



For Human Dignity

ANNUAL REPORT 2018

CONTENTS

FOREWORD BY THE CHAIRPERSON	iv
ACKNOWLEDGEMENTS	vi
ABBREVIATIONS	vii
1. EXECUTIVE SUMMARY	8
2. INTRODUCTION	9
2.1 Legal and Policy Framework	9
2.2 Partnership	9
3. ORGANISATIONAL STRUCTURE	10
3.1 Commissioners	10
3.2 Departments within the Commission	10
3.2.1 Programmes Department	10
3.2.1.1 Complaints Handling and Investigations Unit (CHI)	10
3.2.1.2 Education, Promotions and Research Unit (EPR)	10
3.2.1.3 Monitoring and Inspections Unit (M & I)	11
3.2.2 Administration Department	11
3.3 Establishment	12
3.4 Achievements	12
3.5 Recruitment of Staff	12
3.6 Staff Turnover	12
3.7 Organisational Development	12
3.8 Learning and Development	13
4. OVERVIEW OF THE HUMAN RIGHTS SITUATION IN 2018	13
5. PROTECTION OF HUMAN RIGHTS	14
5.1 Electoral/Political Rights Mal-practices and Mal-administration Investigations	15
5.2 Assessment of Public Health Institutions: The Right to Health	15
6. COMPLAINTS HANDLING AND INVESTIGATIONS	16
6.1 Cases Dealt with in the Reporting Period	16
6.2 Analysis of Complaints by Classification	17
6.3 Analysis of Complaints by Provinces	17
6.4 Analysis by Gender	18
6.4.1 Cases presented before the Commission	18
6.5 Mobile Legal Aid Clinics (MLAC)	19
6.6 Protecting the right to Water	20
6.6.1 Meeting with the Environmental Management Agency (EMA), 5 January 2018	20
6.6.2 Meeting with the Department of Environmental Health, 16 January 2018	20
7. MONITORING OF HUMAN RIGHTS	20
7.1 Elections Monitoring	21
7.1.1 Procurement of Election Related IEC Material	21
7.1.2 Stakeholder Engagement Meetings; (Tsholotsho and Nkayi): 8-9 March 2018	21
7.1.3 ZHRC Preparation for Monitoring Elections	21
7.1.4 Pre Elections Environmental Scan: February to July 2018	21
7.1.5 Political Parties Primary Elections Monitoring	22
7.1.6 Monitoring Nomination Court Process	23
7.1.7 Elections Deployment	23
7.1.8 Post Elections Monitoring	23

7.2.	Monitoring and Inspections of Places of Detention	24
7.2.1	Prison Visits	24
7.2.2	Police Cells Monitoring Visits	26
7.3.	Monitoring the situation of Detained Prohibited Immigrants in Zimbabwe	26
7.4.	Monitoring Ratification of Regional and International Instruments	27
8.	PROMOTION OF HUMAN RIGHTS	28
8.1.	ZHRC Visibility Partnership Programmes with Civil Society Organisations	28
8.1.1	Electoral Rights Awareness Outreaches	28
8.1.2	IEC Materials Printing and Distribution	29
8.1.3	Radio/TV Programmes: “My Vote, My Right, My Choice” Campaign	29
8.2.	EXHIBITIONS	30
8.2.1	Zimbabwe International Trade Fair	30
8.2.2	Harare Agricultural Show Exhibition	30
8.3.	COMMEMORATIONS	31
8.3.1	International Human Rights Day	31
8.3.2	International Women’s Day	35
8.4.	PRACTITIONERS’ TRAINING MANUAL ON CONSTITUTIONAL RIGHTS: VOLUME 1	35
9.	ENGAGEMENT MEETINGS	36
9.1.	Engagements with Local Stakeholders	36
9.1.1	Awareness on the Mandate of ZHRC	36
9.1.2	Inter-Ministerial Task-force on Alignment of Laws	36
9.2.	Regional and International Engagements	36
9.2.1	Learning Visit to Kenya National Commission on Human Rights (KNCHR): 22 - 26 January 2019	36
9.2.2	Alternative Mining Indaba	37
9.2.3	Learning Visit to Tanzania	38
9.2.4	Learning Visit to Ghana Commission on Human Rights and Administrative Justice (CHRAJ)	38
9.2.5	Training Workshop on the International Human Rights System and National Human Rights Systems	39
9.2.6	Pilot Workshop for NHRIs Staff on Monitoring and Reporting in Relation to Human Rights Treaties in Africa: 20 - 22 June 2018, Naivasha, Kenya	39
9.2.7	Enhancing the capacity of National Human Rights Institutions and Parliamentaries in Eastern and Southern Africa in realizing the Right to Health and ending AIDS. 27 - 29 August 2018, Nairobi Kenya	40
9.3.	Training on Human Rights Based Approach to Development	40
10.	THEMATIC WORKING GROUPS (TWGS)	41
10.1.	Environmental Rights TWG	42
10.1.1	Stakeholder feedback meeting on Environmental Pollution Assessment findings	42
10.1.2	Engagement Meeting with Mazvihwa Community	42
10.1.3	Meeting on Business and Human Rights	42

10.2.	Economic, Social and Cultural Rights TWG	42
10.3.	Gender Equality and Women's Rights TWG	42
10.4.	Special Interest Groups Thematic Working	43
10.5.	Children's Rights Thematic Working Group (CR-TWG)	44
10.6.	Civil and Political Rights TWG	45
10.7.	Capacity Building and Institutional Development TWG	45
10.8.	International Agreements and Treaties TWG	46
10.9.	Challenges faced by TWGs	46
11.	LESSONS LEARNT DURING THE 2018 REPORTING PERIOD	46
12.	RECOMMENDATIONS	48
12.1.	Ministry of Finance and Economic Development/Treasury	48
12.2.	Ministry of Justice, Legal and Parliamentary Affairs	48
12.3.	Ministry of Public Service, Labour and Social Welfare	48
12.4.	Ministry of Lands, Agriculture, Water, Climate and Rural Resettlement	48
12.5.	Ministry of Home Affairs and Cultural Heritage	48
12.6.	Ministry of of Health and Child Care	48
13.	FINANCIAL STATEMENT: Un-audited Statement of Comprehensive Income for 2018	49

FOREWORD BY THE CHAIRPERSON

The Zimbabwe Human Rights Commission (ZHRC) has the pleasure and honour to present its 5th Annual Report in accordance with section 323 of the Constitution of Zimbabwe.

