

**Zimbabwe's Compliance with International Covenant on Civil and Political Rights
Treaty:
The Death Penalty**

Submitted by The Advocates for Human Rights
a non-governmental organization in special consultative status with ECOSOC since 1996
Parliamentarians for Global Action
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Capital Punishment Justice Project
and
The World Coalition Against the Death Penalty

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a volunteer-based non-government organization committed to strengthen the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

Parliamentarians for Global Action (PGA) is the largest non-governmental, cross-party, international network of individual legislators with more than 1,000 members in 148 parliaments worldwide. PGA mobilizes parliamentarians as champions committed to promoting the rule of law, democracy, human security, inclusion, and gender equality. By using a peer-to-peer methodology

and country-specific strategies, PGA educates, sensitizes, and builds the technical capacity of parliamentarians to take concrete initiatives and legislative actions to achieve results on PGA's campaign objectives. PGA supports individual parliamentarians in their national contexts and parliaments and then leverages that capacity with international networking to support democracy, human rights, and peace. The organization's vision is to contribute to creating a rules-based international order for a more equitable, safe, and democratic world. PGA is in general consultative status with the Economic and Social Council of the United Nations and fosters cooperation with The Hague-based International Organizations, including the International Criminal Court. The Secretariat of PGA is based in New York and The Hague.

In 2018, Monash University joined forces with an Australian NGO, the Capital Punishment Justice Project, with a shared ambition to end the death penalty in Asia. Together, they formed **Eleos Justice**. Our mission is to restrict and abolish the death penalty in the Asian region. With over 90 per cent of the world's executions taking place in Asia, a coordinated approach is vital to make lasting positive change. Eleos Justice offers vital advocacy, evidence-based research and teaching to fight the death penalty in the Asian region. Eleos Justice is based at the Faculty of Law, Monash University (Australia).

The **Capital Punishment Justice Project** (formerly Reprieve Australia) has been advocating for a world without the death penalty since 2001. It strives to be practical and effective by drawing upon networks of lawyers and experts in related disciplines to support local advocates who are working for change. Its projects began in the USA where it continues to assist lawyers in capital proceedings. In 2012, the scope of its work expanded to Asia in recognition of the persistence of the death penalty in that region. It is now an experienced participant in litigation, advocacy and professional development within Asia. It is committed to developing legal and policy solutions that will make a difference for people at risk of execution and create the conditions for abolition.

EXECUTIVE SUMMARY

1. This report addresses Zimbabwe's obligations under the International Covenant on Civil and Political Rights with respect to the death penalty, supplementing the report that the coauthors submitted in 2020 at the List of Issues Prior to Reporting stage.¹ In December 2024, Zimbabwe abolished the death penalty.
2. This report examines the current state of the death penalty in Zimbabwe, including (1) recently adopted legislation to abolish the death penalty; (2) access to justice and the right to a fair trial for people accused of crimes; and (3) detention conditions.
3. This report recommends that Zimbabwe ratify the Second Optional Protocol, commute all existing death sentences, enhance access to justice and respect for fair trial rights, and improve detention conditions.

Zimbabwe fails to uphold its obligations under the International Covenant on Civil and Political Rights

I. Despite significant progress, Zimbabwe has not yet ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty (List of Issues Prior to Reporting para. 11).

4. In its 2021 List of Issues Prior to Reporting (LOIPR), the Committee requested “information on the progress made towards abolishing the death penalty and the remaining barriers to abolition and the formal commutation of pending death sentences.” The Committee also requested information about “any awareness-raising efforts undertaken in this respect” and asked “whether the State party plans to accede to the Second Optional Protocol to the Covenant.”²
5. In its 2023 Second Periodic Report, Zimbabwe observes that “the right to life . . . has improved,” adding that “[t]here is a moratorium on the death penalty as the last execution was on 22nd July 2005 and as such there are high prospects that the death penalty may be abolished altogether.”³ The report also states that as of May 2023, 61 persons were under sentence of death.⁴
6. Section 48 of the Constitution provides that a “law may permit the death penalty” only for “murder committed in aggravated circumstances” and prohibits the death penalty for women, persons under the age of 21 at the time of the offense, and persons who are more than 70 years

¹ The Advocates for Human Rights et al., *Zimbabwe's Compliance with the International Covenant on Civil and Political Rights: Suggested List of Issues Prior to Reporting Relating to the Death Penalty*, Aug. 17, 2020, https://www.theadvocatesforhumanrights.org/Res/zimbabwe_tahr_wcadp_ml_cpjp_death_penalty_loipr.pdf.

