

PARLIAMENT OF ZIMBABWE

FORM OF PETITION

**TO THE HONOURABLE THE SPEAKER AND MEMBERS OF PARLIAMENT,
IN PARLIAMENT ASSEMBLED**

5TH SESSION - EIGHTH PARLIAMENT

PRESENTED TO PARLIAMENT ON 20th SEPTEMBER 2017



The Petition of the Undersigned:

Institute for Community Development Zimbabwe (ICODZim) of 14285 Jongwe Street, Mucheke MASVINGO whose members are:

1. Talent Maposa,
2. Gamuchirai Mukura, and
3. Derica Hove;

Respectfully show that your Petitioners:

- i. Being citizens of Zimbabwe; and
- ii. Whose funding method are subscriptions from members and donor funding from various organisations

COGNISANT that the Constitution of Zimbabwe mandates Parliament of Zimbabwe to, *inter alia*, protect the Constitution and democratic governance in Zimbabwe;

AWARE that Section 22(1) of the Constitution provides that

The State and all institutions and agencies of government at every level must recognise the rights of persons with physical or mental disabilities, in particular their right to be treated with respect and dignity.

CONSCIOUS that Section 22(3) of the Constitution provides, in part, that

In particular, the State and all institutions and agencies of government at every level must—

- (a) ...
- (b) *consider the specific requirements of persons with all forms of disability as one of the priorities in development plans;*
- (c) *encourage the use and development of forms of communication suitable for persons with physical or mental disabilities;*

MINDFUL that Section 22(4) of the Constitution provides that

The State must take appropriate measures to ensure that buildings and amenities to which the public has access are accessible to persons with disabilities.

ACKNOWLEDGING that the Constitution guarantees the right of every eligible citizen, including those with disabilities, to vote and specifically provides in Section 155(2) of the Constitution that

The State must take all appropriate measures, including legislative measures, to ensure that effect is given to the principles set out in subsection (1) and, in particular, must—

- (a) *ensure that all eligible citizens, that is to say the citizens qualified under the Fourth Schedule, are registered as voters;*
- (b) *ensure that every citizen who is eligible to vote in an election or referendum has an opportunity to cast a vote, and must facilitate voting by persons with disabilities or special needs;*

DISTRURBED that the Zimbabwe Electoral Commission (ZEC) is about to embark on a Voter Registration exercise without spelling out the measures it has put in place to ensure that persons with disabilities are able to register to vote in the 2018 harmonized elections;

CONCERNED that ZEC has not spelt out whether it will avail Voter Education material in braille for the visually impaired;

WORRIED ZEC has not publicised whether and how it will ensure that polling stations will be located at places or buildings that are user-friendly for persons with disabilities, and that voting booths are user-friendly to person with disabilities, particularly to those who use wheelchairs to ensure that the secrecy of their vote is guaranteed;

TROUBLED that ZEC has not spelt out whether it will have polling officers conversant in sign language or any other form of communication that people with different disabilities can understand, including braille, are recruited and deployed to polling stations;

NOW THEREFORE your petitioners beseech the Parliament of Zimbabwe to exercise its constitutional role and address the following issues of public concern:

1. Protect the constitutionally guaranteed right of persons with disabilities to exercise their rights pertaining to the electoral process in the same way as their able-bodied counterparts;
2. Oversee the measures ZEC has and will put in place to ensure that persons with disabilities are not disenfranchised; and
3. Call on ZEC to publicise the measures it has and will put in place to ensure that persons with disabilities participate in the electoral process in the same way as their able-bodied counterparts and ensure that, unlike in the past years in which a myriad of factors like lack of accessible polling stations, lack of voting materials in accessible formats, and inaccessible transportation to and from polling stations rendered the right to vote by persons with disabilities hollow, they can fully exercise their constitutionally guaranteed rights.

PETITIONER'S PLEA AND PRAYER:

The petitioners beseech the Parliament of Zimbabwe to exercise its oversight function and protect the constitutionally guaranteed rights of persons with disabilities to participate fully in the electoral process.

WHEREFORE, we pray that your Honourable House will be pleased to take their case into favourable consideration, and grant any other such relief as it may deem fit.

AND your petitioners, as in duty bound, will ever pray.

Dated at Masvingo, this 20th day of September, 2017

Signatures:

1. ~~TES~~ SA (Talent Maposa, ICODZim)
2. Salma (Gamuchirai Mukura, ICODZim)
3. Atove (Derica Hove, ICODZim)