The Report highlights the results of the Commission, achieved through its activities in the year 2018. It further gives an insight into the furtherance of the monitoring, promotion and protection mandate of the ZHRC through various programmes and interventions. The Report ends with recommendations on key human rights issues emerging in 2018. The year 2018 started on a positive note, with citizens in high spirits and optimistic of new and better opportunities following the change of Government in November 2017. His Excellency President E.D Mnangagwa began his task with constant and consistent calls for peace. He also made commitments, on behalf of his government, to work towards enhancing democracy and good governance as well as protecting and respecting human rights. On the socio economic front his key message was on economic recovery through the 'Zimbabwe is open for business' mantra. Priority was also given to the re-engagement process in order to rebuild broken relations with the international community.

In terms of Civil and Political Rights, the year 2018 witnessed the nation holding elections without the direct participation of two political figures that had dominated Zimbabwean post-independence politics, namely the former Head of State Mr. Robert Gabriel Mugabe, and the late leader of the main opposition party, the Movement for Democratic Change (MDC), Dr Morgan Richard Tsvangirai. The November 2017 change in national leadership also changed the political context in Zimbabwe in the run up to the election with rejuvenated optimism and expectations for a better future for all. New energy entered the political arena in the race to political office, especially that of the national presidency. For the first time in the history of the country, a record 23 candidates appeared on the Presidential ballot paper, with over 50 political parties expressing interest in participating in the elections. These developments, to the ZHRC, reflected the opening up of the democratic space. The elections also received scrutiny from a record number of local, regional and international observer missions. For the first time in more than two decades, international media and observers were given unfettered access to the Zimbabwean electoral processes. To that end, many journalists and observers were accredited and deployed across the length and breadth of the country by their respective organizations. These were refreshing developments that helped to strengthen stakeholder confidence in the run up to the elections although some critical legislative and administrative reforms were left outstanding.

Despite the peaceful pre-election period, ZHRC and many other stakeholders were taken aback by the disturbances and subsequent shootings in Harare on the 1st of August 2018, which resulted in at least 6 lives being lost. This was a sad development in the history of Zimbabwean politics and should never be tolerated in a democratic society.

On the enjoyment of economic, social and cultural rights, the ZHRC observed that the realization of the right to health was under threat throughout 2018. This was as a result of repeated strikes by medical personnel, the cholera pandemic which erupted during the third quarter of the year,

shortage of drugs, and in cases where drugs were available, the demand by service providers for patients to pay in United States Dollars. This posed a challenge to citizens, especially those with chronic ailments as it became difficult to have constant supply of their medication. as the US-Dollar was and continues to be difficult to access.

The Budget statement which stressed on austerity for prosperity measures, was not received well by citizens. The 2% charge on electronic transactions, as well as the 1:1 ratio for Bond Notes/RTGS and US-Dollars equally faced criticism from the citizens. The last quarter of 2018 encountered a shortage of fuel in the country. A lot of production time was lost with people spending hours in fuel queues. This indeed had direct negative impact on the socio-economic rights of Zimbabweans.

In summation, the ZHRC remains encouraged by the progress, that the nation is making towards the respect for human rights. Unlike the previous two years, 2018 was different in terms of suspension of police roadblocks that had caused mayhem in previous years. The key positive pointers at the beginning of the year were the opening of the democratic space by the executive, general political tolerance amongst the ordinary citizens as well as the efforts to engage the international players by the Government.

ACKNOWLEDGEMENTS

The ZHRC wishes to acknowledge the support it has received from the Government of Zimbabwe during the reporting period. It remains indebted to its Management and Staff for working hard in order to achieve the milestones in this report, as well as the compilation of the same. The Commission also wishes to acknowledge the support from the following Partners;

- United Nations Development Programme (UNDP);
- Transparency, Responsiveness, Accountability and Citizen Engagement (TRACE);
- European Union (EU);
- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ);
- International Organization for Migration (IOM);
- National Association of Non-Governmental Organisations (NANGO)
- Raoul Wallenberg Institute (RWI);
- United Nations Office of the High Commissioner for Refugees (UNHCR);
- Zimbabwe Association of Doctors for Human Rights (ZADHR);
- Zimbabwe Lawyers for Human Rights (ZLHR);
- Zimbabwe Human Rights NGO Forum (ZHR NGOF);
- Zimbabwe Republic Police (ZRP); and
- Zimbabwe Prisons and Correctional Services (ZPCS)

ABBREVIATIONS

CHRO	Chief Human Rights Officer
CSO	Civil Society Organisation
GANHRI	Global Alliance for National Human Rights Institutions
GIZ	Deutsche Gesellschaft Internationale Zusammenarbeit
HRC	Human Rights Council
NHRI	National Human Rights Institution
MOU	Memorandum of Understanding
TWG	Thematic Working Group
UPR	Universal Periodic Review
ZIQ	Zimbabwe International Quarries (Pvt) Ltd
ZHRC	Zimbabwe Human Rights Commission
ZPCS	Zimbabwe Prisons and Correctional Services
ZRP	Zimbabwe Republic Police

1. EXECUTIVE SUMMARY

The Report details the operations and activities conducted by the Commission in the year 2018 which will inform both the Parliament of Zimbabwe and the public on the work of the ZHRC in fulfilling its mandate to promote, protect and enforce human rights. In 2018 the ZHRC undertook numerous activities such as attending consultative meetings, trainings, monitoring and inspecting places of detention and other related facilities, outreaches, raising awareness and increasing visibility of the Commission. The bulk of the activities implemented were mainly election related since the Commission was profoundly involved in assessing and monitoring the observance of human rights during the whole electoral cycle and ensuring that the elections were conducted freely and fairly in accordance with national, regional and international human rights standards and principles.

Capacity development remained a crucial component of the ZHRC activities, which continued to broaden its understanding towards protection of human rights by learning best practices from national and international stakeholders. The ZHRC also exchanged its best practices with the regional and international stakeholders through participation at different human rights forums.

During the period under review, the Commission continuously received complaints and rigorously investigated and addressed them. Some cases were referred to partners who specialise in those issues. This showed the ZHRC's commitment to maintain partnerships with stakeholder organisations which endlessly support and play a part in assisting the Commission to achieve desired results.

The ZHRC monitored and inspected prisons and police cells ensuring that the conditions of those places were in line with the minimum international human rights standards. Raising awareness on the work of the Commission and capacitating the public on human rights issues as well as conducting Mobile Legal Aid Clinics, made the Commission more accessible to the public particularly those residing in remote areas of the country.

