

## DAY 5

### 41st Ordinary Session of the African Commission on Human and Peoples' Rights, Accra, Ghana

Daily Session Briefing to the Headquarters of the African Union – 20 May 2007

The day began with the chairperson welcoming everyone and informing delegates that Zimbabwe had indicated its wish to exercise its right to reply to statements made by NGOs the previous day. She also said that Angola had indicated its wish to address the session.

The head of the Zimbabwean delegation, the Minister for Justice Legal and Constitutional Affairs, Mr Patrick Chinamasa, attempted to rebut all of the allegations of human rights abuses levied against the Government of Zimbabwe. He told the Commission that the Government of Zimbabwe had invited all Zimbabwean NGOs and members of civil society to a mutual dialogue and even to establish a human rights commission in Zimbabwe, but only a few organisations responded to the call. He said he could not understand why a few of the Zimbabwean NGOs were fiercely opposed to the Government of President Robert Mugabe, and intimated that some of these NGOs are on the payroll of Western based organisations and governments bent on regime change in Zimbabwe. The Honourable Minister fiercely rebutted the allegation that his government routinely tortures people, and informed the Commission that Zimbabwe does not condone torture and is in fact taking steps to ratify the Convention Against Torture and its Optional Protocol. He also said that the Zimbabwe Government is in the process of setting up a unit to investigate allegations and cases on torture. He also said that sanctions are harming and endangering the livelihood of the people of Zimbabwe, and implored the Commission to condemn the activities of these foreign Governments.

The Zimbabwean periodic report was also delivered by the Minister for Justice and Constitutional Affairs, Mr Patrick Chinamasa. The Minister thanked the Chairperson and the Government and Peoples of Ghana for hosting the 41<sup>st</sup> Ordinary Session. He also congratulated Ghana on their 50<sup>th</sup> anniversary. The Minister started by saying that Zimbabwe's economy is under siege by certain Western governments, principally the Governments of UK and the US. He said that his Government's stance on the land issue had incurred the wrath of certain nations who are determined to maintain the status quo.

The delegation then received a range of questions from members of the Commission. Commissioner Musa Bitaye, Rapporteur for the State of Zimbabwe led the questions. Commissioner Musa Bitaye asked a range of questions including the allegations of police brutality against journalists and political opponents. Before the Session broke for lunch the Chairperson reminded the Zimbabwean delegation that

the Commission was interested in maintaining dialogue with all states, and Zimbabwe should not feel victimised or picked on, as the Commission believes in discussing issues in a calm and peaceful way. The meeting was adjourned to the afternoon to hear Zimbabwe's reply.

In the afternoon, the meeting convened with a private session where the draft Strategic Plan of the Commission was presented by a member of staff. A Public Session followed immediately with the State of Zimbabwe responding to questions put to it in the morning by members of the Commission.

An issue that the Zimbabwean delegation discussed in their answers was the issue of corporal punishment. The Minister stated that corporal punishment had been maintained because some parents would prefer their children to be chastised to prevent them from being put in prison. He said this provision only applied to boys and only the headmaster of a school is entitled to punish students in this manner. He agreed that the issue is problematic and that his government is open to any suggestion from the Commission. Other issues that the Minister dealt with were the issues of freedom of the press, torture of political opponents, the rights of women and children, provision of education for all Zimbabweans and the training of the police.

The session was adjourned to Monday 21 May.