

A HUMAN RIGHTS APPROACH TO FIGHTING COVID-19 IN ZIMBABWE



W/O 3/93
Campaigners for Human Rights

A Human Rights Approach to Fighting
COVID-19 in Zimbabwe
in the light of

**The United Nations Policy Brief on
COVID 19 and Human Rights**

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1.0 INTRODUCTION

The Zimbabwe Human Rights Association (ZimRights) welcomes with great appreciation the Policy brief released by the United Nations Secretary General António Guterres and urges the government of Zimbabwe to observe the key human rights principles outlined in the fight against COVID-19.

On 23 April 2020, the United Nations Secretary General António Guterres released a Policy Brief titled, *'COVID-19 and Human Rights: We are all in this together.'* In this policy brief, the Secretary General confronts a very important question: Why are human rights so important to the COVID-19 response? In answering this question, the Secretary General offers six key messages which must underline responses to COVID-19. Since the advent of the COVID-19 pandemic, ZimRights has been documenting community responses to COVID-19 measures. In this report, ZimRights looks at the Secretary General's key messages in the light of community experiences of the COVID-19 measures. The recommendations carried in this report are derived from the documented experiences of the Zimbabwean communities as reported in a series titled, *'Their Voices Matter: Community Responses to COVID-19 measures in Zimbabwe.'*



The report proffers some key recommendations to assist the government of Zimbabwe align its measures in accordance with the standards laid down by the United Nations in the Policy Brief.

ZimRights, being Zimbabwe's biggest indigenous grassroots movement, associates itself fully with the standards laid down by the United Nations and affirms the need to ensure that human rights remain at the centre of the fight against COVID 19.



KEY HUMAN RIGHTS MESSAGES

Protecting people's lives is the priority;
protecting livelihoods helps us do it

The virus does not discriminate; but its
impacts do

Involve everyone in your response

The threat is the virus, not the people

No country can beat this alone

When we recover, we must be better
than we were before

*UN Secretary General Policy Brief on
COVID-19 and Human Rights*

2.0 KEY MESSAGES



2.1 Protecting people's lives is the priority; protecting livelihoods helps us do it

In this key message, the Secretary General writes that we must deal with the economic and social impact alongside the public health response.



"The focus is rightly on saving lives, for which universal access to health care is imperative. But the health crisis has triggered an economic and social crisis that is hitting individuals, families, and communities hard. This impact comes from the disease itself but also from the measures necessary to combat it coming up against underlying factors like inequalities and weak protection systems. It falls disproportionately on some people, often those least able to protect themselves. Effective action to mitigate the worst impacts, on jobs, livelihoods, access to basic services and family life, protect people's lives, enable people to comply with public health measures, and ease recovery once these measures can be lifted."

2.1.1 Our Observations

Since the advent of the COVID-19, ZimRights has been engaging communities to understand the impact of COVID-19 on their lives. The report documented in our *'Their Voices Matter'* series shows the urgency of addressing the question of livelihoods. The USD5 per household that vanished into the Minister of Finance's algorithms is not sufficient to address this question. The worst affected by this measure are people in the informal sector. Instead of alleviating their suffering, the government has moved in to demolish market stalls, thereby worsening the situation. It is disheartening that the people worst affected by COVID-19, find themselves further being attacked by the state. ZimRights has verified 13 cases where public officials and politically connected persons are implicated in manipulation of COVID-19 aid, a practice that is in direct contraction to this principle and a violation of the laws of Zimbabwe and the rights of the deserving communities.

2.1.2 Our Key Asks

ZimRights calls for the following:

- The government of Zimbabwe to stop the demolition of informal markets.
- Public officials and politically connected persons must stop the manipulation of COVID 19 aid or any other aid meant for the vulnerable groups.
- The government of Zimbabwe must disburse funds meant for vulnerable groups in line with the principles of transparency and accountability.



2.2 The virus does not discriminate; but its impacts do

In this message, the Secretary General emphasizes the importance of inclusive responses to a global threat to ensure no one is left behind. Responses need to be inclusive, equitable, and universal – otherwise, they will not beat a virus that affects everyone regardless of status.



“If the virus persists in one community, it remains a threat to all communities, so discriminatory practices place us all at risk. There are indications that the virus, and its impact, are disproportionately affecting certain communities, highlighting underlying structural inequalities and pervasive discrimination that need to be addressed in the response and aftermath of this crisis.”

