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Commission Meeting on Monitoring and Inspections

Date: 10 April 2025

Venue: ZHRC Head Office, 2nd Floor Boardroom, Harare.

Monitoring and Inspection Report: Chikombedzi Satellite Prison, Masvingo Province.

Date of visit: 13 September 2024

Human Rights Concerns:

- Right to food and water- Section 77
- Right to human dignity- Section 51
- Hygiene and sanitation
- Infrastructure development (modern offices, and prison cells)
- Accommodation- Section 50 (5)(d)
- Labour Rights – Section 65

1. Introduction

- 1.1. The Zimbabwe Human Rights Commission (herein referred to as ZHRC) has the mandate to monitor and assess the enjoyment of human rights and freedoms in terms of Section 243(1) (c) of the Constitution of Zimbabwe Amendment (No. 20) of 2013. In addition, section 243(1)(k)(i) of the Constitution mandates the ZHRC to visit and inspect prisons, places of detention, refugee camps, and related facilities. In line with that mandate, the ZHRC conducted a monitoring and inspection visit to Chikombedzi Satellite Prison located in Chiredzi District to ascertain the conditions under which inmates were kept.
- 1.2. Section 50(5)(d) of the Constitution of Zimbabwe provides that detained persons have a right to conditions of detention that are consistent with human dignity including an opportunity for physical exercise, adequate accommodation, ablution facilities, personal hygiene, nutrition, appropriate reading material, and medical treatment. These rights are embedded in international and regional standards on the treatment of detainees and prisoners and underscore the importance of ensuring that detainees are treated humanely. This report highlights the findings and recommendations from the prison monitoring and inspection visit to Chikombedzi Satellite in Masvingo Province.

2. Objectives

The following objectives guided the monitoring mission;

- i. To monitor and inspect the prison cells to ascertain the conditions in which detainees were kept.
- ii. To produce a report with recommendations on areas of improvement to the Commissioner General of Zimbabwe Prisons and Correctional Services and other relevant stakeholders.

3. Legal Framework

- i. The Constitution of Zimbabwe, Amendment (No 20) Act 2013
- ii. Prisons and Correctional Service Act [Chapter 7:21]
- iii. United Nations Convention on the Rights of Persons with Disabilities, 2006

- iv. International Convention on Civil and Political Rights, 1969
- v. African Charter on Human and Peoples' Rights, 1981
- vi. United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), Revised 2015.

4. Methodology

- 4.1. The ZHRC used its internal prison monitoring tool as a questioning guide for the monitoring mission. The ZHRC had in-depth interviews with the Officer Commanding the Province of Masvingo for Zimbabwe Prisons and Correctional Services (ZPCS) and the Officer in Charge of Chiredzi Prison who was the supervisor for all the activities at Chikombedzi Satellite Prison. ZHRC also engaged the staff and inmates at Chikombedzi prison. A tour of the facilities was also carried out to have an appreciation of the state of infrastructure and the general environment.

5. Background of Chikombedzi Satellite Clinic

- 5.1. Chikombedzi Satellite Prison was officially commissioned on 19 October 2023, with a designated capacity to accommodate twenty-seven (27) inmates. At the time of inspection, the facility housed fourteen (14) inmates, thirteen (13) of whom were serving custodial sentences. The prison serves both as a permanent facility for inmates serving custodial sentences and as temporary accommodation for detainees on routine remand appearances before the Chikombedzi Magistrates Court. The prevalent offences among the inmates' population included theft, stock theft, unlawful entry into premises, and domestic violence. The prison accommodates both male and female inmates; however, during the inspection, there were no female inmates present. The facility was staffed by twenty-five (25) correctional officials, comprising six (6) female and nineteen (19) male officers. These staff numbers were stated to be adequate.

6. Findings and Observations

6.1. Standard of living within detention facilities

- 6.1.1. The prison was state-of-the-art, with facilities recently constructed in October 2023. The prison reflected the modern standards for a prison infrastructure. The

cells were equipped with concrete bunk beds designed to accommodate four inmates per cell, providing a more organized and structured environment in comparison to older facilities. This layout optimized the space utilization, free air circulation and improved living conditions for inmates, aligning the prison with international standards on accommodation and crowding prevention in prisons.

6.1.2. In addition, Rule 13 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (herein referred to as Mandela Rules), provides that prison accommodation must ensure adequate space, ventilation, lighting, and sanitation to maintain humane conditions. Concrete bunk beds reflect efforts to provide stable and sufficient sleeping arrangements, contributing to inmates' overall physical and mental well-being. The ZHRC commends the Administration for the design of the detention cells, which includes concrete beds, an innovative feature unique in Masvingo Province, and recommends that other facilities consider adopting a similar layout. Furthermore, the Rule emphasizes the importance of sanitary conditions, which these newly constructed facilities met by ensuring access to personal hygiene and reducing health risks.

