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with international treaties, alleging that there are "100 instruments that have been signed by government which have not made any significant strides beyond making their way to cabinet."

Harare – A UGANDAN judge at the International Court of Justice (ICJ), Justice Julia Sebutinde, during a recent visit to Zimbabwe graced a discussion forum held in Harare to mark the centenary of the Court and scrutinize the application of international law in the country.

Addressing at the discussion forum held on Friday 29 November, Justice Sebutinde left her audience with a powerful and witty allegory.

She said that if an international treaty were to be equated to a girl, signing it would be putting the ring on her finger, ratifying it would be marrying her, and domesticating the treaty would be taking the new wife home.

But some countries, Zimbabwe for instance, like a confused lad would stop mid-way before taking the object of their desires home.

Justice Sebutinde queried: "What is it that causes a country to sign and ratify a treaty and not domesticate it?"

Tafadzwa Mugabe, a lawyer and academic, presented overwhelming evidence of Zimbabwe's half-hearted engagement



Mugabe said there were important instruments that the government was not even willing to sign such as the Rome Statute, which establishes the International Criminal Court (ICC) and the International Convention against Torture, adding that many of those treaties that the government had not ratified remained without domestic effect.

"The second question is how many of these have been actually incorporated into the domestic law, and the extent thereof," he said.

The exception that the lawyer cited was Chapter 3 of the old Constitution and Chapter 4 of new Constitution, which con-

stituted the respective Bills of Rights, which were influenced by foregoing “*international conventions and the jurisprudence of the tribunals established to interpret them.*”

He said the Education Act as derived from the Covenant Eight of the International Convention on Economic, Social and Cultural Rights, and Children’s Act as derived from the Convention on the rights of the Child may have also been influenced by international law.

Mugabe said the pending alignment of old laws with the new Constitution should be taken as an opportunity to bring domestic laws in conformity with international laws that Zimbabwe is bound by as required by Section 34.

“My aspiration is that government will take the opportunity to start the finalizing of all these outstanding instruments and actually craft laws that speak to the international norms and standards that we have subscribed to,” Mugabe said.



Justice Moses Chinhengo, a former High Court Judge and one of the drafters of the new Constitution, said some of the delays were caused by the onerous task of changing policies, and the intractable conflict between international conventions and parts of the customary law of Zimbabwe.

“I think it might explain why countries take longer,” Justice Chinhengo said. *“I don’t exclude the possibility that States go along with others [to sign the treaties] when they do not mean it.”*

Justice Moses Chinhengo

Mrs Msika, who stood in for the Permanent Secretary in the Ministry of Justice, Legal and Parliamentary Affairs, blamed lack of capacity in government to speedily domesticate international conventions and treaties.

“One of the reasons is that the responsibility of ratifying and domesticating used to be fragmented to different ministries,” Mrs Msika said. *“And you find that in those ministries there may not be a person who has the capacity, or is aware of ratifying and domesticating treaties.”*

In a speech read on her behalf, Virginia Mabiza, the Permanent Secretary in the Ministry of Justice, Legal and Parliamentary Affairs said the government had come up with an Inter-ministerial Committee resident in the ministry to deal with the issue.

The committee advises government on its obligations in international human rights and humanitarian law and coordinates the ministries in ratification and domestication as well as compiling reports on the progress.

Three weeks ago, Mabiza said, a strategy was devised *“to ensure effective promotion and protection of human rights in Zimbabwe.”*

However, with the apparent disdain of the government towards international human rights norms and standards, many people will only be convinced of its ability to adhere to the noble tenets after seeing a true change of behaviour.

2013 Edition of the Zimbabwe Social Forum

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The ZSF invites you to participate in the 7th Edition of the Zimbabwe Social Forum on the 12th to the 13th of December 2013.

