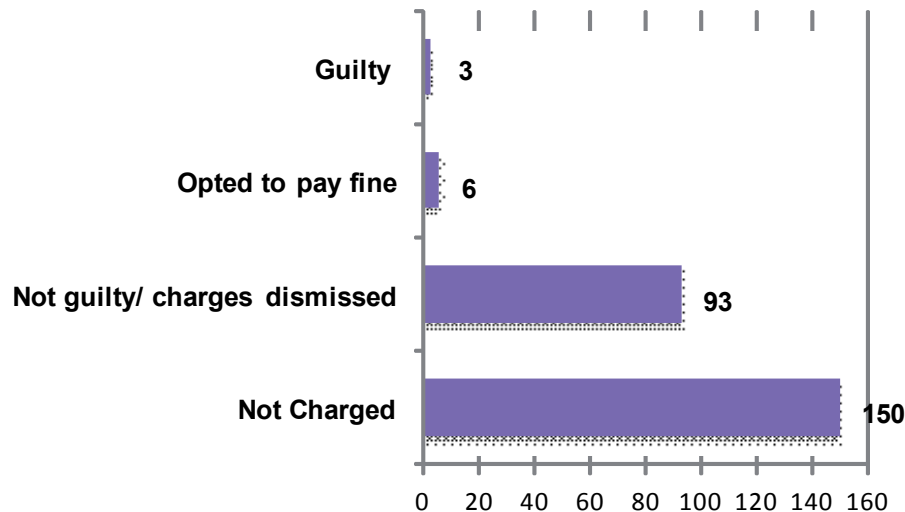


- ✓ Out of the total of 206 cases, 122 involved HRDs in Harare, 21 in Bulawayo province, 3 in Mashonaland Central and 10 in Matabeleland North. The other 50 cases were from the remaining 6 provinces
- ✓ Beneficiaries were drawn from Mhangura, Karoi, Beitbridge, Mutoko, Gwanda, Hwange areas
- ✓ Of the 1 031 HRDs assisted, 83% were male while 17% were female
- ✓ Common charges against HRDs were under the Criminal Law (Codification and Reform) Act and the Public Order and Security Act. Other laws that were applied included the Flag Act
- ✓ Unlike in previous years, provisions of the Criminal Law (Codification and Reform) Act were increasingly applied in most cases where HRDs were targeted for exercising their right to freedom of assembly and association
- ✓ 150 HRDs were released without any charges made against them after lawyers intervened



*ZLHR member, Harrison Nkomo, takes a break from court session during the hearing of Evan Mawarire's case*

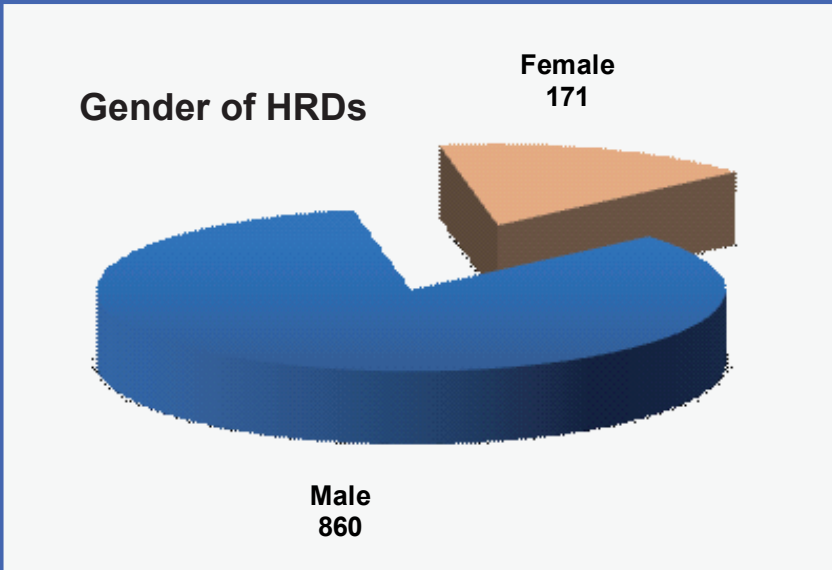
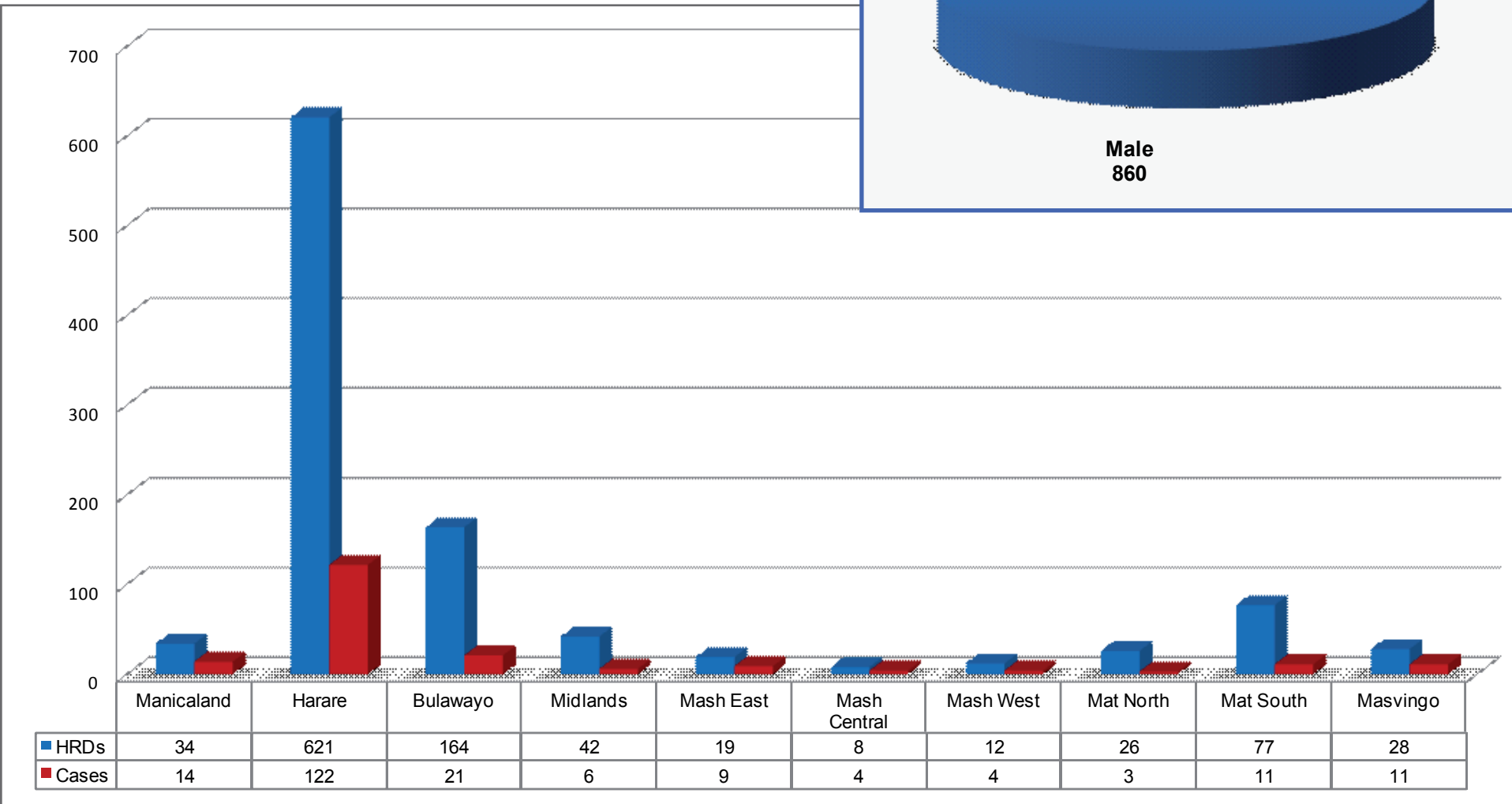
## Outcome of HRD Cases