Through the discharge of its work, the Commission's findings informed recommendations it provided to relevant authorities. Some of the recommendations include but are not limited to; the Commission encouraging responsible institutions to show commitment to the regional and international instruments that Zimbabwe ratified; prioritising alignment of laws; increasing resource allocation to the health sector and places of detention and other related facilities; strict regulation on the distribution of food aid and Presidential inputs in order to minimise unfair distribution. The ZHRC urges relevant authorities to implement these recommendations in order for them to address and rectify human rights issues affecting the country's citizenry.

2. INTRODUCTION

2.1. Legal and Policy Framework

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. It is a hybrid institution with a dual mandate following its assumption in 2013, of the functions of the now defunct Office of the Public Protector. The Commission derives the mandate for its work from section 243 of the Constitution of Zimbabwe, which provides it with the following functions;

- “a) to promote awareness of and respect for human rights and freedoms at all levels of society;
- b) to promote the protection, development and attainment of human rights and freedoms;
- c) to monitor, assess and ensure observance of human rights and freedoms;
- d) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;
- e) to protect the public against abuse of power and maladministration by the State and public institutions and by officers of those institutions;
- f) 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;
- g) to secure appropriate redress including recommending the prosecution of offenders where human rights or freedoms have been violated;
- h) 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;
- i) to recommend to Parliament effective measures to promote human rights and freedoms;
- j) To conduct research into issues relating to human rights and freedoms and social justice; and
- k) To visit and inspect-
 - i. prisons, places of detention, refugee camps and related facilities; and
 - ii. places where mentally disordered or intellectually handicapped persons are detained; “

2.2. Partnerships

In order to complement its work and support for its activities, the ZHRC entered into Partnership agreements with a number of Organisations. The United Nations Development Programme (UNDP), which supported the Commission from its inception in 2010, continued as per the previous years to complement the resources of the Commission and to offer technical support. For the year under review, the ZHRC also signed a Project Implementation Agreement (PIA) with the International Organisation for Migration (IOM) in May 2017 supported by the Swedish government entitled “Scaling-up coordinated protection, promotion and enforcement of human rights for citizens and other vulnerable groups including internally displaced persons in Zimbabwe”. This was the second programme between the IOM and the ZHRC following the one signed in 2016 entitled “Strengthening Human Rights Monitoring and Protection in Zimbabwe”. The third partnership agreement was with the Deutsche Gesellschaft Internationale Zusammenarbeit (GIZ) supported by the European Union (EU) which continued from 2017.

International Organisation for Migration (IOM), TRACE and the International Monetary Fund (IMF). The ZHRC with support from UNDP held the Donor Round Table on supporting the ZHRC mandate on June 2018. Stakeholders present included UNDP, GIZ

3. ORGANISATIONAL STRUCTURE

3.1. Commissioners

The ZHRC commenced the year 2016 with 9 Commissioners. These were; Commissioner Elasto Hilarious Mugwadi (Chairperson), Commissioner Dr. Ellen Sithole (Deputy Chairperson), Commissioner Muriel Kwanele Jirira, Commissioner Dr. Joseph Kurebwa, Commissioner Sheila Hillary Matindike, Commissioner Sethulo Ncube, Commissioner Professor Carroll Themba Khombe, Commissioner Pastor Petunia Chiriseri and Commissioner Japhet Ndabeni Ncube. However, Commissioner Professor Carroll Themba Khombe left the ZHRC and joined the Public Service Commission in October 2018. ZHRC remains indebted to the invaluable contribution he made since joining the Commission in 2013.

3.2. Departments within the Commission

The ZHRC carries out its mandate as provided for in the Constitution of Zimbabwe through a Secretariat that began its duties at the beginning of June 2014. The Secretariat is divided into two main departments responsible for Programmes and Administration respectively.

3.2.1. Programmes Department

The Programmes Department, headed by the Deputy Executive Secretary – Programmes, ensures that the functions of the Commission as stated in Section 243 of the Constitution of Zimbabwe are carried out through implementation of various projects and activities. There are three (3) Units which carry out the day to day operations of the Programmes Department as follows;

3.2.1.1. Complaints Handling and Investigations Unit (CHI)

It was created to enable the Commission to exercise the functions set out in Section 243(1) (d) to (h) of the Constitution and is responsible for the handling and investigation of complaints. The functions include;

- To receive and consider complaints from the public and take such action in regard to complaints as it considers appropriate;
- To protect the public against abuse of power and maladministration by the State and Public institutions and affairs of those institutions.
- 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 investigations.

3.2.1.2. Education, Promotions and Research Unit (EPR)

The functions of the Commission that are the focus of the Unit are in Section 243 (1) (a), (b) and (j) of the Constitution namely:

- 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; and
- To conduct research into issues relating to human rights and freedoms and social justice.

3.2.1.3. Monitoring and Inspections Unit (M & I)

The M & I Unit is there to facilitate the Commission's functions that are set out in Sections 243(1) (c) and 243(1) (k) of the Constitution. These are as follows:

- To monitor, assess and ensure observance of human rights and freedoms.
- To visit and inspect prisons, places of detention, refugee camps and related facilities;
- To visit and inspect places where persons with disability such as those with mental challenges are detained.

3.2.2. Administration Department

The Administration Department is comprised of 4 units that deal with finance, human resources, administration and information technology. It is headed by the Deputy Executive Secretary Administration who is supported by the Director Finance and the Director Human Resources.

3.3. Establishment

The establishment for the Zimbabwe Human Rights Commission as at December 2018 stood at 74.5% of the total approved complement compared to 73% the previous year. The table below gives a representation of the establishment.

Table1. Total Number of Secretariat staff by Gender

	Female		Male		Grand Total
Executive Secretary	2	0	0	0	2
Programmes	9	0	6	0	15
Administration	10	0	12	0	22
Projects	0	7	0	11	18
Interns	0	3	0	3	6
Total	21	10	18	14	63

Table 2. Total Number of Commissioners by Gender

	Female		Male		Total
	Full Time	Part Time	Full Time	Part Time	
Commissioner	1	4	1	2	8

Table 3. Geographical Spread

	Harare		Bulawayo		Grand Total
	Full Time	Part Time	Full Time	Part Time	
Permenant Staff	34	0	5	0	39
Projects (Contracts)	0	15	0	3	18
Interns	0	4	0	2	6
Commissioners	2	4	0	2	8
Total	36	22	5	7	71

3.4. Achievements

The Commission in 2018, finally received Treasury concurrence to complete recruitment under the approved establishment of fifty-five (55) employees which was a positive move towards its growth. The organisation has since requested for further concurrence of staff up to at least eighty (80) employees to urgently support the planned Administrative Justice Unit under the Programmes Department.

