

The Commission Newsletter

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ZHRC speaks to human rights victims



Chairperson Elasto Hilarious Mugwadi

Zimbabwe and enforce human rights in Zimbabwe. ZHRC is one of the five Independent Commissions Supporting Democracy in Zimbabwe, established under Chapter 12 of the Constitution of Zimbabwe. The other Independent Commissions are Zimbabwe Electoral Commission, Zimbabwe Gender Commission, Zimbabwe Media Commission as well as the National Peace and Reconciliation Commission. In order to carry out this mandate, ZHRC established three departments, one of which is Complaints Handling and Investigations under which complaints are received and actioned. In 2015, ZHRC handled a total of 482 complaints. From January to July 2016, the Commission has dealt with 313 complaints. ZHRC takes note of allegations of police brutality on peaceful protesters in Harare and Bulawayo following the mass job stay-away on 13 July 2016 and other protests thereafter. During the protests, the police anti-riot squad is accused of indiscriminately beating up people, some of whom would be in their homes. ZHRC urges human rights abuse victims to approach its offices for redress and not to suffer in silence. On the other hand, the Commission exhorts demonstrators to strictly adhere to and abide by their constitutional right of demonstrating peacefully without violence or provocation.

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VISION

A Zimbabwean society where human rights and administrative justice are fully enjoyed by everyone.

MISSION

To be an effective, fearless, and independent national champion for the advancement of human rights, that is committed to the protection, promotion and enforcement of human rights and administrative justice in accordance with the Constitution of Zimbabwe and International Human Rights Standards.

CORE VALUES

Fearlessness . Accessibility . Independence . Responsiveness
Professionalism . Integrity

The Editorial Committee's note

Zimbabwe Human Rights Commission Editorial Committee welcomes you all to the first ever edition of *The Commission Newsletter* – ZHRC's official bulletin.

First and foremost, it is our belief that the publication of the Commission's newsletter was long overdue because it is an important communication tool whose main purpose is to promote the mandate and work of the organisation. The motivation behind the creation of *The Commission Newsletter* is the need to highlight ZHRC's activities and that of its partners in an endeavour to promote, protect and enforce human rights in Zimbabwe. The

newsletter will, thus, come in handy in complementing other communication media that the Commission is already using to disseminate information.

We are cognisant of the fact that communications must provide accurate information and be relevant from the sender and recipient's perspectives. For this reason, we humbly call for the support of every stakeholder to this newsletter in terms of input and articles. Kindly submit your suggestions, comments or compliments to the Editorial Committee (Email: kratsauka@zhrc.org.zw/swilliam@zhrc.org.zw or by calling our landline numbers). I hope you will enjoy reading the newsletter.

Kindest regards

New Commissioner gets down to business



Commissioner Pastor Petunia Chiriseri (middle row, seated third from the left) with Commissioners Kwanele Muriel Jirira and Sheila Matindike on her right, pose for a photo at SOS.

The Zimbabwe Human Rights Commission (ZHRC) welcomes Commissioner Petunia Chiriseri who joined the human rights body on 7 July 2016. Commissioner Pastor Chiriseri becomes ZHRC's ninth Commissioner and her arrival will add an impetus to the Commission which is always overwhelmed with assignments on human rights protection, promotion and enforcement.

Immediately after her appointment Commissioner

Pastor Chiriseri, who was tasked with chairing the Children's Rights Thematic Working Group (TWG), got down to business by gracing the belated Day of the African Child commemorations held at SOS Children's Villages in Waterfalls, Harare on 30 July 2016. From 3-4 August 2016, Commissioner Chiriseri was part of the delegation that went to Chinhoyi in Mashonaland West Province to engage local authorities and other stakeholders on the mandate and work of ZHRC.

The new Commissioner joins other Commissioners

and chairpersons of various TWGs based in the Northern Region namely, Commissioner Kwanele Muriel Jirira, Commissioner Sheila Matindike, Dr Joseph Kurebwa as well as Commissioner Elasto Hilarious Mugwadi and Dr Ellen Sithole who are the Chairperson and Deputy Chairperson of ZHRC, respectively. Based in the Southern Region are Commissioners Sethulo Ncube, Carroll Themba Khombe and Japhet Ndabeni-Ncube.

TWGs are

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EDITORIAL COMMITTEE

Chairperson: Karukai Ratsauka

Compiler/Design & Layout: Shadrack William

Members: Misheck Bulu, Linet Sithole, Sarudzai Paungano

Staff News

New Commissioner gets down to business

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constituted by ZHRC to intensively and extensively deal with specific human rights themes and issues. Paragraph 7 of the First Schedule of the Zimbabwe Human Rights Commission Act (Chapter 10:30) provides that ZHRC should have TWGs in order to have specialised attention to promotion and protection of specific rights. The TWGs which are provided for in the Act are Children's Rights, Civil and Political Rights, Socio-Economic Rights as well as Women's Rights and Gender. The Commission can also have any other groups which it deems necessary. All the other Commissioners

except for TWGs. Commissioner Mugwadi, chair members with an in- depth knowledge in the relevant field. The TWGs and details of their chairpersons are detailed below.