- ✓ 93 HRDs with cases finalised after initiation of prosecution were found not guilty, or had charges dismissed when they appeared in court – this represented a 98.4% success rate in prosecuted cases finalised
- ✓ 3 HRDs were found guilty although lawyers are appealing against the ruling on behalf of the 3, while one was on appeal which was dismissed
- ✓ 6 HRDs opted to pay fines at police stations as they did not want to be detained in police cells for various reasons. This remained a challenge for ZLHR as they admitted to committing vague crimes such as disorderly conduct



### Provincial allocation of cases and HRDs





*Above: A team of ZLHR member lawyers briefing clients outside court on proceedings in Harare*

*ZLHR lawyer, Lizwe Jamela, leaves the police station with his client, Kukhanyakwenkosi Mkandla, who was arrested after staging a one-man protest in Gwanda*





## **As they asserted the right to freedom of assembly.....**

### **Litigation**

#### ***State v Shaun Bako and 50 Others***

ZLHR deployed lawyers to assist Shaun Bako and 50 other men from Mabvuku who were arrested on 6 July 2016 and accused of public violence as defined in section 36(1) of the Criminal Law (Codification and Reform) Act. The 51 are accused of committing public violence by demonstrating against police corruption and the US\$200 fine regime gazetted through Statutory Instrument 41 of 2016. They appeared in court on 7 July 2016. One of the accused was released promptly because police had exceeded the 48-hour period within which a detained person should be brought to court as laid down in section 50 of the Constitution. On 8 July 2016, lawyers successfully applied for bail and the 50 HRDs were released. Three juveniles who were among the 50 were granted free bail.

#### ***State v Tobias Mhondi and 85 Others***

Tobias Mhondi and 85 others were arrested on 6 July 2016 at Mzilikazi Township for participating in protests against the government of the day. They were detained at Mzilikazi Police station for two days. They were charged with participating in public violence as defined in section 36 of the Criminal Law (Codification and Reform) Act. They appeared before Bulawayo Magistrate Evelyn Mashavakure on 8 July 2016. Bail application was made and ruling was deferred to 11 July 2016 when they were granted bail in the sum of US\$80. The trial was set for 31 August 2016. On that date, the prosecutor was not ready for trial and an application for refusal of further remand was made and this matter was postponed to 5 September 2016. On 5 September 2016 the matter was postponed again to 15 October 2016. On 15 October 2016, the prosecutor withdrew charges against all the 86 residents of Bulawayo.

## **Right to freedom of assembly and association.....**

#### ***Prayer Network Zimbabwe v Commissioner General of Police and Others NO***

An urgent chamber application was filed at the High Court on 25 June 2016 after the police had denied the Prayer Network of Zimbabwe permission to demonstrate against the schools' national pledge. The network planned to demonstrate on 27 June 2016. ZLHR lawyers intervened to protect their right to demonstrate and petition. This matter was heard on 26 June 2016 when the High Court granted the order for the protest to proceed and barring the police from interfering with the protest.



*ZLHR member, Tendai Biti, briefs media practitioners on a case challenging the ban of protests in Harare*

## Freedom of religion.....



ZLHR lawyer, David Hofisi, chats with his client, Mathew Sogolani, outside the Constitutional Court on a case challenging the national pledge

### *Mathew Sogolani v Minister of Primary and Secondary Education and Three Others*

Mathew Sogolani is the father of three children who resides in Harare. He finds the national pledge that is being recited at schools objectionable to his faith. He is a Christian in the Apostolic Faith Mission in Zimbabwe denomination and contends that secular salutations must never be part of a prayer. In April 2016, lawyers intervened by filing an application to enforce the rights to freedom of conscience, freedom of thought, freedom of expression, dignity and equal protection of the law.

## Freedom of expression.....

### *Midlands State University Students v the Vice Chancellor*

Three students based at Midlands State University, Zvishavane campus were suspended. The allegations were that they contravened the University Disciplinary Statutes by circulating *WhatsApp* messages encouraging fellow students to demonstrate against the bad conditions at the campus. Initially, the students were picked up by police who did not proceed to charge them as they could not find enough evidence to present a case beyond reasonable doubt in court. The suspension made it impossible for them to write their examinations. Lawyers filed a court application to compel the Vice Chancellor to allow them to write supplementary examinations. This application was granted by the High Court and the judge observed in his ruling that using social media platforms to mobilise for protest was not a crime.

## Right to housing.....

### *Jean Pierre Dusabe and Another v City of Harare and 2 Others*

Jean Pierre Dusabe and John Peter Mutokambali purchased land at Subdivision E of Arlington Estate (off Airport Road) in Harare from Nyikavanhu Housing Cooperative in 2013 and 2015 respectively. They built houses worth US\$75 000 and US\$100 000 respectively. On 21 January 2016, the houses were demolished by armed municipal police officers with neither a court order nor requisite notice. The urgent chamber application was heard at the High Court on 2 February 2016. On 10 February 2016, urgent relief was granted in the form of interdicts against the respondents from threatening or harassing the residents, or further destroying their household property without a court order.



## Freedom from torture: Holding state actors accountable.....

### *Sofia Tagwirei v Commissioner General of Police and Minister of Home Affairs*

In this matter, Sofia was arbitrarily arrested and assaulted at Chingwizi Transit Camp on the morning of 3 August 2014. She was taken to Triangle Police Station after resisting the forced transfer of a mobile health clinic, together with other community members. Lawyers intervened to hold the authorities accountable and ensure protection of due process rights. On 16 February 2016, the court awarded damages in the sum of US\$450 in her favour.

