



Home Office

Country Policy and Information Note

Zimbabwe: Prison conditions

Version 2.0

February 2017

Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the country policy and information we provide. Therefore, if you would like to comment on this document, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy guidance

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1. Introduction

1.1 Basis of claim

1.1.1 Fear of being imprisoned on return to Zimbabwe and that prison conditions are so poor as to amount to a real risk of serious harm.

1.2 Points to note

1.2.1 This note is concerned solely with whether prison conditions are such that the removal of a person who faces a real risk of imprisonment would be a breach of Article 3 of the European Convention on Human Rights (ECHR). If so, they should be granted Humanitarian Protection or Discretionary Leave.

1.2.2 If the person would be imprisoned for a Convention reason or subject to harsher treatment or punishment for a Convention reason then that may amount to persecution and they may be entitled to a grant of Refugee Leave.

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2. Consideration of issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Risk of imprisonment

2.2.1 Decision makers must establish the likelihood that the person will be imprisoned on return including if necessary whether the alleged offence constitutes an offence under Zimbabwean law, and if so, is one which is likely to be punishable by a term of imprisonment. For details about what offences are punishable by imprisonment, see the Zimbabwe [Criminal Law \(Codification and Reform\) Act](#).

2.2.2 If the person is likely to be imprisoned on return, decision makers must also consider whether the law is discriminatory or being disproportionately applied.

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2.3 Exclusion

- 2.3.1 If there are serious reasons for considering that the person has committed a serious non-political crime prior to coming to the UK, consideration must be given as to whether Article 1F – in particular Article 1F(b) – of the Refugee Convention is applicable.
- 2.3.2 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Asylum Instruction on Restricted Leave](#).

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2.4 The death penalty

- 2.4.1 Decision makers must establish whether there is a real risk the person will be convicted of a crime which would attract the death penalty.
- 2.4.2 The death penalty may be imposed on male persons, aged between 21 and 70 years who have been convicted of murder in aggravating circumstances. In 2015, at least 2 new death sentences were imposed by the courts, and as of January 2016, there were 117 inmates on death row. The last execution was carried out in 2005 (see [The death penalty](#); the [Constitution](#) and the [Criminal Law \(Codification and Reform\) Act](#)).
- 2.4.3 In view of the extremely low numbers of death sentences imposed, and that there have been no recorded executions since 2005, it does not amount to a real risk.
- 2.4.4 For further guidance on the death penalty, see [Asylum Instruction on Humanitarian Protection](#).

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2.5 Prison conditions

- 2.5.1 Prisons in Zimbabwe are generally overcrowded and dilapidated. Prisoners are reportedly not given sufficient food, although the lack of food is not reportedly life-threatening. Prisons have poor sanitary conditions and prisoners are vulnerable to infectious diseases. Despite this, basic medical care is provided (see [Physical conditions](#)).
- 2.5.2 In May 2016 – in an attempt to reduce overcrowding – the President pardoned 2,000 inmates who were subsequently released (see [Presidential pardon](#)).
- 2.5.3 Prison conditions in Zimbabwe are poor but are not systematically inhuman and life-threatening as to meet the high threshold of Article 3 ECHR. Dependant on the particular circumstances of the person concerned, prison conditions may reach the Article 3 ECHR threshold in individual cases. Each case needs to be considered on its facts and relevant factors could include the health of a person and their family/friends' ability to support them with food and medicine.
- 2.5.4 For further guidance on assessing Article 3 ECHR, see the [Asylum Instruction on Humanitarian Protection](#), and on assessing risk generally, the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 Certification

- 2.6.1 If it is accepted that a person will be imprisoned on return, the claim, on this particular basis, is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.6.2 For further guidance on certification, see the [Appeals Instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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3. Policy summary

- 3.1.1 Prison conditions are generally poor but they do not reach the high threshold for breach of Article 3 ECHR. Depending on the particular circumstances of the person concerned, prison conditions may reach the Article 3 ECHR threshold in individual cases. Each case must be considered on its facts.
- 3.1.2 Where, in an individual case, treatment does reach the Article 3 ECHR threshold, a grant of leave will normally be appropriate.
- 3.1.3 Zimbabwe retains the death penalty for men aged between 21 and 70 years who have been convicted of murder in aggravating circumstances, however, there have been no recorded executions since 2005.
- 3.1.4 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded'.

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4. The criminal code

- 4.1.1 The Zimbabwe Criminal Law (Codification and Reform) Act of 2005 states what crimes are punishable by imprisonment - [Zimbabwe: Criminal Law \(Codification and Reform\) Act \[Zimbabwe\], Chapter 9:23](#)¹

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5. Prison estate and population

- 5.1.1 The United States State Department (USSD) 'Country Reports on Human Rights Practices for 2015', published on 13 April 2016, stated: 'There were approximately 18,900 prisoners, including approximately 600 women and 50 juveniles, spread across 46 main prisons and 26 satellite prisons.'²
- 5.1.2 The 'World Prison Brief' provided information from 2014-15, about the prison population, number of prisons and responsible authorities:
- 'Ministry responsible: Ministry of Justice, Legal and Parliamentary Affairs
 - 'Prison administration: Zimbabwe Prison and Correctional Services
 - 'Prison population total (including pre-trial detainees / remand prisoners): 18857 at 9.1.2015 (national prison administration)
 - 'Prison population rate (per 100,000 of national population): 145 based on an estimated national population of 13.01 million at January 2015 (from United Nations figures)
 - 'Pre-trial detainees / remand prisoners (percentage of prison population): 17.1% (9.1.2015)
 - 'Female prisoners (percentage of prison population): 1.8% (July 2014)
 - 'Juveniles / minors / young prisoners (percentage of prison population): 0.5% (28.5.2014 - under 18)
 - 'Foreign prisoners (percentage of prison population): c. 2.0% (September 2014)
 - 'Number of establishments / institutions: 46 (2015 - 46 main prisons)
 - 'Official capacity of prison system: 17 000 (9.1.2015)

¹ Zimbabwe: Criminal Law (Codification and Reform) Act [Zimbabwe], Chapter 9:23, 3 June 2005, https://www.unodc.org/res/cld/document/zwe/2006/criminal_law_codification_and_reform_act_html/criminal_law_codification_and_reform_act.pdf, date accessed 12 October 2016

² United States State Department, 'Country Reports on Human Rights Practices for 2015' (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

- 'Occupancy level (based on official capacity): 110.9% (9.1.2015).'