² Human Rights Committee, *List of issues prior to the submission of the second periodic report of Zimbabwe*, (20 January 2021), U.N. Doc. CCPR/C/ZWE/QPR/2, ¶ 11.

³ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶¶ 86-87.

⁴ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 88.

old.⁵ The death penalty can be carried out only in accordance with a final judgment of a competent court.⁶

7. In November 2023, a private member's bill was introduced in the National Assembly that would abolish the death penalty in Zimbabwe. The National Assembly gazetted the Bill for formal consideration in December 2023. In February 2024, the Cabinet endorsed the Bill after conducting grassroots consultations in 30 districts.⁷ When addressing the Parliament in October 2024, President Emmerson Mnangagwa, a vocal opponent of the death penalty, said that "Parliament has an obligation to expediate the enactment of all bills that for one reason or another, are outstanding from previous sessions" and urged that "[b]ills relating to death penalty abolition should be passed."⁸ By mid-December 2024, both houses of parliament had passed the bill.⁹ On 31 December 2024, President Mnangagwa signed the Death Penalty Abolition Act into law.¹⁰
8. The law bars any court from imposing the death penalty and directs the Supreme Court, on appeal, to replace any death sentence with some other appropriate penalty.¹¹
9. The law removes references to the death penalty from existing legislation, including the Criminal Procedure and Evidence Act, the Genocide Act, the Criminal Law Code, and the Geneva Conventions Act.¹²
10. The law calls for the approximately 60 people who are currently under sentence of death and awaiting execution¹³ to be brought before the High Court for re-sentencing, and they are entitled to appeal to the Supreme Court against their new sentences and to apply to the President for clemency.¹⁴
11. One senator for the ruling party has expressed concerns over abolition of the death penalty, saying "peace and closure to the affected families can only be achieved if they know that the perpetrator is made the same fate as their relatives."¹⁵

⁵ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 86.

⁶ The Constitution of Zimbabwe Amendment (No. 20) Act, 2013, Section 48.

⁷ The Conversation, *Zimbabwe's likely to abolish the death penalty: how it got here and what it means for the continent*, (7 May 2024), available at: <https://theconversation.com/zimbabwes-likely-to-abolish-the-death-penalty-how-it-got-here-and-what-it-means-for-the-continent-223346>.

⁸ Voice of America, *Three African countries on cusp of death penalty abolition*, (9 October 2024), available at: <https://www.voanews.com/a/three-african-countries-on-cusp-of-death-penalty-abolition/7817102.html>.

⁹ Farai Mutsaka, *Zimbabwe's president once faced the death penalty and is now set to abolish it*, Associated Press News, Dec. 12, 2024, <https://apnews.com/article/death-penalty-abolition-law-parliament-175391cd8bf7456247e27f09105a8ae7>.

¹⁰ Tapiwa Svondo, *Zimbabwe abolishes Death Penalty, prisoners on death row to be sentenced afresh*, New Zimbabwe, Dec. 31, 2024, <https://www.newzimbabwe.com/zimbabwe-abolishes-death-penalty-prisoners-on-death-row-to-be-sentenced-afresh/>.

¹¹ Death Penalty Abolition Bill, 2023 (H.B. 5, 2023), Clause 2.

¹² Death Penalty Abolition Bill, 2023 (H.B. 5, 2023), Clauses 3 to 6.

¹⁴ Death Penalty Abolition Bill, 2023 (H.B. 5, 2023), Clause 7.

¹⁴ Death Penalty Abolition Bill, 2023 (H.B. 5, 2023), Clause 7.

¹⁵ Voice of America, *Reactions Mixed After Zimbabwe Moves to Abolish Death Penalty*, (8 February 2024), available at: <https://www.voanews.com/a/reactions-mixed-after-zimbabwe-moves-to-abolish-death-penalty-/7479762.html>.