## Outcomes of PIL cases

- ZLHR instituted precedent setting cases of the right to housing that stopped demolition of houses in Harare
- Early in the year, 24 judgments for monetary compensation were obtained on behalf of victims of torture and inhuman treatment that occurred at Chingwizi Transit camp in 2014. Lawyers proceeded to initiate processes to enforce payment
- Increased access to justice for rural communities as lawyers assisted villagers in Nyanga, Chipinge, Binga to challenge eviction by Rural District Councils



Two female students were able to collect their academic certificates after ZLHR lawyers from Bulawayo office intervened.

ZLHR regional manager, Blessing Nyamaropa, takes instructions from a parent on the right to education issues in Marange District in Manicaland province



### 5.3 Capacity building

A number of trainings carried out by ZLHR in 2016 contributed to the safety and protection of HRDs, as well as institutional strengthening and accountability. Participants were drawn from different stakeholders within civil society, including CBOs, the media, human rights lawyers, communities and even policy makers. ZLHR secretariat members were also called upon to facilitate capacity building sessions by strategic partners on issues relating to health rights, legal and institutional reforms.



*Participants follow proceedings during a training of trainers workshop held in Harare*

- o 31 trainings were conducted in 2016 with a total of 705 (374 men, 327 women and 4 transgender) benefitting from around Zimbabwe
- o 4 trainings focused on health rights and key populations, benefitting 108 people (57 men and 51 women). Issues around HIV/AIDS and the law were also covered
- o 4 trainings sought to increase capacity of CSOs and CBOs in Bill of Rights provisions in the Constitution, the role of the courts, the Zimbabwe Human Rights Commission and lawyers in protecting and promoting human rights

#### **Training of Trainers on the Constitution**

On 22 May 2016, as a way to commemorate the coming into force of the Constitution, ZLHR carried out three training of trainers on the Constitution in Mutare, Harare and Bulawayo. The main objective was to increase capacity of HRDs to raise awareness on the remedies available in human rights cases and the role of lawyers. Participants were community HRDs drawn from the various communities surrounding the regional offices. Topics presented included the experiences of HRDs, the role of HRDs in protecting the Constitution, defining the role of state actors in the Constitution, understanding judicial and non-judicial remedies available for human rights, ABCs of arrest and a case study on human rights enforcement and the Constitution. Some observations made in the trainings included the need to continue to provide information on the role of independent Commissions and state actors in protecting the Constitution on a regular basis. Participants also provided feedback on the need to extend the duration of the workshop from one to two days. The training of trainers' workshops created a platform for ZLHR to capacitate CSOs with knowledge, enhancing their capacity to assert their rights and empower communities they interact with to demand and assert their rights. The HRDs from the targeted organisations were equipped with understanding of provisions of the Constitution on protection and promotion of human rights. These sessions also provided participants with an opportunity to network and share best practices and experiences.



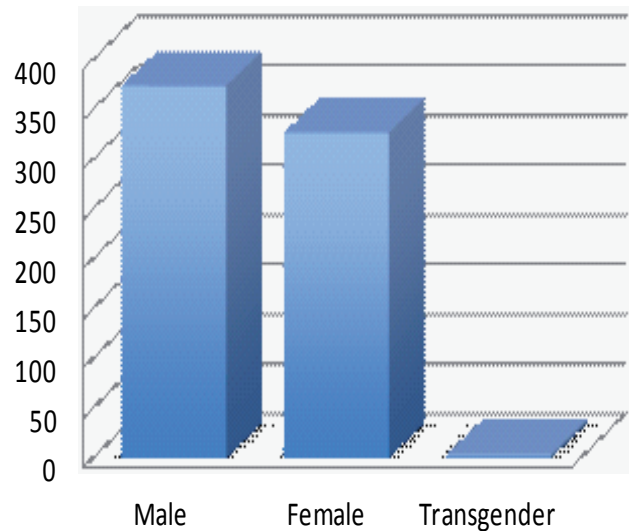
### Judicial Appointments Workshop

On 30 June 2016, ZLHR collaborated with other CSOs from South Africa and carried out a capacity building session for civil society on judicial appointments. The workshop was held in Harare. The objective was to raise awareness of CSOs of the new public judicial appointment process in terms of the 2013 Constitution and to increase the capacity of participants to effectively monitor and critique the process. It was also to provide a platform for participants to reflect, share experiences with the Democratic Governance and Rights Unit based at the University of Cape Town and another organisation, Judges Matter, from South Africa and develop strategies for improved involvement in the process, using social media and other advocacy strategies. Through this workshop, awareness of civil society on the new judicial appointment process was increased.