3.5. Recruitment of Staff

The Commission engaged the services of the following;

Table 4. Secretariat Staff Recruited in 2018

NO.	POSITIONS	PROJECTS				GVT	GRAND TOTAL
		UNDP	GIZ	TRACE	IOM	GVT	
1	Human Rights Officers			2	1		3
2	Monitoring & Evaluation Officer		1				1
3	Accounting Assistant					1	1
4	Records and Information Assistant					1	1
5	Human Rights Monitors	8					8
6	Driver		1	1			2
	Interns		8				8
		8	10	3	1	2	24

3.6. Staff Turnover

During the year under review, ZHRC experienced terminations in the form of resignations and contract expirations. The resignations were partly attributed to the deteriorating socio economic environment and uncompetitive remuneration for staff who left for greener pastures. The following were the terminations recorded;

NO.	POSITION	TERMINATION PERIOD	REASON
1	Finance Director x 1	End of March	Resigned
2	Human Rights Officers x 2	February, April	Resigned
3	Accounting Assistant x 1	End of April	Resigned
4	Driver (GIZ) x 1	End of April	End of contract
5	Monitoring & Evaluation Officer x1	Early August	Resigned
6	Human Rights Monitors x 8	October	End of contract
7	Interns x 2	August	End of contract

3.7. Organisational Development

ZHRC undertook a training on performance management (Commission Integrated Performance Agreement) in the month of October 2018. Overall, the training was meant to equip the Commission with the knowhow of drawing up performance agreements as per the Strategy of the organisation. The training was however, not completed as it needed more time. Therefore, there will be an extension of the training in January 2019.

3.8. Learning and Development

ZHRC in 2018 undertook capacity building activities as a way of continuously improving the staff members' capacities and professional development. The Administration Department went for a learning visit to the Ghana Commission on Human Rights and Administrative Justice from 5-11 August 2018. The objective of the trip was to learn from the experiences of the Ghana Commission so as to improve the ZHRC operations from best practices learnt. The Human Resources Department's main objectives were to improve on the Commission's organisational and capacity development.

During 2018, one member of staff completed a Masters of Commerce in Accounting Programme. In addition, there are other staff members who are undertaking advanced studies in different disciplines including paralegal studies.

4. OVERVIEW OF THE HUMAN RIGHTS SITUATION IN 2018

This section gives a summary of the human rights issues that were noted by the ZHRC during the year 2018. These findings were obtained from the various activities undertaken by ZHRC such as investigative visits, monitoring missions as well as outreaches, visibility and promotional activities. These were also based on the tracking of recommendations by the ZHRC under the Universal Periodic Review (UPR).

Topping the issues noted by ZHRC during 2018, was the enjoyment of Civil and Political rights, and more specifically political rights. It has already been noted in the foreword that during the 2018 elections phase, Zimbabweans demonstrated very high levels of political maturity and tolerance compared to the previous elections. Of much interest was that there were mostly new faces to the Presidential race, being the first since the independence of Zimbabwe without either former President R.G Mugabe or Dr. R.M Tsvangirai on the ballot papers. Zimbabwe also saw the emergence of many other political parties wishing to fill in the vacancy of President. An open call for International observers was made by His Excellency the President. This clearly demonstrates a commitment to constitutionalism by the new government.

It is positive to note that political parties were largely co-existing in harmony, at least on the face of it. There were however, incidences of intimidation and other political rights violations. There were a number of incidences where the two bigger political parties, that is ZANU PF and MDC A would constantly use hate speech against each other. ZHRC noted isolated cases of physical politically motivated violence compared to the previous elections. The voting process was done peacefully and the post elections environmental scans conducted by ZHRC noted that there was general peace prevailing in the country. After the elections people went back to their normal lives and were more concerned with the economic social and cultural rights.

Of major concern however was the loss of civilian life during the 1 August 2018 demonstrations in the capital city, Harare. The right to life remains one of the absolute rights in the Constitution. The loss of life of unarmed civilians remained cause for concern. The right to life remains sacrosanct, and should be jealously guarded. ZHRC took note of the setting up of the Motlanthe Commission of Inquiry into the killings by the President, and also the live broadcasting of testimonies by witnesses. At the time of reporting, the ZHRC was awaiting the implementation of the recommendations of the Inquiry with the hope that the perpetrators of the violence would be appropriately punished and that victims and their families would be adequately compensated

¹ Ministry of Health and Child Care - 2018

During 2018, Zimbabwe saw a deterioration of the health sector and thus a serious threat to the right to health and the right to life of the citizens. The industrial action by the doctors and nurses, which took almost a full month in March was one disturbing incident. The doctors lamented poor working conditions, low remuneration, as well as lack of equipment and medication, to enable them to adequately assist patients. Despite the talks between the personnel and government to address the issues, in December, a fresh job action ensued.

The cholera outbreak of September-October 2018, also resulted in the reported loss of 55 lives. The ZHRC acknowledged the efforts by government to contain the situation.

ZHRC noted violations of workers' rights, as demonstrated by the firing of all striking nurses by the presidium, when the nurses were on strike. It has to be noted that employees have a right to collective job action in terms of both national and international law.

Outside of the challenges in the health sector's collective job actions and the August 1 shootings, Zimbabwe saw the opening of the democratic space as citizens were able to freely demonstrate with fewer incidences of police brutality when compared to 2017 and before. In communities, citizens were largely able to openly declare their political affiliation, with fewer cases of harassment. This was however, negated by the fact that in some communities, members of the opposition were discriminated against in accessing food aid and agricultural inputs.

Of equal concern is the continuous deterioration of the economic environment in the country. The enjoyment of socio-economic rights is closely tied to the performance of the economy. The devaluation of the Bond Note and the continued existence of the black market remain a great source of pain for the majority of Zimbabweans. The market started dollarizing itself and unfortunately most citizens did not have access to the United States Dollars, despite the official government position that the Bond Note was at par with the US Dollar. Citizens found it difficult to access basics such as medication as service providers demanded foreign currency, refusing to accept the Bond Note. Even after the government directive that service providers should accept local currency, prices were rated against the black market when purchasing in local currency. Of concern also were some government policies which appeared unrealistic for the majority of citizens, one of these being that citizens were required to pay duty in forex and not local currency, even when Government was insisting that the country was using a multi-currency system.

