



Investing in People for Social & Economic Justice

Press Statement on Public Hearings on Constitution of Zimbabwe Amendment No.2 Bill (H.B. 23, 2019) scheduled for the 15th to the 19th of June 2020

The Zimbabwe Coalition on Debt and Development notes with great concern the decision by the Parliamentary Portfolio Committee on Justice, Legal and Parliamentary Affairs to resume public hearings on Constitution of Zimbabwe Amendment No.2 Bill (H.B. 23, 2019) scheduled for the 15th to the 19th of June 2020. It is regrettably that the government is prioritizing Constitutional amendments while the country is gripped with health, economic and social crisis. In as far as process is concerned, if any public hearings are to be conducted, they must guarantee citizen participation without fear or putting them at any form of risk. ZIMCODD would like to note that the said public hearings are ill-timed given the current lockdown regulations to curtail the spread of COVID-19.

The government gazetted Statutory Instrument 83 of 2020 which spells out movement restrictions during the nation lockdown. It is therefore worrying that the Parliament of Zimbabwe rolls out the said public hearings of such national importance at a time when citizens are not at liberty to move around and public gatherings pose health risk for citizens. What measures are in place to ensure a safe and free movement of citizens who wish to participate in the public hearings? The lockdown restrictions are an obvious impediment to active and effective participation of citizens in these crucial public hearings. More so, considering that our national healthcare system is weak and underfunded, Zimbabwe cannot afford to expose citizens to the pandemic as this will be catastrophic to human life, a constitutionally guaranteed right.

Granted that Parliament has also invited written submissions on the matter of the Constitutional Amendment, it is not every citizen that has ability access to internet and write emails to the Clerk of Parliament expressing their views. Internet penetration in Zimbabwe is only 40%. Increased data costs also stand as a huge hinderance which may limit citizen participation.

Instead of forcing public hearings into an uncondusive environment, the Parliament should channel its efforts and resources towards ensuring transparency and accountability exercising its oversight role, holding the Executive and all agencies of government to account on the mobilisation and utilisation of resources towards fighting the COVID-19 pandemic.

Recommendations

- The Constitution of Zimbabwe is the supreme law of the land, as such the process of amending it should not be done hurriedly in an uncondusive manner which does not

guarantee sufficient citizen participation, rather the process should be conducted in an enabling environment to ensure effective participation and consultation.

- ZIMCODD is convinced that there is no citizen or government agency which stands to be prejudiced if the Constitutional amendment is deferred as such can afford to be shelved and be pursued when the situation returns to normalcy. This way, effective citizen consultation is guaranteed.
- If the public hearings cannot wait, then Parliament of Zimbabwe must push for the immediate repeal or temporary lifting of Statutory Instrument 83 of 2020 to allow for free movement and participation at the public hearings.
- ZIMCODD is equally concerned that nearly 7 million Zimbabweans are in dire need of food assistance, government should therefore redirect efforts and resources towards cushioning the poor and vulnerable - the Constitutional Amendment is not a top priority for now.
- If the Constitution remains a governing document for all citizens of Zimbabwe, Parliament must exercise greater caution to ensure public participation in all matters relating to the Constitution to ensure national ownership.

ZIMCODD Contact Details

9 Bargate Road, Mount Pleasant, Harare

Email: zimcodd@zimcodd.co.zw

Website: www.zimcodd.org

Facebook: Zimbabwe Coalition on Debt and Development

Facebook Account: ZimcoddZimcodd

Twitter @ ZIMCODDI