The Event will be held at the Reylton Sports Club in Harare

Theme

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Participating Thematic Clusters are as follows:

1. Gender and Women's Rights
2. Debt and Trade
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4. Social Service Delivery
5. Labour
6. Media
7. Democracy and Rights
8. Natural Resources Governance
9. Health
10. Disability
11. Land, Environment and Climate Justice
12. Arts and Culture

For those who want to register their activities, please note that we will be considering your space under these existing broad clusters and themes:

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We are holding the Zimbabwe Social Forum against the background of deepening social and economic crisis in the country characterised by deteriorating social services, poor access to basics and increased privatisation of private good. The Southern African region has been saddled with undemocratic governance, impunity of corporates in Extractive industries, global climate catastrophe, unsustainable exploitation of natural resources, dominance of corporates in the energy sector, patriarchy, increasing violence against women and children, displacement of communities by corporates with active collaboration of governments, increasing food insecurity, damage to ecosystems, growing inequalities, decline in health and education service provision and standards, deprivation of sustainable livelihoods, extensive land grabbing by corporates and governments collaborating actively with traditional leadership, continued recolonisation through for example bilateral agreements like the Economic Partnership Agreements and shady deals with the BRICS countries, the continued violations of economic, social, cultural and environmental rights, excessive dependency on export oriented economies, and finally the continued dominance of the free market dogma and ascendancy of neo-liberalism. The Zimbabwe Social Forum is a space dedicated to those struggling against, and directly challenging corporate fascism, neo-liberalism and market-led globalization.

The Program for the Event will be sent in due course.

Zimrights hosts Human Rights Day schools choir competition

Marondera – THE Zimbabwe Human Rights Association (Zimrights) hosted the 2013 edition of the International Human Rights Day secondary schools music choir competition in the Mashonaland East capital on Saturday, November 31.

This year's competition, at Mbuya Nehanda Hall in Dombotombo Township, was held on the final weekend before the schools close for the holidays and festive season.



Zimrights Director Okay Machisa conducting the St Patricks choir through for the National Anthem

The theme song was Budiriro ikodzero yako, meaning, "development is your right," composed by Walter Chidhakwa, one of the two adjudicators of the tightly fought contest.

Marondera Mayor Anthony Makwindi graced the occasion as well as dignitaries from government and civil society, including Crisis in Zimbabwe Coalition (CiZC) Acting Executive Director Joy Mabenge and Programs Manager Nixon Nyikadzino.

Zimrights hosts the annual competition, which has previously been held in two provinces, ahead of the International Human Rights Day, which is commemorated on December 10, to allow students to participate in the contest before schools break for the festive holidays, at the end of the Third Term.

In Marondera last weekend, double and inaugural award winners, St. Patricks' High School, shrugged off the stiff challenge

from seven school choirs to keep the trophy for the third time in a row, and pocket prize money of US\$ 600. 00.

St. Patricks, who have established themselves as the powerhouse choir, won the last competition held in Masvingo in 2012, and the inaugural one in Gweru in 2011.

Speaking soon after the announcement of the winners, Benson Musindo, the elated choir director for St. Patricks', said his school had put enough effort to deserve to be winners again.

"We put it down to hard work," Musindo said. "This is a new choir different from the one we had last year, but everyone was saying this is our trophy and we have to bring it back.

"I think hard work is the reason why we are tops again."

Waddilove High School, which narrowly came second, according to the adjudicators' points and word, walked away with a smaller trophy and prize money of US\$ 400. 00, whilst choir director, Tozivepi Mutowembwa, promised to work hard as the choir was eyeing the ultimate prize in the next annual editions of the music clash.

"This is our first time to enter this competition," Mutowembwa said. "I have to go back to the choir so that we polish our act for next year."

Third placed, Gokomere High School clinched the remaining accolade for the day, which was a trophy and prize money of US \$ 200.00, after beating the five stragglers.

Other schools that participated in the International Human Rights Day Competition were Cherutombo, Dendera, Mutoko High, Chidyamakono and Annes Goto.

As a way of concluding the exciting proceedings, Zimrights Director Okay Machisa, took over from winning choir director, Musindo, and directed the St. Patricks' choir in singing the National Anthem, a congratulatory gesture Machisa has performed in the previous editions.

Human Rights Day schools choir competition in pictures



Left : Waddilove School Choir



Right : Adjudicator and song composer Walter Chidhakwa



Above: Marondera Mayor Anthony Makwindi presenting the trophies to school officials