2.2.1 Our Observations

ZimRights community monitoring of COVID-19 has revealed obscene inequalities. There is a frightening gap between the poor and the rich and how these are being affected by the virus. While the majority of the people are being referred to Wilkins, upmarket facilities have emerged for the ‘other’ citizens with no clear formula on who will be admitted to which facility. While the Ministry of Information has been giving information on the test being carried out in government facilities, the Zimbabwe Association of Doctors for Human Rights has raised concern on other private facilities that are also carrying out testing. Communities in Bulawayo have noted the gap between facilities in Harare and those in Bulawayo. In our week 2 report on *‘Their Voices Matter’*, Bulawayo residents complained that they will have to go to Harare for testing. In the snap survey carried out across the country by ZimRights, most of the rural areas are clearly not receiving as much as the urban areas. We further observed in Midlands and Masvingo provinces the discrimination against persons belonging to some political parties in receiving aid. We further noted the failure by the Ministry of Information to provide adequate information on COVID-19 to persons who are hard of hearing and those with visual impairment.

2.2.2 Our Key Asks

- The government of Zimbabwe must ensure that there is no discrimination in the provision of health care support in cases of COVID-19.
- Adequate attention must be given to all regions including rural centres is ensuring access to aid and health care services.
- Adequate information must be provided to persons who live with visual impairment and are hard of hearing regarding COVID-19.



2.3 Involve everyone in your response

The policy brief notes the need for participation in open, transparent, and accountable responses. To effectively combat the pandemic, we all need to be part of the response. Effective participation in the response requires people to be informed, involved in decisions that affect them and to see that any measures taken are necessary, reasonable, and proportionate to combat the virus and save lives.



“We all have a role to play but the most effective way to maximize participation is through evidence, persuasion, and collective ownership. People need agency and voice in a crisis. This is a time when, more than ever, governments need to be open and transparent, responsive and accountable to the people they are seeking to protect. Civil society organizations (CSOs), as well as the private sector and business, have contributions to make that need to be facilitated.”

2.3.1 Our Observations

In our *‘Their Voices Matter’* reports, we have observed the failure by the government to create a multi-stakeholder inclusive platform for fighting COVID-19. In fact, the government of Zimbabwe has proceeded to muzzle the city councils from sharing important information on COVID-19, instructing the Mayor of Harare not to disclose information on COVID-19. Civil society organisation engaging in humanitarian response operations have been hampered by the police. The Director of COTRAD was harassed by the police in Masvingo while going to distribute gloves and sanitisers to informal markets. Other NGOs that have tried to carry out humanitarian intervention have been told that this is a prerogative only for the government. The Media Institute of Southern Africa (MISA), has complained of the police harassing journalists covering the lock-down.

2.3.2 Our Key Asks

- While regulation of intervention is necessary, the government must not monopolise the fight against COVID-19.
- Local councils must be allowed to distribute important information regarding local developments on COVID 19 to save lives.
- NGOs involved in humanitarian response must be allowed to carry out important work of helping vulnerable communities.
- The media must be allowed to provide essential service of giving information to the public.



2.4 The threat is the virus, not the people

Emergency and security measures, if needed, must be temporary, proportional and aimed at protecting people, says the policy brief. The pandemic poses a serious public health threat with wide-ranging implications for peace and security. Law enforcement has a role to support the fight against the disease, and protect people. Emergency powers may be needed but broad executive powers, swiftly granted with minimal oversight, carry risks.



“Heavy-handed security responses undermine the health response and can exacerbate existing threats to peace and security or create new ones. The best response is one that aims to respond proportionately to immediate threats whilst protecting human rights under the rule of law. This is a time for peace, to focus on beating the virus.”

2.4.1 Our Observations

The lock-down is a necessary measure to contain the virus. However, it has been implemented in a manner that seems to suggest that the people are the threat, without gentle care for the people and their rights. The police, which clearly have disregarded regulations on social distancing have been terrorising communities. One person was killed by the police in Bulawayo, while over 1000 people have been arrested countrywide. The conditions of arrest have placed many people in danger of the virus as police have been bundling people in trucks. In Hopely farm in Harare, ZimRights members have reported that persons believed to be police officers attacked families taking away cash and groceries.



2.4.2 Our Key Asks

- The police must implement lock-down measures with great respect for human rights.
- The conditions and process of arrest during lock-down must not put the arrested persons and the arresting officers in danger of contracting COVID-19.
- Law enforcement agents implicated in human rights violations must be prosecuted and the victims compensated.



2.5 No country can beat this alone

The policy brief deal with the issue of a coordinated global response. Global threats require global responses. International solidarity is essential in the global response – no one country can beat this alone and some countries are better equipped to respond than others.



“Just as no country can afford for individuals to be left behind, the world cannot afford for one country to be left behind if the virus is to be beaten.”

2.5.1 Our Observations

ZimRights has observed the developments implemented in Southern Africa meant to contain the spread of COVID-19. While it is necessary for governments to prioritise their own people, there has not been adequate attention to the respect of the rights of migrant workers. Zimbabwe, having been affected by harsh economic conditions, has provided a lot of refugees to its neighbours and the global village. Equally, a lot of Zimbabwe’s skilled workers are at the frontline of fighting COVID-19 across the world. Every day, Zimbabwean families receive the news of their loved ones who are perishing while doing the important work of fighting COVID-19. This creates the irony of countries treating migrants as a burden while forgetting that a lot of health systems across the globe a kept afloat by the same migrants.