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6. Prison conditions

6.1 Physical conditions

6.1.1 The United States State Department (USSD) 'Country Reports on Human Rights Practices for 2015', published on 13 April 2016, stated:

'Prison conditions remained harsh, partly due to overcrowding in older urban remand facilities, and the Zimbabwe Prison and Correctional Services (ZPCS) struggled to provide adequate food and sanitary conditions. The country's 2013 constitution added prisoner rehabilitation and reintegration into society to ZPCS responsibilities...According to the ZPCS, remand prisons were overcrowded, and conditions were by design harsher than in newer facilities. Authorities often held pretrial detainees with convicted prisoners until their bail hearings.'

6.1.2 The USSD Human Rights report for 2015 also stated:

'While some prisons operated below capacity, NGOs reported overcrowding continued due to outdated infrastructure and judicial backlogs...Food shortages were widespread but not life threatening. Prisoners identified as malnourished received additional meals. The harvest of prison farm products provided meals for prisoners, while the sale of some high-value crops such as tobacco allowed authorities to address some supply shortages. Prisoners had limited access to clean water.

'Poor sanitary conditions contributed to disease, including diarrhea, measles, tuberculosis, and HIV/AIDS-related illnesses. Lighting and ventilation were inadequate. There were insufficient mattresses, blankets, warm clothing, sanitary supplies, and hygiene products.

'Prisoners had access to very basic medical care, with a clinic and doctor at every facility. The ZPCS offered peer education on HIV/AIDS and tested prisoners for HIV only when requested by prisoners or prison doctors. Due to outdated regulations and a lack of specialized medical personnel and medications, prisoners suffered from routine but treatable medical conditions such as hypertension, tuberculosis, diabetes, asthma, and respiratory diseases.'

6.1.3 A 'News24' report, 'Prisoners starve in Zim's overcrowded jails,' dated 20 May 2015, stated:

³ Institute for Criminal Policy Research, 'World Prison Brief', Zimbabwe, 2014-15, <http://www.prisonstudies.org/country/zimbabwe>, date accessed 12 October 2016

⁴ United States State Department, 'Country Reports on Human Rights Practices for 2015' (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252745>, date accessed 12 October 2016

⁵ United States State Department, 'Country Reports on Human Rights Practices for 2015' (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252745>, date accessed 12 October 2016

'Zimbabweans talk of "going to jail to die", and a visit by parliament's human rights committee on Wednesday found out why: the economically crippled country can't feed its prisoners.

'Zimbabwe Lawyers for Human Rights say more than 100 prisoners died of malnutrition-related illness in 2013, and officials admit the problem.

"Food is not all that adequate, we do not have enough food," said Enerst Pambayi, the officer-in-charge of Chikurubi Maximum Security Prison, as an AFP team accompanied the rights committee's inspection.

'Four prisoners at Chikurubi were shot dead and several were injured in protests over food two months ago.

'Overcrowding is also a problem in Zimbabwe's 46 jails, which hold 20 000 prisoners despite being designed to accommodate 17 000 inmates, officials said.

"The food we are served is not healthy," an inmate clad in the prison uniform of white shorts and a short-sleeved shirt told AFP during a tour of Harare central prison.

'Prison officials had been advised of the upcoming tour well ahead of time, and it was not possible to judge how close the conditions seen by the committee were to normal daily life.

'Prisoners said the regular diet was a breakfast of maize porridge without salt or sugar, followed by the staple maize meal served with boiled kale or cabbage or beans for lunch and supper.

"We only get running water three times a week and that is a health hazard," one prisoner said, urging lawmakers to take a look at the toilets in their cells.

'The lawmakers heard stories of men and women surviving on scant meals, sometimes going without basic medication and warmth at night.

'Chikurubi's Pambayi backed them up, telling legislators that cash shortages meant prison authorities were failing to provide blankets, medicines and other essential care for prisoners.

'At a prison hospital in Chikurubi, sick prisoners could be seen lying on the floor. Essential drugs, including painkillers and antibiotics, are in short supply.

"The situation is bad here, we do not have basic drugs like antibiotics. We encourage relatives of sick inmates to provide medicines," said matron Jean Mutusvu.

'Prisoners also complained about power and water cuts.

"There is definitely nothing positive that you get out of prison, especially given the conditions we are living under where there is overcrowding, lack of food and sometimes ill-treatment from the authorities," an inmate said.⁶

⁶ News24.com, 'Prisoners starve in Zim's overcrowded jails', 20 May 2015, <http://www.news24.com/Africa/Zimbabwe/Prisoners-starve-in-Zims-overcrowded-jails-20150520>, date accessed 14 November 2016