12. Because Section 48 of the Constitution authorizes capital punishment and the law does not propose to amend the Constitution, the law could be vulnerable to a constitutional challenge.
13. On December 17, 2024, despite voting in favor of the UN General Assembly resolution calling for a global moratorium on the death penalty in the Third Committee in November 2024, Zimbabwe abstained from voting on the resolution in the plenary session.¹⁶
14. Prior to Zimbabwe's adoption of the Death Penalty Abolition Act, courts continued to impose death sentences. According to Amnesty International, courts sentenced three people to death in 2023 and more than 59 people were known to be under sentence of death at the end of 2023.¹⁷
15. The Second Periodic Report offers no response to the Committee's query about plans to ratify the Second Optional Protocol, but mentioned in passing that Zimbabwe "is in the process of engaging in its internal policy processes in order to consider the ratification of the First Optional Protocol to the Covenant."¹⁸ As of the date of this report, Zimbabwe has not signed or ratified the Second Optional Protocol.¹⁹

II. People in conflict with the law face court delays and barriers to accessing legal aid (List of Issues Prior to Reporting paras. 14, 17).

16. In its 2021 LOIPR, the Committee requested information about "all measures in place to ensure the full respect of fundamental procedural safeguards for detained persons, including the rights to have prompt access to a lawyer."²⁰ The Committee also requested information about "measures adopted to: (a) effectively address the backlog in courts; (b) strengthen the free legal aid system across the country, including information on the number and type of cases in which free legal aid has been sought, granted and denied; and (c) ensure adequate access to courts for all, including persons with disabilities."²¹
17. The State Party Report states that the Judicial Service Commission "has been effectively tackling the backlog of cases for both the Superior and Magistrates Court," providing data for 2020 and 2021.²² But in a speech at the opening of the 2024 legal year, the Chief Justice stated that the backlog in the Superior Courts at the beginning of 2023 was 2,127 cases, an increase

¹⁶ World Coalition Against the Death Penalty, *Two thirds of the United Nations General Assembly vote in favor of the 10th resolution for a moratorium on the death penalty*, Dec. 20, 2024, <https://worldcoalition.org/2024/12/20/two-thirds-of-the-united-nations-general-assembly-vote-in-favor-of-the-10th-resolution-for-a-moratorium-on-the-death-penalty/>.

¹⁷ Amnesty International, *Death sentences and executions in 2023* at 36 (29 May 2024), available at: <https://www.amnesty.org/en/documents/act50/7952/2024/en/>.

¹⁸ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 11.

¹⁹ U.N. Human Rights Office of the High Commissioner, *Ratification Status for Zimbabwe*, U.N. Treaty Body Database, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=194&Lang=EN (accessed on 22 November 2024).

²⁰ Human Rights Committee, *List of issues prior to the submission of the second periodic report of Zimbabwe*, (20 January 2021), U.N. Doc. CCPR/C/ZWE/QPR/2, ¶ 14.

²¹ Human Rights Committee, *List of issues prior to the submission of the second periodic report of Zimbabwe*, (20 January 2021), U.N. Doc. CCPR/C/ZWE/QPR/2, ¶ 17.

²² Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 170.

of 340 over 2021.²³ By the end of 2023, the Superior Court backlog had fallen to 1,381 cases, a significant decline over the year.²⁴

18. Authorities do not respect the due process rights guaranteed under the Constitution.²⁵ Even though regulations require that a person who has been arrested be brought before a judge for a preliminary hearing within 48 hours, authorities widely ignore those regulations.²⁶
19. In its Second Periodic Report, Zimbabwe presents the free legal aid system as a constitutional right and a key component of improving access to justice.²⁷ But even though indigent defendants charged in criminal cases can apply to have a government-provided attorney, “requests [are] rarely granted except in capital cases in which the government provided an attorney for all defendants unable to afford one.”²⁸ In some cases, authorities “denied or significantly delayed attorneys’ access to their clients or falsely claimed the attorneys’ clients were being held at another facility.”²⁹
20. On 17 October 2024, the Senate passed the fast-tracked Private Voluntary Organizations (Amendment) Bill, 2024³⁰ without much debate or scrutiny.³¹ The bill is ostensibly aimed at curbing money laundering and terrorist financing and ensuring that non-governmental organizations do not engage in political lobbying.³² The National Assembly had passed the Bill earlier in the year, so the bill now awaits the signature of President Emmerson Dambudzo Mnangagwa.³³ Even without final adoption, the bill’s introduction has already affected funding for civil society organizations, resulting in a reduction of the Legal Resource Foundation (LRF)

