



INTERNATIONAL COMMISSION OF JURISTS

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Zimbabwe – Proposed constitutional reforms latest blow to the rule of law

The International Commission of Jurists (ICJ) today called on Parliament to reject a constitutional amendment bill that would seriously reduce constitutional freedoms and protections in Zimbabwe. The proposed bill introduces new limits on the right to freedom of movement, the right to property and excludes protection by the courts in land acquisition cases.

"These new limits on constitutional freedoms including the freedom of movement and the right to leave one's country are unwarranted, ill-defined and also dangerous", said ICJ Secretary-General Nicholas Howen. "They are so vaguely defined that they could easily be used as a pretext to prevent members of the political opposition or civil society activists from leaving their country to speak out about the crisis in their country."

The bill also seeks to remove the current constitutional protections that require the government to acquire property compulsorily only for specified public purposes, to give the owner reasonable notice and fair compensation and to allow the owner to challenge the acquisition in court.

"Moving the legality of these expropriations beyond the protective reach of the courts and removing the right to fair compensation are yet another step in undermining the rule of law in Zimbabwe", said Nicholas Howen. "It violates Zimbabwe's obligations under international law and is an attempt to reduce the authority of an independent judiciary as a check on government actions."

These proposed amendments violate numerous international standards that are legally binding on Zimbabwe, including the right to property guaranteed under Article 14 of the African Charter on Human and Peoples' Rights, the right to access to a court enshrined in Article 14 of the United Nations Covenant on Civil and Political Rights and Article 7 of the African Charter on Human and Peoples' Rights. They also conflict with the right to freedom of movement guaranteed under Articles 12 of the United Nations Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.

The ICJ calls on the Parliament of Zimbabwe not to endorse such ill-conceived constitutional reforms and to uphold the rule of law.

For more information please contact the International Commission of Jurists, 0041 22 9793800.

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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