

Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Ref.: AL ZAF 1/2026
(Please use this reference in your reply)

10 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, pursuant to Human Rights Council resolutions 52/4, 53/4, 59/4 and 52/10.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the killing of human rights defender Zweli "Khabazela" Mkhize**.

Zweli "Khabazela" Mkhize was a South African human rights defender known for his longstanding work and dedication to defending housing and land rights. He acted as elected Treasurer of the Abahlali baseMjondolo movement.

The **Abahlali baseMjondolo Movement SA (AbM)** is a grassroots movement of more than 150,000 people living in informal settlements in South Africa. For almost two decades, its members have advocated for the right to land, adequate housing, an end to forced evictions, and access to education, water, electricity, sanitation and healthcare.

Serious concerns regarding human rights defenders at risk and in need of protection have been the subject of communications previously sent to your Excellency's Government: [ZAF 1/2025](#) (16 May 2025), [ZAF 4/2023](#) (18 October 2023) and [ZAF 3/2020](#) (9 December 2023). We thank your Excellency's Government for its replies to ZAF 1/2025, dated 4 June 2025 and 5 January 2026. However, we remain extremely concerned about the new alleged violations.

According to the information received:

Mr. Mkhize had been receiving threats since 2025 in relation to his human rights work while opposing the sale of local land and assisting with the establishment of two AbM branches in eNkanini and a neighbouring area. AbM branches are democratically elected structures that advocate for the rights of people living in informal settlements. AbM branches do not allow the selling and renting of plots of land.

On 20 January 2026, Mr. Mkhize received a call from an individual who identified themselves as a hitman and told him to "stop what you are doing or

face death.” This individual relayed that he had been promised 30,000 South African Rand to kill him, but that if Mr. Mkhize could pay him 40,000 South African Rand, his life could be spared. Mr. Mkhize refused to pay and continued to do his human rights work in line with the movement.

On 12 February 2026, at around 11.00 am, a call was made to the AbM offices in Durban threatening Mr. Mkhize and the chairperson of the branch. Later that day, Mr. Mkhize was at a friend’s house in the eNkanini occupation when two men arrived in a Renault car and shot him. He died shortly thereafter.

The leadership of the eNkanini branch of the organization has received a continuation of threats since the murder of Mr. Mkhize.

Without wishing to prejudge the accuracy of the information received, we express our most serious concern about the killing of Mr. Mkhize, especially in light of prior threats related to his legitimate human rights work. Moreover, we are extremely concerned by the continued pattern of threats, attacks and killings, targeting members and human rights defenders within the Abahlali baseMjondolo movement.

We wish to reiterate that in her report on the killings of human rights defenders ([A/HRC/46/35](#)), the Special Rapporteur on the situation of human rights defenders highlighted that human rights defenders working on land rights appear to be particularly vulnerable to attacks and that many killings are preceded by a threat (para. 14, 16). In this regard, we recall that the Special Rapporteur recommended that States strengthen and improve protection mechanisms for human rights defenders.

We stress your Excellency’s Government’s obligation to act with due diligence under international human rights law to investigate the case and hold accountable the perpetrators. We call for an independent and impartial investigation into the case and for steps to be taken to prevent further killings of human rights defenders in South Africa. In this regard, we refer your Excellency’s Government to the revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, also known as the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) (“the Minnesota Protocol”).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As 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, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information as to the investigation that has been carried out into the killing of Mr. Mkhize, including the steps taken to identify the direct and indirect perpetrators responsible. If no such investigation

has been carried out, please explain how this is compatible with South Africa's international human rights obligations (see annex).

