

Zimbabwe

In Zimbabwe, Scholars at Risk (SAR) reported arrests and prosecutions of students in connection with nonviolent expressive activity, including protests over the imprisonment of student leaders. In at least one incident, unidentified individuals attacked a group of student union members.

Zimbabwe is bound by national and international legal instruments that provide protections for academic freedom. Zimbabwe is a party to the International Covenant on Civil and Political Rights (ICCPR), which provides for freedom of opinion and expression (Article 19), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which provides for the right to education (Article 13) and calls on state parties to “respect the freedom indispensable for scientific research and creative activity” (Article 15(3)). Full exercise of academic freedom depends also on respect for institutional autonomy, defined as “that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights.”¹ Zimbabwe’s constitution explicitly recognizes the right to academic freedom (Article 61(1)(c)) and the right to education (Article 75(1)).² As it relates to a number of incidents discussed here, Zimbabwe’s Constitution also provides for freedom of expression (Article 61), and freedom of assembly and association (Article 58).³

SAR has previously reported the use of arrests and other legal actions against Zimbabwean students for their protest activities. During this reporting period, students protested the abduction of a journalism student, the jailing of student-activists, and university policies relating to the impact of the COVID-19 pandemic. Authorities carried out arrests of students for alleged crimes against public order, in particular for violating Section 37 of the Criminal Law Act (CLA):

participating in a gathering with intent to promote public violence, breaches of the peace or bigotry.⁴ The arrests and use of force appear to fit a pattern of state actions in Zimbabwe targeting political opponents and other critics of the government.

On September 10, 2020, police arrested **Takudzwa Ngadziore**, President of the Zimbabwe National Students Union (ZINASU), for his role in organizing a protest over the abduction of a journalism student, **Tawanda Muchehiwa**.⁵ On September 8, Ngadziore and other students peacefully protested outside the Impala Car Rental offices in Harare to demand that the company respond to allegations that its vehicles were used by state security agents to abduct Muchehiwa. On September 10, as Ngadziore left a court for a hearing on charges stemming from an unrelated incident, police arrested him for violating Section 37 of the CLA, in connection with the September 8 protest. On September 14, police briefly arrested nine students who protested outside a courthouse in support of Ngadziore.⁶ On September 18, following Ngadziore’s release, a group of unidentified individuals assaulted Ngadziore, other ZINASU members, and journalists during a press conference held again near the Impala Car rental offices.⁷ The assailants abducted Ngadziore before bringing him to the police station, where police took Ngadziore back into custody. On October 16, Ngadziore was released on bail and ordered to stay at least 500 meters away from the Impala Car Rental offices, report to the police station every week, and refrain from participating in public gatherings.

On December 7, police arrested nine students at **Morgan Zintec Teachers’ College** in an apparent effort to restrict a campus gathering.⁸ Students had gathered

on campus to draft a petition protesting a university decision that would require students to repeat the 2019-2020 academic year due to the COVID-19 pandemic. The students were charged under Section 37 and later released on bail.

On February 26, 2021, police arrested six student leaders for their participation in a press conference demanding the release of a jailed student leader named **Makomborero Haruzivishe**.⁹ Haruzivishe, a member of the opposition party Movement for Democratic Change Alliance, was arrested on charges of incitement and resisting arrest in connection with his political expression. Following the press conference, police arrested six student leaders in attendance. Three of the students—**Liam Kanhenga**, **Paidamoyo Masaraure**, and **Pritchard Paradzayi**—were charged with not wearing masks, while three others—**Tapiwanashe Chiriga**, **Takudzwa Ngadziore**, and **Nancy Njenge**—were charged with public violence. As of this report, authorities have not provided an evidentiary basis for the charges of public violence. Kanhenga, Masaraure, and Paradzayi were reportedly fined before they were released later that day. Njenge was released on bail the following morning.

On March 3, authorities arrested four students and a journalist participating in a protest calling for a fair bail ruling for Chiriga and Ngadziore.¹⁰ Chiriga and Ngadziore were reportedly scheduled to have a bail hearing on March 1; however, authorities postponed the hearing to March 4. Students held a protest at the Harare Magistrate's Court in response to the bail postponement and demanded that authorities provide a fair bail hearing. On March 4, following their arrest, the students—**Falon Dunga**, **Pritchard Paradzayi**, **Glown Magaya**, and **Allan Chipoyi**—were charged with participating in a gathering with intent to cause public violence, according to *University World News*.¹¹ Authorities did not provide an evidentiary basis for the charges. Authorities released the students two days later.

SAR is concerned about the frequent use of arrests and prosecutions against students in Zimbabwe. These actions have apparently been taken in an effort to restrict or retaliate against nonviolent student expression.

As a party to the International Covenant on Civil and Political Rights, Zimbabwe has a responsibility to protect and refrain from limiting or punishing students' nonviolent exercise of the rights to freedom of expression and freedom of assembly. Attacks on

student expression undermine the conditions needed for quality higher education and democratic society more generally.

SAR calls on Zimbabwean authorities to refrain from actions that restrict or punish peaceful student expression and to demonstrate a commitment to academic freedom and quality higher education by protecting and promoting student expression. SAR further calls on higher education leaders in Zimbabwe and governments around the world to call on Zimbabwean state authorities to protect student expression and academic freedom.

ENDNOTES

1. See UNESCO, "Recommendation concerning the Status of Higher-Education Teaching Personnel," November 11, 1997, para. 17, http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html.
2. Constitution of Zimbabwe (2013), available at https://www.constituteproject.org/constitution/Zimbabwe_2013.pdf.
3. *Ibid.*
4. See Criminal Law (Codification and Reform) Act of 2004, available at <https://zimlil.org/zw/legislation/act/2004/23>.
5. SAR Academic Freedom Monitoring Project (AFMP), September 10, 2020, <https://www.scholarsatrisk.org/report/2020-09-10-various/>.
6. SAR AFMP, September 14, 2020, <https://www.scholarsatrisk.org/report/2020-09-14-unknown/>.
7. SAR AFMP, September 18, 2020, <https://www.scholarsatrisk.org/report/2020-09-18-various/>.
8. SAR AFMP, December 7, 2020, <https://www.scholarsatrisk.org/report/2020-12-07-morgan-zintec-teachers-college/>.
9. SAR AFMP, February 26, 2021, <https://www.scholarsatrisk.org/report/2021-02-26-midlands-state-university-womens-university-in-africa-chinhoyi-university-of-technology/>.
10. SAR AFMP, March 3, 2021, <https://www.scholarsatrisk.org/report/2021-03-03-various/>.
11. Prince Gora, "More student activists arrested and detained in Zimbabwe," *University World News*, March 8, 2021, <https://www.universityworldnews.com/post.php?story=20210308090021290>.