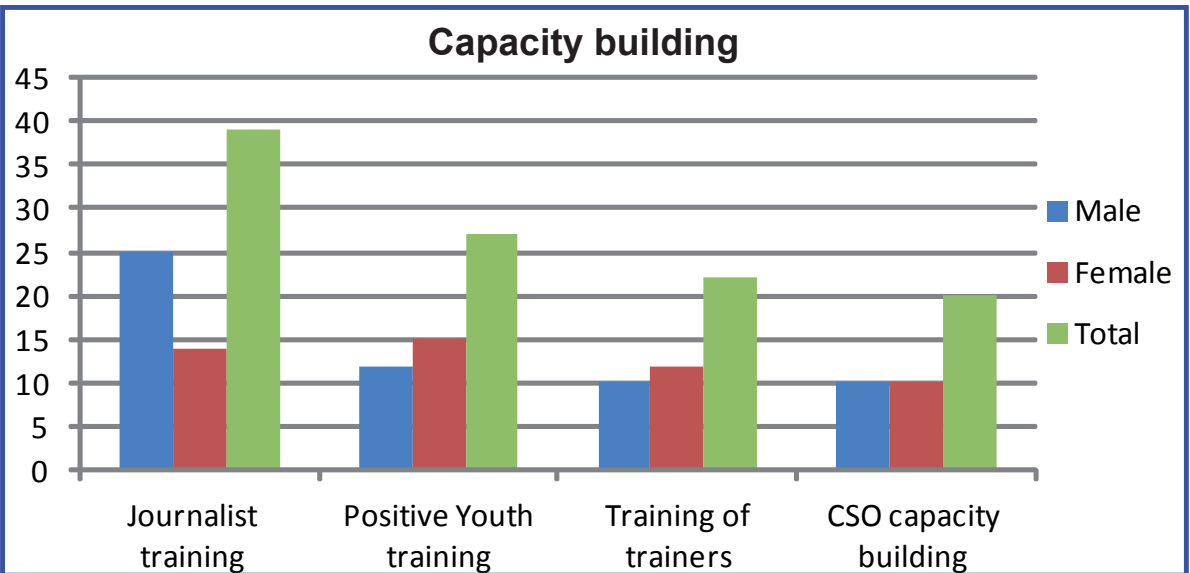


ZLHR lawyer, Sharon Hofisi, facilitates a CSO training in Harare

### Gender disaggregation for trainings



### Capacity building



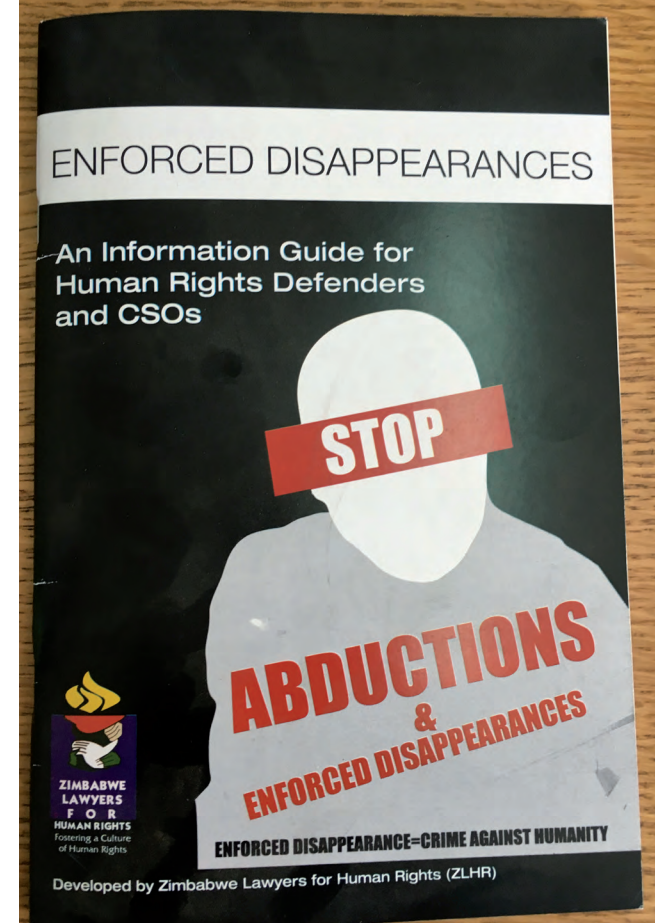


## 5.4 Research and publications

In 2016, ZLHR conducted research on thematic areas that included health rights, access to medicines and intellectual property, reform of the Public Health Act, compliance of the Zimbabwe National HIV/AIDS Strategic Plan with the Constitution, and the right to health. Other focus areas included law reform through analysis of constitutional compliance of draft bills, enforced disappearances, state compliance with human rights instruments, as well as the broader human rights situation prevailing in the country.

Position papers were produced on law reforms and analysis of draft bills that impact on human rights laws and those that impact on protection of HRDs, access to justice, and protection of social and economic rights. The papers provided recommendations for harmonisation of laws with the Constitution and Zimbabwe's treaty obligations under the UN as well as the African Charter on Human and Peoples' Rights. ZLHR also engaged other CSOs that are providing support to government on alignment of laws, such as the Center for Applied Legal Research.

*Maureen Sibanda-Shonge, Dzimbabwe Chimbga and Roselyn Hanzi appear before Parliament Senate Thematic Committee on Human Rights*



- o Research conducted and discussion papers produced on social and economic rights issues i.e. right to health, education
- o 3 position papers/ analysis produced on law reform (Cyber Crimes Bill, Health Act, Reserve Bank of Zimbabwe Amendment Bill)
- o Other research work focused on the human rights situation in Zimbabwe, operating environment for CSOs, production of handbook on enforced disappearances, and administration of justice reforms



## 5.5 Strategic partner engagement

### • Engaging civil society

#### Universal Periodic Review processes

ZLHR collaborated with the National Association of Non-Governmental Organisations and Zimbabwe Human Rights NGO Forum to co-ordinate compilation of CSOs' contribution that was submitted to the United Nations, ahead of Zimbabwe's Universal Periodic Review. This was done through a series of events that included production of the civil society stakeholders report, advocacy engagements with UN member states in Zimbabwe, South Africa and Geneva. A public debate was organised in Harare to increase awareness of the upcoming review. There was live webcast screening of the Interactive Dialogue session held on 2 November 2016 in Harare, Mutare and Bulawayo. This enabled CSOs from around the country to follow proceedings in Geneva. Representatives of CSOs also attended the Interactive Dialogue session in Geneva on 2 November 2016. Other activities included the production of press statements on the UPR, and the production and dissemination of special editions of *The Legal Monitor* on the UPR process, as well as follow up civil society meetings to draft a monitoring framework.

- Convened a total of 41 meetings/ consultations with strategic partners and stakeholders in 2016, with 2 300 participants
- Engaged government actors such as the Judicial Service Commission, Parliament, Ministry of Justice
- Interacted with the Zimbabwe Human Rights Commission and the Zimbabwe Gender Commission
- Continued to collaborate with CSOs at the national, regional and international level

*CSO representatives participate during a panel discussion with the Deputy Chair of the Zimbabwe Human Rights Commission and a representative of UNDP*



*Representatives of CSOs from the southern region participate during a public debate in Harare on UPR*





## **United Nations Universal Periodic Review civil society stakeholders report**

In March 2016, ZLHR, together with the other co-ordinating organisations, held a series of consultative meetings across the country in order to elicit input for the second cycle stakeholders' report. A draft report was produced and validation meetings were held on 10, 17 and 18 March 2016 in Harare, Bulawayo and Mutare. The final report was launched on 22 March 2016 and submitted to the Office of the High Commissioner on Human Rights on 24 March 2016. From July to November 2016, ZLHR conducted advocacy missions with various embassies located in Zimbabwe, Switzerland and South Africa in order to apprise them of the human rights situation in the country and lobby for specific and targeted recommendations to be made at the review. As a result of the advocacy initiatives of CSOs around the UPR that targeted 25 countries and prioritised 45 recommendations, 63% of the proposed recommendations were raised during the second cycle review of Zimbabwe on 3 November 2016.



*Members of CSOs follow proceedings of Zimbabwe's UPR via webcast*

### **Post Universal Periodic Review report back meeting**

On 30 November 2016, ZLHR invited organisations that participated in the compilation of the 2016 Civil Society Stakeholder Report for a report back meeting in order to update them on how the review of Zimbabwe proceeded, to formulate strategies to lobby the government to reconsider recommendations it did not accept or had deferred for consideration before adoption of the final outcome report during the March 2017 Human Rights Council session. More importantly, the meeting sought to formulate a monitoring framework for the accepted recommendations. A direct outcome of the meeting was that participants were able to cluster the recommendations thematically and come up with indicators for the measurement of progress.



- **Engaging government**

ZLHR continued to engage relevant government institutions in order to influence legal and institutional reforms that undermine human rights in the country. This was done through a number of targeted interactions with Parliament, the Judicial Service Commission, the Ministry of Justice, the Department of Prisons and the Ministry of Health. ZLHR also engaged with the Zimbabwe Human Rights Commission.

