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International Centre for Trade Union Rights

*Centro Internacional para los Derechos Sindicales
Centre International pour les Droits Syndicaux*

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ICTUR was founded to
defend and extend trade union rights and
to raise awareness of these rights and their violations
around the world

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Attn:

Emmerson Mnangagwa

Office of the President and the Cabinet

Corner Samora Machel Ave and Sam Nujoma

Harare, Zimbabwe

CC:

Sekesai Nzenza, Ministry of Public Service, Labour and Social
Welfare

Ziyambi Ziyambi, Minister of Justice, Legal and Parliamentary
Affairs

Clément Nyaletsossi Voule, United Nations Special Rapporteur on
the rights to freedom of peaceful assembly and of association
Unions: ZCTU, SATUCC, ITUC Africa, OATUU

January 2019

Dear President,

The International Centre for Trade Union Rights is concerned about
the escalating repression of trade union rights in Zimbabwe.

ICTUR understands that on 21 January, Japhet Moyo, secretary
general of the Zimbabwe Congress of Trade Unions (ZCTU) was
arrested and detained in Harare, following calls from the ZCTU for a
nationwide strike to protest increased fuel prices and living costs.
During the violent crackdown on recent widespread protests in
Zimbabwe, in which some dozen demonstrators are reported to have
been killed and hundreds injured by state security forces, it is also
reported that ZCTU president Peter Mutasa has gone into hiding,
fearing for his life after his home was raided and family members
attacked. Other reports indicate that Mutasa was in fact abducted by
security forces.

These latest incidents follows months of harassment by the
authorities targeting the ZCTU and its officials. We refer you to our
previous letters of August and October 2018, which detailed reports
of anti-union harassment and repression of demonstrations following

the election in August 2018 – shortly after which gunshots were fired from a Zimbabwe National Army truck at the ZCTU’s office in Harare, injuring two staff. In October 2018, police arrested Japhet Moyo, Peter Mutasa and around 30 other ZCTU leaders and members in order to prevent them from holding a demonstration against new tax measures. It is understood that Moyo has now been charged with subversion and incitement to violence for promoting this latest peaceful protest.

ICTUR calls on the Government to immediately release Japhet Moyo, as well as all other trade unionists and demonstrators arrested and detained for exercising their fundamental rights to freedom of association and of assembly. ICTUR further calls on the Government to adhere to the principles of freedom of association enshrined in the International Labour Organisation Conventions 87 and 98, which Zimbabwe has ratified. The ILO’s Committee on Freedom of Association has clearly stated that the criminalisation of trade unionists presents a grave threat to workers’ right to freedom of association and that ‘no one should be deprived of their freedom or be subject to penal sanctions for the mere fact of organizing or participating in a peaceful strike’ (Freedom of Association: Compilation of decisions of the Committee on Freedom of Association, ILO. 6th Edition, 2018. paras. 970-4). In all cases concerning the arrest, detention or sentencing of a trade union official, it is ‘incumbent upon the government’ to show that such measures are ‘in no way occasioned by the trade union activities of the individual concerned’ (Freedom of Association, para. 158).

ICTUR urges the government to undertake all measures necessary to ensure that it complies with Zimbabwe’s obligations under international law, and to protect the fundamental freedoms of workers to join and form unions and take action in defence of their interests. In particular, ICTUR calls for the government to immediately cease its harassment of ZCTU officials and members, to drop all charges against them, and release any individuals still in detention. ICTUR further calls on the authorities to initiate an independent investigation into the August attack on the ZCTU headquarters, and the more recent attack on Peter Mutasa’s home, to hold those responsible to account and to provide adequate remedy to the victims.

ICTUR will report these incidents in the journal International Union Rights, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a horizontal line extending to the right.

Daniel Blackburn, Director

