

COMMISSIONS WATCH 7/2016

ZIMBABWE HUMAN RIGHTS COMMISSION

[30th August 2016]

Zimbabwe Human Rights Commission: Press Statement on Public Protests and Police Conduct

This bulletin contains the exact text of the Zimbabwe Human Rights Commission's Press Statement on public protests and police conduct. Veritas is distributing the correct statement as unfortunately various media outlets and politicians have quoted it either inaccurately or selectively to back their own opinions. The Human Rights Commission is fulfilling its constitutional mandate to both urge demonstrators to be peaceful and keep within the law, but at the same time urging state agents do their job professionally and within the terms of the constitution and not to violate the rights of citizens and condemning the use of excess force.



PRESS STATEMENT ON PUBLIC PROTESTS AND POLICE CONDUCT

The Zimbabwe Human Rights Commission (ZHRC) is cognisant of the demonstrations, protests and ongoing unrest in the country. As a country, Zimbabwe is founded on the principles of the supremacy of the Constitution, fundamental human rights and freedoms, and recognition of the inherent dignity and worth of each human being. The Constitution guarantees under section 59 that every person has the right to demonstrate and to present petitions, but these rights must be exercised peacefully, and the demonstrators should not seek to harm anyone or destroy or loot property.

In terms of section 219 of the Constitution, the Police have a duty to protect and secure the lives and property of the people, uphold the Constitution of Zimbabwe, and enforce the law without fear or favour. It is noted with regret that the police did violate the fundamental rights of the people as evidenced by the facts gathered on the ground. Security concerns should not be used as an excuse to harass demonstrators or non-demonstrators, which undermines the fundamental principles granted by our Constitution and international law. Citizens should enjoy police protection and not brutality.

Police have a duty to facilitate the conduct of undisturbed peaceful demonstrations and petitions. The ZHRC is, therefore, extremely concerned about the recent violent conduct of the ZRP.

The ZHRC has received complaints on allegations of Police brutality and our ongoing investigations have revealed unbecoming and violent conduct on the part of the Police. This has led to unfortunate physical and emotional injuries to some innocent persons including minors. This is regrettable and we call upon the authorities to ensure that the perpetrators of such human rights violations are prosecuted. To that end the ZHRC encourages members of the public who may have suffered human rights violations to come forward and lodge formal complaints with the Commission.

The ZHRC is also concerned by the indiscriminate teargasing of centers occupied by people some of whom may not be involved in the demonstration. This should stop and we call for due diligence and care to ensure that the rights and freedoms of innocent citizens are respected and protected.

The ZHRC abhors violence in any form. The Commission, therefore, calls upon all citizens who decide to demonstrate to do so within the confines of the law and never with violence. As Zimbabweans, we all have rights and duties that we need to exercise peacefully at all times.

In the case of violent protests or demonstrations, the right to personal liberty, rights of arrested and detained persons and freedom from torture or cruel, inhuman or degrading treatment or punishment, right to a fair trial and rights of accused persons should be upheld at all times.

The ZHRC calls for an immediate end to violence, threats and intimidation by all perpetrators. We urge all Zimbabweans to exercise restraint and self-control and to remain calm. We urge the ZRP and respective arms of the Executive to ensure that citizens are permitted to demonstrate peacefully and utilise constructive dialogue to address genuine concerns.

NB: The Zimbabwe Human Rights Commission's press statement is also available at <http://veritaszim.net/node/1800>

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