



ZIMBABWE HUMAN RIGHTS COMMISSION

For Human Dignity

2020
ANNUAL
REPORT

FOREWORD BY THE CHAIRPERSON



Dr Elasto Hilarius Mugwadi – Chairperson

The Zimbabwe Human Rights Commission (ZHRC/Commission) hereby presents its Annual Report for the year 2020. This becomes its 7th Annual Report since its establishment. The report is submitted in terms of section 323 of the Constitution of Zimbabwe which directs Commissions to submit annual reports to Parliament.

May I start by thanking the outgoing pioneer Commissioners whose terms of office came to an end in May 2020. Their invaluable contribution to the operationalization and work of the ZHRC will forever be greatly appreciated. May I also take this opportunity to welcome five new Commissioners and the Executive Secretary who joined the Commission during the course of the year.

The year 2020 was a very difficult year due to the outbreak of the COVID-19 that was declared a global pandemic by the World Health Organisation (WHO) and a national disaster by the Government of Zimbabwe in March 2020. Thereafter, the regulations and lockdown measures imposed to prevent and control the spread of the virus, though necessary, to preserve the rights to life and health constrained the operations of all socio-economic sectors. In spite of the constrained operating environment, the Commission, as the National Human Rights Institution (NHRI) for the country was expected to continue its work with heightened vigilance so as to ensure respect for human rights, democratic principles, and the rule of law in all circumstances without exception. In that regard, the Commission continued to execute its mandate through receiving complaints and securing appropriate redress, monitoring the observance of human rights and raising awareness on emerging human rights issues. The ZHRC had to be pro-active and innovative to continue implementing its mandate in the challenging environment.

It is regrettable that the impact of the COVID-19 pandemic had a devastating effect on the enjoyment of socio-economic rights by the generality of the people and in particular vulnerable groups. It is my sincere hope that the Commission's observations on the human rights situation and recommendations emanating from its work will contribute to post COVID-19 recovery and ultimate enjoyment of human rights and freedoms.

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ii) ACKNOWLEDGEMENTS

The ZHRC is indebted to its Commissioners and the Secretariat who worked tirelessly throughout the year. The Commission acknowledges the unwavering support of the following stakeholders and development partners who contributed immensely to a productive year:

- The Government of Zimbabwe (GoZ)
- United Nations Development Programme (UNDP)
- United Nations Children’s Fund (UNICEF)
- Save the Children
- Transparency, Responsiveness, Accountability and Citizen Engagement (TRACE)
- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
- International Organization for Migration (IOM)
- Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI)
- Civil Society Organisations (CSOs)
- Faith Based Organisations (FBOs)

iii) ACRONYMS

| | |
|----------|---|
| ACRWC | African Charter on the Rights and Welfare of the Child |
| BHR | Business and Human Rights |
| CHI | Complaints Handling and Investigations |
| CSO | Civil Society Organisation |
| COVID-19 | Coronavirus Disease (2019) |
| CRC | Convention on the Rights of the Child |
| EDLIZ | Essential Drugs List of Zimbabwe |
| EPR | Education, Promotion and Research |
| GANHRI | Global Alliance for National Human Rights Institutions |
| GIZ | Deutsche Gesellschaft Internationale Zusammenarbeit |
| JSC | Judicial Service Commission |
| ICT | Information Communication Technology |
| IDPs | Internally Displaced Persons |
| IEC | Information, Education and Communication |
| IHRD | International Human Rights Day |
| IOM | International Organisation for Migration |
| LAD | Legal Aid Directorate |
| LRF | Legal Resources Foundation |
| MDC-A | Movement for Democratic Change- Alliance |
| MDC-T | Movement for Democratic Change-Tsvangirai |
| MHRC | Mobile Human Rights Clinic |
| M&I | Monitoring and Inspections |
| MOU | Memorandum of Understanding |
| NANHRI | Network of African National Human Rights Institutions |
| NHRI | National Human Rights Institution |
| NI | National Inquiry (on Access to Documentation in Zimbabwe) |
| NPRC | National Peace and Reconciliation Commission |
| SIDA | Swedish International Development Agency |

| | |
|---------|---|
| SGBV | Sexual Gender Based Violence |
| SAHRC | South African Human Rights Commission |
| PPE | Personal Protective Equipment |
| RWI | Raoul Wallenberg Institute of Human Rights and Humanitarian Law |
| TDH | Terre Des Hommes |
| TRACE | Transparency, Responsiveness, Accountability and Citizen Engagement |
| TWG | Thematic Working Group |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commissioner for Refugees |
| UPR | Universal Periodic Review |
| WHO | World Health Organisation |
| ZADHR | Zimbabwe Association of Doctors for Human Rights |
| ZAMI | Zimbabwe Alternative Mining Indaba |
| ZANU-PF | Zimbabwe African National Union- Patriotic Front |
| ZBC | Zimbabwe Broadcasting Corporation |
| ZELA | Zimbabwe Environmental Lawyers Association |
| ZGC | Zimbabwe Gender Commission |
| ZHRC | Zimbabwe Human Rights Commission |
| ZLHR | Zimbabwe Lawyers for Human Rights |
| ZPCS | Zimbabwe Prisons and Correctional Service |
| ZRP | Zimbabwe Republic Police |

iv) EXECUTIVE SUMMARY

The Report details the operations and activities of the Commission in the year 2020 and informs the Legislature, Government Ministries, Departments, other stakeholders and the general public on the work of the ZHRC in fulfilling its mandate to promote, protect and enforce human rights as provided in section 243 of the Constitution. Overall, the year was very challenging because of the COVID-19 pandemic which negatively affected enjoyment of both civil and political rights as well as economic social and cultural rights.

The lockdown measures to prevent and contain the pandemic aggravated the already compromised service delivery, reduced production, disrupted livelihoods, overstretched the health sector and negatively affected other rights such as the right to education, right to food and right to water. Access and delivery of basic services such as refuse collection, processing of national documents and pensions, repair of roads and other infrastructure deteriorated.

Despite the lockdown restrictions, the Commission realized an increase in cases received having devised innovative ways of receiving complaints round the clock through its hotlines, by sms and whatsapp platform. This resulted in the Commission receiving a total of six hundred and forty – two (642) cases in 2020, an increase from four hundred and fifty-nine (459) cases received in 2019. To extend the reach of the Commission to the wider Zimbabwean society, a total of 26 mobile human rights clinics were conducted where 123 cases were received.

The ZHRC conducted monitoring missions on the following, among others; Parliamentary Public Hearings on the Constitution of Zimbabwe Amendment Bill (HB-2-2020) and the Cyber Security and Data Protection Bill, 2019; COVID-19 preparedness, adherence, and response mechanisms in places of detention and places where persons are institutionalized namely prisons, children and older persons' homes, refugees and internally displaced persons' camps and quarantine centres. The Commission also monitored how COVID-19 impacted on the general human rights situation including access to social services and other basic needs, adherence to COVID-19 lockdown measures by citizens and schools, and proffered recommendations to the responsible Ministries.

The Commission conducted human rights awareness raising outreaches (including COVID-19 awareness) in close to 42 different areas in the country. Due to the COVID-19 restrictions, the Commission became innovative in the awareness strategies it employed which included conducting small group meetings/trainings of not more than 50 people in attendance as stipulated in the lockdown regulations, focus group discussions and informal discussions. A variety of other awareness raising methods with limited human contact such as television and radio programmes, jingles, issuing of press statements and IEC materials dissemination including posters were utilised. The Commission managed to end the year on a high note by holding commemorations of International Human Rights Day.

Having completed public hearings on the National Inquiry (NI) on Access to Documentation in 2019, the Commission in 2020 produced and launched the report with its findings and recommendations. The NI focused on challenges faced by people in accessing five documents namely birth certificates, national identity cards, death certificates, passports and citizenship certificates.

The work carried out by the Commission extended to Thematic Working Groups, engagement meetings with other partners.

1. INTRODUCTION

1.1. Mandate

The Zimbabwe Human Rights Commission (ZHRC) is the National Human Rights Institution (NHRI) for Zimbabwe established by the Constitution of Zimbabwe, Amendment (No. 20) Act, 2013 (Sections 232 and 242) and the Zimbabwe Human Rights Commission Act [Chapter 10:30] for purposes of promoting, protecting and enforcing human rights and dealing with maladministration by public institutions and their officials. It is a hybrid institution with a dual mandate following its taking over in 2013 of the functions of the now defunct Office of the Public Protector. The Commission derives its mandate from section 243 of the Constitution of Zimbabwe, which provides for the following functions:

- to promote awareness of and respect for human rights and freedoms at all levels of society;
- to promote the protection, development and attainment of human rights and freedoms;
- to monitor, assess and ensure observance of human rights and freedoms;
- to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;
- to protect the public against abuse of power and maladministration by the State and public institutions and by officers of those institutions;
- to investigate the conduct of any authority or person, where it is alleged that any of the human rights and freedoms set out in the Declaration of Rights has been violated by that authority or person;
- to secure appropriate redress including recommending the prosecution of offenders where human rights or freedoms have been violated;
- to direct the Commissioner- General of Police to investigate cases of suspected criminal violations of human rights or freedoms and to report to the Commission on the results of any such investigation;
- to recommend to Parliament effective measures to promote human rights and freedoms;

- To conduct research into issues relating to human rights and freedoms and social justice; and
- To visit and inspect-
 - prisons, places of detention, refugee camps and related facilities; and
 - places where mentally disordered or intellectually handicapped persons are detained;

in order to ascertain the conditions under which persons are kept in places of detention, and to make recommendations regarding those conditions to the Minister responsible for administering the law relating to those places.

2. ORGANISATIONAL STRUCTURE OF THE ZHRC

2.1. Commissioners

The terms of office of 4 Commissioners came to an end in 2020. The Commission remains indebted to the contributions made by the outgoing Commissioners who had served the Commission for a period of 10 years. In October 2020, new Commissioners were appointed to fill in the vacant posts. The ZHRC welcomes the Deputy Chairperson; Commissioner Dorothy Moyo, Commissioner Dr. Angeline Guvamombe, Commissioner Beauty Kajese, Commissioner Dr. Cowen Dziva and Commissioner Brian Penduka.

ZHRC COMMISSIONERS 2020



From left to right: Commissioner Dr. Elasto Hilarious Mugwadi Chairperson of the ZHRC; Commissioner Dorothy Moyo Deputy Chairperson of the ZHRC and Chairperson of the TWG on Economic Social and Cultural Rights



From left to right: Commissioner Petunia Chiriseri - Chairperson of the TWG on Children's Rights; Commissioner Dr. Cowen Dziva - Chairperson of the TWG on Gender Equality and Women's Rights; Commissioner Beauty Kajese - Chairperson of the TWG on Civil and Political Rights



From left to right: Commissioner Dr. Angeline Guvamombe -Chairperson of the TWG on Environmental Rights; Commissioner Sheila Hillary Matindike – Chairperson of the TWG on Special Interests Groups; Commissioner Sethulo Ncube – Chairperson of the TWG on Capacity Building; and Commissioner Brian Penduka – Chairperson of the TWG on International Agreements and Treaties

2.2. Management

The Management team is headed by the Executive Secretary who is supported by two Deputy Executive Secretaries, responsible for programmes and administration respectively. In addition, the Commission has 3 programming directorates and 2 directors responsible for finance and human resources.

2.3. Establishment

The establishment for the Zimbabwe Human Rights Commission as of December 2020 stood at 72.4% of the total approved complement compared to 76.4% the previous year. The table below is a representation of the establishment.

