

# THE COMMISSION EXPRESS

June 2023



**ZHRC engages Zimbabwean and Namibian Parliamentarians**

# Editor's Note



human rights programming and an insight into stakeholder engagement by the Commission. We also tackle human resource issues and Training of Zimbabwe Prisons and Correctional Service Recruit Officers at Ntabazinduna Training Depot.

As we strive for a better publication, please feel free to contribute articles and photographs which capture the mandate and work of the Commission.

Remember to stay safe and safeguard your rights and fundamental freedoms always.

**W**elcome to the First Edition of the

Zimbabwe Human Rights Commission bi-annual newsletter for the year 2023. I hope that your rights and fundamental freedoms remain protected as we head towards the 2023 Harmonised elections.

In this edition we include highlights on

S. William  
PUBLIC RELATIONS OFFICER

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# MESSAGE FROM THE EXECUTIVE SECRETARY

***Dr. Delis Mazambani***

*Executive Secretary*

A warm welcome to all the readers.

Let me also welcome new members of Secretariat who joined the Zimbabwe Human Rights Commission during the first half of 2023. We look forward to your immense contribution to the delivery of the Commission's targets whose objective is to facilitate the enjoyment of human rights and fundamental freedoms.

The year 2023 is a very busy year for the Commission. Not only has the Commission scaled up its activities across departments but it has also been actively involved in monitoring the electoral process as Zimbabwe heads towards this year's General Election. The new members have, therefore, come at an opportune time to positively impact on the Commission by driving the decentralisation drive to all the country's provinces since some of them will be based in these areas.

The Commission re-introduces *The Commission Newsletter* as part of a multimedia strategy to raise awareness and to disseminate information about its mandate of protecting, promoting and enforcing human rights and administrative justice, by telling its own story.

# HUMAN RIGHTS PROTECTION

## ZHRC follows up on National Inquiry on Access to Documentation in Zimbabwe recommendations

Perseverance pays. This aptly sums up the story of one Kwekwe woman in her quest to acquire birth certificates for her grandchildren.

In a case in which the Zimbabwe Human Rights Commission (ZHRC) came to her rescue, a maternal grandmother who is the complainant in the case had failed to acquire documentation for her grandchildren and cited the Civil Registry Department (CRD)'s requirements as the impediment when she tried to acquire the documents. The grandmother was left in custody of two grandchildren when their mother left for South Africa about seven years ago and has neither returned nor communicated with her family.

The case was reported to the Commission and a home visit was conducted to follow-up on the matter. The complainant acknowledged that she had been having a torrid time to acquire birth certificates for her two grandchildren. The complainant reiterated that whenever she tried to go and acquire the birth certificates at CRD she was always turned down because officials wanted the biological mother to be present despite her whereabouts being unknown. In her quest to get the documents, the complainant got a confirmation letter from the headmaster of the school where the children attended and birth records from the hospital where they were born. She then deposed

an affidavit that she was staying with the children since their mother went to South Africa and never called nor returned home

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ZHRC Deputy Director for Complaints Handling and Investigations, Ms Sandra Moyo (right) poses with the complainant after she received birth certificates for the grandchildren.

## ZHRC follows up on National Inquiry on Access to Documentation in Zimbabwe recommendations

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for more than seven years. Despite having done that, CRD still insisted that the mother had to be present for the children to acquire the birth certificates.

The office bearers at CRD argued that cases of mothers who leave their children going out of the country but neither communicated nor returned home were very rampant. The challenge comes on acquiring primary civil documents like the birth certificates because it is a requirement that if the mother is still alive she has to be present to assist the children to get the documents. The rationale behind this is that the birth record of the child clearly shows the name of the mother. This requirement is very vital in curbing unscrupulous acts such as child trafficking.

However, the CRD official acknowledged that in every general rule, there is an exception and in this scenario, the whereabouts of the

mother were unknown so it was finally agreed that the grandmother can acquire the birth certificates of the two grandchildren if she presented birth records of the children, a letter from the school where the children were studying and an affidavit deposed by her.

The rights of children are stated in section 81 of the Constitution and there is emphasis of the right to prompt provision of a birth certificate while section 35 grants rights and benefits to Zimbabwean citizens which include birth certificates and travel documents.

From 2019-2020, ZHRC conducted a National Inquiry into Access to Documentation in Zimbabwe whose main objective was to determine the causes for failure by the Zimbabwean citizenry to acquire primary documents and to recommend possible solutions to the relevant Government offices. The Commission is currently following up on the recommendations.