²³ Judicial Service Commission, *OPENING OF THE 2024 LEGAL YEAR SPEECH BY THE CHIEF JUSTICE*, (January 8 2024), ¶ 40, available at <https://www.jsc.org.zw/upload/Speech/2024%20Legal%20Year%20Opening%20Speech.pdf>.

²⁴ Judicial Service Commission, *OPENING OF THE 2024 LEGAL YEAR SPEECH BY THE CHIEF JUSTICE*, (January 8 2024), ¶ 40, available at <https://www.jsc.org.zw/upload/Speech/2024%20Legal%20Year%20Opening%20Speech.pdf>.

²⁵ Freedom House, *Freedom in the World 2024: Zimbabwe*, <https://freedomhouse.org/country/zimbabwe/freedom-world/2024>.

²⁶ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, ¶¶ 8-9, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

²⁷ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 171.

²⁸ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, at 11-12, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

²⁹ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, at 12, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

³⁰ PRIVATE VOLUNTARY ORGANISATIONS (AMENDMENT) BILL, 2024, available at https://www.veritaszim.net/sites/veritas_d/files/Private%20Voluntary%20Organisations%20Bill%20HB.%202A%20C%202024%20with%20Amendments%20from%20the%20National%20Assembly.pdf.

³¹ The Zimbabwe Mail, *Rights Group Condemns Senate’s Passage of Controversial Bill Without Debate*, (25 October 2024), available at <https://www.thezimbabwemail.com/parliament-parliament/rights-group-condemns-senates-passage-of-controversial-bill-without-debate/>.

³² Amnesty International, *URGENT ACTION: Civil Society under attack with new draft law*, (19 April 2024), available at <https://www.amnesty.org/en/documents/afr46/7957/2024/en/>.

³³ The Zimbabwe Mail, *Rights Group Condemns Senate’s Passage of Controversial Bill Without Debate*, (25 October 2024), available at <https://www.thezimbabwemail.com/parliament-parliament/rights-group-condemns-senates-passage-of-controversial-bill-without-debate/>.

funding and the closure of LRF offices in Zimbabwe.³⁴ Amnesty International warns that the bill “will violate human rights including the rights to freedom of association, peaceful assembly and association, as all NGOs will be compelled to register as PVOs, and NGOs that may be denied registration will not be able to continue with their operations.”³⁵ The bill would allow authorities “to interfere with the operations and independence of NGOs,” including by “remov[ing] executive committees and board members of NGOs,” terminating employees, and imposing civil and criminal penalties against board members, officers, and staff.³⁶ Amnesty cautions that these provisions “will discourage people from associating with NGOs as they fear that some of the vague provisions of this law may be used against them.”³⁷

III. Detention conditions, including for people sentenced to death, are inadequate (List of Issues Prior to Reporting paras. 14(a), 15).

21. In its 2021 LOIPR, the Committee requested information about efforts to “reduce the use and duration of pretrial detention,” to “address[] overcrowding and poor material conditions in places of detention,” and to “ensur[e] adequate access to water, food, clothing and health care, including psychiatric care.”³⁸
22. The Second Periodic Report points to provisions within existing laws relevant to these issues, primarily the Constitution and the Criminal Procedure and Evidence Act.³⁹ These provisions mandate humane and dignified treatment for any person who is arrested, and they state that authorities must provide any person facing charges with “adequate accommodation, ablution facilities, personal hygiene, nutrition, appropriate reading material and medical treatment.”⁴⁰
23. Overcrowding and overuse of pretrial detention persist. There are currently over 20,000 people in Zimbabwe’s 72 prison facilities, which have an official capacity of 17,000.⁴¹ Over 20% of persons in detention are there on remand (pre-trial).⁴²
24. The Second Periodic Report confirms that the Zimbabwe Prisons and Correctional Services ZPCS is not fully implementing the Standard Minimum Rules for the Treatment of Offenders.⁴³ The report explains that “hindrances to full implementation are because of having

³⁴ Pindula, *Legal Resources Foundation Downsizes Operations, Cites Budget Constraints* (2 April 2024), available at <https://www.pindula.co.zw/2024/04/02/legal-resources-foundation-downsizes-operations-cites-budget-constraints/>.