Table1. Total Number of Secretariat staff by Gender

| DEPARTMENT | Female | | Male | | Total |
|-------------------------|-----------|----------|-----------|----------|-------|
| | Permanent | Contract | Permanent | Contract | |
| Executive Secretary | 1 | 0 | 0 | 0 | 1 |
| Programmes | 18 | 0 | 11 | 0 | 29 |
| Administration | 12 | 0 | 19 | 0 | 31 |
| Projects ¹ | 0 | 0 | 0 | 6 | 6 |
| Secondment ² | 0 | 1 | 0 | 3 | 4 |
| | 31 | 1 | 30 | 9 | 71 |

Table 2. Total Number of Commissioners by Gender

| | Female | | Male | | Total |
|---------------|-----------|-----------|-----------|-----------|-------|
| | Full time | Part time | Full time | Part time | |
| Commissioners | 1 | 5 | 1 | 2 | 9 |

¹ Refers to staff supported by Development Partners under specific projects and not on Government payroll

² Refers to staff seconded from Government Departments in this case from the ZPCS

Table 3. Geographical Spread

| | Northern Region | | Southern Region | | Total |
|----------------------------|-----------------|-----------|-----------------|----------|-----------|
| | FT | PT | FT | PT | |
| Permanent staff | 50 | 0 | 11 | 0 | 61 |
| Projects (contract) | 0 | 6 | 0 | 0 | 6 |
| Secondment | 0 | 4 | 0 | 0 | 4 |
| | 50 | 10 | 11 | 0 | 71 |

The table above shows the number of employees spread in the two regions (Northern and Southern).

KEY

FT-Full time

PT- Part time

2.3.1. Developments in the Human Resources Department

In 2020 the Commission recruited 18 (eighteen) staff members placed in various departments. The establishment of the Internal Audit and Procurement Management Units was a welcome move aimed at strengthening the Commission's internal control systems and accountability. The recruitment of staff under the Administrative Justice Department (Public Protector) was a pending issue since operationalization of the Commission in 2014 so as to pave way for the separation of the Department from the Complaints Handling and Investigations Department.

Though the increase in labour force is appreciated, it still falls short of the requirements of the Commission considering its dual mandate. Additional manpower is necessary to enable decentralisation to the other eight provinces outside Harare and Bulawayo.

2.3.2. Establishment Changes

During the year under review, ZHRC experienced staff losses in the form of resignations, end of contracts and expiration of terms of office. Of note, the terms of office of 4 (four) Commissioners came to an end in May 2020. As provided in section 237(1) of the Constitution of Zimbabwe, new Commissioners were recruited and appointed into office effective July 2020 but assumed duty in October 2020.

The following table highlights the terminations recorded during the year;

Table 5. Staff Losses

| NO. | POSITION | SEPARATION PERIOD | REASON |
|-----|-------------------------------|-------------------|-------------|
| 1 | Human Rights Officer | January | Resigned |
| 2 | Principal Executive Assistant | August | Resigned |
| 3 | 4 Commissioners | May | End of term |

2.3.3. Learning and Development

Due to the COVID-19 pandemic the opportunity for capacity development was constrained. The following training initiatives were however carried out;

- (a) On-line introductory course on human rights as part of induction for new staff and Commissioners with support from the Raoul Wallenberg Institute for Human Rights and Humanitarian Law (RWI). This was a pilot programme that has proven to be a success and will definitely continue in the future.
- (b) Three members of staff were enrolled for the Diploma Course in Paralegal Studies with the Midlands State University Law School. This programme has been very beneficial to the Commission in particular to non-lawyer members of staff who acquired legal knowledge which is critical for their work.

3. OVERVIEW OF THE HUMAN RIGHTS SITUATION IN 2020

3.1. The human rights situation in Zimbabwe was largely influenced by the Coronavirus (COVID-19) which was declared to be a pandemic by the World Health Organisation (WHO) in March 2020 due to the speed and scale of transmission. On 27 March 2020 the Government of Zimbabwe promulgated S.I. 76 of 2020 which declared the COVID-19 a national disaster. In order to provide for the treatment, prevention and containment of the spread of the disease, the Government passed a number of Regulations under the Public Health Act [Chapter 15:17] to regulate the state of emergency and lockdown measures.

3.2. The pandemic seriously affected the enjoyment of civil and political rights and economic social, cultural and environmental rights. COVID-19 threatened the right to life the world over with Zimbabwe recording 13 148 confirmed cases including 10 705 recoveries and 354 deaths as at December 2020.

3.3. The magnitude of the pandemic justified the Government of Zimbabwe taking measures to contain the spread of the virus through limiting rights and freedoms in line with sections 86 and 87 of the Constitution of Zimbabwe.

3.4. The civil and political rights that were limited included freedom of movement and residence, freedom of assembly and association, the right to demonstrate and petition and various political rights. As a result, the operating environment for political parties diminished with by-elections being deferred indefinitely although it is worth noting that ZANU (PF) DCC elections and MDC-T elective congress were held during the period under review. It should be noted that when limiting or restricting rights there are certain factors that are taken into account for example; whether the limitation is proportional to the intended objective, is not discriminatory, of a limited duration, respectful of human dignity and subject to review. The Commission emphasized that certain rights could not be limited at all such as freedom from

torture, cruel and inhuman and degrading treatment, right to human dignity and right to a fair trial.

3.5. From complaints received by the Commission and engagements with various stakeholders, it was evident that there were concerns about excesses and partiality in enforcing regulations. This non-adherence to principles of necessity, proportionality and non-discrimination resulted in various conflicts between the public, human rights defenders and activists on one hand and law enforcement agencies on the other. The situation became a breeding ground for other vices like corruption, abuse of power and office.

3.6. The lockdown measures also negatively affected the enjoyment of economic social and cultural rights. These included the right to healthcare, education, labour rights, food and water. The pandemic stimulated developments in the health sector such as establishment of quarantine and isolation centres and adoption of WHO protocols to minimize the spread of COVID-19 such as social distancing, isolation, wearing of masks, constant washing and sanitizing of hands, testing and screening which became the new norm.

3.7. The effectiveness of quarantine centers was hampered by substandard living conditions and inconsistent testing of inmates and officials manning the centres. However, the focus on COVID-19 diverted attention from other health programmes such as maternal, sexual and reproductive rights, immunization of children, supplementary feeding of children, access to medication for Anti-Retroviral Treatment (ART) and chronic conditions including diabetes and hypertension.

3.8. The prolonged closure of schools, tertiary and other learning institutions negatively affected enjoyment of the right to education. In response, the Government introduced mitigatory measures to promote access to education during lockdown through radio lessons and other virtual learning platforms. However, vulnerable segments of the population in marginalized rural, peri-urban resettlement farming and mining communities did not benefit from such initiatives because of

limited access to learning aids and devices and internet facilities. The inactive role of schools as a socialization agent and safety net, left children vulnerable to child labour, child marriages, exposure to physical, sexual and other forms of abuse, alcohol and substance abuse which contributed to school drop-out. The closure of schools and industrial action by teachers disrupted the smooth running of public examinations and the preparedness of children for such examinations.

3.9. The enjoyment of the right to food declined exacerbated by the COVID-19 pandemic and a drought spanning over 2 years. The lockdown affected people's livelihoods resulting in serious food insecurity. Equally contributing to food insecurity amongst communities was the general high pricing of goods and services being charged in foreign currency. Vulnerable groups such as older persons and persons with disabilities, among others, were the hardest hit in terms of securing goods and services, as they had limited access to foreign currency. The Government introduced cushioning packages including subsidized basic commodities and cash disbursements to vendors and other informal traders. It was encouraging that despite resource constraints some issues brought to the attention of the Department of Social Development were addressed in a satisfactory manner. For example, the Commission highlighted food insecurity challenges of the San community in Tsholotsho and the Department responded positively and expedited dispatch of food items to the community in April 2020.

3.10. The Government of Zimbabwe launched the "Pfumvudza/Intwasa³" conservation farming programme that sought to facilitate high yield and better harvest in the country, following two seasons of drought. Government supported farmers with inputs and farming information. This programme was aimed at improving the food security situation in many households which is an important aspect in the promotion of economic, social and cultural rights.

³ A conservation farming programme

3.11. The right to clean, safe and potable water was another perennial problem. ZHRC noted that across most provinces there were challenges in accessing water by residents in both rural and urban communities. This challenge was common in all major cities and towns as well as rural areas where residents either did not have any source of water or endured days without water. The shortage of water affected the compliance of health guidelines on constant washing of hands and general cleanliness, during the COVID-19 pandemic.

3.12. ZHRC noted that strict safety measures were put in place to limit the spread of the pandemic in institutions such as prisons, children's homes and old people's homes. Although Government and its partners supported most institutions with Personal Protective Equipment (PPE), there remained glaring shortages of PPE, thus putting the institutionalised persons at risk. In addition, the disbursements of per capita grants to institutions remained inconsistent, thereby affecting the operations at some of the homes, and in turn directly impacting on the enjoyment of basic human rights of the residents.

3.13. The scaling down of activities in response to the pandemic, aggravated the already compromised service delivery. Access and delivery of basic services such as refuse collection, processing of national documents and pensions, repair of roads and other infrastructure deteriorated.

3.14. There was great improvement in the energy sector, compared to the previous year. This should have been an opportunity to stabilize productive sectors of the economy in manufacturing, agriculture and mining sectors to scale up their production. However, the COVID-19 pandemic curtailed production due to limitation in working hours while the informal sector was forced to close for the better part of the year. The reduced production and closure of the informal sector resulted in the loss of jobs and cutting down of salaries and consequently impacting negatively on enjoyment of socio- economic rights generally.

4. ADMINISTRATIVE JUSTICE AND PROTECTION OF HUMAN RIGHTS

4.1. Introduction

The Commission's mandate to protect citizens from human rights violations and maladministration is provided for in section 243 (1) (d, e, f, g, h) of the Constitution. Within the Commission, this mandate falls under the Complaints Handling and Investigations Department (CHI). The Commission implements this mandate through carrying out investigations on individual/group complaints of alleged human rights violations, maladministration and any other human rights issues which are matters of national interest, with the purpose of recommending redress to such violations.

For the reporting period, the ZHRC received and handled a total of six hundred and forty-two (642) cases as compared to four hundred and fifty-nine (459) cases in 2019. This was an increase of 39.9%. This increase can be attributed to mobile human rights clinics, use of mobile hotlines and multi-media publicity and COVID-19 related complaints. Investigations carried out by the ZHRC included but were not limited to the following: law enforcement agencies' brutality during the COVID-19 imposed lockdown; arbitrary evictions and demolitions of houses in Chitungwiza, Budiriro and other areas, alleged partisan distribution of Pfumvudza/Intwasa and other agricultural related inputs, maladministration by public officials among other issues. The administrative provision under Section 68 of the Constitution was and will continue to be an issue under the spotlight.

During the year under review, the Commission received six hundred and forty – two (642) cases from the public. Of the six hundred and forty-two (642), one hundred and ninety-five (195) cases were maladministration related; one hundred and eighty-eight (188) cases were on human rights violations and two hundred and fifty-nine (259) cases were of a general nature.

4.2. Status of Cases

Figure 1 below shows the status of the six hundred and forty – two (642) cases that were dealt with by the Commission in 2020. One hundred and eighteen (118) cases (18.4%) were referred to various organisations which were better placed to deal with such cases including but not limited to the Legal Aid Directorate (LAD), Legal Resources Foundation (LRF), Zimbabwe Republic Police (ZRP), Zimbabwe Lawyers for Human Rights (ZLHR), the Registrar General's office and others. Two (2) cases (0.3%) were withdrawn by the complainants, twelve (12) cases (1.9%) were declined for lack of jurisdiction, and one hundred and ninety-seven (197) cases (30.7%) were pending. Most cases remained pending until the remedy sought had been achieved. The implementation of some of the recommendations was challenging due to the prevailing economic situation in the country. Some of the cases remained pending as investigations were hampered by the COVID-19 pandemic which led to the scaling down of Government operations. Three hundred and seven (307) cases (47.8%) were advised and six (6) cases (0.9%) were resolved.