## ZHRC decentralises to Masvingo Province

December 2022 brought along sweet music in the ears of Masvingo stakeholders following the commissioning of an office by the Zimbabwe Human Rights Commission (ZHRC) in line with Government's devolution agenda.

The Masvingo Provincial office becomes ZHRC's fourth office after the Harare, Bulawayo and Mutare offices as the Commission moves towards decentralisation of its services to remote parts of the country in line with Government's quest to leave no-one and no place behind in terms of development.

The new office comes as a relief to both stakeholders and clients as it has gone a long way in easing transport costs when trying to



Mr Fidelicy Nyamukondiwa, the Masvingo Provincial Co-ordinator

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# ZHRC decentralises to Masvingo Province

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access the Commission's services. The office began operating a few months before the country holds its general elections, a period when most human rights violations mostly associated with political intolerance are reported.

"In terms accessibility, this has been welcome. We now refer clients which has been difficult in the past since the nearest offices were in Mutare and Bulawayo. It makes co-ordination of activities easier unlike in the past. We have also been spreading the word that the Commission now has a presence in Masvingo."

These are the words of Yeukai Geza, Zimbabwe Human Rights Association (ZimRights) Projects Officer for Masvingo Province. ZHRC and Zimrights have a longstanding memorandum of understanding which entails closer collaboration by the two parties in the field of human rights. One of their collaboration efforts has been the conduct of joint investigations carried out within the province.

"However, we still feel that the office needs to move from Muccheke to the Central Business for easy access by all," added Yeukai.

The Masvingo office is situated at Chiefs Hall in Muccheke high density suburb and Mr Fidelicy Nyamukondiwa is the provincial co-ordinator for the province.

"We are now able to easily carry out activities such the mobile human rights clinics conducted at Masvingo Remand Prison, Mutimurefu Prison, Chivi, Chivi and Zaka. Citizens are slowly becoming aware of our existence in Masvingo although the numbers are still low and our clients in Chingwizi are excited about the new development. However, there was an upsurge in the number of cases brought to the attention of ZHRC following a human rights mobile clinic that was conducted in Gutu," revealed Mr Nyamukondiwa.

The Commission has a national mandate but is still grappling with decentralisation

challenges owing to limited resources and is appealing for assistance from whoever can afford so that it establishes offices in every province as well as district.

## ZHRC conducts high-level inquiry on people affected by coal seam fires in Hwange

Zimbabwe Human Rights Commission (ZHRC) has been equal to the task when it comes to monitoring the human rights situation obtaining in the country. From the 4-8 December 2022, the Commission conducted a monitoring mission to Hwange and a follow-up mission from 27-30 March 2023, to assess the human rights situation of persons affected by coal seam fires in Area 2, 3 and 5 Settlement Housing, Hwange Colliery. From this visit, the ZHRC gathered facts on the severity of the coal seam fires focusing on the impact they have on the enjoyment of fundamental rights and freedoms and further proffer viable recommendations to the Government of Zimbabwe (GoZ) on how best to improve the human rights situation of the affected community.

The high level inquiry engaged with  
Minister of Provincial Affairs and  
Devolution  
Environmental Management Agency  
Hwange Local Board  
Hwange Rural District Council  
National Social Security Authority (NSSA)  
Ministry of Local Government and  
Public Works

According to the United Nations Principles relating to the Status of National Human Rights Institutions (NHRIs) also known as the Paris Principles, of 1993, NHRIs such as ZHRC, have an obligation to give advice, opinions, recommendations, proposals and reports to the Government, Parliament and any other competent body.

# HUMAN RIGHTS PROMOTION

## Human Rights Training of ZPCS officers by ZHRC



ZHRC Deputy Director for Education, Promotion, Research and Advocacy, Mr Trust Siphuma takes ZPCS students at Ntabazinduna Training School in Matabeleland North through a module on the Mandate and Work of the Commission.