6.1.3. Furthermore, Rule 15 of the Mandela Rules provides that sanitary installations for the inmates should be adequate to enable every prisoner to comply with the needs of nature, when necessary, cleanly and decently. In line with that provision, the prison had privacy walls on the toilets within the cells to allow inmates to retain their dignity when using the ablution facilities. The cells were also very clean and well maintained, with the inmates charged with the hygiene upkeep within the cells.

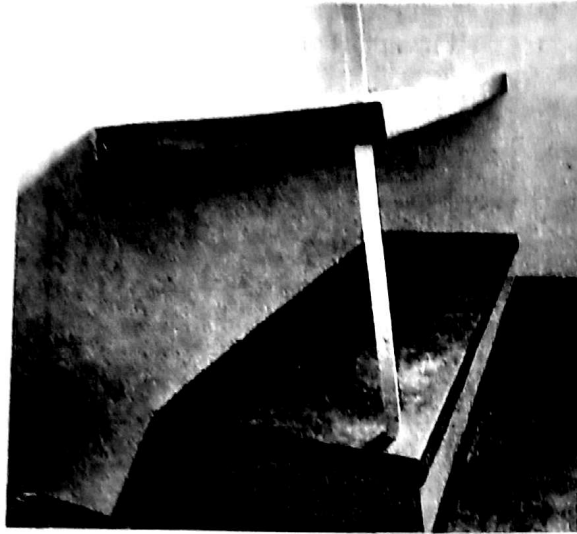


Fig 1: The concrete beds that inmates use at the Prison. This is the first prison in Masvingo Province with such a facility.



Fig 2: The toilets in the cells have a privacy wall to allow the inmates to use the toilet privately and with dignity.

6.2. Right to Food and Water

6.2.1 The right to food and water for detainees is a fundamental human right recognized by various international, regional, and Zimbabwean legal

instruments including section 77 of the Constitution of Zimbabwe. Article 25 of the Universal Declaration of Human Rights (UDHR) and Article 11 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) guarantee the right to an adequate standard of living, including nutritious food and clean, safe water. These rights are extended to detained persons and Rule 22 of the Mandela Rules guarantees the same. The Mandela Rules provide comprehensive standards and practices to ensure the humane treatment of inmates.

6.2.2 The detainees are provided with three (3) meals a day, with food rations supplied by the Chiredzi Prison administration. The Officer-in-Charge (OIC) indicated that the inmates are responsible for preparing their meals, under the supervision of Correctional Officers. Interviews with the inmates revealed that, while the food provided is generally sufficient, there are significant challenges regarding access to water at the facility. The prison's water supply is dependent on an electrically powered pumping system, which is frequently disrupted due to erratic power supply, resulting in extended periods without water.

6.2.3 The facility also lacks an alternative backup borehole system, which aggravates the water shortages during power outages. Consequently, the prison has to rely on a community borehole located approximately one kilometre from the facility. This arrangement compromised the inmates' rights to access adequate and clean water, a standard that is explicitly protected under international human rights frameworks, including Rule 22 of the Mandela Rules as well as the African Charter on Human and Peoples' Rights which underscores the right to health and basic necessities, such as clean water, for all persons deprived of their liberty.

6.3. Access to Health care services

6.3.1. Rule 24 of the Mandela Rules affirms the right to health and adequate healthcare for all individuals deprived of their liberty. These Rules also align with the broader human rights instruments including section 50 of the Constitution of Zimbabwe; section 91 of the Prisons and Correctional Service Act [Chapter 7:21]; as well as Article 16 of the African Charter on Human and Peoples' Rights. These provisions place the obligation on prison authorities

with an obligation to ensure that the healthcare system within detention facilities is adequately equipped to address both the physical and mental health needs of inmates.

6.3.2. In alignment with these standards, Chikombezi Prison is equipped with an on-site dispensary to assist inmates and staff in medical emergencies. The dispensary provided essential medical care, including the administration of medications for chronic illnesses such as hypertension, HIV/AIDS, and various mental health conditions. Furthermore, the prison is strategically located within a reasonable distance from a community clinic, ensuring that inmates can access additional healthcare services when necessary. The facility also has a dedicated vehicle, readily available for transporting inmates in cases of medical emergencies.

6.4. Clothing and bedding for inmates

6.4.1. Appropriate clothing and bedding for inmates are also a fundamental aspect of ensuring humane treatment and upholding the dignity of inmates. Section 101 of the Prisons and Correctional Services as read with Rule 19 of the Mandela Rules asserts that all prisoners should be provided with clothing suitable to the climate and that is in good condition. These provisions underscore the necessity for inmates to have access to adequate clothing that protects them from the elements of weather and ensures their comfort. Furthermore, Rule 20 stipulates that prisoners must be provided with sufficient bedding, including a mattress, blankets, and bed linen, to promote their health and well-being. Following this Rule, the inmates at Chikombezi Prison are issued two standard uniforms, with an additional uniform available upon request. Due to the sufficient resources available, the prison is able to also allocate an increased number of blankets to inmates during the winter months and a jersey. The Prisons and Correctional Service Act [Chapter 7:21] outlines who may wear prison uniforms and under what circumstances, especially in Section 72 concerning unconvicted (remand) detainees but it does not specify exactly how many uniforms each prisoner should receive. This is left for the prison staff to provide within the available resources.