### Parliament breakfast meeting

There was continuous engagement with Parliament throughout the year. Other than presenting oral submissions at the invitation of Parliament in February, ZLHR also organised and facilitated a number of low-cost breakfast meetings in Harare. Discussions focused on legal, institutional reforms, facilitating a dialogue between lawyers and law makers that sought to enhance not only the legislative role of Parliament but their oversight of government departments.

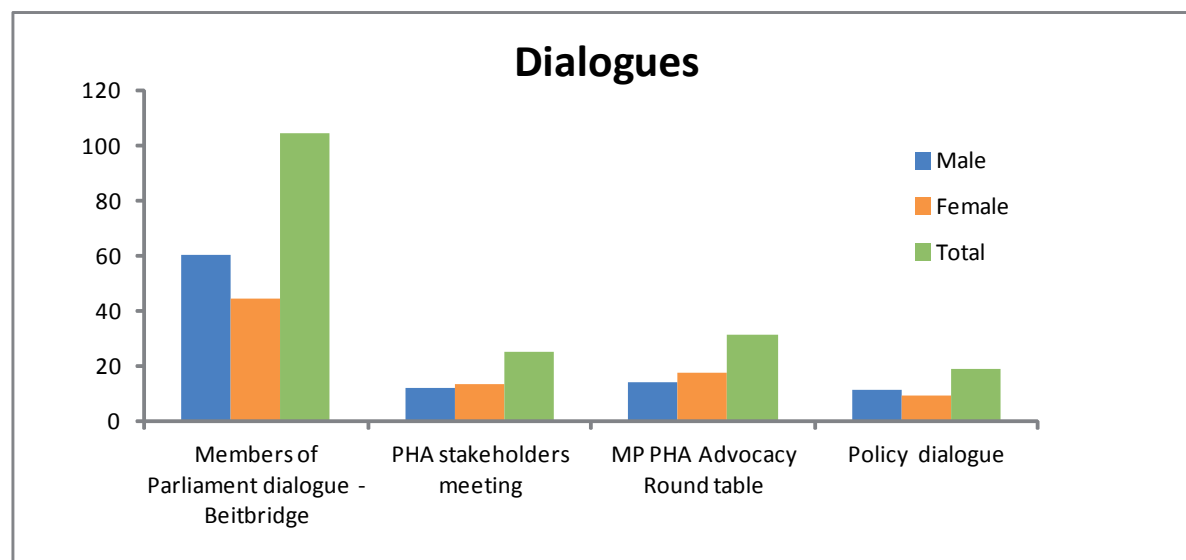
On 29 July 2016, ZLHR held a breakfast meeting for parliamentarians which was attended by 31 participants (19 male and 12 females) from the Senate Thematic Committee on Human Rights, the Parliamentary Portfolio Committees on Justice, Legal and Parliamentary Affairs and Local Government and National Housing as well as the Parliamentary Legal Committee. The objectives of the workshop were to enhance Parliament's awareness of the Universal Periodic Review process and its oversight role in ensuring

the improvement of the human rights situation in the country. It also aimed to create a platform to initiate the formulation of oversight strategies that Parliament can adopt for the upcoming UPR process to be effective.

### Ministry of Health and Child Care

In order to influence conversations on health, policy engagements were implemented that involved engaging CSOs, Members of Parliament and key Ministry of Health officials. Policy dialogue sessions, advocacy round tables and stakeholder meetings were some of the platforms used to undertake advocacy on policy. Key officials

from central government were also invited to be participants at some of the meetings. For instance, during the round table meeting on the reform of the Public Health Act, the Permanent Secretary of the Ministry of Health attended as a key resource person. Other dialogue sessions focused mainly on sensitising parliamentarians on access to medicines in the context of intellectual property. These discussions enabled parliamentarians in the Thematic Committee on Health to formulate plans of action around law reform on intellectual property. Policy dialogue sessions reached out to 46 Members of Parliament (22 males and 24 females).

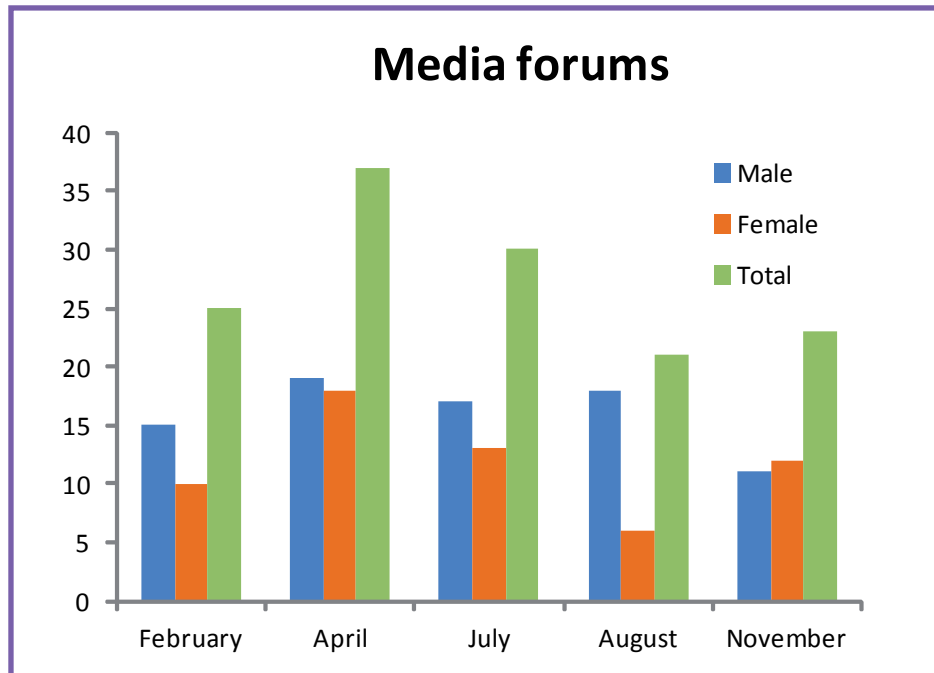


- **Engaging the media**

Under ZLHR's special projects, four media forums were organised, reaching out to 136 journalists (80 males and 56 females) in 2016 on four thematic issues, namely, voluntary male medical circumcision, reform of the Public Health Act, self-testing kits and intellectual property. The media forums did not only ensure that journalists remained focussed, but that they had an in-depth understanding of topical issues. Media forums also continued to play an advocacy supporting role for the institution on issues of access to treatment and social service delivery for key populations (lesbians, gays, bisexuals, transgender and intersex, people living with HIV/AIDS, prisoners and sex workers). There was increased media coverage of these issues after the media forums as participants put into practice their acquired knowledge. The content was more than satisfactory in covering human rights and advocacy issues with acceptable accuracy, especially on information that was shared by the Ministry of Health at such forums.