Zimbabwe Human Rights Commission is North Province.

not looking back since it began human rights training programmes for the Zimbabwe Prisons and Correctional Services (ZPCS) which is a key stakeholder in the justice delivery system of the country. From 19 to 21 April 2023, the Commission conducted Training Seminars on human rights, human rights principles such as the Human Rights Based Approach (HRBA) to service delivery and access to justice for middle and junior officers of ZPCS at Ntabazinduna Training School in Matabeleland

The Seminars focused on capacitating the participants on different categories of human rights as provided for in the Constitution of Zimbabwe as well as to capacitate the participants on the minimum standards for prison conditions. The Commission took advantage of these Training Seminars to share findings from its prison monitoring missions and to raise awareness on its broad mandate and functions. The Commission also disseminated different

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## Human Rights Training of ZPCS officers by ZHRC

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Information, Education and Communication (IEC) materials to complement different presentations that were delivered during the Training Seminars.

Participants for the Seminars were drawn from ZPCS Officers who are already in service but have not yet reached managerial levels and Officers who are in middle management. Junior Officers numbered 342 with the rest being Middle managers. This will be the fifth training seminar the Commission has conducted targeting ZPCS Officers since 2021.

The training seminars are expected to complement pre-existing efforts by ZPCS towards capacitation of both its Junior and Senior Officers in rights-based approaches (RBAs) to law enforcement when discharging their duties and when interacting with prisoners. However, the participants identified a gap and called upon the Commission to assist in addressing. As a result, Principal Correctional Officer (PCO) Nobuhle Ndlovu was genuinely concerned.

“What can ZHRC do to assist children of immigrants who spend time at school only to fail to register for examinations due to lack of identity documents? I’m sure ZHRC can do something so that the determination of citizenship status that is before the Department of Immigration is expedited,” said PCO Ndlovu who is an education officer within ZPCS.

A case in point was that of a 19-year old female immigrant from Democratic Republic of Congo who was transferred by authorities from Tongogara Refugee Camp to Chikurubi Remand Prison last year together with her mother and three siblings.

Notwithstanding the above, PCO Ndlovu said she enjoyed the training. She pointed out how the facilitators from the Commission were confident of their presentations and were able to answer all questions asked. She said the training seminar was beneficial to how they should

address challenges they faced and how to handle them.

Another participant, PCO Nycon Msinahama from Midlands Province highlighted that part of the mandate of ZPCS is to rehabilitate prisoners so there are quite a number of courses for them such as carpentry and motor mechanics up to trade testing. He implored the Commission to lobby the relevant authorities for start-up funds and projects for released prisoners who would have acquired certain skills.

“My other request is that ZHRC lobby for the review of the security vetting system when one is searching for employment. A way has to be found of determining how someone who would have failed security vetting but has reformed can be employed so that the purpose of reintegration is not defeated. The aim is to try and hedge against re-offending by prisoners,” said Msinahama.

He lamented the malalignment of the ZPCS Act to the country’s Constitution. The ZPCS Act was promulgated in 1968 and Msinahama requested the ZHRC to lobby for the fast-tracking of the amendment bill.

PCO Msinahama added,

“I am an inspector under the Inspectorate Department of ZPCS and the Department is responsible for ensuring compliance at all levels. I will ensure that I educate inmates on their rights and those of the officers. One of the strategy I will use to train juniors on human rights at my station is to take advantage of our daily parades.”

The Commission notes that human rights is already part of the curricula of the ZPCS. Therefore, it is expected that the training seminars by the Commission will go a long way in promoting a culture of human rights within the ZPCS and access to justice by inmates to ensure protection of the rights and freedoms of arrested and detained persons as provided for in Section 50 of the Constitution of Zimbabwe.

# EXHIBITIONS

## **ZHRC promotes business and human rights at ZITF**

The discourse of human rights is one that has a number of misconceptions. Some believe human rights are only political while others think they are confined to socio-economic and environmental category or women rights. However, there is more to human rights than what meets the eye.

In fact, some citizens got to know that there is a category of rights that touches on business at the just-ended Zimbabwe International Trade Fair (ZITF) in Bulawayo.

Zimbabwe exhibited at ZITF from 25-29 April 2023 and this year's theme was "Continuous innovation, Global Competitiveness". The Guest of honour at the annual showcase was King Mswati III of Eswatini.

As a National Human Rights Institution with a dual mandate, that of human rights protection and promotion mandate and the administrative justice, the Commission has a role to protect citizens against maladministration and abuse of office by State institutions and their officials.

Section 44 of the Constitution of Zimbabwe Amendment (No.20) Act of 2013, goes on to accord the duty to respect fundamental human rights and freedoms to the State and every person, including juristic persons and every institution and agency of government. The juristic persons include corporates and other business entities. State owned enterprises and the informal sector are included in this category of business enterprises.