- 6.1.4 A 'New Zimbabwe' report, 'Prisons department says overwhelmed by overpopulation, \$1,7m needed for food', dated 25 November 2015, stated:
- 'The Zimbabwe Prisons and Correctional Services (ZPCS) says it is overwhelmed by prisoners' population which has exceeded the holding capacity by 12% causing them to struggle to feed inmates...Early this year, inmates at Chikurubi maximum security prison rioted over hunger resulting in the death of more than five prisoners and the injury of scores of others after the authorities had opened fire to stop a looming mass escape.
- 'It was also recently reported that inmates at Chikurubi had gone for years without eating meat and only to be rescued by the national parks which supplied them with game meat.
- 'Early this month, authorities revealed that there was also a shortage of plates to serve the scarce food to the hungry prisoners.
- 'Acting ZPCS Commissioner General, Rhodes Moyo, told the state media Wednesday that [the] government was failing to provide the normal three meals per day to the ballooning number of prisoners.'⁷
- 6.1.5 The Freedom House 'Freedom in the World 2016' report, published in 2016, stated the following about prisons in Zimbabwe:
- 'Lengthy pretrial detention remains a problem, and despite some improvements in recent years, prison conditions are harsh and sometimes life-threatening. By official estimates, 17 percent of detainees have not yet been convicted, and the prison population is 12 percent larger than the intended capacity. Overcrowding, poor sanitation, and food shortages have contributed to the spread of HIV/AIDS, tuberculosis, and other illnesses among inmates.'⁸
- 6.1.6 A 'Zimbabwe Daily' report, 'Zimbabwe Prisons Outdated, Built To Punish – Zimondi', dated 30 October 2016, stated:
- 'Zimbabwe's prison[s] are still far from meeting internationally recommended standards and remain more of places built to punish offenders as opposed to rehabilitation institutions, Zimbabwe's prisons boss has said.
- 'Zimbabwe Prisons and Correctional Services Commissioner, Paradzai Zimondi admitted in an interview with the state media weekend that the majority of the country's 43 prisons were outdated and lacked basic amenities.
- "One of the major problems we have is that most of our big prisons, like Harare Central and Masvingo, were built a very long time ago," Zimondi said.
- "They were built without proper ventilation and do not have adequate washrooms, but these issues are being looked at to see how well we can address them."

⁷ 'New Zimbabwe', 'Prisons department says overwhelmed by overpopulation, \$1,7m needed for food', 25 November 2015, [http://www.newzimbabwe.com/news-26258-Prisons+overwhelmed,+\\$1,+7+m+needed+for+food/news.aspx](http://www.newzimbabwe.com/news-26258-Prisons+overwhelmed,+$1,+7+m+needed+for+food/news.aspx), date accessed 15 November 2016

⁸ Freedom House, 'Freedom in the World 2016', Zimbabwe section, published in 2016, <https://freedomhouse.org/report/freedom-world/2016/zimbabwe>, date accessed 29 November 2016

'Zimondi said much of the country's over-populated prisons were built to punish offenders.

"Although after 1980, Government built modern prisons like Kadoma, Mutimurefu, Mutare and Khami in Bulawayo much of our prisons were built to punish," Zimondi said.

"And it is almost impossible to renovate them because that will mean demolishing them entirely and building new ones, which would be very costly to Government at this moment in time.

"The way forward now is to build prisons which are ideal and which conform to the prescribed United Nations standards.

"These are the things which are always on our minds, to say our prisoners should be in conditions that conform to international standards."

'Zimbabwe's long condemned prisons have often been described as death zones because of the poor infrastructure and services in them. Disease and hunger have been the order of the day as government struggles to provide nutritious food to inmates due to recurrent financial challenges.

'Numerous deaths have been reported with independent sources saying hundreds of inmates could have died behind prison walls during the 2008 period which was characterised by hunger and a cholera outbreak.

'Inmates have depended on donations from the Red Cross Society and other well wishers for food, medicine and toiletries, among others but quite often these do not reach intended beneficiaries as they are pilfered by greedy prison authorities.'⁹

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6.2 Presidential pardon

6.2.1 A 'Guardian' report, 'Zimbabwe pardons 2,000 prisoners to free up room in jails', dated 26 May 2016, provided details of a presidential amnesty:

'Zimbabwe has pardoned 2,000 prisoners to make space in its overcrowded jails, with authorities appealing to the released convicts not to return to a life of crime, according to state media.

'All male prisoners under the age of 18 and all female inmates, except two who are serving life sentences, were released, the Herald newspaper reported.

"Inmates should not take this pardon for granted, let them go out there and ...respect the laws of the country," Priscilla Mthembo, an official from Zimbabwe prison and correctional services, told the paper.

'The pardon was also extended to terminally-ill prisoners and those sentenced to less than three years who had served at least a quarter of their time. The amnesty does not apply to prisoners jailed for murder, treason, rape, armed robbery, car-jacking or sexual offences.

⁹ 'Zimbabwe Daily', 'Zimbabwe Prisons Outdated, Built To Punish – Zimondi', 30 October 2016, <http://www.thezimbabwedaily.com/zimbabwe/87315-zimbabwe-prisons-outdated-built-to-punish-zimondi.html>, date accessed 21 November 2016

“Our 46 prisons nationwide are overpopulated,” Mthembo said. “This presidential pardon will go a long way in decongesting our prisons and facilitating good living conditions for those that remain.”

‘She called on Zimbabweans to give the prisoners “a second chance to life through supporting them in different endeavours to earn a better living.”’¹⁰

6.2.2 A ‘Washington Post’ report, ‘Mugabe empties his prisons because he can’t pay for them’, dated 27 May 2016, stated:

‘This week, a government gazette issued by the country’s nonagenarian dictator, Robert Mugabe, gave a blanket pardon to thousands of prisoners. The pardon extends to all women who are not on death row or serving life sentences — so even women who have been booked for murder but are serving shorter sentences will be released. It also includes all male prisoners under 18, regardless of their crime; prisoners over 60 who have completed two-thirds of their sentence; and prisoners who are terminally ill.

‘Priscilla Mthembo, Zimbabwe’s superintendent of prisons, was quoted in the local media as saying, “We don’t have the total figure at the moment because the verification process is still going on, but we expect over 2,000 prisoners to be released under the amnesty order issued by the President.”

