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**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL**

Mandates of the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on violence against women, its causes and consequences

REFERENCE: UA G/SO 214 (107-9) G/SO 214 (89-15)
ZWE 4/2011

8 July 2011

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights defenders and Special Rapporteur on violence against women, its causes and consequences pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 16/5 and 16/7.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received concerning **the occupation by Zimbabwe Republic Police (ZRP) of the property used by Women in Zimbabwe Arise (WOZA) in Bulawayo as well as the suspected poisoning of the mentioned property**. WOZA is a grassroots women's rights organisation based in Zimbabwe which has a country-wide membership of over 75,000 men and women and whose national coordinator is Ms. Jenni Williams.

WOZA members have been the subject of previous communications by special procedures mandate-holders dated 22 April 2010, 21 January 2010, 27 October 2008, 8 July 2008, 6 June 2008, 28 September 2007, 12 June 2007, 7 December 2006, 15 September 2006, 16 February 2006, 28 June 2005, 20 May 2005, 19 April 2005, 27 October 2004 and 29 September 2004.

Ms. Jenni Williams has been the subject of previous communications by special procedures mandate-holders dated 22 April 2010, 27 October 2008, 8 July 2008, 6 June 2008, 12 June 2007, 7 December 2006, 16 February 2006, 20 May 2005, 27 October 2004 and 29 September 2004.

The Special Rapporteur regrets that, to date your Excellency's Government has not transmitted responses to the aforementioned communications.

According to the information received:

On 10 June 2011, seven or eight men who identified themselves as police officers arrived at the gate of the property of WOZA located in Bulawayo. Allegedly the police agents had no warrant. According to source information, WOZA members who were at the scene, exited through the backyard and soon after the riot police arrived. It is reported that the police then forced their way through the motorised gate gaining entrance to the property. It is further reported that armed guards were seen on the premises over the weekend of 10 to 12 June 2011. It is further reported that two lawyers from Zimbabwe Lawyers for Human Rights who arrived at the gate were threatened with violence by police officials and ordered to leave.

On 14 June 2011, it is reported that WOZA lodged a court application to have the members of the Zimbabwe Republic Police removed. According to the source, on receipt of a copy of WOZA's court application, a police officer warned a representative of Zimbabwe Lawyers for Human Rights, who was advising WOZA on the case, that he now "had to deal with Ms. Jenni Williams personally".

On 20 June 2011, the High Court of Bulawayo reportedly ordered Zimbabwe Republic Police to vacate the aforementioned property. The order also allegedly stated that the Zimbabwe Republic Police should "ensure that nothing is removed from the property without due process."

It is reported that police officials left the property at approximately 5:30 p.m. on 21 June 2011, and members of WOZA entered the premises shortly afterwards. It is reported that when they entered the premises they noticed a strong smell of chemicals and began to feel unwell. They therefore left the premises and allegedly removed a pick-up truck which had been in the yard since the occupation by the ZRP and parked it in a safer location.

On the morning of 22 June 2011, members of WOZA allegedly examined the aforementioned pick-up truck and found two bullets stored inside and a metal object which looked like a bearing. Reportedly, they then went back into the premises but soon began to complain of nausea and dizziness began to vomit, and experienced diarrhea. Eight members of WOZA were quickly taken to hospital.

Allegedly, black ash covered the lounge floor as though something had been put up the chimney. It is also reported that on further examination of the house, it was noticed that two mobile phones were missing, cards which Amnesty International members had sent to WOZA were removed from their envelopes and replaced

with condoms, and a document called “Main Agenda” had been put in different places around the property.

According to the source, all members of WOZA have since been discharged from hospital and a letter of complaint has been sent by WOZA to the Central Police Station in Bulawayo as well as the High Court of Zimbabwe in Bulawayo.

Further to the event mentioned above, on 24 June 2011, police officials attempted to serve a summons on Ms. Jenni Williams, the national co-coordinator of WOZA, which related to events dating to 2008.

Concern is expressed at allegations received indicating that the property used by WOZA for its meetings may have been purposefully planted with chemicals and suspicious objects as a result of the organisation’s work in defence of human rights. Furthermore concern is expressed for the physical and psychological integrity of Ms. Jenni Williams and the other members of WOZA following the incident at the property of WOZA in Suburbs, Bulawayo.

While we do not wish to prejudge the accuracy of these allegations, we wish to draw your Excellency’s Government’s attention to the right to physical and mental integrity of Ms. Jenni Williams and the members of WOZA.

In this connection, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and in particular articles 1 and 2 which state that "everyone has the right individually or 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” and that “each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice."

Furthermore, we would like to bring to the attention of your Excellency’s Government the following provisions of the Declaration:

- article 5, points b) and c) which provide that for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right to form, join and participate in non-governmental organizations, associations or groups, and to communicate with non-governmental or intergovernmental organizations; and

- article 12, paras 2 and 3 of the Declaration which provide 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 Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

We would also like to bring to your Excellency's Government's attention to article 7 (c) of the International Convention on the Elimination of all forms of Discrimination against Women, which requires States Parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

In addition, we would wish to recall article 4 (b) of the United Nations Declaration on the Elimination of Violence against Women, which stipulates that States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should refrain from engaging in violence against women.. Furthermore, article 4 (c & d) of the United Nations Declaration on the Elimination of Violence against Women, notes the responsibility of States to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons. To this end, States should develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence. Women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered. States should, moreover, also inform women of their rights in seeking redress through such mechanisms.

We urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of Ms. Jenni Williams and the members of WOZA are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Ms. Jenni

Williams and the members of WOZA in compliance with the above international instruments.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the above summary of the cases accurate?
2. Please, provide information on the legal basis for the presence of the Zimbabwe Republic Police in the property of WOZA.
3. Given the allegations received indicating that the property used by WOZA for its meetings may have been purposefully planted with chemicals, please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to these cases. If no inquiries have taken place, or if they have been inconclusive, please explain why.

We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders

Rashida Manjoo
Special Rapporteur on violence against women, its causes and consequences