The Commission has received cases of alleged human rights violations by cases. Some cases have been investigated and recommendations made to relevant stakeholders.

"We are reminding corporates and other business entities of their duties and obligations to protect and promote human rights by observ-

ing the labour laws of the country, which include fair labour practices, providing workers with safe working conditions, refraining from unfair or discriminatory practices in the workplace as stipulated in Section 65 of the Constitution.

"The Commission is also reminding corporates and business entities to promote corporate social responsibility programmes that contribute to the fulfilment of economic, social and cultural rights. The Commission continues to receive complaints alleging violations of some of these rights by corporates, in some parts of the country," said the Chairperson of the Commission, Dr. Elasto Hilarious Mugwadi in his address to the media at ZITF.

The gospel of business and human rights, at ZITF, was spread through interface by officers at the ZHRC stand as well as through radio and television. The Commission held five radio interviews and one television appearance on the local media. Meanwhile, the Commission also participated at a Career Fair that was organised by the University of Zimbabwe on 31 May 2023. The main objective of the Career Fair was to guide university and high school students on job and career prospects, respectively. The exhibition also raised awareness on human rights enshrined in the Constitution and of its mandate in general.

The ZHRC exhibition stand was strategically placed near the entrance which attracted a large audience. Over 100 people visited the ZHRC stand, the majority being young women at university and high school girls. Issues raised by visitors to the Commission stand concerned women's rights, job prospects and the Commission in general. A short quiz was conducted where participants won T-shirts,

## Use digital technologies for advancement in different spheres – ZHRC’s International Women’s Day message

It was a celebration with a difference as the Zimbabwe Human Rights Commission joined Zimbabweans and the rest of the world in commemorating the International Women’s Day (IWD) by showcasing its human rights products at a high profile gathering held in Harare on 8 March 2023.

This year’s United Nations (UN) theme for IWD commemorations is, “*DigitALL: Innovation and technology for gender equality.*” The theme brought to the spotlight, the gender gap between men and women in terms of access to and use of digital technologies such as smart mobile phones, computers, and the internet as digital technology has become central in economic and social empowerment as well as inclusive development.

To commemorate IWD, the Commission participated at an exhibition which ran concurrently with the “*Lift Me Up Women’s Conference*” which was organised by Heart and Soul Broadcasting Services, a renowned television network. The event was graced by representatives from Non Governmental Organisations, women’s organisations and the business community. The Minister of Information, Publicity and Broadcasting Services was the Guest of Honour.

The objectives for the exhibition were to promote awareness of the ZHRC brand to over 100 participants present and to enhance interest in the work of ZHRC on promoting, protecting and enforcing human rights. It was also held with a view to network with various stakeholders as well as to attend to visitors and to receive complaints. A number of pamphlets, booklets, branded t-shirts and branded hats were distributed at the event.

Speaker after speaker emphasised the need for women to stand up, harness technology and be counted in business, media, property, agriculture and all the other spheres of development.

“Affording women and girls the opportunity to own and use digital technologies will result in more creative solutions in resolving development challenges and foster significant economic empowerment for women and subsequently increase in gender equality,” remarked ZHRC in its IWD statement.



Minister of Information, Publicity and Broadcasting Services represented by Dr Nannette Silukhuni, a director in the Ministry (wearing a black dress), visiting the Commission’s exhibition stand.

## ZHRC continues on growth trajectory ....retains GANHRI 'A' Status accreditation



ZHRC retains its 'A' Status rating following recommendations by the Global Alliance for National Human Rights Institutions (GANHRI) Sub Committee on Accreditation (File picture)

The Global Alliance for National Human Rights Institutions (GANHRI) Sub Committee on Accreditation has made a recommendation to the GANHRI Bureau that Zimbabwe Human Rights Commission (ZHRC), be awarded A' Status accreditation rating for its sterling work of protecting, promoting human rights and fundamental freedoms. This follows a rigorous re-accreditation process by the GANHRI Sub Committee on Accreditation at two sessions held from 13 to 17 February 2023 and 20 to 24 March 2023. The endorsement of ZHRC by the global body is

an indication of progress the Commission continues to record in promoting and protecting human rights.

One of the Commission's main activities has been the conducting of human rights mobile clinics in prisons which were carried out at three of the country's 10 provinces in 2022. This year, the Commission has plans to continue carrying out the human rights mobile clinics in Mashonaland West, Masvingo and Matabeleland North Provinces.