‘The government’s mouthpiece newspaper, the Herald, chalked up the pardons to the need to decongest crowded prisons, which is certainly also an issue. The system has the capacity for 17,000 and currently houses almost 20,000. Reports indicated that the pardons would leave some women’s wards entirely devoid of inmates. As such, it seems unlikely that decongestion was the main reason for Mugabe’s decree...The gazette came as a surprise to activists who had been advocating measures to relieve crowding in the prisons, which are notorious for their minimalism. Prisoners sleep on stone slabs and use a toilet in the middle of shared cells that might hold dozens of inmates.’¹¹

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6.3 Women prisoners

6.3.1 The ‘Prisons in Southern Africa – A discussion Paper – June 2015’, published by Aids Accountability International, stated:

‘Women are guarded by female officers, held separately from men, receive better food than men and are given sanitary wear. Children under the age of three can live with their mothers but share their mother’s food allocation. NGOs theorise that female guards might be diligent about protecting female prisoners from abuse or that women do not report abuse. There is no special care or food for pregnant and nursing mothers although Zimbabwe Prisons and Correctional Services reports that they are working towards supporting

¹⁰ ‘Guardian’, ‘Zimbabwe pardons 2,000 prisoners to free up room in jails’, 26 May 2016, <https://www.theguardian.com/world/2016/may/26/zimbabwe-pardons-2000-prisoners-to-free-up-room-in-jails>, date accessed 16 November 2016

¹¹ ‘Washington Post’, ‘Mugabe empties his prisons because he can’t pay for them’, 27 May 2016, <https://www.washingtonpost.com/news/worldviews/wp/2016/05/27/mugabe-empties-his-prisons-because-he-cant-pay-for-them/>, date accessed 18 November 2016

safe motherhood in prisons through provision of antenatal care and other sexual and reproductive health interventions.’¹²

6.3.2 The USSD Human Rights report for 2015 stated:

‘NGOs reported that female prisoners generally fared better than did male prisoners. Authorities held women in separate prison wings and provided for women guards. Women generally received more food from their families than did male prisoners. The several dozen children under age three living with their incarcerated mothers, however, were required to share their mothers’ food allocation. NGOs were unaware of women inmates reporting rapes or physical abuse, which were more common among the male inmate population. NGOs suggested that women guards were more diligent about protecting women prisoners from abuse or that female prisoners did not report abuse. Prisons, with support from NGOs, provided sanitary supplies for women. Officials did not provide pregnant and nursing mothers with additional care or food rations, but the ZPCS solicited donations from NGOs and donors for additional provisions.’¹³

6.3.3 A b-metro report, ‘Periodic visits in prisons help improve inmates’ rights’, dated 17 January 2016, stated:

‘In 2010 during a tour of Khami Maximum Prison Complex on the outskirts of Bulawayo, Zimbabwe Prisons and Correctional Service Commissioner-General Paradzai Zimondi bemoaned the conditions in the country’s prisons and urged Government to allocate more funds so that their operations could be upgraded.

‘He said the infrastructure in the country’s prisons was not adequate for juveniles and female inmates with children saying there was a need to build more friendly structures so that rehabilitation programmes could run efficiently.

“The existing infrastructure in our prisons is not conducive for juveniles and females with children and there is a need to build special prisons for them. Our prisons are in a dilapidated state and the manner in which they were constructed is not friendly to female inmates with children. There is a need to construct modern prisons that will cater for females and we need to have at least one open prison in each administrative region so as to ensure that rehabilitation programmes are administered effectively,” said Rtd Maj-Gen Zimondi.’¹⁴

6.3.4 A Bloomberg report, ‘Female Inmates Bar Murderers Freed in Zimbabwe to Cut Costs’, dated 26 May 2016, provided details of a presidential amnesty for women:

¹² Aids Accountability International, ‘Prisons in Southern Africa – A discussion Paper – June 2015’, <http://www.aidsaccountability.org/wp-content/uploads/2016/03/AAI-SAFSAIDS-Prison-Discussion-paper-Final-PDF.pdf>, date accessed 1 December 2016

¹³ United States State Department, ‘Country Reports on Human Rights Practices for 2015’, (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

¹⁴ b-metro, ‘Periodic visits in prisons help improve inmates’ rights’, 17 January 2016, <http://www.b-metro.co.zw/?p=17393>, date accessed 6 December 2016

'Zimbabwean President Robert Mugabe granted amnesty to all female prisoners barring those on death row and serving life sentences as his government struggles to meet the costs of running a country where the economy has halved in size since 2000...Zimbabwe, which doesn't have mandatory sentencing for murder, will also release women convicted of killing but sentenced to relatively short sentences due to mitigating factors...The southern African nation's prison population is 19,900 against a holding capacity of 17,000 and the country has an estimated 2,000 female inmates.

'Prison activists said the amnesty was welcome, though disorganized.

"We were never informed, the relatives were never informed and reintegration isn't an easy process," Peter Mandiyanike, executive director of Prison Fellowship, an organization that advocates for prisoners' rights, said.

"The amnesty is welcome and we're grateful, but we should have been consulted because some of them don't have clothes, they don't have money for bus fare home," he said. "Some have been in prison so long they've grown old and are afraid to go home."¹⁵

See also [Presidential pardon](#)

6.3.5 A Shout-Africa report, 'Zimbabwe: The untold stories of pregnant inmates', dated 5 November 2016, stated:

'Agony and despair are written all over 42-year-old Tsitsi Mhandu's face as she narrates the tale of her life when she spent two years in prison after being found in possession of stolen goods.

"It is almost five years since I was released from prison but the memories of my horrible stay in the cells still linger in my mind," Mhandu recalled...Those seven months were the worst in my life. I endured all the pangs while surviving on a diet of mostly Sadza and soup, which was the same as other female inmates. We shared one large room, 20 of us, each one sleeping on a mat. We had two worn out blankets..."...Mhandu was one of the few pregnant women who suffered some form of abuse whilst serving jail term. She claims that inhuman treatment prevailed in both the prisons and health institutions that they went to deliver their babies.

"We had no regular medical check-ups. We were treated like ordinary female inmates. And then there was the abuse- They called us names; "Mbavha munozvarirei, murikuda kuwedzera makororo munomu, some of the nurses shouted at me while in labour at Parirenyatwa Hospital where I had been taken in my prison uniform and handcuffs," Mhandu said...Elizabeth Mapakame, shares the same story with Mhandu as she served jail time while pregnant: "The joys of motherhood are lost by the insane conditions that prevail in prisons because they are unsuitable for nursing and pregnant mothers," she said.