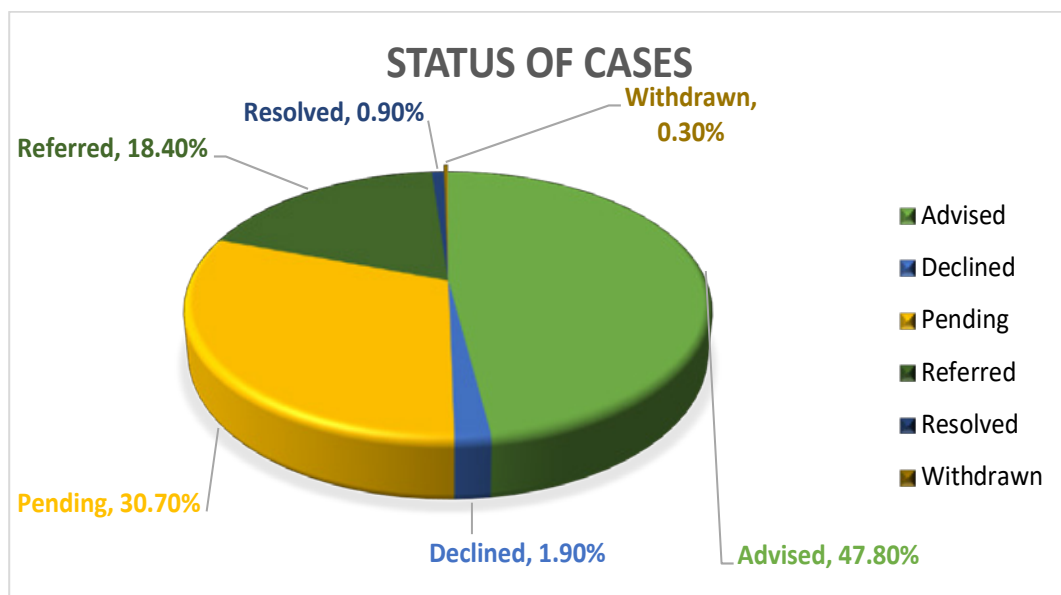


Figure 1: Status of Cases

4.3. Nature of Complaints

For the year 2020, the Commission received one hundred and ninety-five (195) cases relating to maladministration as compared to seventy-four (74) cases in 2019. This was an increase of 163% which can be attributed to the scaling down of service delivery in the public sector due to COVID-19 restrictions and the increased visibility of the Commission. These cases included fifty-eight (58) cases for justice delay, forty-one (41) cases for abuse of office, sixty-one (61) cases for abuse of power, four (4) cases for labour, nine (9) cases for documentation and twenty-two (22) cases for delay in benefits.

The Commission received a total of one hundred and eighty-eight (188) human rights cases as compared to one hundred seventy-nine (179) in 2019. This was an increase of 5%. The human rights cases for 2020 included the following: forty-three (43) cases on documentation, thirty-three (33) cases on property rights, nineteen (19) cases on equality and non-discrimination, fourteen (14) cases on freedom from arbitrary evictions, twenty-four (24) cases on the right to food and water, eleven (11) cases on labour rights, ten (10) cases on the right to health, six (6) cases on the right to administrative justice, seven (7) cases on freedom from torture, four (4) cases on the right to education, four (4) cases on the right to life, two (2) cases each for the following rights – rights of persons with disabilities, political rights, socio-economic rights and the right to personal security, one (1) case each for the following rights - environmental rights, rights of accused and detained persons, right to agricultural land, child rights, freedom of movement and residence.

The Commission received a total of two hundred and fifty-nine (259) general cases which included the following: one hundred and forty-three (143) cases were of a civil nature, thirty-nine (39) cases were of a criminal nature, nineteen (19) cases were labour related, eight (8) cases were on access to documentation, nine (9) cases were property related, twenty-one (21) cases were inquiries in relation to the lockdown regulations, four (4) cases on domestic violence, four (4) cases on maintenance, two (2) cases related to matrimonial issues, one case each for the following: inquiry on organisations that assist

persons with disabilities, inquiry on expiry of car registration, corruption, immigration, land registration, ZHRC regulations, rentals, funeral policy and deceased estates.

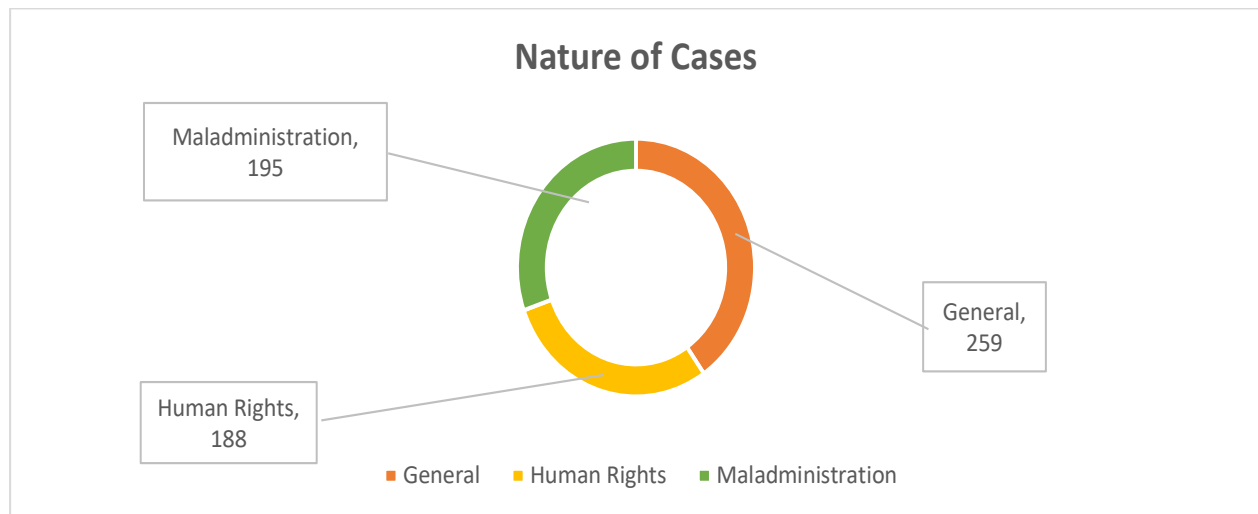


Figure 2: Nature of Cases

4.4. Analysis of complaints by Province

Figure 3 below shows the Provincial distribution of cases received in 2020. Harare and Bulawayo Office still received the highest number of cases since the Commission has offices in these locations. Matabeleland North recorded the lowest number of cases. The Commission will continue to work to improve its visibility in that Province. The Commission continues to lobby and advocate for decentralisation to ensure that members of the public can access its services. The use of hot lines and social media platforms was intensified in 2020 due to the COVID-19 pandemic. Most of the cases were received through social media platforms. The increase in cases received in Mashonaland Central Province is attributed to the higher number of mobile human rights clinics that were carried out there.

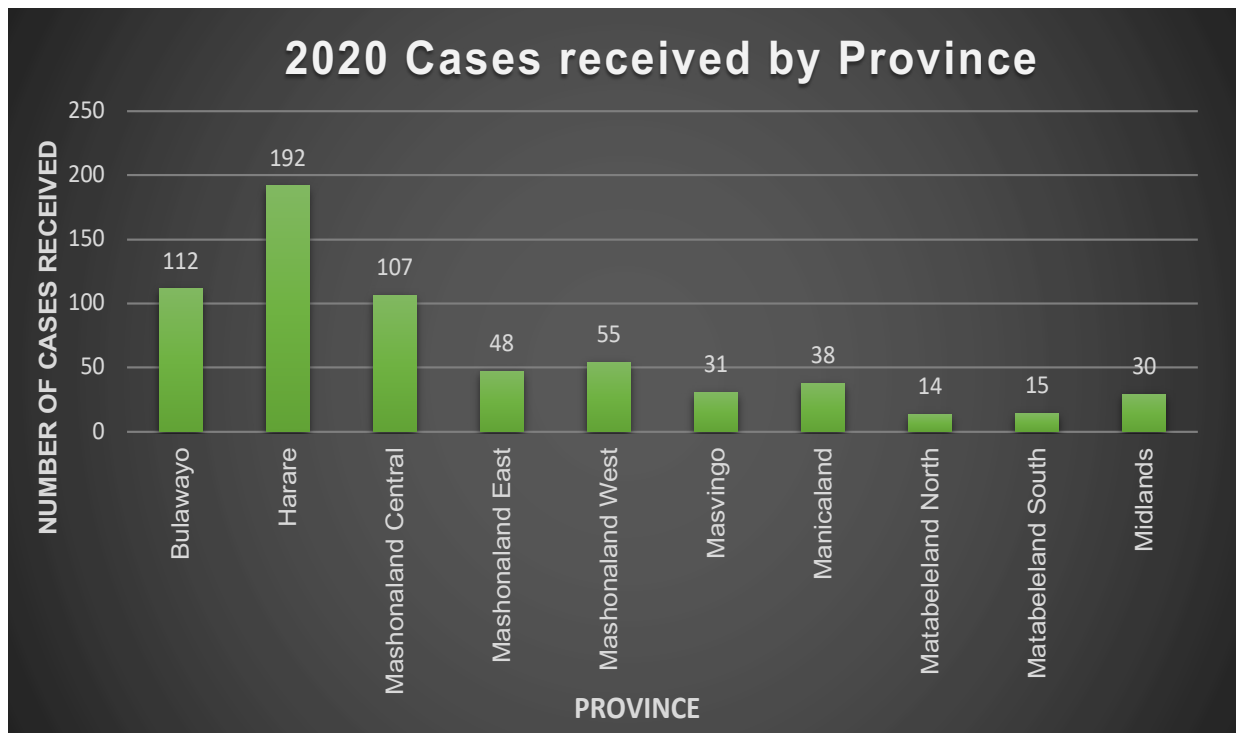


Figure 3: Cases received by Province

4.5. Disaggregation of Cases by Gender

Figure 4 below shows a disaggregation of cases by gender. The Commission received cases from four hundred and nineteen (419) males and two hundred and seventeen (217) females. Six (6) were group complaints. The number of male complainants remains higher than that of female complainants. The complaints from male constituted 65.3% of the total while 33.8% were from females and 0.9% were group complaints. A comparison with the previous year 2019 shows that there was a marked increase of 56.3% and 90.4% for complaints lodged by males and females respectively. In 2020, there was 50% decrease in group complaints. This shows that there was an increase in violations of individual rights as compared to group rights. There is still need for the Commission to address barriers that hinder women from reporting cases such as patriarchy, fear, financial constraints, limited access to information, lack of decentralization of offices and gender roles which confine women to domestic spaces.

