

URGENT APPEAL - THE OBSERVATORY

ZWE 004 / 1011 / OBS 116

Judicial harassment

Zimbabwe

October 7, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in **Zimbabwe**.

Description of the situation:

The Observatory has been informed by reliable sources about the remand of the judicial case against Ms. **Jenni Williams**, National Coordinator of the organisation Women of Zimbabwe Arise (WOZA), and Ms. **Magodonga Mahlangu**, WOZA member.

According to the information received, on October 6, 2011, the Two Tredgold Magistrates Court remanded the judicial case pending against Ms. Jenni Williams and Ms. Magodonga Mahlangu to December 12, 2011.

Ms. Williams and Ms. Mahlangu are being prosecuted on fabricated charges of "theft" and "kidnapping", following their arrest on September 21, 2011 together with ten other persons in the framework of a peaceful march in Bulawayo to commemorate the International Day of Peace, which was violently dispersed by the authorities.

The two women human rights defenders had then been detained at Mlondozi female prison, Khami prison complex, Bulawayo, without access to necessary medication, until they were eventually granted bail on October 4, 2011.

The ten other individuals, charged with "criminal nuisance", had been discharged on September 22, 2011 by the Bulawayo Magistrates Court, and subsequently released.

Actions requested:

Please write to the authorities of Zimbabwe asking them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Ms. Jenni Williams and Ms. Magodonga Mahlangu;
- ii. Put an end to any kinds of harassment - including at the judicial level - against Ms. Williams and Ms. Mahlangu, which seem to only aim at sanctioning their human rights activities, as well as against all human rights defenders in Zimbabwe;
- iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998 and notably :
 - its Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels";
 - Article 5 (b), which states that "For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels [...] to form, join and participate in non-governmental organizations, associations or groups";
 - its Article 6 (b) and (c), which states that "Everyone has the right, individually and

in association with others [...] as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms and [...] to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”;

- and its Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”.

iv. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by Zimbabwe.

Addresses:

- President of Zimbabwe, Mr. Robert G. Mugabe, Office of the President, Private Bag 7700, Causeway, Harare, Zimbabwe, Fax : +263 4 708 211 / + 263.4.70.38.58;
- Mr. Khembo Mohadi, co-Minister of Home Affairs, Ministry of Home Affairs, 11th Floor Mukwati Building, Private Bag 7703, Causeway, Harare, Zimbabwe, Fax : +263 4 726 716;
- Mr. Giles Mutsekwa, co-Minister of Home Affairs, Ministry of Home Affairs, 11th Floor Mukwati Building, Private Bag 7703, Causeway, Harare, Zimbabwe, Fax : +263 4 726 716;
- Mr. Patrick Chinamasa, Minister of Justice, Legal and Parliamentary Affairs, Ministry of Justice, Legal and Parliamentary Affairs, Fax: + 263 4 77 29 99 / +263 4 252 155;
- Mr. Augustine Chihuri, Commissioner General, Police Headquarters, P.O. Box 8807, Causeway, Harare, Zimbabwe, Fax : +263 4 253 212 / 728 768 / 726 084;
- Mr. Justice Johannes Tomana, Attorney-General, Office of the Attorney, PO Box 7714, Causeway, Harare, Zimbabwe, Fax: + 263 4 77 32 47;
- Mrs. Chanetsa, Office of the Ombudsman Fax: + 263 4 70 41 19;
- Ambassador Mr. Chitsaka Chipaziwa, Permanent Mission of Zimbabwe to the United Nations in Geneva, Chemin William Barbey 27, 1292 Chambésy, Switzerland, Fax: + 41 22 758 30 44, Email: mission.zimbabwe@ties.itu.int;
- Embassy of Zimbabwe in Brussels, 11 SQ Josephine Charlotte, 1200 Woluwe-Saint-Lambert, Belgium, Fax: + 32 2 762 96 05 / + 32 2 775 65 10, Email: zimbrussels@skynet.be.

Please also write to the embassies of Zimbabwe in your respective country.

Paris-Geneva, October 7, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
- Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29