Zimbabwe
Joint Stakeholder Report for the United Nations Universal Periodic Review:
The Death Penalty

Submitted by Parliamentarians for Global Action
The Advocates for Human Rights
Veritas Zimbabwe
and
The World Coalition Against the Death Penalty

for the 54th Session of the Working Group on the Universal Periodic Review
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Parliamentarians for Global Action (PGA) is a non-partisan NGO network of legislators from all regions of the world acting in their individual capacity to advocate for human rights, democracy, and the rule of law; peace and human security; gender equality and inclusion; protection of the environment; and justice in all its forms. PGA's network includes over 1,000 active members of parliament, representing government and opposition parties, in 150 countries where the parliament has true legitimacy and authority. PGA facilitates peer-to-peer learning among parliamentarians, fosters connections between parliamentarians and civil society, and builds bridges between domestic and international policymakers and stakeholders. PGA is governed by legislators with technical and legal assistance from its Secretariat, which is based in New York and has an office in The Hague.

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

Veritas Zimbabwe works for the Rule of Law, Justice, and Human Rights in Zimbabwe.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. This report commends Zimbabwe for enacting the Death Penalty Abolition Act in 2024 and aims to promote Zimbabwe's full and irreversible abolition of the death penalty. It recommends that Zimbabwe accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and continue its progress toward resentencing the people who were under sentence of death at the time of abolition.
2. The Death Penalty Abolition Act abolished the death penalty for ordinary crimes. But the Act includes a clause whereby authorities may reinstate the death penalty during a state of public emergency, and Section 48(2) of Zimbabwe's Constitution still authorizes the use of capital punishment. Accession to the Second Optional Protocol would therefore consolidate and reinforce Zimbabwe's domestic reforms on the international stage, adding a layer of protection against any potential reversal of the Death Penalty Abolition Act.
3. Furthermore, courts have swiftly resentenced all or nearly all people who had been under sentence of death at the time the Death Penalty Abolition Act came into force. It is difficult to ascertain, however, what circumstances and mitigating factors the resentencing courts considered.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

4. In its third-cycle Universal Periodic Review in 2022, Zimbabwe noted 10 recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.[1] Zimbabwe has not yet acceded to OP2.[2]
5. In December 2024, after the National Assembly and the Senate approved the Death Penalty Abolition Act,[3] the President of Zimbabwe signed the bill into law,[4] thereby abolishing the death penalty for ordinary crimes. Subsequently, the government undertook a resentencing process, resulting in the commutation of nearly all death sentences to life imprisonment, with two resentencings still pending.[5]
6. The national legal framework, however, still retains provisions that could undermine these gains, as well as Zimbabwe's commitment to abolishing the death penalty. Currently, Section 48(2) of the Constitution authorizes the use of capital punishment for persons "convicted of murder committed in aggravating circumstances."[6] Furthermore, the Death Penalty Abolition Act includes a clause whereby authorities could lift the suspension of the death penalty during a declared state of public emergency.[7] These provisions create a potential legal pathway for reinstatement of the death penalty.

7. Accession to OP2 would therefore consolidate Zimbabwe's domestic reforms on the international stage, providing an additional layer of protection against any potential reversal of the Death Penalty Abolition Act.

8. In declining to support some UPR recommendations 2022, but without specifically referencing OP2, the government clarified its position by stating that it had taken note of some of the recommendations because they were perceived as "inconsistent with national principles, programmes, policies and values, while others had already been sufficiently provided for in the legal framework." Yet since that time, lawmakers have abolished the death penalty for ordinary crimes, and therefore accession to OP2 is consistent with Zimbabwe's commitments. Despite this realignment, there is no evidence that lawmakers in Zimbabwe have initiated steps toward accession to OP2. Enhanced and focused consultations among the government, parliamentarians, and civil society organizations could foster a shared understanding of the benefits of accession and facilitate the next steps in the process.

Death penalty

Status of Implementation: Not Accepted, Partially Implemented

9. In its third-cycle UPR, Zimbabwe noted 14 recommendations to take concrete steps toward abolition of the death penalty.[8] As discussed in paragraph 5 above, in 2024 Zimbabwe abolished the death penalty for ordinary crimes.

Administration of justice and fair trial

Status of Implementation: Not Accepted, Partially Implemented

10. In its third-cycle UPR, Zimbabwe noted several recommendations on the administration of justice and the right to a fair trial, including Belgium's recommendation to "[e]nsure that the Zimbabwean courts are impartial, allowing those appearing before them to have their constitutional rights to a fair trial and legal counsel of their choosing respected."[9]

11. Zimbabwe's Death Penalty Abolition Act came into force on 31 December 2024 and is retrospective in effect, in the sense that people who had been sentenced to death will no longer be executed.[10] Instead, they would be re-sentenced to periods of imprisonment to be determined to be appropriate by the court. In particular, Section 8 (Transitional provisions) sets out a procedure that requires Zimbabwe's Minister of Justice, Legal and Parliamentary Affairs, the Prosecutor General and the Commissioner-General of the Prisons and Correctional Service to do everything in their respective competencies to ensure that, as soon as possible after 31 December 2024, "every prisoner under sentence of death is brought before the High Court to be sentenced afresh for the offence for which the death sentence was imposed upon him or her."