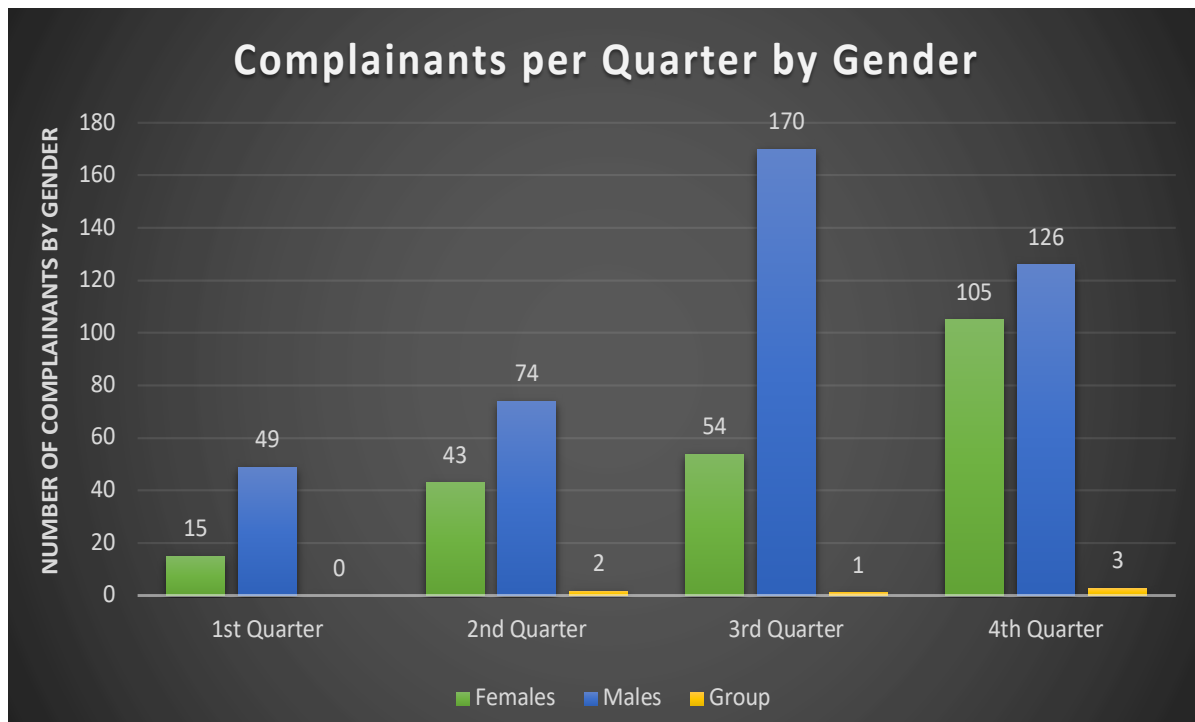


Figure 4: Complainants per Quarter by Gender

4.6. Cases presented before the Commission

Only twenty-nine cases were presented before the Commission. This was largely due to the COVID- 19 induced lockdown which limited Commission operations. In addition, from May 2020, the Commission did not have a quorum to consider cases after the end of term of office of four Commissioners in May 2020 and the resignation of one Commissioner in 2019. New Commissioners assumed duty in October 2020 and Commission meetings for consideration of cases resumed in November 2020.

Fourteen (14) cases and fifteen investigative reports were brought before the Commission from the 26th -27th November and 8th of December 2020. Of these cases, nine were resolved, one was withdrawn, one was not sustained and three were deferred.

Fifteen (15) investigative reports were presented to the Commission during the reporting period and eleven (11) of the reports were adopted. Four (4) reports were deferred for further investigations to be conducted.

4.7. Mobile Human Rights Clinics (MHRCs)⁴

The ZHRC conducted 26 mobile human rights clinics in June, July, October, and November 2020. These were held in Mashonaland West, Mashonaland East, Mashonaland Central, Bulawayo, Matabeleland North and Matabeleland South Provinces.

One thousand five hundred and thirty- nine (1 539) people attended the mobile human rights clinics being eight hundred and forty-one (841) females and six hundred and ninety-eight (698) males. One hundred and twenty-three (123) cases were received at the MHRCs. Seventy-six (76) of the cases received were pertaining to human rights while twelve (12) were for maladministration. A total thirty-five (35) cases were of a general nature. Of the one hundred and twenty-three (123) cases received sixty-three (63) were pending investigations, forty-seven (47) were advised and twelve (12) were referred to the various stakeholders such as Department of Social Development and Justice for Children Trust. One (1) case was declined for lack of jurisdiction.

The following issues emerged: -

- Access to documentation especially birth certificates continues to be a major concern to the people. In most of the cases, challenges to access to documentation were generational as most of the people were unable to access birth certificates and, subsequently, identity cards because their parents and grandparents lacked the same documents. The ZHRC will continue to push for the implementation of recommendations in the National Inquiry on Access to Documentation Report.
- Child marriages were cited by the participants as a cause of major concern. Some participants felt that the ambit of child rights has been widened to a point where the rights presented a danger to the children themselves. They felt that there is a

⁴ Mobile Human Rights Clinics are held for the purposes of providing legal advice and receiving complaints to mitigate against the effects of non-decentralization of the Commission.

general misunderstanding amongst children with regards to what constitutes violation of their rights.

- Participants from Ward 24 in Mt Hampden, Mashonaland West were concerned about their possible eviction due to the establishment of a new Central Business District for Harare.
- Participants from most of the centres bemoaned the lack of access to health care as clinics and hospitals did not have medication but private pharmacies had supplies which were exorbitantly charged. It was also noted that many of the hospitals and clinics did not have water as they did not have boreholes. This mainly affected pregnant women waiting for delivery who were expected to fetch their own water.

The ZHRC also conducted human rights clinics in partnership with the Zimbabwe Lawyers for Human Rights and the Zimbabwe Environmental Lawyers Association.

The table below shows the Mobile Human Rights Clinics conducted in 2020.

| Provinces | Areas |
|--|------------------------------------|
| Mashonaland West | Zvimba |
| Mashonaland East | Mutoko |
| Mashonaland Central | Bindura Rural |
| Matabeleland North | Tsholotsho |
| Matabeleland South | Gwanda |
| Bulawayo | Hope Fountain, Robert Sinyoka |
| Human Rights Mobile Clinics with Partners | |
| Mashonaland Central | Mbire – ZLHR |
| Mashonaland East | Mudzi, Uzumba, Maramba and Pfungwe |

| | |
|--|--|
| Manicaland | Mutare Rural District – ZLHR |
| Midlands, Manicaland, Mashonaland East | Zvishavane, Mutare Rural, Mutoko – ZELA |



Figure 5: Participants of a Mobile Human Rights Clinic held in Mutoko.

4.8. HIGHLIGHTS OF CASES HANDLED BY THE COMMISSION IN 2020

The ZHRC dealt with a number of cases in 2020 as mentioned above. Below are some of the highlights of the cases that the Commission handled.

4.8.1. Abuse of Power by Traditional Leaders

Complainant, a resident of a Village in Gokwe, Midlands Province alleged that he was forced by the Village Head to pay, an amount of money equivalent to two goats for him to bury his son, who was no longer resident in the Village at the time of death. When the matter was reported to the Chief, it was ruled in his favour, and the Village Head was asked to refund the Complainant. However, the Village Head did not comply with the ruling but instead raised allegations of stream bank cultivation against Complainant. The Village Head started victimizing the

Complainant by chasing him and his wife from village gatherings and threatening to banish them from the Village.

The Complainant approached the Chief's court seeking enforcement of the ruling but was instead ordered to pay RTGS\$1 200 for a site visit on the stream bank cultivation case. Complainant alleged that he did not have money for the site visit, and he was chased away from the Chief's court after which he engaged the Commission. Following the intervention by the ZHRC, it was found that the Complainant's right to administrative justice had been violated. The Complainant was refunded the money that he had paid to the Village Head and reported that he was now able to attend village meetings and had since resumed his gardening project which he had been ordered to stop.

4.8.2. Right to Administrative Justice

Complainant alleged that she registered for and sat for two Ordinary Level subjects in May/June 2018. Upon collection of results, one subject was marked "M" meaning that it was missing. She visited the Zimbabwe Schools Examination Council (ZIMSEC) Regional Offices where she was advised that there was no recourse for addressing the issue of the missing subject. She sought the intervention of ZHRC so that ZIMSEC could clarify their position regarding the matter. After the Commission conducted its investigation, the complainant received feedback from ZIMSEC and was advised that she had passed the subject which was initially marked missing. The Complainant confirmed that she had obtained a (B) pass in the said subject. The ZHRC found that the conduct of ZIMSEC violated the provisions of section 68 of the Constitution on Administrative Justice.

4.8.3. The right to equality and non-discrimination

The ZHRC conducted an investigation, in October 2020, into allegations that in Ward 30, Gutu District, Masvingo Province, humanitarian aid from the Government and development partners was being distributed along partisan lines. The allegations made by the complainant could not be substantiated but most of the community members who were interviewed during the random sampling spoke positively on the efforts by the councillor to ensure that vulnerable households received humanitarian aid. The councillor explained that there were checks and balances and the Commission confirmed this position with the Department of Social Development which was also involved in the food aid distribution. The Commission determined that the allegations could not be sustained because there was no evidence of partisan food distribution.

5. MONITORING AND ENFORCEMENT OF HUMAN RIGHTS

5.1. Introduction

The monitoring function of the ZHRC is in terms of Sections 243 (1) (c) and (k) of the Constitution. This function is conducted through the Monitoring and Inspections Department. The ZHRC conducted monitoring missions on the following, among others; Parliamentary Public Hearings on the Constitution of Zimbabwe Amendment Bill (HB-2-2020) and the Cyber Security and Data Protection Bill, 2019; COVID-19 preparedness, adherence, and response mechanisms in places of detention and places where persons are institutionalized namely prisons, children and older persons' homes, refugees and internally displaced persons' camps and quarantine centres. The Commission also monitored how COVID-19 impacted on the general human rights situation including access to social services and other basic needs, adherence to COVID-19 lockdown measures by citizens and schools, and proffered recommendations to the responsible Ministries/Authorities.

5.2. Monitoring of Legislative Development Processes

The ZHRC monitored Parliamentary Public Consultations on the two (2) Bills namely the Constitutional Amendment HB-2-2020 and the Cyber Security and Data Protection Bill, 2019. In terms of section 141 of the Constitution of Zimbabwe, Parliament must facilitate public involvement in legislative and other processes of its Committees and ensure that interested and affected parties are consulted on Bills. Since the ZHRC has the role of supporting democracy as provided in section 233 of the Constitution, it is also its duty to monitor participation of citizens in public processes.

Monitoring of the public hearings was also in fulfilment of the ZHRC's mandate amongst other functions to monitor and assess the enjoyment of human rights and freedoms as provided in section 243(1) (c). The ZHRC monitored the parliamentary public consultations in order to ensure that human rights principles such as non-discrimination,

accountability and transparency were upheld, and citizens' rights were protected. ZHRC also sought to track the development of legislation and its compliance to human rights principles.

5.2.1. Monitoring of Constitutional Amendment Bill (HB-2-2020)

The ZHRC monitored Parliamentary Public Consultations on the Constitution of Zimbabwe Amendment Bill No. 2 of 2020 from the 15th to the 19th of June 2020. The Commission attended Public Consultations in the following Provinces; Manicaland (Mutare), Mashonaland West (Ngezi- Zimplats), Mashonaland Central (Mt Darwin), Mashonaland East (Marondera) and the Harare public hearings including virtual meetings.

The Constitutional Amendment Bill proposed a number of amendments to the Constitution including the following;

- To create the office of the Public Protector, to take over functions concerning public maladministration, from the Zimbabwe Human Rights Commission;
- To repeal the “running-mate” concept, and empower the President to appoint the Vice Presidents;
- To empower the President to appoint up to 7 (instead of 5) additional Non-Constituency Ministers;
- To extend the women's quota up to 2030, and make provision for the party-list representation of youths in the National Assembly;
- To allow the President acting on the recommendation of the JSC to appoint sitting judges to vacancies in the higher courts, without subjecting them to the public interviews;
- To allow Judges of the Constitutional Court and Supreme Court to extend their tenure after reaching the age of 70 annually for up to 5 years, subject to some medical assessments;

- To provide for the appointment of the Prosecutor-General by the President on the advice of the Judicial Service Commission, without going through public interviews;
- To empower the President to enter into international/bilateral agreements without consulting the Parliament.