5. PROTECTION OF HUMAN RIGHTS

The Commission's mandate to protect human rights is granted by section 243 (1) (b), which provides for the promotion of the protection, development and attainment of human rights and freedoms. Within the Commission, this mandate to protect human rights falls under the Complaints Handling and Investigations Unit (CHI). The CHI implements this mandate through carrying out investigations on individual/group cases of alleged human rights violations and any other human rights issues which are matters of national interest, with the purpose of proposing redress to such violations. Some of the investigations carried out by ZHRC include cases of alleged partisan aid distribution (this included food and agricultural inputs), election related violence and mal-administration.

² The Investigations were conducted in Buhera North and South, Chimanimani West, Nyanga North and Mutasa.

³ The investigations were conducted in Chirumhanzu, Chirumhanzu-Zibagwe, Gokwe (Chireya, Nembudziya, Mapfungautsi, Kana), Lalapanzi and Mberengwa.

(The Reports can be downloaded on the ZHRC Website)

5.1. Electoral/Political Rights Mal-practices and Mal-administration Investigations

In the run-up to the 2018 elections, stakeholders and individuals approached the Commission to complain about the partisan food aid and Presidential Inputs distribution, involvement of Traditional Leaders in politics, intimidation, destruction of property as well as violation of the freedom of association and assembly. It came to the attention of the Commission that food aid and inputs were used to award members of the ruling ZANU PF party for supporting the party, and for punishing members of the opposition for their political affiliation even after the elections.

The majority of cases on partisan aid distribution were received from Manicaland, Masvingo (Zaka), Midlands and Mashonaland East (Marondera) Provinces. ZHRC noted some commonalities in the reported cases, including the fact that those involved were ZANU PF party leadership and traditional leaders, who were influencing the denial of aid to opposition supporters. For example, the ZANU PF District Chairperson for Chimanimani West, was reported to have told known members of the opposition to go and get aid from the “Presidents they had voted for”. Further, there were also allegations of some Social Services Officers being partisan in the conduct of their duties or were being sidelined from carrying out their duties. Ruling party members were favoured, including those who did not necessarily meet the vulnerable category and criteria to benefit from aid.

After the monitoring missions, reports were produced and the ZHRC made recommendations to the effect that members of all political parties needed to exercise political tolerance and ensure all people benefit from development programs that come to their areas. Government departments and community developmental committees and structures were also recommended to embrace political diversity in order to accommodate members of other political parties.

It was evident that some citizens were not aware of the complaints mechanisms that could be used to assist them in the event of grievances pertaining to election malpractices and that some duty bearers took advantage of their ignorance. The impact of these missions therefore, was that citizens were informed of their rights and how to claim them. There has been feedback of grievances being addressed, for example, limited interference by political figures in government processes such as aid distribution. There has been improved follow up on reported cases of violence. More so, these missions improved the working relations between ZHRC and stakeholders such as citizens, government institutions and other non- state actors. The investigations also had a deterrent effect to would-be perpetrators of violations, as ZHRC received feedback that its presence in communities was enough to deter people from committing the violations. The reports also had an effect of naming and shaming violators, and that alone has a deterrent effect.

5.2. Assessment of Public Health Institutions: The Right to Health

ZHRC took an initiative to conduct an assessment into the challenges faced by the Health Sector, following the recurring strikes by medical personnel particularly doctors and nurses. Beginning the 1st of March 2018, ZHRC took this initiative to obtain an appreciation of how hospitals function and how recurring strikes impact on human rights. Chief among them the right to health care and ultimately the right to life. ZHRC recommended improved resourcing of the Health Sector, including the alignment of relevant pieces of legislation. Through this mission, the ZHRC managed to engage in dialogue with the Ministry of Health and Child Care, as well as Health Services Board and representatives of the health professions in order to have an appreciation

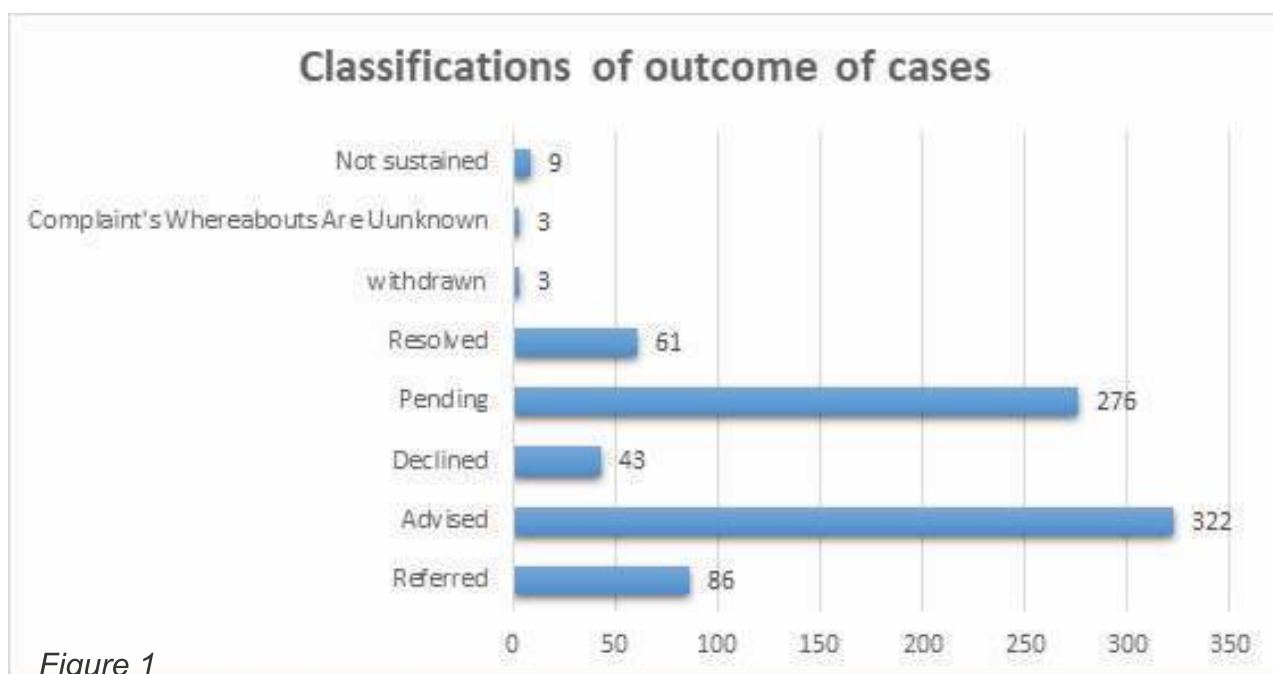
of concerns and challenges encountered in the Health Sector. ZHRC also made written submission and oral representations to the Parliamentary Portfolio Committee on Health and Child Care during the budgeting process. ZHRC believes that it also contributed together with other stakeholders, to influence the increase in the Health budget (from approximately 8% in 2018 to 10% in the 2019 national budget).

