



ZESN/ZLHR IMPLORES GOVERNMENT TO RATIFY AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOOD GOVERNANCE

15 September, 2015-Zimbabwe Lawyers for Human Rights (ZLHR) and Zimbabwe Election Support Network (ZESN) mark International Day of Democracy with an appeal for the government to ratify, domesticate and implement the African Charter on Democracy, Elections and Good Governance (The Charter) ahead of the 2018 elections.

The Charter which came into force in 2012 seeks to promote adherence by African states to the universal values and principles of democracy and respect for human rights premised upon the supremacy of the constitution and respect for the rule of law.

Commemorated annually on 15 September, the International Day of Democracy is this year being marked under the theme "Space for Civil Society" which provides an opportunity to review the state of democracy in the world. Furthermore, the theme is apt in that it is a reminder to governments across the world that the hallmark of successful and stable democracies is the presence of a vibrant and freely operating civil society in which government and civil society cooperate on common goals for a better future while civil society plays its key role of keeping government accountable.

On such an auspicious day, ZESN and ZLHR express grave concern over the deafening silence and lack of significant progress towards accepting through ratification and domestication of the African Charter on Democracy, Elections and Good Governance, which is one of the key instruments that will advance democracy, peace and security in Zimbabwe, the region, and the continent as a whole.

As organisations that are deeply committed to fostering a culture of human rights and promoting democratic elections in Zimbabwe, ZESN and ZLHR regret that the majority of Zimbabweans do not have anything considerable to celebrate on International Day of Democracy as the State and other non-State actors continue to undermine the fundamentals of democracy in the country.

Although there were high hopes for the improvement of political, economic and social conditions in Zimbabwe following the adoption of the Constitution in May 2013, constitutionalism remains elusive as duty bearers continue to violate the Constitution through acts of commission and omission with impunity while the ordeals of human rights defenders have not subsided.

We believe that the full participation of and support by individuals, civil society, national governing bodies and the international community are requisites for the ideals of democracy to be realised. Consequently, democracy provides the ideal environment for the protection, promotion and effective realisation and enjoyment of human rights and fundamental freedoms which values are embodied in the Universal



Declaration of Human Rights and further developed in the International Covenant on Civil and Political Rights which protects several political and civil liberties underpinning meaningful democracies in the world.

On its part, ZLHR will continue to contribute to the struggle for democratisation, peace and observance of the Rule of Law and ZLHR hopes that eventually the practice of undermining democracy, constitutionalism and human rights will be completely eradicated in Zimbabwe and on our beloved African continent.

Citizens continue to be subjected to flagrant violations of their fundamental rights by State and non-State actors as witnessed recently when some rowdy political party youths took the law into their hands and violently suppressed a ZESN meeting in Kwekwe in contravention of Section 58 of the Constitution which guarantees freedom of assembly and association.

Arbitrary arrests, torture, abduction and detention of human rights defenders continue two years after the adoption of the Constitution which expanded civil liberties. It is disconcerting that the government and all the powerful State security organs cannot account for the whereabouts of Itai Dzamara, a pro-democracy activist, six months after he was disappeared.

It is worrying that the government continues to procrastinate in implementing recommendations of the African Union organs such as the African Commission on Human and People's Rights (ACHPR) which in 2013 delivered a landmark ruling directing the government to allow its citizens in the diaspora to vote in national elections.

This urgently calls for the government to speed up electoral reforms and ensure that the right to vote for all citizens is upheld. We call for the creation of a conducive electoral environment that guarantees the respect and enjoyment of universal suffrage and fundamental freedoms. We urge the government to fully align electoral related laws with the new constitution and ensuring adherence to principles of constitutionalism, put in place mechanisms and legal reforms to address issues of voter intimidation, violence, and hate speech, vote buying and inability of opposition parties and candidates to freely campaign.

ZESN and ZLHR reiterate the need for the government to reflect on its shortcomings in relation to adherence to the African Charter on Human and Peoples' Rights and its obligations to implement recommendations from the ACHPR which is a body of African specialists in human rights chosen by African governments themselves. Only a country which respects its obligations, institutions and people will, in turn, be respected by its citizens.

We call upon the government to strengthen national programmes devoted to the promotion and consolidation of democracy.//ENDS/

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