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**Mr Patrick Chinamasa**

**Minister of Justice**

**Ministry of Justice, Legal and**

**Parliamentary Affairs**

**5th Floor Corner House**

**Corner Leopold Takawira Street and**

**Samora Machel Avenue**

**Harare**

**Private Bag 7704**

**Causeway**

**Zimbabwe**

**Lomé, 20th March, 2012**

**O/R.: 044/2012/SG/RB**

Dear Minister Chinamasa,

We are writing to strongly protest the arrest, torture and prosecution of six Zimbabwean activists that had been charged with "inciting public violence". The six are Munyaradzi Gwisai, Tafadzwa Choto, Tatenda Mombeyarara, Edson Chakuma, Hopewell Gumbo and Welcome Zimuto. They have now been found guilty of these charges and face jail sentences of up to 10 years.

They were arrested a year ago, together with 39 other people, at the Zimbabwe Labour Centre while they were viewing video footage on the popular uprising in Egypt and discussing the Arab Spring. This was merely a political debate. Their conviction sets an awful precedent by giving the Zimbabwe government a green light to persecute and prosecute ordinary people for watching a film, conversing about current affairs, or discussing events as they unfold in another country.

The six had initially been charged with treason, but during the course of the court process, the charges were reduced and the other 39 people cleared. In his ruling Judge Kudya said the state prosecutors had failed to prove that the activists were a threat to Zimbabwe's safety and added "I see no iota of evidence that any Zimbabwean ever contemplated any Tunisian- or Egyptian-[style] revolution." There is no need to say that the charges against them were preposterous and outrageous in the first place.

Whilst in prison, before bail was granted almost a month after their arrest, the activists were subjected to physical and mental torture, and prevented from access to prescribed medication and treatment. They have brought charges against government officials for their experiences at the hands of state security agents.

David Mpatsi, who was among the other 39 people and was held for two weeks in jail before their release, died in the months after his release. He was one of 17 of those jailed who was locked up in solitary confinement. David suffered particularly acutely because of the lack of decent medical care while he was locked up, which worsened his health.

We are currently concerned particularly for the wellbeing of Tafadzwa Choto, who suffers from ill health and requires constant medical attention after an operation on her brain three years ago. We want to make it very clear that, should anything happen to her or one of the activists who remain in jail, we will hold the Zimbabwean authorities responsible for this.

In fact, the arrest, torture and prosecution of these six activists run counter to the Constitution of your country: Article 11 provides the fundamental rights and freedoms of the individual, including the right to life, liberty and security of person and the protection of the law and freedom of conscience, expression, assembly and association. They also violate the African Charter on Human and Peoples Rights. To think that they have been found guilty of observing these rights is profoundly regrettable.

To the African Regional Organisation of the International Trade union this is completely unacceptable. We demand for these activists' physical, social and psychological wellbeing and integrity to be protected. Essentially, we demand that they be released so as to be able to access much-needed medical care. We further urge your government to release all political prisoners and drop charges against others that are awaiting trial. We request your government to take all necessary and urgent measures to guarantee that the rights and freedoms of all Zimbabweans are respected in accordance with international human rights standards.

**Yours Sincerely,**



**Kwasi Adu-Amankwah**

**General Secretary**

**CC. The Attorney General Mr Johannes Tomana**