



STATEMENT ON THE STATUS OF CONSTITUTIONAL REFORM PROCESS

ZESN/ZPP/ZLHR INDEPENDENT CONSTITUTION MONITORING PROJECT (ZZZICOMP)

Harare, Zimbabwe, 29 April 2010

The Zimbabwe Election Support Network (ZESN) and Zimbabwe Lawyers for Human Rights (ZLHR) and Zimbabwe Peace Project (ZPP) Independent Constitution Monitoring Project (ZZZICOMP) have noted with deep concern the delays in the Constitution making process. According to the Global Political Agreement (GPA), the outreach process was supposed to have been completed no later than four (4) months after the First All Stakeholders' Conference. This has, however, not been the case as it is now eight (8) months since the conference was held and there remains no sign that the outreach will commence any time soon.

Also, of concern are reports of people who are being harassed and threatened for expressing their views on what should be and should not be included in a new constitution. Notably, the process has become highly politicized with several incidences in which constitutional deliberations have ended up entirely focusing on the adoption of the Kariba Draft in sharp contrast to the letter and spirit of the GPA.

Furthermore, the recent proclamation by the Principals of the Inclusive Government that there will be general elections in 2011 has shifted the focus from the constitution making process and automatically set the country in an election mode, and moved attention away from the constitution-making debate, thereby further compromising the course of the process. Unfortunately, such statements have a negative impact on the sincerity of the political parties in their commitment to the constitution making process.

Citizen participation in key ongoing constitutional related activities is reportedly being marred by political interference such as "coaching" the ordinary person on what to say thus stifling the people's right to freedom of expression and invariably negating the principle behind a people-driven process.

In addition, there have been several incidents in which constitution awareness workshops by civil society organisations have been disrupted and facilitators accused of advocating for regime change. In some areas community members are reportedly being "trained" on what to say when the outreach teams visit their areas.

For any national process to be inclusive and people-oriented, there is a need to ensure a conducive environment which allows people to express their views in safety and with the assurance that they will not be arbitrarily targeted for harassment, intimidation and/or retribution by any political party, state actor, or other player. In light of the above, ZZZICOMP appeals to the Principals of the GPA to facilitate a conducive environment for all in ongoing national processes, as promised in the GPA to which they appended their signatures and commitment in September 2008.

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Background of the Partnering Organisations

ZESN

The Zimbabwe Election Support Network is a network of 30 independent, non-partisan NGOs that has been observing all aspects of the electoral process in Zimbabwe since 2000. Its vision is a Zimbabwe where democratic electoral environment and democratic processes are upheld. The organisation has also been observing elections in other countries and deriving best practices for electoral reforms. Over the years observation of electoral processes by ZESN has contributed immensely to instilling confidence, deterring electoral fraud and providing independent findings to various stakeholders. ZESN reports have thus been used and referred to by many as sources of reliable and credible information.

ZLHR

Zimbabwe Lawyers for Human Rights is a not for profit human rights organization whose core objective is to foster a culture of human rights in Zimbabwe as well as to encourage the growth and strengthening of human rights at all levels of Zimbabwean society through observance of the rule of law. ZLHR is committed to upholding respect for the rule of law and the unimpeded administration of justice, free and fair elections, the free flow of information and the protection of constitutional rights and freedoms in Zimbabwe and the surrounding region. It keeps these values central in its programming activities.

ZPP

Zimbabwe Peace Project is an NGO which promotes peace through monitoring and documentation of politically motivated human rights violations. The vision of ZPP is sustainable justice, freedom, peace, and development in Zimbabwe for all. ZPP has strong a monitoring and documentation system with a presence in the 210 constituencies of Zimbabwe. ZPP is one of the premier organizations compiling information on the human rights situation on a regular basis in Zimbabwe. ZPP reports have been used as reference material by local and regional election observers, civil society organizations, embassies and international organizations.