¹⁵ Bloomberg, 'Female Inmates Bar Murderers Freed in Zimbabwe to Cut Costs', 26 May 2016, <http://www.bloomberg.com/news/articles/2016-05-26/zimbabwe-s-mugabe-grants-amnesty-to-female-youth-prisoners>, date accessed 16 November 2016

“Pregnant inmates are treated just like any other female prisoner without their needs being recognised. The prisons do not have post natal care. You are forced to return to jail within 48 hours after giving birth at public health facilities together with the newly born baby and that is when you get an extra blanket for the baby.

“When my time to give birth was due, I was transferred to Harare Hospital where I was met with my own fair share of humiliation. The prison garb tells its own story to both the health professionals and other expecting mothers who instantly stigmatize you. The nurses utter all sorts of abusive words. I was made to walk all the way to the labour ward and only got attention from the nurses when the baby’s head was out.”

“It is depressing to give birth whilst you are in prison because of the conditions that we would be exposed to. The diet does not change for nursing mothers and many risk a lot of infections,” narrated Mapakame.

‘According to the Zimbabwe Lawyers for Human Rights 2014 report, Zimbabwe has only three fully fledged female prisons in the country – Chikurubi, Shurugwi and Mlondolozhi, all the other prisons have a section that has been set aside for women and the conditions are not favourable to female inmates.

“The prisons do not support post natal care and I think the government should support the newly born babies with clothes, blankets and nappies,” Mhandu said.

‘The Zimbabwe Prison Services Deputy Commissioner, Aggrey Machingauta told the Senate Thematic Committee on Human Rights that at least 29 babies are sharing prison cells with their mothers who are serving sentences for committing various offences in some of the country’s 46 prisons.

“Owing to acute food shortages that have been affecting the institution, nursing mothers have been diagnosed to be severely malnourished, while women who are arrested while pregnant do not have adequate nutrients to sustain the babies in good health,” said Deputy Commissioner Machingauta...Deputy Commissioner Machingauta disclosed that the organisation was saddled with multifaceted problems that were inhibiting it from providing basic needs for prisoners including food, water and clothing.

“Funds allocated to the institution are inadequate. Lack of funding has been regarded as the contributing factor that has been affecting the ZPS,” said Machingauta.

‘The situation is so bad that most of the toiletries used by inmates are provided by non-governmental and religious organizations.’¹⁶

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¹⁶ Shout-Africa, ‘Zimbabwe: The untold stories of pregnant inmates’, 5 November 2015, <http://www.shout-africa.com/news/zimbabwe-the-untold-stories-of-pregnant-inmates/>, date accessed 18 November 2016

6.4 Child prisoners

6.4.1 The 'Prisons in Southern Africa – A discussion Paper – June 2015', published by Aids Accountability International, stated:

'There is limited operational capacity to separate young offenders from adults, as there is one young offenders' facility in the country, thus juveniles are exposed to all forms of violence. Juveniles were also held in adult prisons throughout the country while on remand, or when older juveniles would benefit from remaining closer to their families. Officials generally tried to place younger juvenile inmates in separate cells. Juveniles were generally sent to prison instead of to reformatory homes, as stipulated in the Children's Act. Juveniles were particularly vulnerable to abuse by prison officials and other prisoners.'¹⁷

6.4.2 The 'Prisons in Southern Africa – A discussion Paper – June 2015', also stated: 'On a positive note, the ZPCS [Zimbabwe Prisons and Correctional Services] has set up an institution where young offenders can further their studies, while children of inmates whose relatives are reluctant to accept them may attend nursery schools together with prison officers' children within prison camps.'¹⁸

6.4.3 The USSD Human Rights report for 2015 stated:

'There was one juvenile prison housing boys only. Girls were held together with women. Authorities held boys in adult prisons throughout the country while in remand. Officials generally tried to place younger boys in separate cells. Authorities generally sent juveniles to prison rather than to reformatory homes, as stipulated in the law. Juveniles were particularly vulnerable to abuse by prison officials and other prisoners.'¹⁹

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6.5 Treatment of prisoners

6.5.1 The USSD Human Rights report for 2015 noted: 'Prison guards occasionally beat and abused prisoners, but NGOs reported the use of excessive force by prison guards was not systematic and that senior prison officials increased efforts to address the problem.'²⁰

6.5.2 The USSD Human Rights report for 2015 also noted: 'Although the constitution prohibits torture and other cruel, inhuman, or degrading

¹⁷ Aids Accountability International, 'Prisons in Southern Africa – A discussion Paper – June 2015', <http://www.aidsaccountability.org/wp-content/uploads/2016/03/AAI-SAFSAIDS-Prison-Discussion-paper-Final-PDF.pdf>, date accessed 1 December 2016

¹⁸ Aids Accountability International, 'Prisons in Southern Africa – A discussion Paper – June 2015', <http://www.aidsaccountability.org/wp-content/uploads/2016/03/AAI-SAFSAIDS-Prison-Discussion-paper-Final-PDF.pdf>, date accessed 1 December 2016

¹⁹ United States State Department, 'Country Reports on Human Rights Practices for 2015', (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

²⁰ United States State Department, 'Country Reports on Human Rights Practices for 2015', (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

treatment or punishment, security forces continued to engage in such practices with impunity and with the implicit support of officials affiliated with ZANU-PF...Police used excessive force in apprehending, detaining, and interrogating criminal suspects. According to NGOs, security forces reportedly assaulted and tortured citizens in custody, including perceived opponents of ZANU-PF.’²¹

6.5.3 The Zimbabwe Human Rights Commission ‘Report on the Visit to Chikurubi Maximum Prison (Male Section) on the 18th of March 2015 (A Response to the Friday 13th of March 2015 Riot)’, stated: ‘Some of the inmates complained that since the [March 2015] riot, they were being subjected to beatings and that only those deemed as the ‘good boys’ were spared.’²²