Of particular concern to the ZHRC was the proposed creation of a separate Public Protector institution, a development which would result in the Commission losing its dual mandate. The Commission made a written submission to the Parliament of Zimbabwe expressing its objection to that proposed amendment on the grounds that since 2014 the Commission has been capably performing the Public Protector role and other stakeholders echoed the same sentiments, during the public hearings. The public highlighted that it was not necessary to create a separate Public Protector institution considering the current challenges in funding the existing public institutions. In any case, the mandate on Administrative Justice is a human rights issue.

Participants raised concerns that the public hearings were ill-timed considering prevailing lockdown measures that limited freedom of movement. They also highlighted that the process of consultation was not sincere since in the past Parliament had proceeded to adopt rejected provisions. The general feedback in relation to most of the proposed amendments was that the amendment Bill was introduced prematurely as the Constitution had barely been implemented. In addition, it was also the views of participants that some of the provisions in the Bill had the effect of shrinking the democratic space and limiting the right to participate in public processes.

5.2.2. Cyber Security Bill and Data Protection Bill

The Commission attended Public Consultations on the Cyber Security and Data Protection Bill from 7 to 10 July in the following Provinces; Matabeleland South (Gwanda) and Matabeleland North (Nyamandlovu), Harare, Mashonaland Central (Bindura) and Mashonaland East (Marondera). Among other provisions, the purpose of this Bill is to;

- consolidate cyber related offences and provide for data protection taking into consideration the Declaration of Rights under the Constitution and the public and national interest;
- establish a Cyber Security Centre and a Data Protection Authority;
- provide for their functions, provide for investigation and collection of evidence of cyber-crime and unauthorised data collection and breaches; and
- provide for admissibility of electronic evidence for such offences.

Some participants indicated that the proposed law was an initiative in the right direction, and that it was high time online platforms were regulated for the good of both citizens and the State. It was highlighted that the cyber space was being abused with a lot of violations on the right to human dignity taking place including the circulation of revenge nude pictures, child pornography, impersonation, insults and online thefts. Others stated that Zimbabwe had been prone to a lot of social media abuse through circulation of fake news. It was also stated that the Bill should protect photo-shopping images which cause harm or disrespect.

Those who objected to the Bill made submissions that it could be used to suppress the enjoyment of the right to freedom of expression, as arbitrary arrests could be effected in the name of ‘cyber security’. Some of the people who attended the public hearings also raised fears that the Bill could be used to conceal the exposure of corruption and police brutality through social media platforms.

5.3. Monitoring Places of Detention and Institutions⁵ in Light of COVID-19

As COVID-19 restrictions were gradually relaxed, the ZHRC managed to monitor prisons, Tongogara Refugee Camp, Children and Older Persons Homes, quarantine centres and Internally Displaced Persons (IDPs). The monitoring missions were conducted in fulfilment of section 243(1)(k)(i) of the Constitution of Zimbabwe which mandates ZHRC, among other things, to visit and inspect prisons, places of detention, refugee camps and related facilities. The major objectives for the visits were, to ascertain the state of

⁵ Places where persons are Institutionalised

detention facilities' preparedness and response mechanisms in place in view of the COVID-19 pandemic and any other future emergencies; and to get an appreciation of detainees' experiences and COVID-19 awareness and proffer recommendations to relevant stakeholders.

5.4. Monitoring and Inspection of Prisons

From the 14th to the 17th of September 2020, the Commission held an engagement meeting with the Zimbabwe Prisons and Correctional Services Deputy Commissioner General and officers commanding Provinces. The engagement meeting was held to facilitate a smooth and coordinated resumption of the prison monitoring missions. The ZPCS and ZHRC reached a consensus on the precautionary measures to be taken during the monitoring missions, the challenges that the ZPCS was facing in administration of prisons during the COVID-19 pandemic and identification of possible solutions.

Following the engagement meeting the ZHRC resumed its monitoring missions across the country from September to December 2020. Sixteen (16) prisons were monitored as follows; Khami Remand, Khami Maximum, Mlondolozhi, Bulawayo, Mbizo, Shurugwi, Whawha Young Offenders,, Mutare Remand, Chipinge, Kariba Satellite, Hurungwe, Mutimurefu, Chiredzi, Masvingo Remand and Karoi.

Major findings were that prison facilities were overcrowded, a situation which was not consistent with measures to contain the outbreak of the COVID-19 pandemic such as social distancing. The Commission noted the need for the judiciary to consider non-custodial sentences like fines for petty offences so as to reduce overcrowding. Secondly, most prison infrastructure required refurbishment and reconstruction in order to comply with regional and international standards and therefore reduce the spread of COVID-19 and other future pandemics. The monitoring missions also noted that there was a shortage of uniforms and blankets in most prisons and inmates and prison officials had to improvise. There were also prevalent challenges of delays in the appeal process thereby contributing to overcrowding and exposing inmates to contagious diseases such as Tuberculosis and COVID-19. Although the Zimbabwe Prisons and Correctional Services (ZPCS) had made efforts to contain the spread of the COVID-19 in prisons,

provision of masks and sanitizers was not adequate. Some of the prisons had shortage of water which militated against measures to contain the spread of the virus.

Another issue of concern that was raised was the prolonged detention of Detained Mental Patients who had recuperated and were ready for discharge due to non-convening of the relevant boards by the Ministry of Health and Child Care.

Reports with recommendations were produced and engagements on implementation of the recommendations are underway.

5.5. Monitoring of Children and Older Persons Homes



Figure 6: A Human Rights Officer engaging an older person at one of the Old People's Homes

From the 12th to the 14th of November, ZHRC monitored 10 children's and old people's homes around the country. Some of the homes monitored included Rudo Isimba Old People's Home in Chiredzi, Bopoma Children's Home in Zaka and Lirhanzo Children's Home in Mwenezi (Masvingo Province). In the Midlands Province, the ZHRC monitored

Jairos Jiri in Zvishavane which caters for older persons, Maryward Children's Home in Kwekwe and Rutendo Children's Home in Gweru.

The findings showed that the homes were making efforts to uphold the rights of the vulnerable persons kept under their institutions, but their common challenge was that of inadequate financial resources to run the institutions. This in turn compromised the fulfilment of some rights. The Department of Social Development was reported to be supporting with grain, but the per capita grants were not being disbursed consistently. Some of the concerns at the homes included inadequate security, for example, at Jairos Jiri, Lihranzo and Rudo Isimba homes. At Rudo Isimba in Chiredzi, there was no boundary fence, and the residents' rooms did not have adequate locks. Lihranzo in Mwenezi and Jairos Jiri in Zvishavane, reported challenges of break-ins and thefts.

Another issue of concern raised in children's homes was the non-existence of post institutional care safety nets when the children were discharged from institutions after attaining the age of 18 years resulting in them becoming destitute upon release. This rendered fruitless all the efforts to groom the children, during the course of their stay at homes.

The issue of identification documents continued to be raised as a major concern at both children's and old people's homes. Where efforts to obtain the documents were successful, the orphaned children were issued with the short birth certificates which were said to be discriminatory since the children were identifiable as orphaned or abandoned children. In some old people's homes, it was highlighted that a significant number of the elderly were admitted without any identity documents and this posed a challenge in tracing their relatives in the event of their demise. ZHRC recommended that the Government should devise measures that address the reintegration of children into safe spaces after being discharged from care homes. Government should also review the allocation amounts for the per capita grants and ensure timely disbursements. In addition, national registration of institutionalised persons should be prioritised.

5.6. Monitoring visit to the Tongogara Refugee Camp



Figure 7: ZHRC Monitors at Tongogara Refugee Camp with Camp Leaders

ZHRC conducted a follow up monitoring visit to Tongogara Refugee Camp from the 30th of November - 4th of December 2020 to track implementation of previously made recommendations (from the February 2019 visit) and to document emerging human rights issues within the camp in light of the COVID-19 pandemic. ZHRC interacted with Government personnel responsible for the Administration of the camp; different partners supporting Government, such as the United Nations High Commissioner for Refugees (UNHCR), Terre Des Hommes (TDH), Childline and World Vision International; and leaders representing the different Communities/countries in the camp.

ZHRC noted that most of the recommendations emanating from previous monitoring missions were at various stages of implementation. Notably, great strides had been made in the provision of water and sanitation, livelihoods diversification and education amongst others. However, full implementation of the recommendations is hindered by inadequate human and financial resources. Furthermore, new human rights concerns that were noted during the follow up visit included; the need to grant settlement for those given refugee status, the concern on the finality of the determination of cessation clause of Rwandese

nationals within the camp and the need to strengthen and improve social protection programmes within the camp.

5.7. Monitoring visits to Internally Displaced Persons

During the reporting period, the ZHRC assessed the human rights situation of internally displaced persons in 3 communities and 1 mission of an impending displacement. The Commission visited the Cyclone Idai affected communities in Manicaland (Chimanimani), the Chingwizi community (Masvingo Province) and IDPs affected by floods at Siabuwa Camp in Binga. The Commission also visited the Chilonga community in Mwenezi which was under threat of internal displacement.

The ZHRC found that Government and its partners were implementing various relief and development programmes to ameliorate the human rights effects of displacements. In Kopa and Ngangu (Chimanimani) there were reported cases of donor fatigue. ZHRC noted that Government had made progress towards relocating the survivors to land already gazzeted at Westland/Bumha area and construction work was underway. The Commission was however, disturbed by the slow implementation of activities to minimize Post-Traumatic Stress Disorders of some IDPs. At Siyabuwa IDPs Camp in Binga, most of the affected 37 households deserted the temporary tents citing harsh hot weather conditions.

In Chingwizi, ZHRC noted that the living conditions of the communities were deteriorating. People raised concerns over the outstanding compensation, and that where compensation fees were paid, it was inadequate (20 % paid in United States of America Dollars and 80% paid in Zimbabwean dollars). The situation at the education and health facilities in Chingwizi equally required attention. There were conflicts over grazing lands between the Chingwizi communities and the host community. ZHRC, therefore recommended that Government should urgently conclude the issue of adequate compensation for the communities.

For the Chilonga community the monitoring visit sought to assess the extent of possible displacement, whether communities had adequate information about the potential project to be conducted in their community, and to assess if there were other available options,

that could be proposed to Government to avoid the potential displacement of the communities. Despite provisions of Section 13(2) of the Constitution on the need for consultation, participation and involvement of affected communities in the formulation and implementation of development plans and programmes that affect them, the Chilonga community indicated that they were not consulted and the local authority made a full council resolution accepting the project prior to community consultations. The community proposed implementation of contract farming of lucerne grass between the prospective investors and the local farmers. Such arrangements were already in existence between the Chilonga community/farmers and some corporates on sorghum and cotton contract farming projects.

5.8. General Human Rights Monitoring for COVID-19 Related Issues

5.8.1. COVID-19 Pandemic and the General Human Rights Situation

ZHRC deployed teams in all provinces to monitor implementation of the country's COVID-19 lockdown measures and implications on the enjoyment of human rights. Section 62 of the Constitution provides for access to information including health information. In its monitoring mission, the Commission found that the Government made commendable efforts in keeping the nation informed on the outbreak and spread of COVID-19 as well as measures to mitigate the devastating effects of the pandemic.

In terms of staff motivation, it was noted that health and other frontline staff needed improvement to their conditions of service. These related to non-availability of PPEs and non-payment of the COVID-19 risk allowances. Resultantly, some health staff were reluctant to respond to the pandemic fearing for their own safety and lives as well those of their families. Section 65 (1) of the Constitution provides for rights to fair and safe labour practices and standards and to be paid a fair and reasonable wage while section 65 (4) provides that employees are entitled to just, equitable and satisfactory conditions of work. ZHRC recommended the need for timeous disbursement of the COVID-19 allowances and to broaden the definition of 'Frontline workers' to include other sectors like Social Services and law enforcement. To respond to concerns on the narrow definition of frontline staff, the Government took a decision to pay all public servants and pensioners a flat risk allowance equivalent to US \$75 and US\$30, respectively.