WORKING GROUP	CHAIRPERSON	CONTACT NO.
Children's Rights	Commissioner Pastor Petunia Chiriseri	0782 785 443
Special interest Groups	Commissioner Sheila Matindike	0772 343 597
Gender and Women's Rights	Commissioner Kwanele Muriel Jirira	0777 281 926
Civil and political Rights	Commissioner Joseph Kurebwa (Dr.)	0712 720 593
Economic, Social and Cultural Rights	Commissioner Japhet Ndabeni-Ncube	0772 515 012
International Agreements and Treaties	Commissioner Ellen Sithole (Dr.)	0772 348 182
Environmental Rights	Commissioner Carroll Themba Khombe (Prof.)	0712 805 486
Capacity Building	Commissioner Sethulo Ncube	0772 634 029

ZHRC INVESTS IN STAFF CAPACITY BUILDING

Name	Date	Destination	Purpose
Vincent Makoni (Human Resources Director)	20-23 July 2016	Victoria Falls	IPMZ Annual Convention
Abram Mupuwi (Finance Director)	28-31 July 2016	South Africa	ACCA Winter School
Programmes Team	4-8 July 2016	Nyanga	Investigative Techniques Training
Mrs. K Makumbe (Chief Human Rights Officer-C.H.I.), Tinashe Makuyana and Benevolence Taguta (Human Rights Officers)	14-17 July	Victoria Falls	Lawyers Winter School

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ZHRC tours Ngomahuru

Human Rights Officers from Zimbabwe Human Rights Commission's Monitoring and Inspections Department, on 23 June 2016, made the long trip to Ngomahuru Psychiatric Hospital in Masvingo and were touched by what they saw.

The team was on a mission to assess the human rights conditions at the mental hospital in line with the provisions of the Constitution of Zimbabwe Amendment (No. 20) Act of 2013 and the Zimbabwe Human Rights Commission Act, Chapter 10:13 of 2012 which empowers the Commission to visit and inspect places where mentally disordered or intellectually handicapped persons are detained under any law in order to ascertain the conditions under which those persons are kept there and to make recommendations regarding those conditions to the



The man in charge of Ngomahuru Psychiatric Hospital, Dr Parerenyatwa Maramba (in leather jacket) toured the whole institution together with ZHRC staff members.

Minister responsible for administering the law relating to those places. The two pieces of legislation also mandate ZHRC to “ensure and provide appropriate redress for violations of human rights and for injustice”.

The ZHRC team spent the whole day touring and inspecting facilities at the Psychiatric Hospital including the accommodation facilities, laundries, rehabilitation unit and kitchens. The dressing of the inmates also came under scrutiny and so was their treatment and the quality of their food.

In order to come up with a comprehensive and informative report on the visit, the

department had held a workshop to develop monitoring and inspection tools before the visit. The workshop was attended by various stakeholders, among them representatives from the Zimbabwe Prisons and Correctional Services, Ministry of Health and Child Care as well as those from institutions that deal with people with mental disabilities.

The visit was welcome by most of the officers who were experiencing for the first time the living conditions of psychiatric patients. Ngomahuru is fifty-two kilometres, twelve of which is a dust road, from Masvingo town along the Beitbridge road. Established somewhere around

1926 by the colonial government, the institution was meant to cater for leprosy patients (perhaps, this explains why it is removed from reality) but is now home to 300 mental patients when operating at full capacity. It is the only psychiatric hospital in Masvingo Province and although the bulk of its patients comes from the province's seven districts, some come from other provinces.

Despite its awkward location, it is business as usual for the institution's dedicated staff. So dedicated is the staff that the only medical doctor available, Dr Parerenyatwa Maramba had to leave Ingutsheni Psychiatric Hospital

which is far much better than Ngomahuru to go and service the area. Apart from the medical doctor, several nurses, student nurses, rehabilitation technicians, general workers and other staff could be seen enjoying their work – these are the real champions of Ngomahuru.

In 2014, there were unconfirmed reports of mentally ill patients at Ngomahuru having staged a strike over deteriorating living conditions and violation of their human rights.

Prior to visiting Ngomahuru, the Commission had visited Ingutsheni Psychiatric Hospital in Bulawayo on a similar mission and it was found that there was an acute shortage of drugs. After the visit to Ngomahuru, a visit was also made to Parerenyatwa Psychiatric Unit (Annex). Findings of both visits will be submitted to the Government through the line ministry.

ZHRC has also been visiting prisons in the country.

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The Commission in Pictures...



Left: Participants at a two-day workshop that was held at a local hotel to formulate Monitoring and Inspection Tools get busy to work after being put into a group.



Top: Two Highfield residents celebrate after receiving T-shirts following their successful answering of quiz questions at a road show.

Right: A ZHRC Monitoring and Inspection Team tours Parirenyatwa Psychiatric Hospital while accompanied by the Matron (dressed in green) and Assistant Public Relations Officer (far left and dressed in black and white).