The mobile human rights clinics by the Com

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## **ZHRC continues on growth trajectory ...retains GANHRI 'A' Status accreditation**

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mission are meant to deal with human rights issues that would have been raised during prison monitoring missions. ZHRC has the constitutional mandate to visit and inspect prisons, places of detention refugee camps and related facilities. Some of the common issues the prisoners complained about during mobile human rights clinics are issues on access to justice for prisoners, access to records, lack of legal representation and justice delay. The prisoners also complained about lack of bail money as well as instances of breach of the rights of arrested and detained persons as enshrined in section 50 of the Constitution of



The Commission has scaled up human rights media awareness by embarking on a series of radio programmes. Here, the Director for Education Promotion and Research Mrs Karukai Ratsauka (left) and Deputy Director Mr Trust Siphuma (centre) are seen participating on a radio show at Ya FM in Zvishavane

# STAKEHOLDER NETWORKING

## ZHRC engages Zimbabwean and Namibian Parliamentarians



ZHRC Executive Secretary (seated right) pose for a photo moment with the Namibian Members of Parliament who were accompanied by their Zimbabwean counterparts, Honourable Misheck Mataranyika (seated left) and Honourable Marko Raidza (standing second from the left)

Zimbabwe Human Rights Commission (ZHRC) as recently awarded 110 percent out of 100 percent for effectively delivering its mandate of protecting, promoting and enforcing human rights by a visiting Namibian delegation. The delegation from the Namibian Parliamentary Standing Committee on Constitutional and Legal Affairs was in the country from 7<sup>th</sup>-13 May 2023 benchmarking the Parliament of Zimbabwe, Government authorities and Agencies responsible for access to justice. ZHRC was identified, among other play-

ers, for this crucial meeting since Zimbabwe is a country with an effective traditional court system within the justice delivery system.

During the visit, the Namibian Parliamentarians comprising two females and three males wanted to establish the role of the Commission in advising authorities on human rights issues and how traditional leader were receptive of the Commission's role.

ZHRC Executive Secretary, Dr Delis Mazambani explained that the Commis-

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## ZHRC engages Zimbabwean and Namibian Parliamentarians

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sion had a constitutional role to recommend to parliament, as an arm of the State, effective measures to promote human rights, fundamental freedoms and administrative justice.

On the issue of traditional leaders' receptiveness to the Commission's role, Dr Mazambani cited section 280 of the Constitution of Zimbabwe which spells out the rights of citizens and responsibilities of traditional leaders to which Honourable Vincent Mareka remarked,

"The eloquence of the Executive Secretary is a clear sign of competence in carrying out your mandate," adding that the response

was showed the level of development of Zimbabwe.

"If I were to give a mark on your presentation, I would say 110 percent out of 100 percent," Honourable Apius Auchab weighed in.

However, the Commission feels that Zimbabwean traditional courts need to improve on record-keeping since records may be required now that Magistrates' Courts are the courts of appeal.

Another issue discussed at the meeting was that of child marriages and harmful practices which are now national challenges that are high on the SADC agenda.

## ZHRC trains officers from the Ministry of Foreign Affairs and International Trade

Zimbabwe Human Rights Commission continues to be recognised for its work of protecting, promoting and enforcing human rights by various stakeholders. The recognition is also an endorsement that the Commission has a critical role to play under the Governance cluster of the National Development Strategy 1.

Recently, the Commission was called upon to present a lecture during the Training Course for Officers from the Ministry of Foreign Affairs and International Trade held in Harare.

One of the objectives of the course was to "equip the participants with the requisite skills that enable them to better understand the dynamics of international relations and diplomatic sensitivities." This is important as it broadens the minds of participants and provide them with in-depth knowledge regarding the protection and promotion of national interests.

In this regard, the Commission was request-

ed to lecture on the topic, "Human Rights and International Humanitarian Law: The Role of the Zimbabwe Human Rights Commission." In her presentation, Dr Delis Mazambani, the ZHRC Executive Secretary took the participants through various topics including ZHRC as an NHRI, Establishment of ZHRC, Roles and functions of the Commission as well as the challenges facing the institution.