6.5. Recreational activities and contact with families

- 6.5.1. The provision of recreational facilities within prisons is crucial for safeguarding inmates' physical, mental, and emotional well-being. Rule 23 of the United Nations Standard Minimum Rules for the Treatment of Prisoners mandates that States ensure prisoners are afforded opportunities for daily physical exercise, including access to sports and recreational activities, as a means to promote their overall well-being. In compliance with these international standards, the prison provides recreational opportunities such as the traditional board game 'tsoro,' in which inmates play on concrete benches outside their cells. Furthermore, the facility has a soccer field to encourage physical activity among the inmates. These activities are critical for ensuring that the rights and dignity of prisoners are upheld, ultimately contributing to their successful reintegration into society upon release.
- 6.5.2. In addition, Rule 58 of the United Nations Standard Minimum Rules for the Treatment of Prisoners explicitly guarantees prisoners the right to maintain contact with family and friends through regular visits. This right not only supports inmates' emotional and psychological well-being but also reinforces the principle that incarceration should not sever personal relationships critical to the reintegration process. Article 23 of the International Covenant on Civil and Political Rights (ICCPR) also recognizes the family as a fundamental unit of society, obligating States to protect and respect family ties, even during detention. By facilitating family visits, prison authorities ensure compliance with these legal standards and promote humane treatment within the correctional system. The inmates are encouraged to interact with their families, which also serves to help reconcile with the victims, many of whom were family members, about the importance of rehabilitation.

6.6. Treatment of Vulnerable Groups and Freedom from Torture

- 6.6.1. The ICCPR and the Mandela Rules require that all inmates be treated with humanity, with special attention given to vulnerable groups such as juveniles, women, and persons with disabilities (in line with the United Nations Convention on the Rights of Persons with Disabilities). The Officer in Charge highlighted that no women were detained at the time of the visit, and there

had been no recorded cases of Persons with Disabilities or minors being detained at the prison.

6.6.2. In addition, Rule 1 of the Nelson Mandela Rules provides for the humane treatment of detainees, emphasizing the absolute prohibition of torture and inhumane treatment. Section 53 of the Constitution prohibits torture and any form of cruel, inhuman, or degrading treatment or punishment. There were no recorded complaints of torture at the time of the visit and the OIC emphasized that formal channels existed for the inmates to raise any complaints of ill treatment.

6.7. Staff Welfare

6.7.1. The prison facility was manned by twenty-five (25) correctional officials, consisting of six (6) female and nineteen (19) male officers. The staff-to-inmates ratio was adequate to enable the correctional officers to effectively execute their duties. Accommodation for the correctional officers is provided near the prison premises, enabling them to report for duty promptly and efficiently. This arrangement is per international best practices, including the Mandela Rules specifically Rule 74, which emphasizes the importance of providing suitable living conditions for prison staff to support their physical and mental well-being.

6.7.2. Furthermore, providing on-site or nearby housing contributes to the overall safety, security, and continuity of operations within the prison. It ensures that staff can maintain a consistent presence and respond swiftly to emergencies or operational demands. Nationally, such arrangements comply with principles outlined in labour laws and public service regulations, which mandate that employers, particularly within essential services, offer appropriate working conditions to safeguard the welfare of employees. This is crucial not only for the retention and morale of the correctional officers but also for the effective administration of the correctional facility, ensuring that it operates securely and humanely.

7. Conclusion

In conclusion, the rights of inmates in Zimbabwe must be upheld through humane treatment, access to adequate healthcare, and sufficient living conditions. The State should prioritize the development of improved facilities and allocate resources to ensure that the basic needs of all detainees are met, thereby fostering an environment conducive to rehabilitation and reintegration. The monitoring mission further emphasized the need for additional prison facilities across the country, modelled after the exemplary Chikombedzi Satellite Prison. ZHRC also encourages the Commissioner General ZPCS to support the station with back-up water storage tanks, in order to address the water challenges which came out to be the main issue of concern at the station.

8. Recommendations

Zimbabwe Prisons and Correctional Services

- 8.1. To install a dedicated borehole within the prison grounds at Chikombedzi Satellite Prison, supplemented by solar-powered pumps and a water storage system, to ensure continuous access to clean water, particularly during power outages.
- 8.2. Prison facilities in Zimbabwe need to adopt the standards, such as those observed at Chikombedzi Satellite Prison. This initiative is essential for ensuring the effective realization of the rights of detained persons in Zimbabwe in alignment with international human rights standards.
- 8.3. To provide sufficient clothing and sun-hats for inmates at the facility.

Adopted by the Commission

Signed by



14.11.25

MS F. J. MAJOME (CHAIRPERSON)

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DATE

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