3. Please provide information as to the investigation that has been carried out into the continued threats against the leadership of the eNkanini AbM branch and the protection measures adopted. If no such investigation or measures have been implemented, please explain how this is compatible with South Africa's international human rights obligations (see annex).
4. Please indicate what measures have been taken to ensure that human rights defenders in South Africa can carry out their peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Balakrishnan Rajagopal

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Annex

Reference to international human rights law

We would firstly like to call the attention of your Excellency's Government to articles 3 and 9 of the Universal Declaration on Human Rights (UDHR), which guarantee the rights to life and security of person, and to South Africa's obligations under the International Covenant on Civil and Political Rights (ICCPR), to which it acceded on 10 December 1998. In particular, we would like to recall the obligations of your Excellency's Government under articles 6 and 9 of the ICCPR.

In connection with article 6, which guarantees the right to life, we would like to highlight the Human Rights Committee's general comment No. 36 ([CCPR/C/GC/36](#)). In its general comment No. 36, the Committee stated that the obligation of State parties to respect and ensure the right to life "extends to reasonably foreseeable threats and life-threatening situations" (para. 7). The Committee further held that the duty to protect the right to life requires State parties to take "special measures of protection towards persons in vulnerable situations whose lives have been placed at particular risk because of specific threats or pre-existing patterns of violence" and that such persons "include human rights defenders" (para. 23). The Committee also stressed that State parties to the Covenant have an obligation, "where they know or should have known of potentially unlawful deprivations of life, to investigate and, where appropriate, prosecute the perpetrators of such incidents" (para. 27).

Article 9(1) of the Covenant establishes the right of all persons to liberty and security of person. As established by the Human Rights Committee in its general comment No. 35 ([CCPR/C/GC/35](#)), the right to security of person obliges State parties to take appropriate measures to protect individuals from foreseeable threats to life or bodily integrity proceedings from any governmental or private actors. State parties must respond appropriately to patterns of violence against categories of victims such as intimidation of human rights defenders (para. 9).

We also wish to reiterate the duty of States to investigate alleged or suspected violations of article 6 of the ICCPR promptly, effectively, thoroughly, independently, impartially and transparently, and that all individuals identified by the investigation as having participated in acts of extrajudicial or arbitrary executions must be brought to justice and punished with penalties proportionate to the gravity of the crimes committed (Human Rights Committee, general comment No. 36). Failure to conduct an adequate, independent and reliable investigation into a death or disappearance, with the aim of ensuring accountability for those responsible, would in itself constitute a serious violation of international human rights law. In this regard, we refer to the revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, also known as the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) ("the Minnesota Protocol"), which provides detailed guidance on the duty to investigate potential unlawful deaths "promptly, effectively and thoroughly, and with independence, impartiality and transparency." Effective remedies must also be provided to victims (article 2(3) of the ICCPR in relation to article 6).

We would like to highlight articles 21 and 22 of the International Covenant on Civil and Political Rights, which guarantee the right of every individual to freedoms of peaceful assembly and association. We remind that these obligations, as interpreted by the Human Rights Committee in its general comment No. 34, imply not only the direct respect by all State authorities for these freedoms, but also protection against acts by private persons or entities that obstruct their enjoyment. We recall that States have a duty to put in place effective measures of protection against attacks aimed at silencing those who exercise their right to freedom of expression (CCPR/C/GC/34, para. 23).

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, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right 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. We would further like to refer to articles 5(a) and (b) which hold that all persons, individually or in association with others, have the right to meet or assemble peacefully for the purpose of promoting and protecting human rights and fundamental freedoms and form, join and participate in non-governmental organisations, associations or groups. Additionally, article 12(2) states that States shall take all necessary measures to ensure the protection of any person, acting individually or 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.

Reference is also made to article 25(1) of the Universal Declaration of Human Rights, as well as to article 11(1) of the International Covenant on Economic, Social and Cultural Rights, ratified by South Africa on 12 January 2015, which enshrine the right to adequate housing. We further recall the report A/80/351 to the General Assembly on land and the right to adequate housing of the Special Rapporteur on the right to adequate housing, which calls on States to avoid the criminalization of poverty and homelessness, and to support and protect land and human rights defenders.