The participants also raised some issues. One of them was on the position of the Zimbabwe Human Rights Commission (ZHRC) regarding the PVO Bill. The other one was if the Commission has ever done investigations on companies that violate workers' rights and what have been its recommendations to which the Commission cited a case of a well-known foreign company in Harare Metropolitan Province which it visited twice on an investigation mission and recommendations

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# ZHRC trains officers from the Ministry of Foreign Affairs and International Trade



ZHRC Executive Secretary, Dr. Delis Mazambani delivering a lecture to officers from the Ministry of Foreign Affairs and International Trade at Management Training Bureau in Harare.

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made to the relevant authorities. In her explanation, the Executive Secretary highlighted how, through its administrative justice function, it has handled cases of disgruntled workers who were up in arms with their employers over workers.

After successfully completing the 53-day Training Course for Officers, the participants will be posted to various missions

throughout the world.

Dr Mazambani ended up by assuring the participants that in spite of the financial and operational challenges faced by the ZHRC, it remains committed to the promotion, protection of human rights and administrative justice.

This is not the first time the Commission has been invited to train diplomats and other senior Government officials.

# HUMAN CAPITAL UPDATE

## The Commission mourns Mr Thembinkosi Ncube

Zimbabwe Human Rights Commission was recently, plunged into mourning following the passing on of Mr Thembinkosi Ncube in Bulawayo on 3 April 2023 after a long illness. Mr Ncube (47) was a Human Resources Officer at the Bulawayo Office. Born in Bulawayo on 7 July 1975, Mr Ncube did his Ordinary Level at Entumbane Secondary School in 1992. He trained as a Teacher at Seke Teachers' College before obtaining a Diploma in Personnel Management from the Institute of Personnel Management of Zimbabwe in 2007. Mr Ncube worked for the Ministry of Primary and Secondary Education and later joined the Commission on 2 March 2020. The Commission expressed shock at the death of Mr Ncube whom it described as a hardworker who gave his best even when his health was failing him.

Mr Ncube was laid to rest in Bulawayo on 6 May 2023 and is survived by his wife, Agnes and two girls, Ayanda (16) and



The late Mr Thembinkosi Ncube

Nomathemba (10).  
May his dear soul rest in peace.

## ZHRC staff complement beefed up

Zimbabwe Human Rights Commission is on cloud nine following Government's consent to have its staff complement increased from 82 to 247 by the year 2025 and has set in motion the recruitment process of 79 additional staff this year.

Already, interviews have been conducted in Harare, Mutare, Masvingo and Bulawayo for selected positions. Among the positions that are up for grabs are the deputy director posts which will bridge the gap between directors and officers of the Commission according to the new organisational structure.

The recruitment of more members is expected to ease the workload from the few officers currently available and to assist the Commission spread its wings to the remotest parts of the country.

Meanwhile, the Commission earlier this year, held a Human Resources Induction Workshop in Harare for members of the Secretariat from the four offices of the Commission. The induction was meant to equip members with knowledge on work of the various Commission departments as well as standards and conduct expected of them from a human resources perspective. During the workshop, participants were taken through the ZHRC Strategic Plan for the period 2021-2025, the Human Resources Policy and Regulations as well as other policies of the Commission.



ZHRC officers Ms Monalisa Manyati (extreme right) and Mrs Sarudzai Paungano (second from right) interface with visitors at the University of Zimbabwe Career Fair held on 30 May 2023.



Top...The Executive Secretary, Dr Delis Mazambani entertains the Zimbabwe Republic Police spokesperson, Assistant Commissioner Paul Nyathi at the Zimbabwe International Trade Fair.



Left...The Director for Education, Promotion, Research and advocacy Mrs Karukai Ratsauka guiding the process of Reviewing and Developing election-related IEC material and infomercials at a workshop held in Kadoma.



Left..A member of the Public Service Commission delivers a presentation on the advantages of the Government pension scheme to ZHRC members. ZHRC is mulling migrating from a private to the public pension scheme.



HIGH ACHIEVERS...ZHRC celebrates with its members, Deputy Chairperson Dr Dorothy Moyo (top), Executive Secretary Dr Delis Mazambani (bottom, left) and the Bulawayo Provincial Co-ordinator, Dr Sindiso Nkomo (bottom, right) on the attainment of PhD qualifications earlier this year.



## **ZHRC follows up on rights of internally displaced persons in Masvingo and Manicaland Provinces**

Zimbabwe Human Rights Commission (ZHRC) will not rest until human rights and fundamental freedoms enshrined in the country's constitution are fully enjoyed by everyone.