6.5.4 The Zimbabwe Human Rights NGO Forum ‘Organized Violence and Torture Report, 1 September – 30 September 2016’, stated:

‘In September 2016, 117 new victims of Organized Violence and Torture were documented and received medical treatment for injuries sustained in incidents of politically related violence reported from across the provinces of Zimbabwe. This figure included 41 victims of police brutality who were released from remand prison after detention for alleged involvement in protests during August 2016 after nearly a month of remand in detention without access to treatment by a medical practitioner of choice as enshrined in the Constitution of Zimbabwe Amendment (No. 20) Act 2013: Section 50 (1) (b) (ii).’²³

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6.6 Treatment of prisoners with mental illnesses

6.6.1 A ‘Chronicle’ report, ‘Prisons battle with mental patients’, dated 8 December 2014, stated:

‘The Zimbabwe Prisons and Correctional Services (ZPCS) says its special health institutions are overcrowded as they’ve surpassed their holding capacity, a situation that needs urgent attention. ZPCS psychiatrist, Dr Patrick Mhaka, told a Magistrates Association of Zimbabwe annual general meeting which ended here yesterday that the country’s two special institutions at Chikurubi and Mlondolozhi have a combined 465 patients against their holding capacity of 102 patients... Those referred to special institutions are regarded as patients and not prisoners, according to ZPCS, which has only one psychiatrist.’²⁴

²¹ United States State Department, ‘Country Reports on Human Rights Practices for 2015’, (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

²² Zimbabwe Human Rights Commission, ‘Report on the Visit to Chikurubi Maximum Prison (Male Section) on the 18th of March 2015 (A Response to the Friday 13th of March 2015 Riot)’, <http://www.zimbabwedocument.com/zimbabwe-human-rights-commission-chikurubi-riot-report-2015/>, date accessed 2 December 2016

²³ Zimbabwe Human Rights NGO Forum, ‘Organised Violence and Torture Report, 1 September - 30 September 2016’, October 2016, <http://www.thezimbabwewan.co/wp-content/uploads/2016/10/September-Report.pdf>, date accessed 30 November 2016

²⁴ ‘Chronicle’, ‘Prisons battle with mental patients’, Leonard Ncube, 8 December 2014,

6.6.2 A 'Zimbabwe Daily' report, 'Drug shortages hit psychiatric prisoners', dated 22 October 2016, stated:

'There are about 200 inmates at the Chikurubi prison's psychiatric section, with half of them not having committed crimes.

'This was revealed during yesterday's World Mental Health Day commemorations in Harare where psychiatric inmates laid bare the problems at the facility's psychiatric section.

'In gripping testimonies, the psychiatric inmates said there were shortages of mental drugs which exacerbated conditions of those held at the prison's psychiatric section.

"These walls have become my world. The Mondays seem like Wednesdays, which I am told are actually Saturdays. I am told I have been in prison for five years, imprisoned but not sentenced," said one woman inmate during her presentation.

'Speaking after touring the Harare Central Hospital's psychiatric unit under construction, Health and Child Care minister David Parirenyatwa said the health sector operations across board had been crippled by lack of financial resources.

"We have quite a burden and it's always underestimated and I think a day like this is so important to highlight that we should now be more pathetic to people who have challenges.

"As [a] society, we should now accept mental challenges are there in this society and we should address them as they need to be addressed," said Parirenyatwa.

"I am very aware of the acute shortages all round not just the mental drugs; the drug shortage in this country has become very acute. We are trying as much as we can; institutions are trying as much as they can.

"It's a question of financing, people know exactly what they want, drugs are available on the market but we need the money.

"The money that's being paid in the hospitals is being spent quickly because of food requirements, other drug requirements and other necessities..."

The country requires about \$2 million worth of mental illness drugs for a year's supply according to health officials, with Parirenyatwa revealing that about a third of the country's population is estimated to be suffering from some kind of mental condition...Zimbabwe's dying health sector is reeling from poor funding, with major hospitals running out [of] critical drugs such as critical painkillers which are used in surgical operations on women in labour.'

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<http://www.chronicle.co.zw/prisons-battle-with-mental-patients/>, date accessed 17 November 2016

²⁵ 'Zimbabwe Daily', 'Drug shortages hit psychiatric prisoners', 22 October 2016,

<http://www.thezimbabwedaily.com/health-fitness/83708-drug-shortages-hit-psychiatric-prisoners.html>, date accessed 17 November 2016

6.7 Treatment of prisoners with HIV/AIDS

- 6.7.1 A Voluntary Service Overseas International report, 'New grant to improve lives of HIV positive prisoners in Zimbabwe,' dated 18 February 2015, stated:

'The prison population in Zimbabwe is at least twice as likely to have HIV and AIDS than the general population. The Zimbabwe Prisons and Correctional Service quote HIV prevalence at 28% compared with 15% prevalence in the population as a whole. Risky behaviour such as sharing needles and razor blades as well as unprotected sex in prison lead to high rates of HIV transmission. Over-crowded and unsanitary conditions put prisoners already living with HIV and AIDS at risk of illness. On their release, most HIV positive prisoners receive little or no support, mostly due to stigma and discrimination from their communities of origin.

'The new project works to improve the lives of HIV positive offenders both inside prison and on their release. Working with local partners Zimbabwe National Network for People Living with HIV and Batanai HIV/AIDS Service Organisation, VSO has been offering technical support for the provision of better HIV services in prisons since 2013. The announcement of this funding means that the partners will be able to support the Zimbabwe Prison and Correctional Services to offer testing, counselling and peer support within target prisons. There will also be education around preventing the transmission of HIV, both inside and outside of prison.