³⁵ Amnesty International, *URGENT ACTION: Civil Society under attack with new draft law*, (19 April 2024), available at <https://www.amnesty.org/en/documents/afr46/7957/2024/en/>.

³⁶ Amnesty International, *URGENT ACTION: Civil Society under attack with new draft law*, (19 April 2024), available at <https://www.amnesty.org/en/documents/afr46/7957/2024/en/>.

³⁷ Amnesty International, *URGENT ACTION: Civil Society under attack with new draft law*, (19 April 2024), available at <https://www.amnesty.org/en/documents/afr46/7957/2024/en/>.

³⁸ Human Rights Committee, *List of issues prior to the submission of the second periodic report of Zimbabwe*, (20 January 2021), U.N. Doc. CCPR/C/ZWE/QPR/2, ¶¶ 14(a), 15.

³⁹ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶¶ 115-124.

⁴⁰ The Constitution of Zimbabwe Amendment (No. 20) Act, 2013, Sections 50(1), 50(2), and 50(5)(d).

⁴¹ World Prison Brief, <https://www.prisonstudies.org/country/zimbabwe>.

⁴² World Prison Brief, <https://www.prisonstudies.org/country/zimbabwe>.

⁴³ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 146.

mainly old prison structures and limited resources. The desire and intentions for full compliance are however there.”⁴⁴

25. The Second Periodic Report observes that the Zimbabwe Human Rights Committee (ZHRC) is empowered to monitor and inspect places of detention and monitored 37 prisons in 2021 alone.⁴⁵ But the report does not detail any of the outcomes of such monitoring beyond “progressive awareness of and significant compliance with the minimum international standards for such places of detention.”⁴⁶
26. Detention conditions are dire, reported to be “harsh and life threatening due to overcrowding, food shortages, lack of water, lice infestations, shortage of blankets in the cold season, physical mistreatment of prisoners, and lack of access to personal hygiene products, as well as inadequate sanitary conditions and medical care.”⁴⁷ In some detention facilities, “[s]everal dozen children younger than age [of] four living with their incarcerated mothers shared their mothers’ food allocation, rather than receiving their own.”⁴⁸
27. Even pretrial detainees who are denied bail “were often held in severely overcrowded remand (pretrial) cells for years while awaiting trial.”⁴⁹
28. Student activist Gamucharai Chaburumunda was detained at Chikurubi Maximum Prison and recently reported that the toilets were pit latrines, and there was no running water, no electricity, and no beds.⁵⁰ She also reported that on one occasion a two-month-old baby living with its mother died and, shortly after the baby was declared dead, prison authorities moved the mother to cells where people with severe psychosocial disabilities stayed.⁵¹
29. Parere Kunyenzura, a clergyman and leader of the Zimbabwe Transformative Party, was in prison for 187 days without a trial, during which time he had to endure “the powerful stench of human feces and urine.”⁵² He and more than 100 others were all sometimes locked up from 3pm to 6am, “piled up on the floor next to each other to share lice-infested blankets left behind

⁴⁴ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶ 146.

⁴⁵ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶¶ 17-30.

⁴⁶ Human Rights Committee, *Second periodic report submitted by Zimbabwe under article 40 of the Covenant*, (8 February 2024), U.N. Doc. CCPR/C/ZWE/2, ¶¶ 29-30.

⁴⁷ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, at 5, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

⁴⁸ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, at 5-6, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

⁴⁹ U.S. Department of State, *Zimbabwe 2023 Human Rights Report*, https://www.state.gov/wp-content/uploads/2024/02/528267_ZIMBABWE-2023-HUMAN-RIGHTS-REPORT.pdf.

