

URGENT ACTION

ACTIVIST, OPPOSITION MEMBERS AWAIT TRIAL

Activist Rashid Mahiya and opposition Members of Parliament Charlton Hwende and Joanna Mamombe are awaiting trial on the charge of 'subverting a constitutional government'. The charge attracts a sentence of more than 20 years in prison. All three have been released on bail and are awaiting trial.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

His Excellency
President Emmerson Mnangagwa
Munhumutapa Building
Corner Sam Nujoma / Samora Machel
Harare, Zimbabwe
Email: info@opc.gov.zw

Your Excellency President Mnangagwa,

*I am concerned with the trumped-up charges against **Rashid Mahiya, Joanna Mamombe and Charlton Hwende.***

All three have been charged with 'subverting a constitutional government' which attracts a sentence of more than 20 years in prison in an ongoing government crackdown on human rights defenders, activists and opposition members. The charges are in connection with a three-day national shutdown called for by the Zimbabwe Congress of Trade Unions (ZCTU) on 14-16 January in protest against a hike in fuel prices in Zimbabwe.

Rashid Mahiya, an activist and Chairperson of the Crisis in Zimbabwe Coalition group was arrested on 26 February. Joanna Mamombe, the youngest female Member of Parliament (MP) with the opposition party Movement for Democratic Change Alliance (MDC-A), was arrested on 2 March whilst attending a parliamentary workshop. Charlton Hwende, an MDC Member of Parliament for Kuwadzana was arrested on 5 March upon arrival at the airport in Harare after being out of the country since 21 December 2018 for medical treatment. Rashid was granted bail on 7 March and Charlton got bail on 8 March whilst Joanna was granted bail on 9 March.

They are awaiting trial.

I call on you to;

- *Ensure that the charges against Rashid Mahiya, Joanna Mamombe and Charlton Hwende are dropped immediately;*
- *End the crackdown on human rights defenders, activists and opposition members in Zimbabwe and ensure full respect for the rights to freedom of expression and peaceful assembly and that the judicial system is not misused to persecute perceived opponents of ZANU PF, the ruling party.*

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

On 9 March Joanna Mamombe was granted bail of US\$3000. She was set to appear in court on 19 March, but the hearing was postponed to 8 April. She appeared in court on 8 April, but her case was postponed to 9 May as the authorities have indicated that they have taken the video of the press conference, in which they alleged that she called for people to overthrow the government, for analysis to the Police Cyber Analysis Lab.

Rashid Mahiya's case was set for 12 March, but he was asked to appear in court on 9 April after being granted bail. On 9 April Rashid appeared before court, but the case was adjourned to 29 May, as the authorities indicated that they had not recorded statements from two state witnesses.

Charlton Hwende is set to appear before court on 16 April.

The continued clampdown on civil society or anyone perceived to be opposed to the government has escalated in the past one year. Zimbabwean authorities continue to use restrictive laws like Public Order and Security Act to restrict the right to freedom of peaceful assembly by ensuring that protestors seek police permission or by banning protests. The Access to Information and Protection of Privacy Act has been used to stifle independent reporting and the Interception of Communications Act for online surveillance and to shut down the internet. Over the years the Zimbabwe government has persecuted individuals for social media posts and in January 2019, authorities cut off the internet to prevent social media being used for mobilisation of citizens to protest.

On 12 January, President Emmerson Mnangagwa announced fuel price hikes, which took effect at midnight. The prices of both diesel and petrol, went up by 150 per cent leaving many shocked by the hefty fuel hikes and their negative knock-on effects. In response to the announcement, the Zimbabwe Congress of Trade Unions (ZCTU), the largest labour organization in the country, called for a three-day national stay-away protest action. ZCTU's President, Peter Mutasa, called on Zimbabweans to stay away from work, businesses and schools from Monday 14 to Wednesday 16 January, to protest what he called 'the general astronomical price increases since last year against stagnant salaries.' He added that the fuel price increases were "insensitive and provocative".

When the news of the planned national stay away surfaced, the authorities declared that the government would "not accept a situation where opposition parties disguise themselves as NGOs (Non-governmental organizations) or as civic groups both to secure condonation for unlawful acts such as sponsoring civil unrest."

Many Zimbabweans across the country heeded the call by ZCTU for a national stay-away action, staying at home from 14 - 16 January, bringing business to a standstill in major parts of the country. This protest set in motion one of the most brutal crackdowns by the authorities seen in recent years in Zimbabwe, in an apparent attempt to restore fear in Zimbabwe. The government deployed both military, police and intelligence units in cities and residential areas including Harare, Bulawayo, Chitungwiza, Epworth, Dzivarasekwa, Mbare, Gweru, Pumula, and Mabvuku. Witnesses told Amnesty International of deprivation of personal liberty, torture and other ill-treatment such as widespread beatings, and being made to roll in sewage or ashes from burnt tyres. Strong allegations of rape and other sexual assault of women also emerged.

The police also accused Chairperson of Crisis in Zimbabwe Coalition (CiZC), Rashid Mahiya of attempting to overthrow the government. CiZC is a coalition of more than 80 Human Rights Organisations.

PREFERRED LANGUAGE TO ADDRESS TARGET: [English, Shona]

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: [23 May 2019]

Please check with the Amnesty International office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: [Rashid Mahiya – He/His, Joanna Mamombe, She/Her; *Charlton Hwende- He/His*]

LINK TO PREVIOUS UA: [<https://www.amnesty.org/en/documents/afr46/9997/2019/en/>]