

We, the participants meeting at the Forum on the Participation of NGOs in the 41st Ordinary Session of the African Commission on Human and Peoples' Rights between 12th and 14th May 2007, state as follows:

Considering that Zimbabwe is party to the African Charter on Human and Peoples' Rights and has adopted the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa;

Further considering Zimbabwe's obligations under the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (the UN Declaration on Human Rights Defenders), particularly to ensure the rights of human rights defenders to assemble, associate, express themselves and participate in the government of the country and the conduct of public affairs;

Noting the recommendations to the Government of Zimbabwe contained in the African Commission Report of the Fact Finding Mission to Zimbabwe in June 2002, contained in Annex II of the 17th Annual Activity Report of the African Commission;

Recalling the African Commission on Human and Peoples' Rights Resolution on the Protection of Human Rights Defenders in Africa adopted at its 35th Ordinary Session on 4 June 2004 in Banjul, The Gambia;

Deeply concerned by the recent events in which human rights defenders, including trade unionists, students, journalists, legitimate political activists and prosecutors have been subjected to abductions, arbitrary arrests, detention, torture, inhuman and degrading treatment, denial of access to lawyers, medical treatment and food in custody, and extra-judicial executions;

Further concerned by the promulgation and threats of promulgation of laws for criminalising human rights work to create a pretext for the closure of human rights and humanitarian organisations;

Deploring the continued undermining of the independence and effectiveness of the judiciary and other institutions of protection including defiance of court orders by law enforcement agents which contributes to a culture of impunity;

Noting that the harassment and intimidation of lawyers and prosecutors affects the independence of the legal profession, adversely impacts on the judicial process and protection of the law and renders ineffective any legal remedy for human rights defenders whose rights have been violated and who rely on such lawyers and prosecutors;

Hereby resolve to call upon the African commission on Human and Peoples' Rights to adopt a resolution:

1. ***Condemning*** the increasing violence; human rights violations and selective application of the law perpetrated against human rights defenders in Zimbabwe;
2. ***Calling*** upon the government of Zimbabwe to desist from harassing, intimidating, assaulting, arresting and detaining human rights defenders, including members of the legal profession who protect and promote the rights of human rights defenders;

3. ***Insisting*** on an environment where the independence of the legal profession will not be compromised in any way;
4. ***Demanding*** that the government of Zimbabwe respects judicial processes, in particular ensuring the enforcement of all court orders by the authorities;
5. ***Urging*** the government of Zimbabwe to comply with its obligations as articulated in the African Charter on Human and Peoples' Rights, the Principles and Guidelines on the Right to A Fair Trial and Legal Assistance in Africa; the UN Declaration on Human Rights Defenders and other international human rights instruments
6. ***Pressing*** the Government of Zimbabwe to implement without further delay the recommendations contained in the African Commission Report of the Fact-finding Mission to Zimbabwe;
7. ***Calling upon*** the African Union (including SADC) to insist that the government of Zimbabwe implement the recommendations of the African Commission and stipulate specific time frames for compliance with recommendations
8. ***Encouraging*** African Civil Society, including democracy movements, women's movements, students and youth movements, workers' movements, grassroots leaders and professional bodies, to work together to ensure a systematic and sustained oversight of the state of compliance or non-compliance by the government of Zimbabwe with the aforesaid resolutions of the AU.

Thus done at Accra, Ghana on this 14th day of May 2007.