⁵⁰ Clemence Manyukwe, *Student pens story of hell in maximum security prison* (2 November 2023), University World News Africa Edition. Available online at <https://www.universityworldnews.com/post.php?story=20231029182435626>.

⁵¹ Clemence Manyukwe, *Student pens story of hell in maximum security prison* (2 November 2023), University World News Africa Edition. Available online at <https://www.universityworldnews.com/post.php?story=20231029182435626>.

⁵² Chris Muronzi, *‘Fit for pigs’: Conditions in overcrowded Zimbabwe prisons choke inmates* (4 August 2023), Aljazeera. Available online at <https://www.aljazeera.com/features/2023/8/4/fit-for-pigs-conditions-in-overcrowded-zimbabwe-prisons-choke-inmates>.

by previous inmates,” and “inmates sometimes resorted to defecating in plastic buckets due to non-functioning toilets.”⁵³

30. Authorities periodically grant clemency to large numbers of people, yet these clemency efforts are not long-term solutions to overcrowding. For example, in April 2024, President Emmerson Mnangagwa granted amnesty to over 4,000 people at Chikurubi Maximum Prison as part of efforts to decongest country’s crowded jails, specifically for females, those with chronic ailments, juveniles and people with life sentences who have served for at least 20 years.⁵⁴ Nonetheless, according to Moses Chihbvu, head of the Zimbabwe Prisons and Correctional Services agency, even after the release of 4,000 prisoners, prisons are still full.⁵⁵
31. Authorities have authorized construction of two new modern prisons, but economic difficulties have hampered construction efforts.⁵⁶

IV. Suggested recommendations for the Government of Zimbabwe

32. The coauthors suggest that the Committee recommend that the Government of Zimbabwe:
- Ratify the Second Optional Protocol to the ICCPR.
 - Undertake to incorporate abolition of the death penalty in the Constitution.
 - Commute the sentences of any persons under sentence of death pending rehearings and ensure that all persons entitled to rehearing have timely access to legal aid to prepare and present mitigating evidence.
 - Direct all judges to cease sentencing people to death.
 - Collaborate with civil society organizations to educate the public about the status of the death penalty in the country as well as about human rights issues related to the use of the death penalty and about alternatives to the death penalty.
 - Expand access to legal aid to ensure that all persons charged with criminal offenses have timely access to qualified counsel.
 - Take concrete measures to improve detention conditions, in accordance with the Nelson Mandela Rules and the Bangkok Rules.
 - Direct law enforcement to provide persons suspected of criminal conduct with adequate information regarding their legal rights, as well as timely access to counsel, prior to any interrogation, prioritizing any person suspected of having committed a capital crime.

⁵³ Chris Muronzi, ‘Fit for pigs’: Conditions in overcrowded Zimbabwe prisons choke inmates (4 August 2023), Aljazeera. Available online at <https://www.aljazeera.com/features/2023/8/4/fit-for-pigs-conditions-in-overcrowded-zimbabwe-prisons-choke-inmates>.

⁵⁴ NDT Bureau, *Zimbabwe Grants Amnesty to Ease Prison Congestion*, New Delhi Times, 20 April 2024, available at <https://www.newdelhitimes.com/zimbabwe-grants-amnesty-to-ease-prison-congestion/>.

⁵⁵ NDT Bureau, *Zimbabwe Grants Amnesty to Ease Prison Congestion*, New Delhi Times, 20 April 2024, available at <https://www.newdelhitimes.com/zimbabwe-grants-amnesty-to-ease-prison-congestion/>.

⁵⁶ Staff Writer, *Plans underway to build new prisons*, Daily News, 10 August 2021, available at <https://dailynews.co.zw/plans-underway-to-build-new-prisons/>.

- Facilitate the publication of annual reports by the Zimbabwe Human Rights Committee detailing the results and findings of its detention monitoring activities.
- Collaborate with civil society organizations to hold public consultations on the Private Voluntary Organizations (Amendment) Bill, 2024, and amend the draft legislation to ensure that it does not violate the rights to freedom of expression, peaceful assembly and association, or impede the work of non-governmental organizations.