6. COMPLAINTS HANDLING AND INVESTIGATIONS

6.1. Cases Dealt with in the Reporting Period

During the year under review, the ZHRC dealt with a total of eight hundred and three (803) cases, with one hundred and seven cases (107) having been carried over from 2017. The Commission received six hundred and ninety-six (696) new cases from the public in 2018. Of these 696 cases, two hundred and ninety-nine cases (299) were human rights related, one hundred and twenty-three (123) were related to maladministration while two hundred and seventy-four (274) cases were general issues.

Figure one shows a breakdown of the outcome of the 803 cases that were dealt with by the Commission. One per cent (1%) of the cases could not be sustained as the claims made by the complaints could not be substantiated, while 0, 74 % of the complaints were withdrawn and on 0.37% of the cases complaints' whereabouts could not be traced after the reporting. Eight per cent (8%) of the cases were resolved to their logical conclusion while thirty-four per cent (34%) of the cases are pending. Most cases remain pending until the remedy that has been sought has been implemented and it's the implementation that has been challenging due to the prevailing economic situation in the country. Five per cent (5%) of the cases could not be investigated due to lack of jurisdiction, while forty per cent (40%) and eleven (11%) were advised and referred respectively.

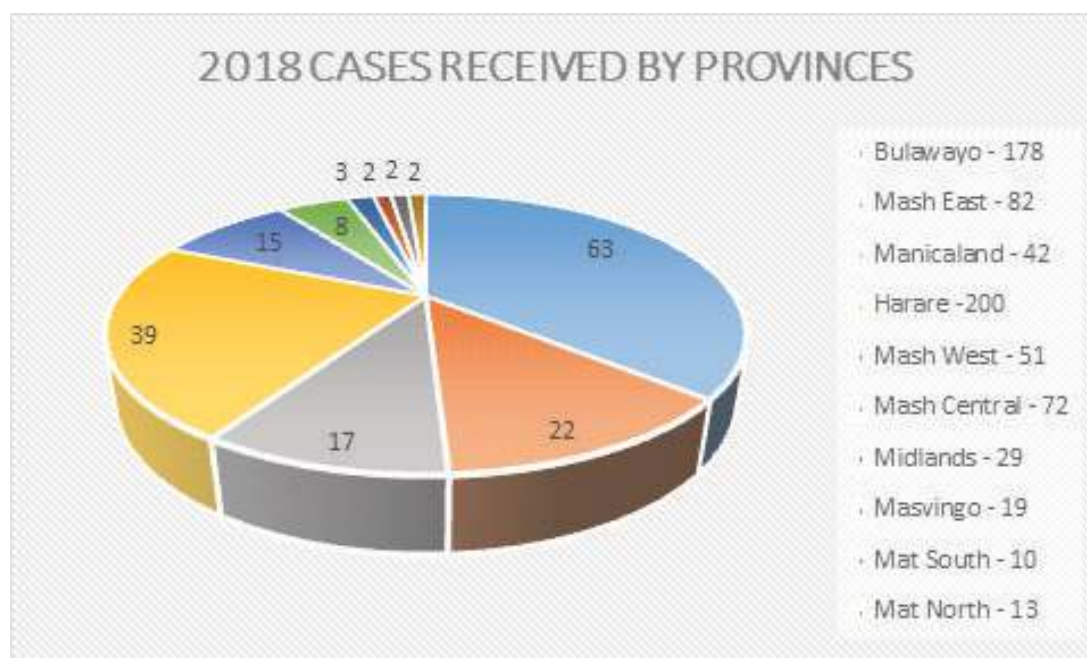


6.2. Analysis of Complaints by Classification

The cases received by the Commission relating to maladministration (123) include justice delivery delays (45), pension payment delays (3), abuse of power (26), delay in payment of benefits (32), abuse of office (16) and failure to provide an oversight role (1). In relation to the 299 human rights cases received, the dominant rights that were violated related to property rights (99). Due to the fact that this was an election year, political rights constituted fifty (50) cases and linked to that was the right to equality and non-discrimination (46) based on one's political affiliation. Labour rights violations (27 cases) were also on the increase, while administrative justice had 20 cases, environmental rights (10), rights of the child (7), right to human dignity (4), freedom of assembly and association (4), right to education (4), freedom from torture (4), Right to food and water (3) and freedom from arbitrary eviction had 3 cases each whilst right to health care had two cases. The following rights received one case each: cultural rights, freedom from forced labour, language, right to life, right to land, rights of arrested and detained persons, right to privacy, freedom of movement and freedom from inhuman and degrading treatment.

6.3. Analysis of complaints by Provinces

Figure 2 below illustrates the Provincial distribution of cases received during the year. As in previous years, Harare and Bulawayo had the highest number of cases received during the year due to the fact that the Commission has offices in these locations. However, there has been progressive increase in the cases received from other provinces like Mashonaland East, Mashonaland Central, Mashonaland West and Manicaland. There is still need for improvement in the Southern region in terms of visibility. The Commission continues to lobby and advocate for decentralisation to ensure that members of the public are able to access the services of the Commission.