In terms of implementation of lockdown measures, the ZHRC received reports of rampant corruption at roadblocks where law enforcement agents were accused of soliciting for bribes from travellers so as to gain passage.

Some of the COVID-19 induced hardships experienced by people were reported in the section on the Human Rights Situation.

5.8.2. Monitoring of COVID-19 Quarantine Centres

The Government introduced quarantine centres in March 2020 for returnees and others entering the country. Taskforces were put in place in all the provinces, comprising of different Government Ministries and Departments such as those responsible for Education, Health and Child Care, Local Authorities and Social Welfare among others. Challenges raised in regards to quarantine facilities across all provinces centred around the issue of limited financial resources for smooth running of the institutions thus impacting on availability of PPE, diagnostic testing, food and bus fares for discharged returnees amongst others. Some of the quarantine centres were schools and when these were decommissioned monitoring visits were conducted to assess their preparedness for schools re-opening.

5.8.3. Monitoring Schools Reopening

The ZHRC monitored the three (3) phased re-opening of schools following Government's announcement on the 21st of September 2020 that schools were going to be re-opened. The phased reopening, approved by Cabinet, was done in three stages. The three examination classes — Grade 7, Form 4 and Upper Sixth opened on September 28. Four weeks later, on October 26, 2021 — Grade 6, Form 3 and Lower Sixth or Form 5 — opened in the second phase. The rest of the classes opened on the 9th of November 2020. Selected schools were monitored in the following Provinces, Mashonaland East, Mashonaland West, Mashonaland Central, Harare and Bulawayo.

ZHRC interacted with duty bearers in the education sector such as Provincial Education Directors, District Schools Inspectors, school heads and some parents who gave feedback on the state of the right to education in light of the COVID-19 pandemic. The

Commission assessed the sector's preparedness, availability of PPE, and other response mechanisms and found out most schools had inadequate infrastructure such as classrooms, hostels, dining facilities and furniture. This was going to make it difficult to comply with precautionary measures such as social distancing

ZHRC noted the detrimental effects of the lockdown in schools. Some pupils failed to return to school and reports were that they were victims of child marriages and teenage pregnancies. ZHRC also received reports of child labour where young boys did not return to school and resorted to gold panning and vending in search of livelihoods. It was also reported that crime rate increased amongst juveniles.

In terms of availability of PPE such as disinfectants and sanitizers, the ZHRC noted that there was uneven distribution of these materials. Some schools received them from the Government while others did not and had to request for financial contributions from parents for procurement of same. On access to information and awareness on COVID-19, ZHRC learnt that across all provinces, the education sector working together with the Ministry of Health and Child Care (MoHCC) conducted training programmes for Educators to prepare them to manage and assist the children upon returning to school.

6. HUMAN RIGHTS EDUCATION AND PROMOTION

6.1. Introduction

In terms of Section 243 (1) (a) of the Constitution of Zimbabwe, ZHRC is mandated to, among other functions, promote awareness of and respect for human rights and freedoms at all levels of society. This function of awareness raising became a critical response to the COVID-19 pandemic. The Education, Promotion and Research (EPR) Department is responsible for implementing this mandate.

With the restrictions imposed by the lockdown regulations, the Commission could only resume outreaches and stakeholder engagements during the second half of the year when the lockdown was relaxed to level 2. Prior to that, a variety of other awareness raising methods with limited human contact such as television and radio programmes, jingles, issuing of press statements and IEC materials dissemination including posters

were utilised. The Commission managed to end the year on a high note by holding commemorations of International Human Rights Day while observing the COVID-19 regulations.

6.2. Human Rights Awareness Raising

6.2.1. Outreaches

The Commission conducted human rights awareness raising outreaches (including COVID-19 awareness) in close to 42 different areas⁶ in the country. Due to the COVID-19 restrictions, the Commission became innovative in the awareness strategies it employed which included conducting small group meetings/trainings of not more than 50 people in attendance as stipulated in the lockdown regulations), focus group discussions, informal discussions and Information, Education and Communication (IEC) materials distribution. In areas where informal discussions were conducted and IEC materials distributed, the Commission targeted high population centres such as business centres, water points, health facilities, markets and bus termini among others.



Figure 8: Some of the COVID-19 awareness meetings carried out at water points

⁶ The areas included: Epworth, Caledonia, Glenview; Budiro; Marondera; Hwedza; Seke; Murehwa; Mutoko; Norton; Murombedzi; Chegutu; Kadoma; Chinhoyi; Banket; Mount Darwin; Bindura, Shamva; Madziwa; Rusape; Beatrice; Chivhu; Mhondoro Ngezi; Bindura; Nkulumane; Nkayi; Tsholotsho; Matobo; Plumtree; Umguza; Reigate; Imbizo; Mzilikazi; Chivi; Zvimba; Bulawayo Central; Binga, Masvingo and Mutare

The objectives of the outreaches were to raise awareness on: human rights and freedoms; limitation of human rights in a state of emergency through measures such as lockdown regulations and their enforcement; rights that cannot be limited even during emergencies and reporting mechanisms in case of violations of human rights during the lockdown.

The feedback that came out of the outreaches confirmed findings from mobile human rights clinics and monitoring missions. These included concerns over the heavy handedness by law enforcement agents as they enforced the lockdown regulations particularly during Level 4 lockdown. Socio-economic challenges that were reported included inadequate social safety nets to cushion people impoverished by the lockdown, transport challenges, water shortages, hunger, increased levels of unemployment and negative impact on people's livelihoods particularly vendors, high levels of domestic violence and negative impact on the right to education during the lockdown period. Approximately 43 208 people (23 458 females and 19 750 males) were reached directly through the outreaches and more than 34 000 IEC materials were distributed.



Figure 9: Outreach meeting in Binga District (Matabeleland North Province) in November 2020.



6.3. Television and Radio Programmes

Wider audiences were reached through radio and television programmes to raise awareness on human rights issues in relation to COVID-19 and airing of jingles. From monitoring reports it was noted that the generality of the people received their awareness mostly from radio and television. Thirty-five (35) live radio programmes, each lasting 30 – 45 minutes with a combined reach of over 10 million people (according to feedback from the radio stations) were aired on nine radio stations⁷. In addition, two segments of Mai Chisamba Show was aired on ZTV in April 2020 during prime time from 16:30 hours to 17:30 hours, reaching over 6 Million viewers according to ZTV. Furthermore, two jingles on COVID-19 awareness were produced and were broadcast on ZTV and radio.

⁷ The radio programmes were aired as follows:

- Diamond FM: 7 programmes with a listenership estimated at 1.2 million.
- Radio Zimbabwe: 4 programmes with a listenership estimated at 8 million+.
- Skyz FM Metro: 4 radio programmes with a listenership of 500 000+.
- 98.4 Radio FM: 4 radio programmes with a listenership of 65 000.
- YA FM Radio Station: 3 programmes with a listenership of 1.5 million.
- Khulumani FM: 2 programmes with a listenership of 1.5 million
- Hevoi Radio Station: 4 programmes with a listenership of 160 000.
- Nyaminyami FM: 4 programmes with a listenership of over 98,000.
- Great Zimbabwe University Radio Station: with a listenership of approximately 6 000.

Figure 10: ZHRC live on Nyaminyami FM Radio Station in Kariba, September 2020

6.4. Development and Dissemination of IEC Materials

To support its awareness raising programmes the Commission developed new posters and brochures on human rights and COVID-19 which were translated into Shona, Ndebele and Tonga. The information packs also informed the public on steps to take to report cases to ZHRC. Over fifty thousand (50 000) copies of posters and brochures were printed as well as other IEC materials that included T-shirts and a variety of banners.



Figure 11: Samples of brochures and posters developed by the Commission

6.5. Training Manuals

The development of the Practitioners' Manual on Constitutional Rights Volume 2 on rights of vulnerable groups, namely, arrested, accused and detained people, children, women, the elderly, rights of persons with disabilities and the rights of veterans of the liberation struggle was completed. The first volume was produced in 2019 and it covers civil and political rights as well as social, economic, cultural and environmental rights. The manuals

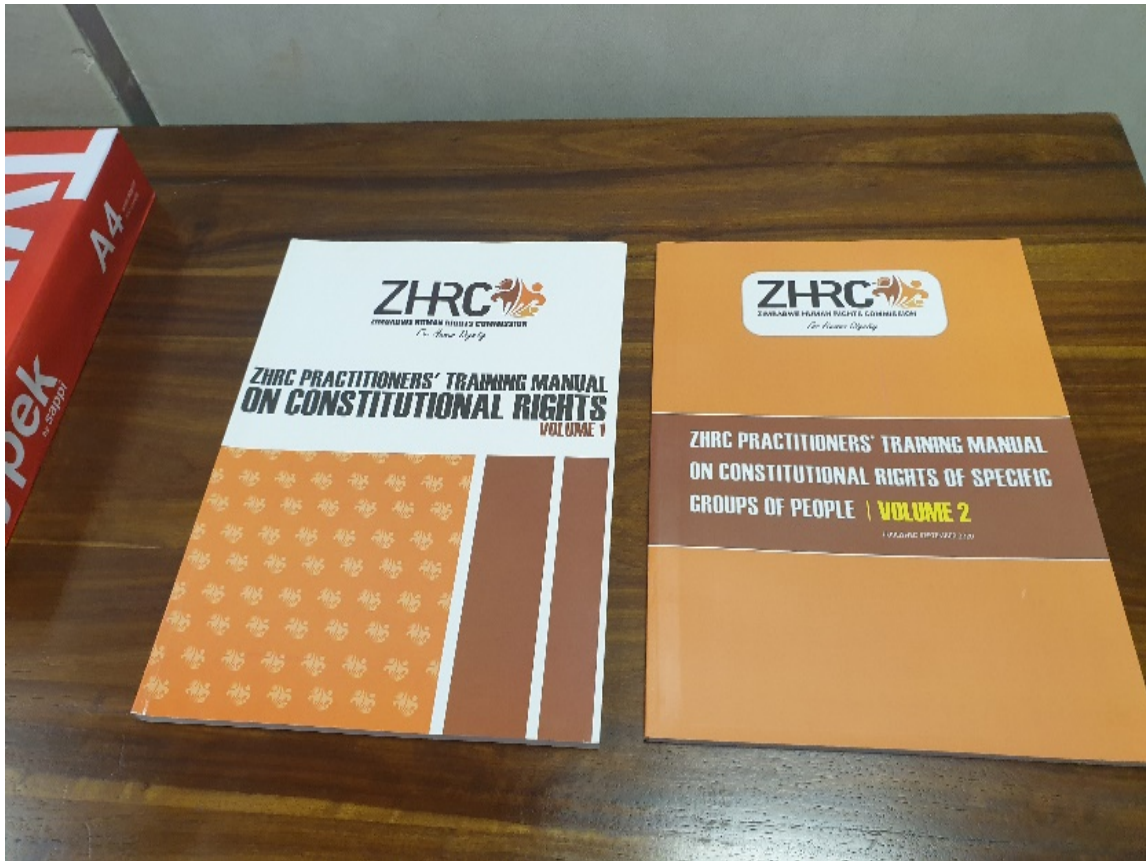


Figure 12: Volumes 1 and 2 of Manuals on Constitutional Rights

are for use as reference manuals for training on human rights by Commission personnel and by other trainers in tertiary institutions, security sector training institutions, and other interested stakeholders including in the Civil Society sector. The EPR manual was also produced to guide the Human Rights Education, Promotion, and Research work of the Commission.

