

Summary of Facts

1. The communication concerns the legal status of homosexuals in Zimbabwe. Domestic law of Zimbabwe criminalises sexual contacts between consenting adult homosexual men in private. According to the Complainant, this prohibition is currently being enforced in Zimbabwe, encouraged by statements against homosexuals by the President and by the Minister for Home Affairs.

Complaint

2. The communication complains of violations of the African Charter on Human and Peoples' Rights, namely [Articles 1, 6, 8, 11,16, 20, 22](#) and [24](#). The Complainant points to [Article 60](#) of the Charter which states that the Commission shall draw inspiration from international law on human and peoples' rights and as Annex B to the communication the Complainant has attached the views adopted by the Human Rights Committee in the case of [Toonen vs. Australia](#). In this case the Committee was of the view that the criminalisation of homosexuality in Tasmania was unreasonable and interfered arbitrarily with Mr Toonen's right to privacy under [Article 17, paragraph 1](#) of the International Covenant on Civil and Political Rights (ICCPR).

Holding

The communication was withdrawn by the author. The Commission saw no need to continue with it.