6.4. Analysis by Gender

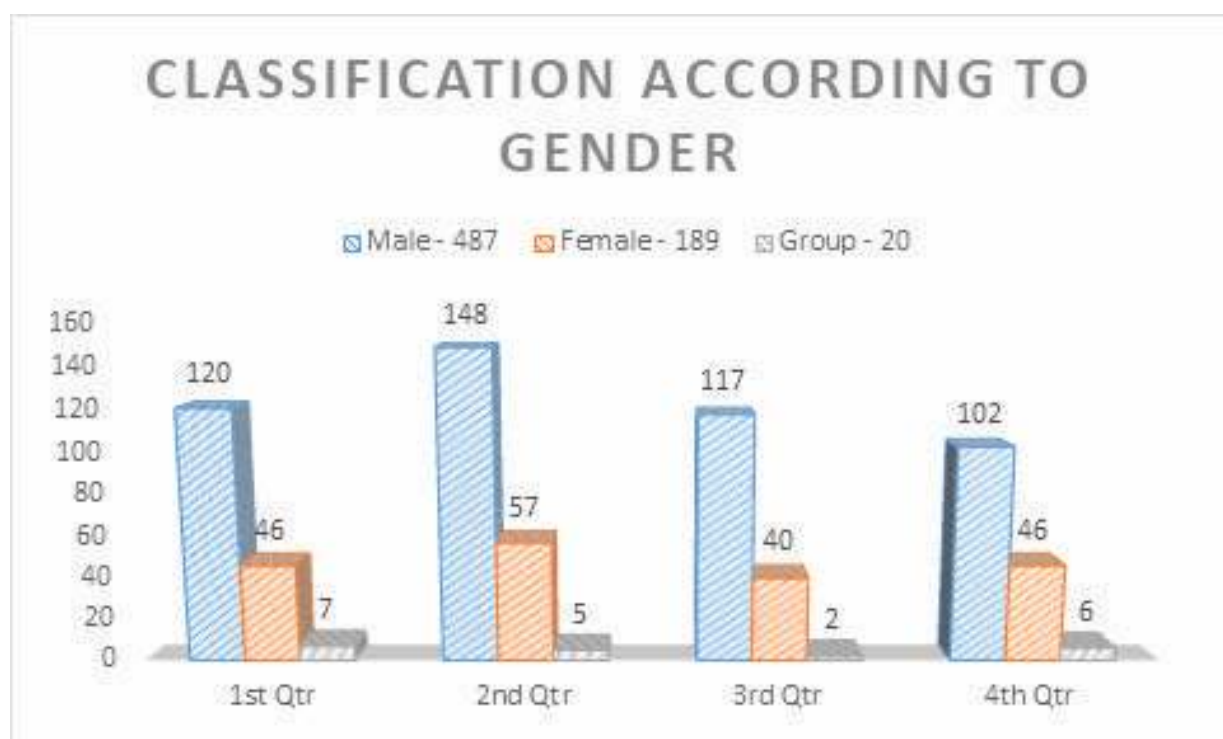


Figure 3 above gives a breakdown of the cases received for the year in review according to gender. The number of male complainants continues to dominate with a representation of 70%, while 27% and 3% are constituted by women and group complaints respectively. The number of women that visited the Commission has increased from 2017 but remains low. The low figures can be attributed to the centralization of the ZHRC in two Provinces, that is Harare and Bulawayo.

6.4.1. Cases presented before the Commission

As at 5 December 2018, a total of one hundred and twenty-two (122) cases had been presented before the Commissioners. The table below gives a detailed breakdown of the cases.

Month	Cases Presented	Cases Closed
February 7, 2018	35	24
March 28, 2018	28	23
May 31, 2018	16	13
August 22, 2018	18	14
September 26, 2018	13	6
December 5, 2018	12	10
Total	122	90

The table below shows the classifications of cases presented before the Commission since the beginning of the year to the 5th of December 2018.

Classification	Feb	Mar	May	Aug	Sept	Dec	Total
Referred	0	2	6	0	0	1	9
Advised	3	1	1	1	0	1	7
Abandoned	0	0	0	0	0	1	1
Declined/Lack of Jurisdiction	1	2	0	0	0	0	3
Resolved	19	9	3	12	6	7	56
Withdrawn	0	3	0	0	0	0	3
Complainants Whereabouts are unknown	1	1	1	0	0	0	3
Not Sustained	0	5	2	1	0	0	8
Pending/Deferred	6	0	0	4	7	2	19
Implementation phase	5	5	3	0	0	0	13
Total	35	28	16	18	13	12	122

6.5. Mobile Legal Aid Clinics (MLACs)

The ZHRC conducted 12 MLACs in partnership with the Zimbabwe Environmental Law Association (ZELA) and the Zimbabwe Lawyers for Human Rights (ZLHR). These were held from February to April 2018, in Harare, Matabeleland South, Mashonaland East, Mashonaland Central and Midlands Provinces. The objectives of the MLACs with ZLHR were: to raise awareness of the Constitution, with a particular focus on human rights as enshrined in the Constitution's Declaration of Rights; sensitise communities on the role and mandate of the ZHRC; to promote visibility of the ZHRC and to facilitate access to its complaints handling mechanisms by vulnerable members of the society; as well as facilitating private consultations with human rights lawyers. The MLACs with ZELA were meant to train human rights defenders, identify human rights violations from mining communities and receive complaints on Environmental, Economic, Social and Cultural Rights violations.

The complaints raised during MLACs included issues to do with food aid, land tenure, arbitrary evictions, right to education, citizenship and issues relating to birth certificates amongst other. Through the MLAC with ZELA, ZHRC received complaints such as violation of the right to a clean and safe environment through opening of pits by quarry mining companies and violation of the right to property due to cracking of houses as a result of mining activities by companies such as CRG Quarries Pvt (Ltd), Wilford Investments, and Zimbabwe International Quarries (ZIQ) in Mutoko.

During these missions, it was observed that many community members were now aware of the ZHRC's existence, mandate and functions. The major results from MLACs were also that citizens were given legal advice on spot and that they were empowered to be able to claim their rights, through reporting violations to the ZHRC.

The table below indicates the Mobile Legal Aid Clinics and the breakdown of Statistics on attendance:

Mobile Legal Aid Clinics Attended by the ZHRC					
	Place/Venue	Males	Females	Children	Total
1	Epworth, Harare	79	112		191
2	Dzivarasekwa, Harare	31	123		154
3	Arnold Farm Mazowe	90	67		157
4	Mbire, Mash Central	122	106		228
5	Shamva, Mash. Central	55	88		143
6	Sidzibe Filabusi	33	49		82
7	Ngozi Mine, Bulawayo	28	48		76
8	Cowdray Park	61	63		124
9	Guruve, Mash Central	47	41	10	98
10	Nyamautsi Mash East	38	56		94
11	Mutapa Gweru	44	64		108
12	Shurugwi Midlands	51	38		89

6.6. Protecting the right to Water

6.6.1. Meeting with the Environmental Management Agency (EMA), 5 January 2018.

ZHRC and the Environmental Management Agency (EMA) held a meeting to deliberate on the failure by the Harare City Council to provide safe, clean and potable water to the residents. From the meeting, it came out that EMA had limited mandate in terms of ensuring safety of drinking water. The challenges that were noted were with regards to the bursting of old pipes and discharge of industrial chemicals into water sources due to malfunctioning industrial treatment plants. It was also indicated that there was need to engage Parliament and the Ministry of Finance and Economic Planning on budgetary issues for water treatment and sewerage reticulation.

