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ZIMBABWE HUMAN RIGHTS COMMISSION

[31st January 2017]

Zimbabwe Human Rights Commission: Press Statement on Floods

This bulletin contains the text of the Zimbabwe Human Rights Commission's Press Statement on the promotion and protection of environmental and related rights in the face of ongoing flooding in urban areas. In its statement, the Commission notes that the recent rains and consequent floods have "exposed the gaps in the management of our urban spaces" and puts forward various recommendations to central government, local authorities and citizens. The press statement is also available on the [Zimbabwe Human Rights Commission's website](#)



PRESS STATEMENT BY THE ZIMBABWE HUMAN RIGHTS COMMISSION ON THE PROMOTION AND PROTECTION OF ENVIRONMENTAL AND RELATED RIGHTS IN THE FACE OF ONGOING FLOODING IN URBAN AREAS

The Zimbabwe Human Rights Commission (ZHRC) has noted with concern the increasing interface between the current rains and the enjoyment of human rights by Zimbabweans. Whilst rains are a welcome relief following last year's devastating drought; they have also exposed the gaps in the management of our urban spaces. The ZHRC is further concerned by the flooding experienced in some parts of the country and in particular areas such as Harare's Glen View, Mbare and Budiro suburbs which have given rise to water borne diseases and threatened the enjoyment of the right to health by the residents of those suburbs. These floods have also damaged and destroyed people's hard earned assets.

Whilst recognizing that the country has made strides in including environmental rights in the Constitution which were hitherto unpronounced in the previous Constitution, there is need for adherence to these provisions for the enjoyment of these rights by Zimbabweans. Section 73 of the Constitution of Zimbabwe provides for the rights of citizens to an

environment that is not harmful to their health and wellbeing. International law recognizes that environmental degradation results in the violation of human rights such as the right to life and the right to health. These rights are protected by a number of human rights instruments which Zimbabwe is party to. Article 24 of the African Charter on Human and Peoples' Rights provides that

'[a]ll peoples shall have the right to a general satisfactory environment favourable to their development'.

The ZHRC notes with concern that Local Authorities are not adhering to section 168 of the Urban Councils Act [*Chapter 29:15*] and sections 57 to 59 of the Environmental Management Act [*Chapter 20:27*] that compel them to work on the construction and maintenance of proper sewage and drainage systems. This has resulted in blockage of the urban drainage systems and overflowing of effluents worsened by the current rains. Burst sewer pipes, and overflowing effluent resulting in unsafe water and poor sanitation are an affront to the enjoyment of the rights to a safe environment and to health by residents. In Harare, uncollected refuse has become breeding ground for disease.

The ZHRC notes, in particular, the reported cases of typhoid in Harare's Mbare, Budiro and Glen View suburbs amongst others. This has further compounded the infringement of the citizens' rights to a clean and healthy environment that is not harmful to their health; infringement on the right to health in turn infringes on the citizens' right to life.

ZHRC also notes with regret the continued unplanned allocation of residential stands by local government authorities and illegal allocations by land barons. Consequently houses and other structures have been built on unsuitable land (like wetlands) leading to the current flooding and loss of properties.

In view of the above the ZHRC recommends the following;

- (a) Local Authorities should adhere to and respect the Constitution of Zimbabwe, the Urban Councils Act, Environment Management Act and International Treaties on the Environment in the discharge of their duties in order to protect the rights of citizens including environmental and health rights;
- (b) Local authorities are urged to attend to the service delivery issues that can help alleviate the current situation, but also ensure continuous, effective and holistic service delivery and planning to avert similar challenges in future. Dealing with the issue of vendors

- alone, as in the case of Harare, will not address the problem adequately;
- (c) Local authorities are encouraged to be proactive and not reactive when the situation gets out of hand as is currently the case, but should engage in effective planning that helps in averting such challenges;
 - (d) Central Government and local authorities are urged to collaborate to ensure effective service delivery and adherence to their respective mandates;
 - (e) In addition, the ZHRC urges citizens to play their part by maintaining hygienic conditions around the spaces that they occupy.
 - (f) Particularly, citizens are urged to avoid littering as it leads to the blockage of the urban drainage system.
 - (g) Local authorities and citizens should forge a complementary alliance in order to arrest the current predicaments posed by floods

The Commission remains committed to promoting, protecting and enforcing human rights as per its constitutional mandate for the benefit of all Zimbabweans.

Zimbabwe Human Rights Commission

23 January 2017

NB: The Zimbabwe Human Rights Commission's Press Statement is also [available here](#).

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