6.6. Press Statements

Throughout the lockdown period the Commission issued twelve (12) press statements to express its views on various human rights issues of concern which were disseminated directly to the media, and through media platforms like Kubatana and Veritas and on the Commission's social media platforms. The press statements were also used to

disseminate findings from the Commission's monitoring work and stakeholder engagements concerning the human rights situation with recommendations calling on relevant duty bearers to take remedial action. These statements covered various human rights and administrative justice issues. The following are a few examples:

- Press statement on the Current Situation in Zimbabwe in the wake of the COVID-19 Pandemic;
- Press Statement on Protection of Rights of Persons in Places of Detention in Light of the COVID-19 Pandemic;
- Press Statement on the Human Rights Situation in Farming Communities during the National Lockdown;
- Press Statement on the Protection of the Right of Freedom to Demonstrate and Protest During the COVID-19 Pandemic Lockdown;
- Press Statement on Protection of the Rights of Human Rights Defenders in Zimbabwe;
- Press Statement on the Protection of the Right to Freedom of Expression and Freedom of the Media; and
- The ZHRC's end of year Press Statement on the Human Rights Situation in Zimbabwe.

6.7. Website Rebranding

The Commission updated and unveiled its website on 10 December 2020. Many people were visiting the website every month contributing to the visibility of the Commission as well as being a vehicle for information sharing and for raising awareness on human rights and administrative justice. Information on COVID-19, the redress mechanisms available for rights violations and facilitating lodging of complaints to the Commission was included on the website.

6.8. Bulk SMS Messaging and Skits

Other methods used to raise awareness on human rights in general and human rights on COVID-19 and promote visibility of the Commission were bulk messaging and drama skits. Initially ZHRC issued out weekly SMS messages on human rights in relation to the COVID19 pandemic and how to access the Commission's services during the lockdown period. The Commission managed to set up its own database of stakeholders and opened an SMS messaging account with i-Hub to enable it to send out bulk SMS messages directly to recipients. To date, the database of the ZHRC stakeholders who receive the bulk SMS service has more than 1200 people. The Commission will continue to increase the number of people visiting its website.

The Commission worked with a local Comedian to produce a drama skit to raise awareness on human rights challenges faced due to the lockdown. The drama skit was posted on the Commission's social media platforms and the Comedian's Youtube channel with 88 500 subscribers and had 31 000 views by the end of the year. It was also shared on its Twitter handle with 4 181 followers and Facebook account with 284 000 followers.

6.9. International Human Rights Day Commemorations

International Human Rights Day (IHRD) is observed by the global community on 10 December annually. It commemorates the day on which the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) in 1948. Since commencement of its operations in 2014, the ZHRC has taken a leading role in organising national commemorations of the IHRD in different parts of the country, adopting various strategies for the commemorations and working in partnership with diverse stakeholders in Government, civil society, the private sector, community leadership and host communities, among others. The theme for IHRD commemorations 2020 was “**Recover Better – Stand Up for Human Rights**” with reference to the impact of COVID-19 pandemic.

The Commission found it prudent to commemorate IHRD in partnership with the Ministry of Primary and Secondary Education (MOPSE) so as to place emphasis on the

importance of human rights education in schools. The importance of putting children's rights at the centre of the recovery from the disastrous impact of the COVID-19 pandemic was also highlighted. To minimize the risk of spreading COVID-19, a limited number of participants were invited and live radio coverage on Star FM and social media platforms were used to reach out to a larger audience⁸.

The main event of the commemorations was the Bulawayo Province High Schools Quiz Competition on Human Rights Education and COVID-19. Four schools participated in the final round namely Eveline High School, Townsend High School, Pumula High School and Mandwandwe High School. These four schools were the winners in the semi – finals of the competition held on the 5th of December 2020 at Eveline High School where 12 schools participated. In the final round, Pumula High School won the quiz competition and walked away with prize money of US\$900.00. The Guest of Honour was Honourable Edgar Moyo, the Deputy Minister of Primary and Secondary Education, who made the keynote address.



Figure 13 Participants at the IHRD commemorations at International Trade Fair Grounds on 10 December 2020

⁸ According to statistics, approximately 1 million people listened to the quiz show but the radio station has 6 million listeners. The event was livestreamed on social media by CnC and had 1138 engagements, 224 likes and 453 views.



Figure 14: The Quiz Master, Steve Vickers poses questions to learners from the competing schools



Figure 15: A student from Eveline High School reciting a poem condemning GBV.



Figure 17: The IHRD High Schools Quiz competition was won by Pumula High School

7. NATIONAL INQUIRY ON ACCESS TO DOCUMENTATION

7.1. Introduction

The Commission embarked on its first ever National Inquiry (NI) on Access to Documentation in 2019, focusing on challenges faced by people in accessing five documents namely birth certificates, national identity cards, death certificates, passports and citizenship certificates. Following completion of public hearings in 2019, the focus in 2020 was on validation of the findings to pave way for finalization and adoption of the report.

7.2. Launch of the National Inquiry on Access to Documentation Report and Submission to Parliament

On the 30th of September 2020, ZHRC successfully launched the NI Report at a ceremony graced by the Speaker of the National Assembly, Honourable Jacob Francis Mudenda. The official launch of the report, was followed by a Stakeholders Engagement Workshop on the 8th of October 2020 held at Bulawayo Rainbow to disseminate the report amongst stakeholders in the Southern Region.



Figure 18 :Part of the crowd that graced the launch of the NI Report in Harare



Figure 19: The unveiling of the NI report by the, Speaker of the National Assembly.



Figure 20: Acting Registrar General Mr Henry Machiri receives copies of the NI Report



Figure 21: ZHRC Chairperson (left) hands over copies of the NI Report to the Bulawayo Provincial Development Co-ordinator during the Bulawayo Stakeholders workshop.

8. THEMATIC WORKING GROUPS

8.1. Introduction

The ZHRC has 8 Thematic Working Groups (TWGs) established in accordance with paragraph 7 of the First Schedule of the ZHRC Act. A TWG is a specialized Committee of the Commission that incorporates external stakeholders to facilitate wider participation in the work of the Commission. Members are appointed from relevant Government Ministries, departments and agencies, CSOs, academic institutions and the private sector among other stakeholders based on their diverse knowledge and expertise in respective fields. The Thematic Working Groups implemented a limited number of activities in 2020 due to the COVID-19 pandemic, successive lockdown restrictive measures and the retirement of Commissioners. Some activities were carried out by the Children's Rights, Environmental Rights, Special Interests Groups and Gender Equality TWGs.

8.2. The Children's Rights TWG

The Children's Rights TWG met on 1 October 2020 and shared experiences on the negative impact of the COVID-19 pandemic and the lockdown measures on children. In particular, the members felt that responsible Ministries such as the Ministry of Primary and Secondary Education should conduct further analysis of the impact and prepare a detailed report.

The meeting considered the issue of state party reporting with reference to the African Charter on the Rights and Welfare of the Child (ACRWC) and the Convention on the Rights of the Child (CRC). The TWG was concerned with the non – submission of the overdue State Party Report on the ACRWC by the Government since this report should have been submitted in 2019 and the State Party Report on the CRC should have been submitted in 2020. The TWG recommended that a letter be written to the Ministry of Health and Child Care, which is responsible for preparation of the state party reports to find out reasons for non-submission of the reports. The letters were sent to the said Ministry but no feedback was received.

The TWG resolved that members of the TWG as well as the Commission in general should be capacitated to produce parallel reports on the CRC and the ACRWC. To that end, some of the members of the TWG went on to participate in a training workshop to capacitate the ZHRC Commissioners and staff members. The training workshop focused on the UPR and State Party reporting at the regional and international levels with reference to the CRC and the ACRWC. After the training, the Commission committed to produce parallel reports to the two treaty bodies.

8.3. The Gender Equality and Women's Rights TWG

The TWG bade farewell to its inaugural Chairperson, Commissioner Kwanele Jirira whose term of office expired in May 2020 and welcomed her successor, Commissioner Dr. Cowen Dziva. The TWG met on 27 October 2020 and deliberated on the gender dimensions of the COVID-19 pandemic whereby individual member organisations presented their experiences on how COVID-19 had affected people, in particular women and girls, and what their organisations were doing to mitigate the impact. The TWG issued a press statement to commemorate the 16 Days of Activism against Gender Based Violence which was commemorated under the theme, **"Orange the World: Fund, Respond, Prevent, Collect!"** In its statement, the TWG expressed concern over the increase in cases of GBV due to unintended consequences of lockdowns.

8.4. The Special Interest Groups TWG

The Special Interest Groups (SIG) TWG held its meeting on the 30th of October 2020. Deliberations centred on COVID-19 response initiatives and also noted that even though sunscreens for persons with albinism were now on the Ministry of Health and Child Care's Essential Drugs List of Zimbabwe (EDLIZ), these are not easily available in public clinics and hospitals. There was a recommendation that COVID-19 information should be available in all accessible formats for the benefit of persons with disabilities. The TWG also resolved to host a stakeholder engagement meeting with key stakeholders in Bulawayo to disseminate a previously produced report on the human rights situation of the San community from Tsholotsho and produced an action plan for the implementation

of the recommendations. The stakeholder engagement was held on the 3rd of December 2020 in Bulawayo. SIG TWG members, civil society organizations, duty bearers from government ministries, traditional leaders and representatives of the local authority from Tsholotsho participated.

8.5. Environmental Rights TWG

The Environmental Rights TWG conducted one meeting and participated in six activities throughout the year. The TWG now has a substantive Chairperson, Commissioner Angeline Guvamombe who succeeded Commissioner Professor Carroll Themba Khombe. The TWG continues to work towards development of a National Action Plan on Business and Human Rights (BHR).

A virtual meeting was held on the 11th of May 2020 to share the Mini-Baseline Survey draft report on the proposed National Action Plan on BHR with members of the TWG. The key issues in the report included the rights of workers in tourism, mining and agricultural sectors. It also looked at issues related to vulnerable groups such as women and children, sexual exploitation and child labour, environmental degradation, human and wildlife conflict among others.

The ERTWG proceeded to present the report to the Commission at a meeting held in September 2020. It was agreed that the ZHRC would support the process of developing a NAP on Business and Human rights for advancement of United Nations Guiding Principles on Business and Human Rights. The outcome of the meeting was increased commitment by the Commission and a roadmap on the development of a NAP on Business and Human Rights.

The TWG raised awareness on the ZHRC's work on environmental and labour rights in mining and farming sectors during the COVID-19 pandemic through participation in TV and radio programmes and trainings of communities. The TWG also attended the annual Zimbabwe Alternative Mining Indaba (ZAMI) in October 2020. The event brings together

stakeholders in the mining sector to deliberate on current developments in the mining sector.

9. ENGAGEMENTS AND NETWORKING

9.1. Stakeholder Engagement Workshop with the Zimbabwe Prisons and Correctional Services.



Figure 22: Some of the participants at the ZHRC/ZPCS Engagement Meeting held in August 2020

The ZHRC and the ZPCS held an Engagement Meeting in August 2020. In attendance were Deputy Commissioner General Administration and Officers Commanding the 10 provinces. The meeting was aimed at building consensus on the precautionary measures which the ZHRC had to comply with so as to resume inspection of prisons which had been suspended due to COVID-19. The Commission also had the opportunity to appreciate some of the challenges being faced by station managers in administering places of detention during the COVID-19 pandemic. Some of the solutions that were proffered included increased financial support to the ZPCS for care of inmates, completion of the ZPCS Bill aligned to international human rights standards and the Constitution of Zimbabwe and engagement with the Department of Immigration to find a lasting solution for irregular migrants. For Detained Mental Patients (DMPs) the meeting

highlighted the need for the reconvening of the Mental Health Tribunal to consider recommendations for discharge of DMPs.