- **Zimbabwe Human Rights Commission**

Interactions included referring cases of human rights violations to the Zimbabwe Human Rights Commission as well as strategic networking meetings to discuss human rights issues of concern. Some of the cases that lawyers brought to the Zimbabwe Human Rights Commission involved two families of former farm workers facing internal displacement in Zimbabwe. Throughout the year, ZLHR also continued to strategically engage the Commission by providing updates on cases of human rights violations of concern that remained outstanding, such as the continued disappearance of Itai Dzamara. As part of the overall CSO strategy on engaging critical stakeholders in the United Nations Universal Periodic Review processes, ZLHR and the Zimbabwe Human Rights NGO Forum also invited the Zimbabwe Human Rights Commission to participate in the public debate held in Harare on 30 August 2016 to increase awareness of the process to members of the public, as well as other stakeholders.





## 6 ZLHR beyond Zimbabwe's borders

The organisation's Protection of Human Rights Defenders programme area spearheaded ZLHR's strategic partner engagement, advocacy and litigation at the sub-regional, continental and global platforms in 2016. ZLHR engaged with quasi-government institutions in attempts to influence foreign policy, legal proceedings and policy engagement to improve the rights and governance conditions in Zimbabwe and the Southern Africa Development Community (SADC). Some of the institutions targeted by ZLHR included the African Commission on Human and Peoples' Rights, the African Union, the Southern African Development Community, and the United Nations Human Rights Council.

### 6.1 Advocacy

#### **African Commission on Human and Peoples' Rights (ACHPR)**

ZLHR attended the 58th and 59th sessions of the ACHPR held in the Gambia. During these sessions, ZLHR interacted with like-minded CSOs from the continent on areas of mutual interest, particularly litigation before the ACHPR, as well as engaging in discussions on areas of human rights issues and sharing of best practices on strategies to effectively promote and protect human rights on the African continent. This platform provided space for ZLHR to increase awareness on the situation of human rights defenders as well as other human rights violations, calling for the ACHPR to take action.

*ZLHR also participated as a panelist during a side event on elections*



- o Participated at the African Commission on Human and Peoples' Rights and the United Nations Human Rights Council sessions
- o Continued to pursue several communications at the African Commission on Human and Peoples' Rights after domestic remedies failed.
- o ZLHR was actively involved in advocacy and legal initiatives with the SADC Lawyers Association and the Pan-African Human Rights Defenders Network.

o **Strategic meeting with experts on development of guidelines on enforced disappearance**

On 22 October 2016, ZLHR held a strategic meeting with technical partners from CSOs on the side-lines of the 59th session of the ACHPR. The Commissioner who is a member of the Committee for the Prevention of Torture in Africa (CPTA) was also invited to the meeting. Through this meeting, ZLHR sought to concretise the process of adoption of the draft guidelines developed on enforced disappearances and have these incorporated into the ACHPR framework. It was a follow up to the initial strategic experts meeting on development of guidelines on enforced disappearances held in December 2015. ZLHR and other CSOs aim to develop a regional instrument or framework that will deal with enforced disappearances, which does not exist at the moment. The core technical committee comprised of the commissioner, a representative from the CPTA, representatives from REDRESS, Amnesty International, Zimbabwe Human Rights NGO Forum, the Kenya Human Rights Commission and ZLHR.



**United Nations**

o **Human Rights Council, Universal Periodic Review of Zimbabwe**

*Pre-session*

On 2 October 2016, ZLHR attended the pre-session to Zimbabwe's Universal Periodic Review mechanism that was organised by UPR Info, a Geneva-based organisation that capacitates CSOs and other stakeholders with strategies to conduct effective advocacy and awareness raising about the Universal Periodic Review processes. ZLHR attended with other representatives of Zimbabwe CSOs from the NGO Forum and Zimbabwe Congress of Trade Unions. This session presented an opportunity for the organisation to share proposed recommendations that could be shared by UN member states with the Government of Zimbabwe for it to improve its human rights record.

o **Interactive Dialogue, Second Cycle Universal Periodic Review of Zimbabwe**

ZLHR participated as an observer during the UPR of Zimbabwe held on 2 November 2016. During the interactive dialogue session, Zimbabwe received a total of 260 recommendations from 86 representatives of UN member states. On 4 November 2016, the Troika (comprising of Kenya, Macedonia and The United Arab Emirates) presented a draft report for adoption. The report captured all the recommendations made to Zimbabwe by member states during the interactive session of the Second Cycle UPR process. Of these recommendations, the Government accepted 142, noted 18 recommendations that it did not accept and deferred 100 for further scrutiny and consideration. Participation at the Second Cycle review presented a learning opportunity for ZLHR and the NGO Forum on more effective strategies to conduct advocacy for future processes, particularly how to share information, who to target, timing and packaging.

*CSO representatives during a panel discussion held the day before Zimbabwe's UPR session*



## **SADC Lawyers Association**

### ***Attendance at the SADC Lawyers Association's (SADCLA) AGM, Cape Town, South Africa***

From 17-19 August 2016, the ZLHR chairperson and Executive Director represented the organisation at the SADCLA AGM. The main purpose of ZLHR's attendance at the SADCLA AGM was to take advantage of the gathering to engage with SADCLA and other regional rule of law institutions in attendance that ZLHR has been working with over the past decades in promoting and enhancing rule of law and human rights in the region. The meeting presented ZLHR with an opportunity to engage partners and share primary, evidence-based information on the human rights situation in Zimbabwe with a view to influence the regional law-based body to take a more active role in advocating for a local environment that upholds the principles of human rights, good governance and the rule of law principles that are at the core of the work of SADCLA. Moving forward, ZLHR will continue to engage SADCLA through strategic meetings to prepare for election observer processes in Zimbabwe for the forthcoming 2018 election processes.

## **6.2 Contributing technical expertise**

### ***International Tribunal on Evictions***

Between 12 and 20 October 2016, ZLHR attended the United Nations Habitat 3 conference in Quito Ecuador. At the sidelines of this conference, Blessing Nyamaropa attended the International Tribunal on Evictions that was convened by International Alliance Against Forced Evictions that was running concurrently with Habitat 3. International Tribunal on Evictions is an opinion tribunal established by CSOs to discuss the challenges of forced evictions that occur around the world. During the 2016 Tribunal, seven cases were presented for consideration. ZLHR participated in the tribunal as a member of the jury. The victims of evictions are given an opportunity to present their cases to the jury. At the end, the jury makes recommendations that can be used by victims and organisations supporting victims to carry

out advocacy work nationally and internationally. The Tribunal provides an opportunity to meet with like-minded organisations and share strategies to deal with cases of evictions.