Between 2014 and 2017, ZHRC visited Chingwizi Camp in Masvingo Provinces and Cyclone Idai affected communities of Chimanimani and Chipinge Districts in Manicaland Province (2019 and 2020) to monitor the human rights situation of Internally Displaced Persons (IDPs) in these places. The Commission documented human rights issues related to the dam project, conditions at Chingwizi Camp to which the flood victims were initially relocated, abuses related to the resettlement of the flood victims, including the government's failure to compensate many of them and to grant them the right to have a say in the decision regarding their residence. In the Cyclone Idai monitoring and inspections reports, the ZHRC noted the destruction of infrastructure, such as schools, health care facilities, houses, roads and shops. Although temporary health care facilities had been set up, these were difficult to access due to damaged roads. Other human rights concerns included food insecurity as most crops had been destroyed by the floods and loss of important documentation. In both cases the ZHRC noted efforts by the State to address the challenges faced by IDPs in these areas and made recommendations aimed at further improving the human rights situation of the IDPs.

ZHRC commends the efforts of the Government of Zimbabwe and all stakeholders in the development of the Chingwizi resettlement area. However, there has been slow progress since 2017 up to the current ZHRC visit in the first quarter of 2023. Among issues noted in areas visited:

- There is a need for the Government of Zimbabwe to finalise and communicate the position of permanent resettlement of the Chingwizi community.
- There is a need to compensate IDPs to enable them to build permanent structures at both Chingwizi and areas affected by Cyclone Idai.
- Not all IDPs benefited from the houses constructed by government and development partners in Runyararo where IDPs were relocated, yet there is still uncertainty on the continuation of the housing project. only 159 out of 333 households benefited from the allocation of houses.
- To construct more Secondary Schools in Chingwizi as well as the construction of classroom blocks for the remaining Primary schools that are still using tents.
- The relocation of IDPs and allocation of houses in Runyararo was done without adequate consultation of the affected persons.
- The housing project at Runyararo has been viewed by former tenants as an exercise aimed at compensating landlords, with tenants being treated as secondary beneficiaries. This has resulted in acrimony between the tenants and landlords.

The Commission will continue to engage all the relevant stakeholders so that life returns to normalcy for the citizens of affected by internal displacement.

The Zimbabwe Human Rights Commission (ZHRC) is the National Human Rights Institution (NHRI) as well as the Public Protector for Zimbabwe as provided for by the Constitution of Zimbabwe Amendment (No. 20) Act of 2013. It was operationalized by the Zimbabwe Human Rights Commission Act [Chapter 10:30]. The ZHRC took over the advancement of administrative justice mandate from the now defunct Public Protector (Ombudsman) in line with Section 16 of the Sixth Schedule of the Constitution of Zimbabwe. The functions of the ZHRC are outlined in Section 243 of the Constitution of Zimbabwe.

## ZHRC participates at a SADC Regional Meeting on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) and the Optional Protocol to CAT (OPCAT) and Women in Detention

Zimbabwe Human Rights Commission (ZHRC) was invited to a SADC regional workshop for National Human Rights Institutions (NHRIs) jointly organised by the South African Human Rights Commission (SAHRC) and the Association for the Prevention of Torture (APT) at The Women's Jail, Constitution Hill, Johannesburg on 26 - 27 January 2023. The Commission was represented by the Commissioner and Chairperson of the Thematic Working Group on Gender and Women's Rights, Dr. Cowen Dziva and Ms. Priscillah Mbanga, the Director for Monitoring and Inspection.

The meeting was conducted after the realisation that across the Southern African Development Community (SADC) region, the pace of ratification of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and establishment of National Preventive Mechanisms (NPM) has lagged behind the rest of the continent. In the region, only five states (the Democratic Republic of the Congo, Madagascar, Mauritius, Mozambique and South Africa) - have ratified the Optional Protocol. Of these, only four (Madagascar, Mauritius, Mozambique and South Africa) have taken steps towards establishing an OPCAT-compliant NPM. Additionally, Angola and Zambia have signed but not ratified the treaty. It was further articulated that there was a lack of information on women deprived of liberty in the region. It emerged that detained women in the SADC region faced challenges in accessing healthcare services, clothing and bedding. Furthermore, they faced various forms of torture from the stage of arrest through to incarceration. A tool on the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules) was shared with all NHRIs to assist in monitoring and reporting on places of detention for women.

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