9.2. Chapter 12 Commissions Engagement

From the 21st to the 23rd of July 2020, ZHRC, Zimbabwe Gender Commission (ZGC) and the National Peace and Reconciliation Commission (NPRC) held an engagement meeting to deliberate on the proposed collaboration of the investigation departments of the three Commissions. The purpose of this engagement was to provide a forum for exchange of ideas on best practices in investigations and to identify areas of common interest in order to have a mutually beneficial working relationship which allows for joint investigations and referral pathways. Some of the cited benefits of the collaboration were that it would reduce duplication of investigations, minimise secondary traumatising of complainants and result in avoidance of encroachment on each other's mandates. After the engagement meeting the 3 Commissions signed a Memorandum of Agreement to facilitate joint investigations. In November and December 2020, the ZHRC and ZGC had joint investigations and the two Commissions are due to review their working relationship in 2021.

9.3. Roundtable on Human Rights in Emergencies

The ZHRC hosted a round table on human rights in emergency situations from 28 – 29 October 2020. The round table discussed the measures and strategies that the Government of Zimbabwe put in place to combat the COVID-19 pandemic, as well as enforcement of regulations, and the unprecedented public health crisis in Zimbabwe. The discussion gave the ZHRC a forum to report on its COVID-19 related work. Presentations were made by the ZRP, Ministry of Health and Child Care, Zimbabwe Association of Doctors for Human Rights (ZADHR) and Zimbabwe Lawyers for Human Rights (ZLHR). Accordingly, the forum sought to promote a human rights-based approach in the enforcement of COVID-19 regulations and service delivery. The Network of African National Human Rights Institutions (NANHRI) and the South African Human Rights Commission (SAHRC) made virtual presentations and shared best practices from other jurisdictions. The outcome of the round table included a set of recommendations centred

on how the ZHRC could strengthen collaborations with several important partners, stakeholders and government departments in the protection, promotion and enforcement of human rights during public health emergencies such as the COVID-19 pandemic.

9.4. Universal Periodic Review and Treaty Body Mechanisms

The ZHRC conducted a training session on the Universal Periodic Review (UPR), from the 2 – 4 November 2020 to raise awareness on the UPR process. The training also sought to capacitate Commissioners, staff and stakeholders on parallel reporting to Treaty Bodies, specifically on the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).



Figure 23: ZHRC officers participating in the UPR Training Workshop in Mutare

10. CHALLENGES AND LESSONS LEARNT

10.1. Challenges

The ZHRC has been encountering a myriad of challenges in the execution of its mandate and discharge of its functions. Some of the challenges included the following:

- 10.1.1** The year 2020 was a challenging year for implementing activities not only because of the lockdown and associated restrictions but also because of the anxiety on the possibility of contracting COVID-19. The Commission made efforts to ensure that at institutional level, some of the health protocols were observed but the efforts fell short because of limited resources.
 - 10.1.2** The COVID-19 pandemic brought challenges for Commissioners and staff such as the need for safe transport, laptops and data to be able to work effectively from home as well as the need for constant diagnostic testing and provision of PPE.
 - 10.1.3** The Commission is yet to decentralize, hence the reach of its programmes work continued to be limited. The limited human resources capacity of the Commission to cover a wider geographic area across the country remained a limitation in the work of the Commission.
 - 10.1.4** The Commission is allocated inadequate financial resources by the Treasury. The budget is usually eroded by inflation and erratic disbursement of the allocated finances resulting in crippling of operations as the Commission fails to procure such assets as pool vehicles, ICT gadgets as well as fuel for field work visits.
- However, it is pertinent to acknowledge that the ZHRC has consistently received a constant budget in spite of the Commission's growing operational demands and increased staff levels.
- 10.1.5** Under-staffing due to freezing of posts resulting in increased pressure of work on the few sitting officers which affects quality of work.

10.1.6 Disregard of Commission recommendations by respondents.

This affects human rights protection and promotes a culture of impunity.

10.1.7 Delays in the alignment of the ZHRC Act to the Constitution, which affects the independence of the Commission which is guaranteed by section 235 of the Constitution and required by the Principles relating to the Status of National Human Rights Institutions (the Paris Principles).**10.1.8** The ZHRC Act identifies the Commission as employer yet it does not have a say in the conditions of service of its employees. The Government has embarked on a harmonization and standardization of public sector conditions of service. Unfortunately, this development has not been formally communicated and the negotiation process does not include any representative from the ZHRC.**10.2. Lessons Learnt**

During the reporting period, ZHRC learnt the following lessons:

10.2.1. That the use of multi-media is effective in information dissemination, promoting the visibility of the Commission.**10.2.2.** The Commission budget should include a budget line for emergencies to cater for unforeseen circumstances such as the effects of the COVID-19 pandemic.**10.2.3** The use of technology, new strategies and innovation are essential in ensuring that implementation of activities continue in an emergency situation.**10.2.4.** Flexibility in programme delivery is critical in ensuring resilience in execution of the Commission's mandate in a changing operating environment.

11. RECOMMENDATIONS

11.1. Ministry of Finance, Economic Planning and Development

- To address economic fundamentals that help to sustain a stable currency and support a decent standard of living for people in Zimbabwe.
- To timeously disburse funds to all Government departments involved in the fight against COVID-19 such as Ministries of Health and Child Care and Public Service, Labour and Social Welfare.

11.2. Public Service Commission

- To regularly review civil service conditions of service with a view to improve them to acceptable levels to avoid paralysis of operations witnessed in the education, health and other sectors.
- To include the ZHRC in fora to discuss conditions of service for its staff members.

11.3. Ministry of Public Service, Labour and Social Welfare

- To redefine the vulnerability criteria and include all food insecure households including the urban poor.
- Timeously disburse cash transfer allowances and regularly review rates in view of price increases.
- Expedite the disbursements of funds committed to social safety nets to affected informal sector businesses and households during emergencies.

11.4. Ministry of Primary and Secondary Education

- To have effective strategies for risk and disaster management in the education sector to minimize disruption to the right to education during emergencies.
- To carry out a thorough analysis of the impact of the COVID-19 pandemic on school children considering different aspects such as children's performance,

drop-out rates, child pregnancies, child labour and other such factors and introduce programmes for mitigation.

- To mobilise resources for recovery and rehabilitation programmes to mitigate the negative effect of COVID-19 on learners.
- To mobilise resources for improved learning facilities inclusive of ICT access for disadvantaged communities and infrastructure.

11.5. Ministry of Health and Child Care

- To ensure adequate provision and distribution of PPEs to all health personnel and institutions so as to reduce anxiety among staff.
- To provide adequate and consistent information on the effectiveness and side effects of COVID-19 vaccines, as well as ensuring freedom of choice in the administration of the vaccine.
- To ensure timely convening of relevant boards which enable the discharge of recuperated Detained Mental Patients.

11.6. Ministry of Justice, Legal and Parliamentary Affairs and Zimbabwe Prisons and Correctional Service

- To facilitate constant decongestion of prisons to ensure social distancing.
- To consider measures to reduce overcrowding in prisons such as alternative sentencing for petty crimes and decriminalization of petty offences.
- To improve allocation of provisions to inmates particularly clothing and food in all the prisons.

11.7. Zimbabwe Republic Police

- To strengthen the human rights-based approach to law enforcement.

11. 8 Ministry of Home Affairs and Cultural Heritage

- To implement recommendations in the Report on the National Inquiry on Access to Documentation in Zimbabwe, namely:
- to develop a national policy on access to documentation;

- to develop internal policies and procedure manuals consistent with relevant laws to guide staff at the Registrar General's Office on issuing of national documents;
- to implement decentralisation of services in line with the national Devolution and Decentralisation Policy (2020);
- to conduct regular and well-resourced mobile registration programmes;
- to investigate all allegations of corruption and take appropriate measures to address the vice; and
- to formulate and implement policies on accelerated registration of internally displaced persons and other special interest groups.

FINANCIAL STATEMENTS

UNAUDITED STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR 31 DECEMBER 2020

| | 2019 | 2020 |
|---|------------------|-------------------|
| INCOME: (Voted Funds) | 9,964,752 | 29,188,589 |
| | | |
| LESS EXPENDITURE | 9,921,918 | 29,173,678 |
| Employment Costs | 2,155,873 | 17,374,549 |
| Basic Salaries | 891,314 | 9,287,388 |
| Housing Allowances | 241,088 | 1,633,382 |
| Transport Allowances | 57,258 | 269,809 |
| Other Allowances | 966,213 | 6,183,970 |
| Goods and Services | 1,440,437 | 10,110,035 |
| Communication information supplies | 287,393 | 1,834,645 |
| Office Supplies and services | 111,067 | 683,970 |
| Rental and Hire Expenses | 87,601 | 1,948,647 |
| Training and Development | 3,330 | 3,459 |
| Domestic Travel Expenses | 86,847 | 1,511,414 |
| Foreign Travel Expenses | 378,682 | 476,488 |
| Utilities and other Services | 298,745 | 627,789 |
| Financial Transactions | 596 | 7,649 |
| Institutional Provisions | 186,176 | 3,015,974 |
| Maintenance | 1,053,972 | 1,689,094 |
| Physical Infrastructure | 9,541 | 38,397 |
| Technical & Office Equipment | - | - |
| Vehicle and Mobile Equip | 227,323 | 951,773 |
| Stationary plant, machinery & fixed equipment | 2,243 | 44,850 |
| Fumigation and Cleaning | 4,530 | 15,000 |
| Fuel, Oils & Lubricants | 810,335 | 639,074 |
| Current Transfers | 37 533 | - |
| Subscriptions to various organisations | 37,533 | - |
| Acquisition of Fixed Assets | 5,271,636 | - |
| Motor Vehicles | 4,996,750 | - |
| Computer & Networking Equipment | 60,214 | - |
| Furniture and Equipment | 214,672 | - |

Surplus of Income over Expenditure

42 834.00

14, 911

Notes to Financial Statements

**Note 1. Exchange Rates RTGS/USD
2020**

2019

Exchange rates as at 31 December
83.0134

17.2322

Annual Budget ZWL\$
38 735 185**10 900 000**Budget equivalent to US\$
466 614

632 537

There was 35, 5% decrease in annual budget provisions on a comparative basis from 2019 to 2020**Note 2. Actual cash disbursements**

Budget releases

ZWL\$9 964 752

ZWL\$29 188 589

Budgets releases equivalent to US\$

US\$578,264

US\$ 351 613

There was 64.5% decrease in actual cash disbursements on a comparative basis from 2019 to 2020**Note 3 Abridged breakdown of releases**

| Breakdowns of releases | 2019 | % release | 2020 | % release |
|----------------------------------|------------------|-----------|-------------------|-----------|
| Employment Costs | 2 155 873 | 22% | 17,374,549 | 60% |
| Goods and Services | 2,499,710 | 25% | 11,814,040 | 40% |
| Grants | 37 533 | | - | |
| Acquisition Fixed Capital Assets | 5 271 636 | 53% | - | |
| Total | 9 964 752 | | 29 188 589 | |

Note 4. Acquisition of Fixed Capital Assets

There were no acquisitions of assets in 2020 compared to 2019 which had a value of **\$5 271 636** assets procured

Note 5. Unfunded 2020 Expenditure

The Commission's approved annual budget stood at **ZWL \$38 735 185** and total releases amounted to **ZWL\$ 29 188 589** and a variance of unfunded batches stood at **ZWL\$9 546 596**

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This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook paper. There is no handwriting or other markings on the page.

[illegible]

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