## **6.3 Litigation**

ZLHR continued to use continental legal mechanisms in efforts to obtain redress for survivors of violations to the African Charter on Human and Peoples' Rights who had failed or had been unable to obtain legal remedies through the national courts. In 2016, lawyers followed up on pending communications that included:

- Attempts to enforce the diaspora community to exercise their right to vote. This communication was filed in 2103 and provisional measures were granted in favour of some applicants in the diaspora that recommended that the government facilitate their right to vote during the 2013 elections. This recommendation was not implemented and ZLHR is still pursuing this legal challenge for the case to be heard and finalised as it remains ongoing until a final order is granted.
- A challenge on behalf of Women of Zimbabwe Arise that was filed by ZLHR against the conduct of the police in dealing with demonstrations that violate the rights to free expression, assembly and association.

## 7 Keeping everyone informed

In order to harness support and to increase publicity of the human rights situation, the work of human rights lawyers and ongoing cases, complementary interventions of disseminating information in real time through traditional and new media channels was utilised in 2016. Social media platforms such as *Twitter* and *Facebook* and the traditional electronic mail channels were used to disseminate updates. ZLHR also disseminated information alerts and press statements (electronic and print). ZLHR also invested resources to update its website. This ensured consistent dissemination of messages on the prevailing human rights situation for action and support by partners at the domestic, regional and international level.

### 7.1 Press releases/conferences

In 2016, ZLHR issued a total of 128 press statements and information alerts. Two press conferences were also hosted. These focussed on the operating environment, the prevailing human rights situation in Zimbabwe, and the situation of HRDs. Print media and several ZLHR mailing lists were some of the outlets used to disseminate this information. ZLHR's information alerts and press statements acted as an early warning system on the deterioration of the human rights situation in Zimbabwe as well as the erosion of the operating space for HRDs. Various media houses in Zimbabwe, within the continent and around the world continued to rely on information produced by ZLHR.

- o ZLHR produced and disseminated a total of 128 press statements and information alerts
- o Hosted 2 press conferences
- o A total of 62 editions of *The Legal Monitor* were produced, of which 27 were circulated electronically
- o 35 editions (660 000) of *The Legal Monitor* were published in print in 2016, comprising 24 ordinary editions and 11 special editions. These were distributed around the country
- o 49 000 simplified brochures and reports were printed and disseminated in 2016

*ZLHR hosted a press conference on Itai Dzamara's disappearance that was attended by his relatives and friends*







ZLHR and Zimbabwe NGO Forum staff at UPR press conference

## 7.2 The Legal Monitor

*The Legal Monitor* was an outlet through which ZLHR provided information on human rights, constitutional rights and the obligations of state actors. This increased literacy within communities, including those who are marginalised, and remote areas were able to access alternative reliable information on developments on human rights around the country. Some senior ZLHR members, such as Advocate Eric Matinenga, assisted in distributing copies of *The Legal Monitor* in Buhera, Manicaland province, where villagers struggle to access objective and affordable information.

## 7.3 Social media platforms

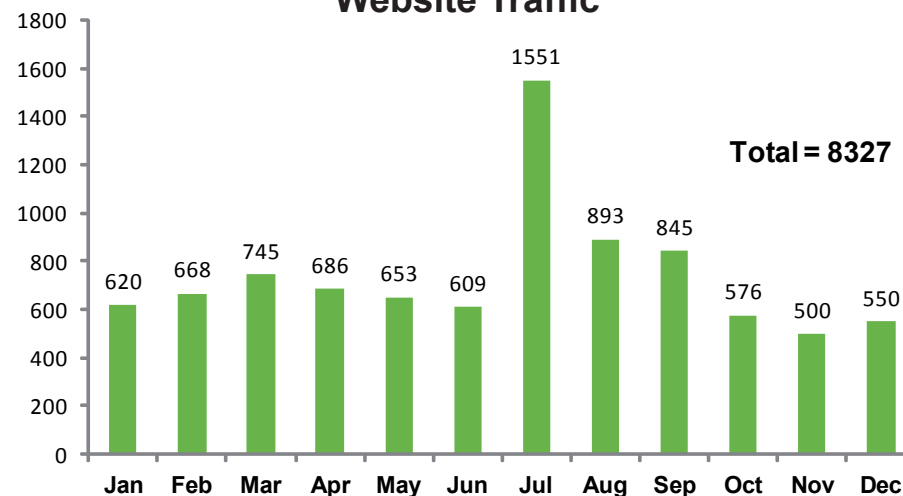
ZLHR also intensified its use of social media platforms with an increased following on its *Facebook* page as well as the *Twitter* account disseminating real time updates on cases taken up on behalf of HRDs and ordinary people in Zimbabwe.

The *Facebook* group has more than 7 000 members, a figure which is expected to continue increasing in 2017. The public also supported ZLHR through sharing messages by re-tweeting or sharing posts on the *Facebook* page. On *Twitter*, ZLHR followers grew to over 18 400 by the end of 2016.

A participant during a mobile legal clinic reads through *The Legal Monitor*



## Website Traffic



## 7.4 Human Rights Day festivities

In commemoration of the International Human Rights Day in December 2016, ZLHR partnered with other law based organisations around the country and conducted mobile legal clinics.

The CSO partners included those with expertise on children's rights and women's rights, those working on fostering a culture of accountability through fighting corruption as well and general provision of legal aid. This not only increased access to justice for communities that were targeted, but presented participants with an opportunity to interact with diverse law based organisations that have complementary areas of expertise. It also enhanced collaboration between ZLHR and its partners.

As is customary, outstanding human rights lawyers were also honoured at an event that was hosted by ZLHR at Kodzero-Amalungelo House. Lawyers honoured this year were Lison Ncube from the Southern Region and Obey Shava from the Northern Region. These two had exhibited great courage and commitment in 2016 and were involved in litigation as part of the legal team that successfully represented residents in several cases prompted by the July nationwide protests against the continued meltdown of the socio-economic situation. This work involved long hours under immense pressure as the arrests continued to be frequent.



*Obey Shava receives his award for being the ZLHR Human Rights Lawyer of the year – Northern Region, from the Royal Netherlands Ambassador Gera Sneller*



*Lison Ncube receives the ZLHR Human Rights Lawyer of the year award from the Royal Netherlands Ambassador, Gera Sneller*



## 8 ZLHR staff

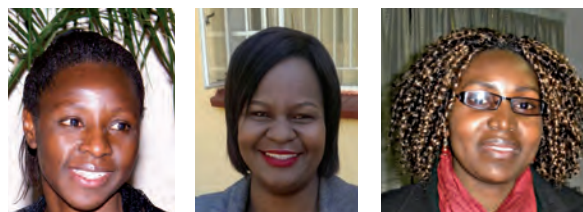
### **Access to justice programme**

Left to right – Manager: Dzimbabwe Chimbga; Assisted by: Lizwe Jamela; Programme staff: David Hofisi, Fiona Iliff, Bellinda Chinowawa; Consultant: Bryant Elliot



### **Institutional strengthening and accountability programme**

Left to right – Programme staff: Agnes Muzondo, Maureen Sibanda-Shonge, Nosimilo Chanayiwa



