

**United Nations Human Rights Council  
23<sup>rd</sup> Regular Session, 27 May to 14 June 2013  
Agenda Item 3**

**ICJ Oral Statement in the Interactive Dialogue with the Special Rapporteur on the  
promotion and protection of the right to freedom of opinion and expression,  
Mr Frank La Rue**

**FREEDOM OF EXPRESSION AT SERIOUS RISK IN THE FORTHCOMING GENERAL  
ELECTIONS IN ZIMBABWE**

3 June 2013

*Check against delivery*

Mr Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,

The Republic of Zimbabwe is scheduled to hold, before the end of 2013, hotly contested general elections where the major political parties – the Movement for Democratic Change – Tsvangirai (MDC-T) and the ruling party Zimbabwe African National Union – Patriotic Front (ZANU-PF) – are both pursuing “winner-take-all” strategies, which augur possible attacks on political dissidents or persons holding non-aligned opinions.

There has been a steady increase in politically motivated attacks, sometimes violent, against human rights defenders in Zimbabwe within the last few months, a matter addressed by the International Commission of Jurists (ICJ) in recent press releases; and the subject of a parallel event to be held this Friday. It is implicit that these attacks, which have been carried out with impunity by intelligence or police officers, appear to be aimed at reminding Zimbabweans of the 2008 electoral violence and warning of what may happen for those who hold and express independent or opposing opinions at the upcoming elections.

The newly promulgated Constitution of Zimbabwe contains some improvements regarding freedom of expression in the context of elections. It requires, that State media be “impartial” and “afford a fair opportunity for the presentation of divergent views and dissenting opinions”. However, existing repressive laws such as the Access to Information and Protection of Privacy Act, the Public Order and Security Act, and the Criminal Law Act have been consistently used to curtail freedom of expression through vague defamation provisions and draconian penalties. These laws frustrate the effectiveness of recent constitutional advances. The failure to amend or repeal those laws, along with the failure to establish effective mechanisms to address the partisan conduct of police and intelligence officers, will also seriously curtail freedom of expression.

Against this background, Mr. Special Rapporteur, we would urge you and the members of this Council to call upon the Government of Zimbabwe to:

- Ensure the effective and unimpeded exercise of freedom of expression, including to seek, receive and impart information about the 2013 general election before, during and after it takes place;
- Amend or repeal all laws restricting the freedom of expression; and
- Establish an effective mechanism to prevent and address the partisan conduct of police and intelligence officers.

I thank you.

Statement delivered by:  
Ms Silvia Caterini, ICJ UN Programme  
Further contacts:  
Mr Martin Okumu-Masiga ([martin.okumu-masiga@icj.org](mailto:martin.okumu-masiga@icj.org)) and Mr Clement Mavungu  
([clement.mavungu@icj.org](mailto:clement.mavungu@icj.org)), ICJ Africa Regional Programme