

TO THE HONOURABLE SPEAKER OF THE NATIONAL ASSEMBLY AND  
MEMBERS OF PARLIAMENT, IN PARLIAMENT ASSEMBLED.

2nd SESSION-10TH PARLIAMENT

Presented to Parliament on Monday the 4th of November  
2024.

FORM OF PETITION

The petition of the undersigned;

Emmanuel Nkosilathi Moyo of Number 4 Mullah House, Nelson Mandela  
Avenue, Kwekwe. A citizen of Zimbabwe.

Your petitioner being an environmental defender and a concerned citizen  
approaching the national assembly in his individual capacity in terms of  
Section 149 (1) of the  
Constitution of Zimbabwe.

Mindful of the fact that Section 73 of the Constitution of Zimbabwe  
stipulates that;

Every person has the right-

To an environment that is not harmful to their health or well-being and

To have the environment protected for the benefit of present and future  
generations, through reasonable legislative and other measures that-  
Prevent pollution and ecological degradation;

Promote conservation; and Secure ecological  
sustainable development and use of natural  
resources while promoting economic and  
social development.

The State must take reasonable legislative and other measures within the  
limits of the resources available to it, to achieve the progressive realisation of  
the rights set out in this section.

Acknowledging national environment protection instruments such as the Environmental Management Act, Chapter 20:27 which obligates the government of Zimbabwe to ensure environmental protection, prevention of environmental degradation and pollution and sustainable management of natural resources.

Alerted by environmental crimes of immense proportion being committed by multinational companies and local miners in search of lithium and other minerals in Midlands province (the great dyke) and other parts of the country. The case studies being Boterekwa mountain a national heritage with a huge historical significance has been blasted by mining companies causing huge environmental degradation, severe damage to the ecosystem and negative impact to the livelihoods of the villagers in that community. Rivers like Mutevekanwa River in the Midlands province is polluted with toxic waste, chemicals and mud tailing from the mining companies clogging the rivers affecting the availability of water for farmers in the valley affecting their livelihoods and that of their livestock. Deka River a tributary of the Zambezi River has also been heavily polluted with metals and industrial pollutants released by local and foreign-owned coal mining and power generating companies compromising the health of thousands of villagers. More cases studies can be looked at across Zimbabwe where local and foreign owned mining companies are tearing down Zimbabwe's environment in a very catastrophic way. Communities in the mineral rich Great Dyke are suffering immensely from the increasing environmental and infrastructure degradation as mining companies leave trails of open pits which are now death traps for human and livestock.

There is a need for improvement in how environmental, social and governance (ESG) standards are applied in practice.

NOW THEREFORE your petitioner beseech the Parliament of Zimbabwe to exercise its constitutional role and address the following issue of public concern;

Introduce Ecocide as a crime within Zimbabwe's national penal code the Criminal Law (Codification and Reform) Act. The petitioner calls upon the Parliament of

Zimbabwe to table The ECOCIDE BILL which will introduce a standalone crime of ecocide into Zimbabwe's national penal code with stiffer penalties of fines or jail time to hold those who destroy the environment on a mass scale accountable. This could prevent many environmental disasters in the future.

The parliamentary portfolio committee on Environment, Climate, Wildlife, Tourism and Hospitality to play an oversight function and carry out an audit of the environmental damage in mining areas in the above mentioned communities along the Great Dyke (and other parts of the country) highlighting to what extent the laws enshrined in the Environmental Management Act are being enforced to avert the identified degradation. Such a fact finding report should be presented before the parliament of Zimbabwe.

A national legal framework should be developed to codify a crime of Ecocide in the Criminal Law (Codification and Reform) Act in Zimbabwe.

The petitioner accordingly hereby request parliament, pursuant to its powers under the Constitution to ensure that there is consultation for a national, inclusive, non- discriminatory process in shaping the ECOCIDE BILL in line with Constitution and best practice.

#### PETITIONER'S PLEA AND PRAYER

The Petitioner beseech the Parliament of Zimbabwe to exercise its executive oversight and constitutional protection functions in accordance with the spirit of the Constitution of 2013 and ensure that Zimbabwe introduces a standalone crime of ECOCIDE within the Criminal Law (Codification and Reform) Act.

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

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

Dated at Harare, this the 4th of November 2024

NKOSILATHI E moyo

Full Name

23-053211M23

National ID Number