

Zimbabwe's Place in the Commonwealth

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On 7th December 2003 the Zimbabwean Government voluntarily withdrew from the Commonwealth. Under Commonwealth policy, Zimbabwe is no longer eligible to receive Commonwealth assistance or to attend Commonwealth meetings and member states are obligated to treat Zimbabwe and its citizens as non-members. Member countries can, however, continue to seek to engage bilaterally with Zimbabwe to promote national reconciliation and its return to the Commonwealth. The implications for maintaining support to the people of Zimbabwe are less clear, particularly given continued concerns over human rights abuses, and the introduction of the Non-Government Organization (NGO) Bill, in the lead up to next years parliamentary election.

CHRI's London Office organised a conference in March 2004: *Zimbabwe and the Commonwealth: What Now for the Promotion of Human Rights?* The sixty-eight speakers and participants included representatives from the Commonwealth Secretariat, other Commonwealth organisations, Commonwealth governments, national and international NGOs and the media.

A consensus emerged amongst participants that engagement with Zimbabwean civil society should continue to be a high priority of the Commonwealth Secretariat, the Commonwealth Foundation, Commonwealth member states and civil society organisations. This was considered of particular importance as, by most accounts, the 2002 parliamentary elections were not free and fair and breached the fundamental tenets of the Harare Declaration. Thus the Zimbabwean Government's withdrawal did not necessarily represent the view of the people.

The Commonwealth's relationship with South Africa, Nigeria and Fiji during their withdrawal/suspension demonstrates the importance of sustained engagement

and solidarity with national civil society organisations. The relationship enabled outside actors to maintain their understanding of events on the ground and to prepare for, and provide, longer term assistance. It was of particular importance in South Africa, where civil society used the Commonwealth's extensive networks to quickly re-establish economic and political support in the aftermath of the apartheid regime. In Fiji, following its suspension in 1987, civil society with the support of the Commonwealth, played a key role in Fiji's readmission in 1997. However, this can be juxtaposed with Nigeria in 1995 where national civil society organisations lacked the support needed from Commonwealth members.

A number of recommendations arose from the conference. Commonwealth organisations were encouraged to diversify their lobbying efforts and to look at the opportunities to apply pressure on the Zimbabwean government through intergovernmental bodies such as the African Union. The importance of sharing information on events in Zimbabwe with their members or affiliates in all regions of the Commonwealth, particularly Africa, was also emphasised. Most importantly, Zimbabwean representatives called upon Commonwealth organisations to develop new and innovative ways of providing assistance in light of their government's increasing attempts to limit the space for civil society activities in the run up to the 2005 elections. The Commonwealth Foundation was also called upon to review its current policy which prevents it from providing support to Zimbabwean civil society organisations and the Commonwealth Secretariat was encouraged to step up its existing diplomatic efforts in the run up to the forthcoming elections.

Given the Zimbabwean Government's ongoing repression of local civil society and media and recent moves to introduce legislation to monitor and restrict the activities of national NGOs, it is important that

Commonwealth members develop a strategy that will enable support to Zimbabwean civil society to be maintained.

The proposed NGO Bill would require all NGOs to register with the government in order to continue activities. Concerns have been raised that the Bill's intrusive powers are an attempt by the government to control and limit NGO activities, as well as restrict the flow of information to regional and international bodies, with the intention of stifling opposition before and during the 2005 parliamentary elections. This is consistent with a general pattern of intimidation and harassment, including: oppression of the media, arrests during peaceful protests and selective use of the regressive Public Order and Security Act. For example, during the Lupane District elections in May, it was reported such methods were used to subvert the election in favor of the governing Zimbabwe African National Union Popular Front (ZANU-PF).

The NGO Bill also seeks to limit civil society's engagement in governance and human rights related activities by banning foreign funding to, and involvement in, such activities. Many NGOs engaged in governance and human rights activities are reliant on foreign funding and are not registered under the Private Voluntary Organizations (PVO) Act out of fear of reprisal. Under the proposed NGO Bill, which will repeal the PVO, *'issues of governance' includes promotion of human rights and political governance issues the definition of governance.* This appears to be an attempt to ensure all NGOs are registered and monitored. The Bill enables the government to deny and revoke registration and impose punitive penalties for individuals found to be in breach of the Act. NGOs have traditionally played a key role in monitoring and advocating during elections. This bill, it would seem, will severely hamper NGOs' capacity to play an active role during the 2005 parliamentary elections – in the same way legislation has been used to restrict the press.

Although recent statements by President Robert Mugabe to implement wide-ranging electoral reforms are welcomed - if in fact they are followed by action - engagement with civil society, as discussed in London, will be critical, particularly given the Zimbabwean

Government's record of intimidation during previous elections. The proposed NGO Bill, it would seem, is an attempt to prevent this. The lessons of South Africa, Nigeria and Fiji, however, demonstrate the importance of the Commonwealth and its members maintaining their resolve in order to assist the people of Zimbabwe to formally return to the Commonwealth.

Papers relating to the conference can be viewed at the What's New page of CHRI's website: www.humanrightsinitiative.org

For more information and a copy of the proposed NGO Bill see: www.kubatana.net ■

Commonwealth Human Rights Network

The Commonwealth Human Rights Network (CHRN), which was established by CHRI, the Commonwealth Policy Studies Unit and the Association of Commonwealth Amnesty International Sections in 2003, remains engaged with civil society groups in Zimbabwe and includes a number of Zimbabwean groups in its membership.

The particular focus of the CHRN is in supporting the work of civil society furthering human rights in the Commonwealth. While Zimbabwe is no longer officially part of the Commonwealth, considering its recent history and current situation, it is important that Commonwealth groups remain supportive of their Zimbabwean brother and sister groups. The CHRN enables sharing of information and showcasing the diverse work on human rights in the Commonwealth, as well as increasing the capacity of members to use the Commonwealth as a target for their advocacy.

For more information about the Commonwealth Human Rights Network, please email: chnr@humanrightsinitiative.org