12. In resentencing individuals who were under sentence of death when the Death Penalty Abolition Act came into force, the Act stipulates:

- People that had been under the sentence of death are entitled to legal representation, either at their own expense or provided by the State;
- The State will be entitled to be represented by the Prosecutor-General or any other person entitled to appear for the State in criminal proceedings in the High Court;
- The parties shall be heard, and the proceedings shall be conducted, as nearly as possible as if the presiding judge were sentencing the individual at the conclusion of a criminal trial;
- The High Court may direct that a sentence of imprisonment that it imposes upon resentencing will run from a date before the resentencing was made; and
- The resentenced term can be appealed in all respects as if the sentence had been imposed following the criminal trial.

13. In addition, the Death Penalty Abolition Act provides that in such resentencing, the High Court will impose whatever sentence it considers appropriate (other than a death sentence), taking into account all of the relevant circumstances, including:
    - the nature and circumstances of the offence;
    - the personal circumstances of the person;
    - the interests of society;
    - the length of time the person has been under sentence of death, and the treatment accorded to him or her during that time; and
    - the likelihood of the person committing further offences.
14. Since the Death Penalty Abolition Act came into force, Zimbabwe has proceeded to resentence people who had been sentenced to death. In particular:
    - The Herald reported on 2 March 2025[11] that (i) in February 2025, the Zimbabwe Prisons and Correctional Service submitted detailed information on all people who had been facing the death penalty in Zimbabwe to the Judicial Service Commission, allowing for the retrieval of 44 out of 48 court records; and (ii) records of court proceedings for the 44 people had been submitted to the National Prosecuting Authority of Zimbabwe, with their cases set to be brought before the High Court for fresh sentencing.
    - In a subsequent article published on 23 June 2025,[12] The Hearld reported that 29 people who were previously sentenced to death had been resentenced, while 19 further cases remained pending before the courts.
    - In a 2026 report, Amnesty International stated that the 2025 resentencing process has "led to the commutation of all existing death sentences to a range of alternative penalties." Amnesty's report states that "[i]n a letter dated 7 April 2026, the [Zimbabwean] authorities confirmed that there were no individuals on death row at the end of 2025."[13] Since that time, however, the Government of Zimbabwe informed Amnesty International that courts have commuted the sentences of 46 out of the 48 people who had been under sentence of death to

life imprisonment, while the Supreme Court was still determining sentences for the remaining two people.[14]

15. Based on the above reports, authorities appear to have swiftly carried out the resentencing process for nearly all of the 48 people who had been under sentence of death at the time the Death Penalty Abolition Act took effect. Yet the lack of transparency means that it is difficult to ascertain:

    - Details regarding the resentencing hearings, including what circumstances the courts considered in resentencing;
    - The status of the two cases that are still pending before the Supreme Court; and
    - The nature of the sentences that the courts imposed on people as a result of the resentencing (including any conditions, such as eligibility for parole).

16. Furthermore, it is not clear what (if any) training, materials, or guidelines authorities provide to prosecutors, defense representatives, and/or the court to assist them with either (i) the resentencing of individuals under Section 8 of the Death Penalty Abolition Act or (ii) the sentencing of individuals of convicted of crimes that were formerly capital offences.

II. RECOMMENDATIONS

17. The coauthors suggest the following recommendations for the Government of Zimbabwe:

    - Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights.
    - Initiate a constitutional amendment process to fully align Section 48 of the Constitution with the Death Penalty Abolition Act, remove all provisions relating to capital punishment, and incorporate the abolition of the death penalty into the Constitution.
    - In the interim:
        - Convene a dialogue involving parliamentarians, legal experts, and civil society organizations on the benefits and procedural requirements for accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights.
        - Facilitate inclusive national consultations involving parliamentarians, legal experts, and civil society organizations to raise awareness regarding the human rights implications of the death penalty, reasons for its abolition, and alternatives to capital punishment.
    - Publish comprehensive data on all people that have been resentenced pursuant to the Death Penalty Abolition Act, disaggregated by sex, age, nationality, ethnicity, crime of conviction, relationship to any victims or codefendants, age of any dependent children, nature of the new sentence, and status of any appeals from the new sentence.

- Expand prison programming to include people that have been resentenced pursuant to the Death Penalty Abolition Act so that they can receive skills training, trauma counseling, family counseling, and community preparedness support for reintegration after release.
- Ensure that all judges, prosecutors, and defense representatives receive training on approved sentencing guidelines, particularly in cases concerning crimes that formerly carried the death penalty.
- Ensure that all sentencing authorities in cases concerning crimes that formerly carried the death penalty take into account all of an individual's relevant mitigating circumstances, including mental health factors as well as gender-specific mitigation, encompassing trauma, gender-based violence, economic pressures, and family caretaking responsibilities.