'Vocational training and psychosocial support will be offered to make it easier for prisoners to settle back into their communities and find work on their release. The work in Zimbabwe follows similar work done by VSO in South Africa and Malawi since 2012 and 2013 respectively.'²⁶

- 6.7.2 A 'News24' report, 'Homosexuality not to blame for rise in Zim prison HIV cases – gay group', dated 12 August 2015, stated:

'Zimbabwean homosexuals have criticised Health Minister David Parirenyatwa over remarks he made recently that homosexuality contributed to increased HIV in prisons, a report said.

'Parirenyatwa told the state-owned Herald newspaper this week that the prevalence of HIV and Aids showed that people were jailed while already infected or that there was rampant homosexuality behind bars.

""The rise of HIV prevalence in prisons shows that it is either these prisoners are infected already before they get into prison and if not then it means homosexuality is rampant in prisons," Parirenyatwa was quoted as saying.

'Statistics reveal that HIV prevalence among Zimbabwean prisoners is at 28%.

'Parirenyatwa said it was important for the government to address the prevalence of HIV and Aids in prisons.

²⁶ Voluntary Service Overseas International, 'New grant to improve lives of HIV positive prisoners in Zimbabwe,' 18 February 2015, <https://www.vsointernational.org/news/new-grant-improve-lives-hiv-positive-prisoners-zimbabwe>, date accessed 25 November 2016

‘He said although Zimbabwe had its own cultural expectations, the country could not run away from the idea that homosexuality "is happening in our prisons"...Parirenyatwa said the government was going to engage with partners in the health sector and open up debate on homosexuality in prisons in order to save lives.

‘In response, the Gays and Lesbians of Zimbabwe (GALZ) said although they welcomed Parirenyatwa’s attitude towards opening a debate on homosexuality, the group believed that the issue of HIV and Aids in prisons had nothing to do with homosexuality.

‘According to New Zimbabwe.com, GALZ director Chesterfield Samba said it was more of a "practical health rights issue" and it required government’s commitment.

‘Samba suggested that long periods of detention in terrible prison conditions forced males to engage in sexual activities with each other.

‘He added that overcrowding in prisons was also worsening the conditions of inmates living with HIV and those infected with TB.

‘Samba also said that by refusing to make condoms available in prisons, the government was encouraging the spread of sexually transmitted diseases.’

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7. Monitoring

7.1.1 The International Committee of the Red Cross (ICRC) ‘Annual Report 2015 – Harare (regional)’, published on 9 May 2016, stated:

‘The ICRC supported the ZPCS [Zimbabwe Prisons and Correctional Services] as it worked to fulfil its responsibilities in ensuring detainees’ food supply. The ZPCS took steps to streamline its management of prison farms, thus boosting production capacities and distributing harvests more efficiently. Detainees supplemented their diets with fresh or dried vegetables from these farms. The ICRC helped the ZPCS address food shortages by covering food-transport costs, facilitating more frequent deliveries and donating rations...Prisons had improved water systems and better cooking facilities. Through pilot projects involving the production of chlorine and cleaning materials, detainees contributed to achieving more sanitary surroundings for themselves...The ZPCS consistently monitored the food supply and inmates’ nutritional status, enabling it to take appropriate action, including for malnourished detainees...Detainees in all prisons visited by the ICRC underwent assessment in this regard upon their arrival and every month thereafter...Detainees continued to have health-care access through prison clinics – which used ICRC-donated medical essentials and office equipment/supplies – and were transferred to referral hospitals, when necessary...Around 7,200 detainees in Zimbabwe benefited from repairs/upgrades and construction projects by the ZPCS and the ICRC,

²⁷ ‘News24’, ‘Homosexuality not to blame for rise in Zim prison HIV cases - gay group’, 12 August 2015, <http://www.news24.com/Africa/Zimbabwe/Homosexuality-not-to-blame-for-rise-in-Zim-prison-HIV-cases-gay-group-20150812>, date accessed 30 November 2016

which sought to maximize the use of available resources...Four prisons had a more reliable supply of clean water. In four others, the installation of foot-powered pumps enabled untreated water to be used for irrigation, thus saving on potable water.’²⁸

7.1.2 The USSD Human Rights report for 2015 noted:

‘On March 13, more than 900 inmates rioted over poor prison conditions and food shortages in Chikurubi Maximum Security Prison. Prison guards killed at least five prisoners during the riot. Some prisoners alleged authorities tortured them following the riot.

‘The independent Zimbabwe Human Rights Commission (ZHRC) visited Chikurubi Maximum Security Prison on March 18 in order to inspect prison conditions that allegedly led to the riot. It recommended authorities mobilize resources to improve conditions and provide for prisoners’ basic needs.’²⁹

7.1.3 The USSD Human Rights report for 2015 also noted:

‘There was no prison ombudsman, but there were statutory mechanisms to allow alternatives to incarceration for nonviolent offenders. Approximately 130 probation officers under the Ministry of Labor and Social Services addressed the status and circumstances of confinement for juvenile offenders.

‘Authorities permitted prisoners to submit complaints, but investigations were rare. The ZPCS continued to assess prison conditions periodically but did not release the results of such assessments.

‘Prisoners and detainees had relatively unrestricted access to visitors, except in maximum-security prisons, where geographic constraints hampered access by relatives of prisoners. One exception occurred in July when approximately 50 activists attempted to visit vendors jailed by police during city clean-up operations. Police arrested six of the activists...The law provides international human rights monitors the right to visit prisons. Church groups and NGOs seeking to provide humanitarian assistance gained access. All organizations working in prisons reported that their meetings with prisoners occurred without third parties present, and there were minimal restrictions on them.’³⁰

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²⁸ The International Committee of the Red Cross (ICRC) ‘Annual Report 2015 – Harare (regional)’, 9 May 2016, <http://www.refworld.org/country,,,ZWE,,57f60ba32,0.html>, date accessed 25 January 2017

²⁹ United States State Department, ‘Country Reports on Human Rights Practices for 2015’, (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 25 November 2016

³⁰ United States State Department, ‘Country Reports on Human Rights Practices for 2015’, (section 1c), Zimbabwe, 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252745>, date accessed 12 October 2016

8. The death penalty

8.1.1 The 'Hands Off Cain' website, accessed on 14 November 2016, provided the following information:

'Since July 2015, Zimbabwe can be considered [a] de facto abolitionist country, after ten consecutive years without carrying out executions.