ZimRights joins the rest of Africans against the discrimination and harassment of African in China. While Africa has been hospitable to over 2 million Chinese nationals who live and work on the continent, this hospitality must be reciprocated.

2.5.2 Our Key Asks

- Privileged countries must implement COVID-19 measures with attention to the interconnectedness of the global community.
- Measures designed to offer social protection must be targeted at all who need them including undocumented migrants.
- Transnational economic restrictions must pay attention to critical service corridors between different countries.
- The Chinese government must protect the Africans in China against any form of discrimination and harassment.
- The Zimbabwean government must provide support to all Zimbabwean citizens across the world suffering either as undocumented migrants or as expert frontline workers in the face of COVID-19.



2.6 When we recover, we must be better than we were before

The sixth key message in the brief looks beyond the current crisis. It states that the crisis has revealed weaknesses that human rights can help to fix.



“In what world do we want to live when this is all over? The way in which we respond now can help to shape that future - for better or for worse. We must ensure that we do not do harm while we focus on the immediate crisis. It is critical to consider the long term whilst planning our short-term responses. The crisis is revealing weaknesses in the way public services are delivered and inequalities that impede access to them. Human rights help us to respond to the immediate priorities and develop prevention strategies for the future, including our responsibilities to future generations.”

2.6.1 Our Observations

There is a surge in future solution search because the COVID-19 has exposed the calamities of poor economic policies and lack of attention to our health sector. There has been a call for post-COVID-19 unity and commitment ‘to fixing our country.’ Many communities where ZimRights members live have compared the approach taken by other societies and the neglect that Zimbabwe is enduring. Sadly, this is not the first time that Zimbabwe has had to deal with disasters, natural or otherwise. Commitment to ethical leadership and good governance alone without strategic investments will not bring any fruit. In addressing COVID-19, the government has not proven itself to be an agent for equality. One needs to compare the attention given to upmarket facilities and the attention given to public institutions like Wilkins to understand the lack of commitment to a more equal society. The gap between facilities in urban centres and those in rural areas is not encouraging. Since the outbreak of the pandemic, much of the burden of fighting the COVID-19 has fallen on the shoulders of the donor community, without the government disclosing how much budgetary allocation has been deployed to the health sector. The health of a country must not be outsourced to well-wishers. It must be a primary concern of the government.

2.6.2 Our Key Asks

- The government must disclose how much budgetary support has been allocated to the fight against COVID-19.
- There must be a commitment to adhere to the 15% benchmark of budgetary support to health in line with the Abuja declaration.
- Efforts must begin to resuscitate the health sector who holistic care, not simply COVID-19.



3.0 CONCLUSION

ZimRights believes that the fight against COVID-19 is a human rights fight. As the Secretary General's key messages prove, this fight, if not focused on defending the people, is a lost fight. Economies are designed to serve the welfare of the people. Measures that sacrifice the welfare and livelihoods of the people are misguided. The government of Zimbabwe and all the governments of the world have an obligation to defend and protect life. As Zimbabwe struggles to deal with the increasing cases of COVID-19, it is important that there be no more investments in destroying the same people we are trying to save. Demolitions of the informal market are an example of an anti-people approach in the fight against COVID-19. Beyond mere condemnation, persons and institutions responsible for human rights violations in the name of fighting COVID-19 must be held accountable for their actions. ZimRights remains committed to supporting communities around the country confront the harsh effects of COVID-19 and doing so while taking care of each other. ZimRights calls on the government of Zimbabwe to take this opportunity to lead with compassion in the fight against COVID-19. Only then can we truly say, 'We are all in this together!'



Demolitions of the informal market are an example of an anti-people approach in the fight against COVID-19.



THE FIGHT AGAINST COVID-19 IS A HUMAN RIGHTS FIGHT

Human rights are not an attachment in the fight. They are the core of the fight.

The virus is a threat to the right to life. So is loss of livelihoods.

Everyone must enjoy the right to basic health care, regardless of social status or where they live.

Everyone, including persons living with disabilities, has the right to access accurate information.

Everyone has the right not to be treated in an unfairly discriminatory manner.

National security services must undertake their duties with utmost respect for the fundamental rights and freedoms.

Everyone must enjoy the right to security. No one has to be tortured for us to win the fight.

Health care workers, security and enforcement officers have the right to adequate protection during their service.

“We must win the fight against COVID-19 with great compassion, having left no one behind, and provided protection for the vulnerable.”



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**ZIMRIGHTS
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