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Centre for Human Rights
Faculty of Law

PRESS STATEMENT

THE CENTRE FOR HUMAN RIGHTS CONDEMNS THE CONVICTION OF ZIMBABWEAN POLITICAL ACTIVIST FADZAYI MAHERE

18 April 2023

The Centre for Human Rights, Faculty of Law, University of Pretoria (the Centre) denounces the [conviction](#) of Citizens Coalition for Change (CCC) party spokesperson Fadzayi Mahere.

Mahere, a prominent political activist and lawyer, was found guilty by a Harare Regional Magistrate on charges of publishing falsehoods emanating from a retweet where she shared information that a police officer had beaten to death a child with a baton in Harare. The Court held that she undermined the authority of the police through her tweet and noted that her conduct was reckless and detrimental to the State as it intended to undermine the police force and erode public confidence in the law enforcement agents. The contentious charges carried an imprisonment term of up to 20 years and a fine. The Court opted to impose a fine of USD 500 on Mahere and not a prison sentence.

Hopewell Chin'ono, an acclaimed Zimbabwean journalist, joined in condemning Mahere's conviction stating that he was similarly charged in 2022 but the case was dismissed because there was no legal basis for the charges following the 2014 Constitutional Court decision in [Madanhire & Another v The AG](#). However, the contentious section 31(a)(iii) of the Criminal Law (Codification and Reform) Act that undermined the charges was not amended by the [General Laws Amendment Act No. 3 of 2016](#) despite the Constitutional Court judgement.

Centre for Human Rights
Faculty of Law,
University of Pretoria,
Pretoria, 0002, South Africa

Tel +27 (0)12 420 3810
Fax +27 (0)12 362 1525
Email chr@up.ac.za
Web www.chr.up.ac.za



Indeed, his experience and the conviction of Mahere is a sad indictment of the state of freedom of expression and media freedom in Zimbabwe and may have a chilling effect on these rights ahead of the 2023 elections. It may also engender self-censorship, particularly in discussing issues of public interest such as the conduct of the police in maintaining law and order.

It should be noted that the criminalisation of false news is a violation of freedom of expression that is protected under the Constitution of Zimbabwe, and international law instruments ratified by Zimbabwe including the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights (African Charter). Principle 22 of the [Declaration of Principles on Freedom of Expression and Access to Information in Africa](#) (the Declaration), adopted to further promote freedom of expression under article 9 of the African Charter, calls for the repeal of laws that criminalise false news.

The Centre, therefore, urges Zimbabwe to uphold the provisions of the Zimbabwean Constitution, and international laws and standards on freedom of expression. Relevant stakeholders including politicians should further enable a healthy information ecosystem by promoting access to credible and accurate information.

For more information, please contact:

Ms Hlengiwe Dube

Manager: Expression, Information and Digital Rights Unit

Tel: +27 (0) 12 420 4199

Email: hlengiwe.dube@up.ac.za

www.chr.up.ac.za

Marystella Auma Simiyu

Tutor: HRDA

Project Officer: Expression, Information and Digital Rights Unit

Tel: +27 (0) 12 420 3810

Email: marystella.simiyu@up.ac.za

www.chr.up.ac.za