Bottom: Commissioner Kwanele Muriel Jirira (holding a microphone) poses a question at the lively Breakfast Meeting with doctors.



Above: The HR Director does formalities at the entrance of a local hotel before the Breakfast Meeting.



The faces say it all. It was a memorable day as Vice President Emmerson Mnangagwa (facing down) officially opened the ZHRC Head Office on 3 June 2016.



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ZHRC speaks to human rights victims

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On the day of the mass job stay-away on 13 July, clashes were recorded in a number of places that include Epworth, Ruwa and Kuwadzana in Harare while Makokoba and Nguboyenja in Bulawayo were not spared. In Bulawayo, there

were reports of a one-year toddler and an old man whose health allegedly deteriorated and later died after the police besieged Burombo Flats in Nguboyenja high density suburb and indiscriminately fired teargas so as to flush out suspected protestors. ZHRC sent two

teams to investigate the disturbances at the Burombo Flats and in Epworth after receiving complaints. The findings will be made public once they are finalised. There have been numerous other instances such as the demonstrations by vendors and the protests against the

introduction of bond notes where the police heavy-handedness has been alleged. The Commission is also mandated by the Constitution to investigate all cases of abuse of power and maladministration by State institutions and State officials. Thus,

the Commission has taken over the work of the Public Protector's Office (previously called the Ombudsman's Office). Commissioner Elasto Hilarius Mugwadi is the ZHRC Chairperson after taking over from Honourable Jacob Mudenda.

ZHRC engages health workers

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Commissioner Mugwadi. The Chairperson also urged for a speedy resolution of the impasse between the Association of Healthcare Funders and Zimbabwe Medical Association and the alignment of all Acts and related pieces of legislation such as the Public Health Act (15:09), Health Services Act (15:16), Mental Health Act (15:12) in promotion of the right to health care. His remarks came in the wake of misunderstandings and conflicting statements by

the two parties.

Commissioner Mugwadi's counterpart, ZADHR Chairperson Dr Rutendo Bonde implored ZHRC to co-opt a medical professional for all visits to places of detention and correctional facilities.

"Alternatively, ZADHR urges the ZHRC to establish a Technical Working Group on Health, where we will have medical professionals working together with ZHRC and participate in monitoring visits.

"Further, we wish to bring to the attention of the Commission the absence of human rights courses in medical schools for undergraduates and also Continuous Education for professionals. We believe such training will go a long way in enhancing clinical effectiveness among health professionals through an appreciation of rights-based approaches to healthcare," Dr Bonde explained.

Earlier on, a representative of the Zimbabwe Hospital Doctors Association,

Dr Fortune Nyamande had lamented the poor remuneration in the public health sector which has seen doctors getting a mere \$700 per month, a risk allowance of \$50 per month and having inconsistent pay days. Doctors also endure long working hours and poor on-call allowance, among other grievances.

In response to these concerns, Dr Maxwell Hove who was representing the Minister of Health and Child Care, said it was disturbing that

some universities are now churning out many half-baked doctors as the country's medical infrastructure can hardly accommodate their effective training. Dr Hove said as much as 200 students were graduating yearly from National University of Science and Technology as well as Midlands State University but the Ministry of Higher and Tertiary Education was unfazed about where they go after that.

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For Human Dignity

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How to lodge a complaint in brief

In terms of Section 7 (2) of the Zimbabwe Human Rights Commission (General) Regulations, 2016, a complaint shall be regarded as lodged if-

- (a) it is made orally at the office or by telephone to the office; or*
- (b) it is reduced to writing and handed in at the office; or*
- (c) it is sent to the office by post, telefacsimile or any electronic means; or*
- (d) the complainant completes a complaint form online via the Commission's website and transmits it electronically to the Commission.*



Also find us on our website:
www.zhrc.org.zw

ZHRC engages health workers

The human right to health care means that hospitals, clinics, medicines and doctors' services must be accessible, available, acceptable, and of good quality for everyone, on an equitable basis. This was said by Zimbabwe Human Rights Commission (ZHRC) Chairperson Elasto Hilarious Mugwadi at a breakfast interface meeting



ZADHR Chairperson, Dr. Rutendo Bonde (holding a microphone) stresses a point at the Breakfast Meeting.

jointly organised by the Commission and the Zimbabwe Association of Doctors for Human Rights (ZADHR) in Harare on 1 July 2016. Commissioner Mugwadi noted that the meeting came three years after the adoption of a Constitution which

enshrines an expanded Bill of Rights under Chapter 4, comprising of both civil and political rights as well as environmental, social and economic rights. While civil and political rights are enforceable at law, environmental, economic, social and cultural rights are to

be progressively realised depending on the availability of resources but the State is required at law to take all steps necessary to ensure the enjoyment of all rights. "May I draw your attention, Honourable Minister to the principle of indivisibility and

interdependency of human rights which makes the right to healthcare, one of the most fundamental rights, since one has to be alive and in good health to be able to exercise and enjoy all other rights such as freedom of movement, association, assembly, freedom to demonstrate and petition, freedom of expression and media freedom as provided for in our Declaration of Rights," said

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