



ZIMBABWE HUMAN RIGHTS COMMISSION (ZHRC) PRESS STATEMENT

PROTECTION OF RIGHTS OF PERSONS IN PLACES OF DETENTION IN LIGHT OF THE COVID-19 PANDEMIC

The mandate of the ZHRC is to promote, protect and enforce human rights, fundamental freedoms and administrative justice as provided for in section 243 of the Constitution which outlines the functions of the Commission. Section 243 (1) (c) of the Constitution provides that one of the functions of the ZHRC is to monitor, assess and ensure observance of human rights and freedoms.

Further, section 243 (1) (k) provides that the ZHRC also has the mandate to visit and inspect places of detention and institutional centres such as prisons, police cells, refugee camps, mental institutions, homes for children and older persons, among others. The purpose of the monitoring and inspection function is to ascertain the conditions under which persons are kept there, and to make recommendations regarding their conditions to the Minister responsible for administering the law relating to such places. As part of this monitoring mandate, the ZHRC observed the following risk factors which may expose persons in places of detention to the coronavirus:

- Persons in places of detention such as prisons, police cells, mental institutions, homes for children, persons with disabilities and older persons, face extra vulnerability and risk of infection by the coronavirus because of prolonged confined conditions.
- Due to communal living arrangements and limited observance of prescribed carrying capacities, there are challenges in minimising human contact and observing social distancing.

- Sharing of communal kitchen utensils, ablution facilities and other social amenities put inmates and residents of detention facilities at risk of infecting each other as well as their wardens or care givers.
- Due to perennial water woes at most detention facilities, recommended hygiene procedures such as frequent washing of hands and disinfection of utensils and infrastructure cannot be implemented.
- Sanitisers, disinfectants and face masks are in most instances not available so the risk of wardens and care givers ‘importing’ the virus to the institutions is very high, with dire consequences.

The ZHRC therefore calls upon the Ministry of Health and Child Care, the Ministry of Justice, Legal and Parliamentary Affairs, Ministry of Public Service, Labour and Social Welfare, The Ministry of Home Affairs and Cultural Heritage , the Inter-Ministerial Taskforce coordinating responses to the Covid-19 pandemic, the Zimbabwe Prisons and Correctional Services, the Zimbabwe Republic Police and heads of all other places of detention to put in place and implement administrative and socio-economic measures which prevent and ameliorate the effects of the coronavirus pandemic.

The Commission in this regard proffers the following recommendations:

- Inclusion of places of detention in ongoing government responses to the coronavirus pandemic and accompanying budgetary allocations.
- Training of medical personnel and care givers who work in places of detention on detection of the coronavirus (identification of signs and symptoms), handling of suspected cases as well as referral pathways and procedures.
- Setting up of temporary isolation facilities for suspected coronavirus cases in the detention facilities to prevent further spreading of infections.
- Provision of personal protective clothing in places of detention such as face masks and gloves.
- Provision of adequate thermo-scanners so that non-inmates or non-residents coming into detention facilities are tested daily before entering the facilities.
- Provision of adequate sanitisers, disinfectants and cleaning materials to places of detention to improve hygiene.

- Frequent and adequate dissemination of information on the coronavirus to inmates, residents, wardens and care givers to dispel myths and falsehoods which can cause unnecessary fear and anxiety.
- Finally, the Commission acknowledges with gratitude, the 21 day lockdown decision enunciated by H E the President of the Republic and exhorts the general public to observe the decree to the spirit and letter.

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