

**Statement on the Protection of the Right to Life in Light of the Increased Ritual Killings
12 October 2020**

1. The Zimbabwe Human Rights Commission (ZHRC) is mandated to promote the protection, development and attainment of human rights and freedoms at all levels of society as provided for in section 243 of the Constitution of Zimbabwe Amendment No. 20 Act 2013.

2. The ZHRC has noted with concern the alarming rise and high frequency of ritually-motivated killings in Zimbabwe specifically targeted at children and young people. The heinous murder and mutilation of innocent people is disheartening, appalling and terrifying and should be denounced in the strongest terms by our society and the nation as a whole. The Commission has been irked and appalled by the recent ritual murder of Tapiwa Makore in Murewa

3. In general, ritual killings are believed to be performed for political, economic or physical strength purposes as well as to confer on the perpetrators a fetish object. It is therefore imperative that the ZHRC would like to reinforce the responsibilities and obligations of all persons with regard to the protection of human rights, particularly, the right to life by desisting from ritual killings.

The Right to life

4. Section 48 (1) of the Constitution guarantees every person the right to life. The right to life is a right which should not be narrowly interpreted. It concerns the individual's right to be free from actions and omissions that may cause sudden, unnatural or premature death as well as the right to enjoy life with dignity.

5. At the international level, the most general recognition of the right to life is found in Article 3 of the Universal Declaration of Rights of 1948. The International Covenant on Civil and Political Rights (ICCPR) also emphasises every person's inherent right to life adding that this right "shall be protected by law" and "no one shall be arbitrarily deprived of life." In addition, General Comment 36 on Article 6 of the ICCPR, stresses that the right to life is of vital importance to individuals and society as a whole. It is most precious for its own sake as a right that is inherent in every human being. It also constitutes a fundamental right, the successful preservation of which is a prerequisite for the enjoyment of all other human rights and the substance of which can be informed and inculcated with other human rights.

6. In accordance with the Constitution, international and regional human rights instruments, citizens must not participate in or condone such harmful practices as ritual killings. Such practices explicitly violate universal human rights principles and violate the sanctity of the right to life.

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7. Zimbabwe, as a State party to various international and regional human rights instruments that have an impact on the right to life, is legally obliged to ensure that all of its authorities, agencies and institutions, entrusted with State functions under domestic law, observe, respect, protect, promote and fulfil human rights and do not commit, participate in or condone any abuses of human rights. In addition, the authorities must protect all individuals on their territory and jurisdiction against human rights violations by non-state actors, including secret societies and witch doctors.

8. The Commission therefore, wishes to reinforce the inalienability of human rights, in particular, the right to life and further acknowledges the sanctity of life of all persons.

9. While there have been some investigations and arrests of perpetrators of these terrible and horrific crimes of murder and mutilation, the law enforcement agencies can do better with the aid of the

government, the communities and society at large.

10. Recommendations

In light of the afore-going comments on human rights violations, in particular, the right to life, the ZHRC recommends the following:

10.1 The Zimbabwe Republic of Police (ZRP) and National Prosecuting Authority (NPA):

(a) The ZHRC calls upon the Zimbabwe Republic Police (ZRP) and the National Prosecuting Authority (NPA) to always swiftly investigate and prosecute the perpetrators of such horrific crimes and practices and strengthen protection measures for the fruitful enjoyment of the right to life.

(b) Should take a holistic approach in dealing with such violations, including active efforts to prevent their commission and ensure their full criminalization and the effective prosecution of alleged perpetrators.

(c) Give the police force resources to adequately investigate crimes related to ritually-motivated murders.

(d) The Police should effectively and promptly investigate cases of missing persons as most of them end up murdered and mutilated.

10.2 Ministry of Justice, Legal and Parliamentary Affairs:

(a) Train law enforcement officials, district administrators, magistrates and other officials to investigate, prosecute and adjudicate all cases of human rights violations and criminal offences arising from harmful practices.

(b) Assist the Government in proposing reforms and other laws that are not in compliance with human rights standards in relation to ritual practices.

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10.3 Ministry of Public Service, Labour and Social Welfare

(a) Should protect the victims by providing them with state-assisted medical, psychological and psychosocial support, and ensure that they have access to effective remedies and redress within the domestic legal and normative frameworks and institutions.

10.4 Citizens and Civil Society:

(a) The ICCPR reminds citizens of their duties and responsibilities to other individuals and to the communities to which they belong. Citizens are enjoined to also strive for the promotion and observance of human rights and in particular the right to life. Citizens should also assist by reporting cases of missing persons without delay.

(b) Civil Society should contribute to the raising of awareness of human rights amongst traditional leaders, traditional medical practitioners and local communities.

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