



Human Rights
Institute

Organization: Lawyers for Lawyers and the International Bar Association's Human Rights Institute

Item: 6

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Speaker: Ms. Julia Smakman

Oral statement Zimbabwe to the 50th Session of the UN Human Rights Council from Lawyers for Lawyers and the International Bar Association's Human Rights Institute, NGOs in special consultative status

Mr President,

We welcome the decision of Zimbabwe to accept some of the recommendations made at its 3rd UPR related to the protection of human rights defenders, including lawyers.¹ We call upon Zimbabwe to effectively implement these recommendations without delay.

A fundamental aspect of the rule of law and an effectively functioning justice system is access to legal representation by an independent legal profession. Lawyers must be able to carry out their professional duties without harassment, intimidation or improper interference, as outlined in the UN Basic Principles on the Role of Lawyers.

In Zimbabwe, lawyers are often targeted with intimidation and harassment in the form of threats and intimidation by law enforcement, with some lawyers even being subjected to physical attacks. Lawyers in Zimbabwe have also been subjected to judicial harassment, arrest, detention and prosecution in connection to their professional duties.

Furthermore, our monitoring demonstrates how Zimbabwean authorities do not always respect the right to freedom of expression and assembly of lawyers. This is evidenced by patterns of arrests and criminal prosecutions against lawyers in Zimbabwe who exercise their right to freedom of expression and participation in peaceful protests.

We urge Zimbabwe to:

- Effectively implement all supported UPR recommendations, without delay;
- Take immediate measures to safeguard the independence of lawyers and provide protection against any form of undue interference with their work, and
- Take effective measures to protect the right of freedom of expression and assembly of lawyers.

Thank you, Mr. President.

ⁱ Report of the Working Group on the Universal Periodic Review of Zimbabwe, 20 April 2022, A/HRC/50/9/Add.1. Supported recommendations:

140.78 Ensure that civil society, journalists and human rights defenders can freely speak and file complaints without fear of harassment, intimidation or reprisal from the authorities (Costa Rica);

140.79 Adopt the necessary measures to guarantee the protection of journalists and human rights defenders (Spain);

140.80 Take measures to ensure that journalists and human rights defenders can carry out their work in an enabling environment, without fear of being victims of acts of intimidation or reprisal (Uruguay);

140.81 Take all necessary steps to ensure that civil society actors and human rights defenders can operate freely without fear of intimidation or reprisal (Australia);

Report of the Working Group on the Universal Periodic Review of Zimbabwe, 5 April 2022, A/HRC/50/9. Noted recommendations:

141.30 Guarantee an environment conducive to respect for human rights and fundamental freedoms, in particular by adopting legislation to protect human rights defenders and by fighting against impunity for perpetrators of human rights violations (France);

141.31 Respect the right to freedom of expression and assembly and cease the arbitrary arrest and prosecution of journalists, human rights defenders, trade unionists, student activists, opposition candidates and others (Norway);