'Since independence from Britain in 1980, according to official figures, 79 people were executed in Zimbabwe. The last person to be executed was Mandlenkosi "Never" Masina Mandha, who was hanged on 22 July 2005 after being convicted of murder.

'Zimbabwe's new Constitution, which was approved by 94.5% of voters in a constitutional referendum held in March 2013, abolished the death sentence for women and those under the age of 21 and above 70 years. "Every person has the right to life," is written in Section 48 the new Charter. However, "A law may permit the death penalty to be imposed only on a person convicted of murder committed in aggravating circumstances," it adds. "The law must permit the court a discretion whether or not to impose the penalty," the Constitution states.

'On 21 October 2014, the High Court ruled that the death penalty cannot be imposed on murderers in Zimbabwe until the legislature enacts a law spelling out the circumstances under which one can be hanged.

'In 2015, at least 2 new death sentence[s] were imposed in Zimbabwe.

'As of 13 January 2016, there were 117 inmates on death row.

'Harare Central Prison is the only prison designed for death row inmates but some of the prisoners sentenced to death were now being kept at Chikurubi Maximum Prison because of shortage of space, a situation that has left a number of the condemned prisoners subjected to psychological torture as a result of the delays in carrying out the executions. Fourteen inmates in Harare are challenging the constitutionality of their continued incarceration and are seeking an order by the Constitutional Court to have their cases remitted for resentencing so that their sentences can be commuted to life sentences.'³¹

8.1.2 The Amnesty International report, 'Zimbabwe: End the death penalty after 10-year execution hiatus', dated 22 July 2015, stated:

'A 10-year hiatus in executions is a milestone for the protection of the right to life and the eventual abolition of the death penalty in Zimbabwe, said Amnesty International as the country marked a decade without executions.

'Although the country carried out its last execution on 22 July 2005, there are still 95 prisoners on death row. Amnesty International is now calling on Zimbabwe to declare an official moratorium on executions and totally abolish the ultimate cruel, inhuman and degrading punishment...Zimbabwe's new Constitution, enacted in 2013, abolished mandatory death sentences and

³¹ 'Hands off Cain', Zimbabwe section, 2016, <http://www.handsoffcain.info/bancadati/schedastato.php?idcontinente=25&nome=zimbabwe>, date accessed 14 November 2016

limited the death penalty to cases of murder “committed in aggravating circumstances”. It bars death sentences for women and men aged under 21 or over 70 at the time of committing the crime.’³²

8.1.3 A ‘Herald’ report, ‘Zimbabwe: Govt to Eliminate Death Penalty - Mnangagwa’, dated 23 February 2016, stated:

‘Zimbabwe is making significant strides towards the elimination of the death penalty from its statutes as demonstrated by the removal of all women and persons aged below 21 from facing the death sentence, Vice President Emmerson Mnangagwa has said.

‘Addressing delegates attending the 9th International Meeting of the Ministers of Justice here yesterday, VP Mnangagwa said he was positive that Zimbabwe will soon abolish capital punishment.

‘He said he survived death penalty during the Rhodesian regime and knows “the tribulations faced by those on death row”.

“The legislative history of Zimbabwe in so far as the death penalty is concerned demonstrates that the country is making significant strides towards the elimination of capital punishment,” said VP Mnangagwa.

“The exclusion of all women and the increase of the minimum age of execution from 18 to 21 years under the current Constitution of Zimbabwe is a positive step towards the abolition of the death penalty.”

‘Under the old Constitution, only pregnant women and persons below the age of 18 were exempted from the death penalty.

“A lot of criticism has been levelled against the country to the effect that these constitutional provisions, instead of promoting gender balance under the criminal justice system, are actually discriminatory against male offenders,” said VP Mnangagwa.

“This discriminatory provision was maintained at the referendum after realisation by the majority that the most heinous and ruinous offences were actually at the instigation of the males than females.”

‘VP Mnangagwa said as leaders in Government, they noted the concerns raised and will address them at the opportune time...VP Mnangagwa said the Ministry of Justice, Legal and Parliamentary Affairs had launched campaigns to educate people about the new Constitution and emphasis was on the abolition of the death penalty.

‘He said Zimbabwe was very aware of, and committed to its obligations under the various international human rights instruments she has ratified and acceded to, adding that steps have been taken to ensure the national law was in conformity with international human rights norms.

“The country underwent the peer review process under the auspices of the UN Human Rights Council, wherein it accepted most of the recommendations to improve the human rights situation,” said VP

³² Amnesty International, ‘Zimbabwe: End the death penalty after 10-year execution hiatus’, 22 July 2015, <https://www.amnesty.org/en/latest/news/2015/07/zimbabwe-end-the-death-penalty-after-10-year-execution-hiatus/>, date accessed 9 November 2016

Mnangagwa...The country also accepted the recommendations to consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights and to take measures to abolish the death penalty.”³³

- 8.1.4 Hands off Cain, however, noted that: ‘On 19 December 2016, Zimbabwe, for the first time, abstained on the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly. It previously voted against.’³⁴

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³³ ‘The Herald’, ‘Zimbabwe: Govt to Eliminate Death Penalty - Mnangagwa’, 23 February 2016, <http://allafrica.com/stories/201602230349.html>, date accessed 9 November 2016

³⁴ ‘Hands off Cain’, Zimbabwe section, 2016, <http://www.handsoffcain.info/bancadati/schedastato.php?idcontinente=25&nome=zimbabwe>, date accessed 14 November 2016

Version Control and Contacts

Contacts

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Clearance

Below is information on when this version of the guidance was cleared:

- version **2.0**
- valid from **9 February 2017**

Changes from last version of this note

Updated country information and corresponding revision of policy guidance.

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