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[1] *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe* (5 April 2022), U.N. Doc. A/HRC/50/9, ¶ 140.8 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Mexico); ¶ 140.9 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Togo); ¶ 140.16 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Sierra Leone); ¶ 140.59 Abolish the death penalty, commute existing death sentences to proportionate punishments and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Iceland); ¶ 140.60 Adopt a de jure moratorium on capital executions with a view to fully abolishing the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Italy); ¶ 140.61 Establish a moratorium on the death penalty with a view to its eventual abolition and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Latvia); ¶ 140.63 Abolish the death penalty in all circumstances and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Norway); ¶ 140.64 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal); ¶ 140.67 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Finland); ¶ 140.69 Strengthen awareness-raising campaigns on the death penalty and public debates on this topic from a human rights perspective, including within Parliament, with a view to definitively abolishing it and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as soon as possible (Uruguay); *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe: Addendum*, (20 April 2022), U.N. Doc. A/HRC/50/9/Add.1, ¶ 3(b).

[2] *Ratification Status for Zimbabwe*, U.N. Treaty Body Database, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Treaty.aspx?CountryID=195&Lang=en (accessed on 13 July 2026).

[3] Parliamentarians for Global Action, *Historic vote: Zimbabwe Parliament adopts the Death Penalty Abolition Bill* (13 December 2024), available at: https://www.pgaction.org/fr/news/zimbabwe-death-penalty-abolition.html.

[4] Zimbabwe, *Death Penalty Abolition Act*, No. 4/2024 (2024), available at: https://www.veritaszim.net/sites/veritas_d/files/Death%20Penalty%20Abolition%20Act%2C%20%20Act%20No.%204%20of%202024.pdf.

[5] Amnesty International, *Death sentences and executions 2025* (18 May 2026), p. 36, available at: https://www.amnesty.org/en/documents/act50/0778/2026/en/.

[6] Zimbabwe, *Constitution of Zimbabwe* (2013, consolidated 2023), available at: https://www.veritaszim.net/sites/veritas_d/files/Constitution%20Consolidated%20%282023%29.pdf.

[7] Zimbabwe, *Death Penalty Abolition Act*, No. 4/2024 (2024), Art. 116, available at: https://www.veritaszim.net/sites/veritas_d/files/Death%20Penalty%20Abolition%20Act%2C%20%20Act%20No.%204%20of%202024.pdf.

[8] *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe* (5 April 2022), U.N. Doc. A/HRC/50/9, ¶ 140.59 Abolish the death penalty, commute existing death sentences to proportionate punishments and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Iceland); ¶ 140.60 Adopt a de jure moratorium on capital executions with a view to fully abolishing the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Italy); ¶ 140.61 Establish a moratorium on the death penalty with a view to its eventual abolition and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Latvia); ¶ 140.62 Pursue efforts towards abolishing the death penalty (Marshall Islands); ¶ 140.63 Abolish the death penalty in all circumstances and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Norway); ¶ 140.64 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal); ¶ 140.65 Consider amending the Constitution to abolish the death penalty for all crimes (Sierra Leone); ¶ 140.66 Establish an official moratorium on the implementation of the death penalty and move towards its legal abolition for all crimes (Spain); ¶ 140.67 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Finland); ¶ 140.68 Take all the necessary measures to abolish the death penalty for all crimes, as well as to commute all death sentences to alternative penalties (Switzerland); ¶ 140.69 Strengthen awareness-raising campaigns on the death penalty and public debates on this topic from a human rights perspective, including within Parliament, with a view to definitively abolishing it and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as soon as possible (Uruguay); ¶ 140.70 Impose an official moratorium on the death penalty with immediate effect, commute all existing death sentences to terms of imprisonment and abolish the death penalty in national legislation (Australia); ¶ 140.71 Establish a moratorium on the death penalty with a view to its abolition (Costa Rica); ¶ 140.72 Establish an official moratorium on executions (Cyprus); *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe: Addendum*, (20 April 2022), U.N. Doc. A/HRC/50/9/Add.1, ¶ 3(b).

[9] *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe* (5 April 2022), U.N. Doc. A/HRC/50/9. ¶ 141.20; *Human Rights Council, Report of the Working Group on the Universal Periodic Review: Zimbabwe: Addendum*, (20 April 2022), U.N. Doc. A/HRC/50/9/Add.1, ¶ 3(b).

[10] Zimbabwe, *Death Penalty Abolition Act*, No. 4/2024 (2024), Art. 116, available at: https://www.veritaszim.net/sites/veritas_d/files/Death%20Penalty%20Abolition%20Act%2C%20%20Act%20No.%204%20of%202024.pdf.

[11] The Herald (2 March 2025). *44 death row inmates in fresh sentencing*. Accessed at https://www.heraldonline.co.zw/44-death-row-inmates-in-fresh-sentencing/.

[12] The Herald (23 June 2025). *29 death row inmates resentenced*. Accessed at https://www.heraldonline.co.zw/29-death-row-inmates-resentenced/ on 26 June 2026.

[13] Amnesty International, *Death sentences and executions 2025* (18 May 2026), pp. 6, 33, 34 n.125, and 36, available at: https://www.amnesty.org/en/documents/act50/0778/2026/en/.

[14] Information on file with Amnesty International.