### **Rights literacy programme**

Left to right – Manager: Tinashe Mundawarara; Programme staff: Nyasha Sanie, Clarissa Regede, Prisca Dube, Kennedy Majamanda, Elizabeth Manganje



### **Protection of human rights defenders programme**

Left to right – Manager: Roselyn Hanzi; Assisted by: Blessing Nyamaropa; Programme Staff: Kennedy Masiye, Peggy Tavagadza, Sharon Hofisi, Dorcas Chitiyo



**Information and communications** – Kumbirai Mafunda



**Compliance, monitoring and evaluation** – Linda Sibanda



### **Finance team**

Left to right – Manager: Bronwyn Robinson; Finance staff: Marj Appel, Ingrid Pinto

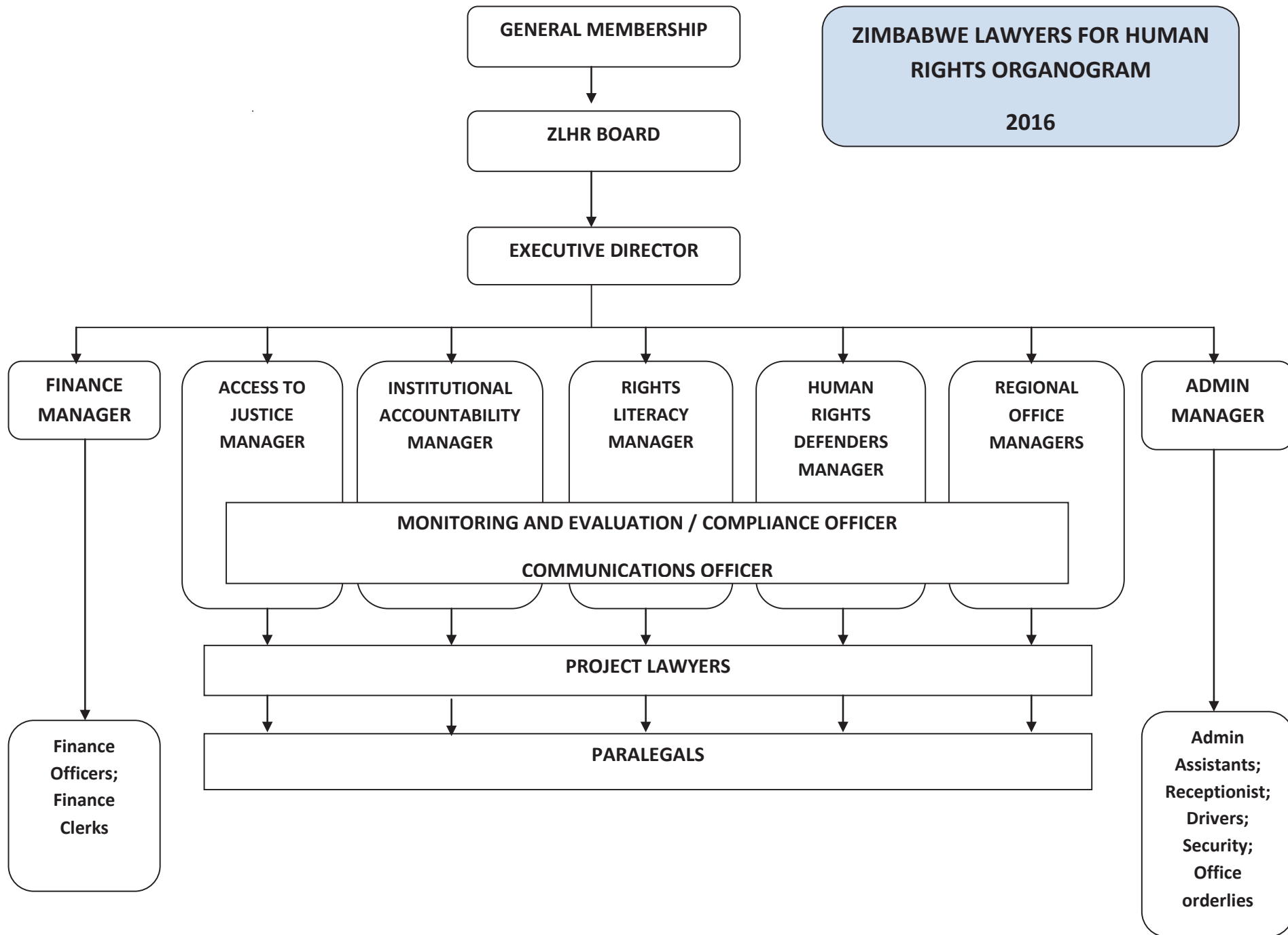


### **Administration team**

Left to right – Manager: Hilary Makoni; Administrative staff: Mercyline Soko; Patience Chimedza; Ruthy Chibwe; Caroline Mukundu; Anesu Kamba; Fanuel Hungwe; Charles Nyamusengudza; Ephraim Matanda; Chenjerai Marindiko







## 9 Our partners in 2016

British Embassy

Canadian Agency for Local Initiatives

Centre for Disease Control

Comic Relief

Dan Church Aid

European Union

Ford Foundation

HIVOS

Norwegian Embassy

Open Society Initiative of Southern Africa

Royal Danish Embassy Office/DANIDA

Royal Netherlands Embassy

Sigrid Rausing Trust

TRACE

Trocaire

United States Agency for International Development

### ***Our legal advisors***

Gill, Godlonton & Gerrans

Dube, Manikai & Hwacha

### ***Our auditors***

PricewaterhouseCoopers

### ***Our bankers***

Stanbic Bank Zimbabwe





ZLHR has nationwide coverage. For more information on the nearest ZLHR representatives in your area, please contact the following offices:

**Harare Office**

*(National coverage)*

Kodzero-Amalungelo House,

98 Baines Avenue, Harare

Phone: (+263 4) 705370/708118/764085

Fax: (+263 4) 705641

**Mutare Office**

*(Covering Manicaland and Masvingo)*

Ground Floor, Winston House

Corner 1st Street and 2nd Avenue, Mutare

Phone: (+263 20) 60660

**Bulawayo Office**

*(Covering Matabeleland, Midlands and Bulawayo)*

3rd Floor, Barclays Bank Building

Corner 8th Avenue/J. Nkomo Street, Bulawayo

Phone: (+263 9) 722014

**24-Hour Hotlines**

National: (+263 772) 257 247

Matabeleland/Midlands: (+263 773) 855 635

Manicaland/Masvingo: (+263 773) 855 718

Email: [info@zlh.org.zw](mailto:info@zlh.org.zw)

Website: [www.zlhr.org.zw](http://www.zlhr.org.zw)

Facebook: Zimbabwe Lawyers for Human Rights

Twitter: @ZLHRLawyers





*A publication of Zimbabwe Lawyers for Human Rights*