6.6.2. Meeting with the Department of Environmental Health, 16 January 2018.

ZHRC held a meeting with the Director of Environmental Health in the Ministry of Health and Child Care (MoHCC) as a follow up to the meeting that was held between the ZHRC and EMA on the 5th of January 2018. The Commission was advised that the Ministry was mandated to ensure environmental health and quality drinking water. On the other hand, local authorities were mandated to provide adequate and potable water in line with the Public Health Act (Chapter 15:09).

The meeting resolved that the MoHCC should assist the City of Harare with technical expertise in the purification of water. ZHRC was encouraged to continue engaging with relevant stakeholders in order to come up with a lasting solution to the problem of water pollution and poor sewerage reticulation in Harare.

7. MONITORING OF HUMAN RIGHTS

The monitoring function of ZHRC is important as it informs other programming functions of the institution, such as identifying issues to investigate and which areas to promote and educate on. During 2018, ZHRC focused on monitoring the events leading to the July harmonized elections. It is of importance to note that the 2018 elections were the first to be monitored with the full complement of Commissioners and Staff, since the establishment of ZHRC. It was therefore imperative for ZHRC to fully prepare itself to be able to fulfil its mandate in protecting, enforcing and promoting political and electoral rights. Human rights monitoring was carried out through visiting places of detention, such as police cells and prisons. ZHRC further monitored media

reports on human rights related issues to inform its programming.

7.1. Elections Monitoring

Prior to the harmonized elections, ZHRC embarked on a number of activities towards contributing to the enjoyment of political rights by citizens. These activities included participating in stakeholder workshops as well as organizing meetings and undergoing trainings on elections. The ZHRC also monitored political parties' primary elections, voter registration, the Nomination Court process, political party campaigns, voting and the post- election environment with a view to understanding human rights observance during these processes. ZHRC launched a campaign titled "-MY VOTE- MY RIGHT- MY CHOICE" during the elections period.

7.1.1. Procurement of Election Related IEC Material

ZHRC developed messaging and procured elections related regalia and brochures. ZHRC procured 100 Golf T-shirts, 100 round neck T-shirts, 100 cameramen jackets and 100 floppy hats. These items enhanced the visibility of ZHRC Staff and Commissioners in the field when conducting elections monitoring through-out the electoral cycle. The elections brochure was useful in conducting elections and human rights awareness to citizens.

7.1.2. Stakeholder Engagement Meetings; (Tsholotsho and Nkayi): 8-9 March 2018

ZHRC conducted two (2) stakeholder engagement meetings in Tsholotsho and Nkayi Districts on the 8th and 9th of March 2018. The meetings were meant to promote the mandate and work of ZHRC as well as plan for outreach activities with a focus on raising awareness on the electoral rights. The meetings engaged stakeholders such as Government Departments, local authorities as well as CSOs. This engagement resulted in the identification of wards for outreaches, modalities for mobilisation and scheduling of future outreaches, as the ZHRC sought to educate communities on electoral rights.

7.1.3. ZHRC Preparation for Monitoring Elections

ZHRC conducted a two-day workshop aimed at training ZHRC staff and Commissioners on election monitoring as well as reviewing, editing and adopting draft monitoring tools for the entire election cycle. This process in turn informed the revision of guiding tools that were used to assess human rights during the election monitoring process. ZHRC continued its interactions with various stakeholders on elections and it attended a meeting organised by the Zimbabwe Electoral Commission (ZEC) in March 2018, on Electoral Dispute Resolution (EDR). ZHRC presented on the progress it had made in implementing election related activities in 2018. This workshop created a platform to further strengthen the working relations amongst stakeholders to ensure that elections were held in a peaceful environment, with each exercising their respective functions.

7.1.4. Pre Elections Environmental Scan: February to July 2018

ZHRC carried out physical pre-election monitoring in the following Provinces: Harare, (including Chitungwiza), Mashonaland Central, Midlands, Mashonaland East, Matebeleland North, Bulawayo and Manicaland. The pre-election monitoring missions were conducted in order to keep abreast with socio-political developments leading to the 2018 harmonised elections. ZHRC targeted the stated areas, informed by its media monitoring function which picked out electoral related disputes in the areas. Moreover, the missions were aimed at creating and maintaining linkages with the leadership in the constituencies and assessing the environment in light of

election preparedness. This in turn had the effect of increasing the general visibility of ZHRC.

The general trends relayed by the stakeholders were of political parties operating in peace with each other. The ZHRC began monitoring political rallies through attending some of the rallies as well as through following their media broadcasts (such as on national television, radio broadcasts and Facebook live streaming) to assess the level of compliance with the Electoral Act and other regional instruments. It was noted that the rallies were generally peaceful. Parties were assembling without restrictions and interference. Hate speech was however common between ZANU PF and MDC Alliance parties. At most of the ZANU PF party rallies attended by the ZHRC, there was a consistent message on the need to respect the independence of ZEC.



Figure 4 ZHRC team monitoring an MDC-A Star rally in Harare

The ZHRC received and investigated numerous complaints of partisan food aid and Presidential inputs against ZANU PF. Children were also seen at some rallies, especially for the ZANU PF and MDC A rallies. ZHRC welcomed the decision by the High Court which barred the forcing of school children to participate in political activities. Compliance to this judgment was monitored by the ZHRC at all the rallies attended. It was noted that political parties heeded the High Court ruling.

The challenges encountered by ZHRC in some communities was that there was general ignorance about the ZHRC's mandate by stakeholders, resulting in non-cooperation by some and unwillingness to provide requested information. ZHRC worked on sensitisation of stakeholders on its mandate, and in particular with regards to elections. ZHRC noted improved knowledge about its mandate from stakeholders as exhibited by the improved level of cooperation in subsequent engagements by the same stakeholders.

7.1.5. Political Parties Primary elections monitoring

ZHRC monitored the human rights situation during the ZANU-PF primary elections conducted on 29 April 2018. The Commission acknowledged the cooperation it received from the ZANU PF

⁴ Senior Civil Servants such as District Administrators and Chiefs would be openly introduced during the rallies.

leadership during the monitoring process. An important observation during the process was that there were efforts at many polling stations to ensure easy access by persons with disabilities and the elderly. The Commission also observed that there were logistical challenges, which affected the smooth flow of the election nationwide.

The Zimbabwe Republic Police (ZRP) promoted peace and order during the ZANU PF Primary Elections. The ZHRC monitors however, raised concern over the use of the police in some instances as presiding officers in an intraparty primary election as this had the effect of associating the Police with party activities. There were allegations of vote buying in some Constituencies such as Gokwe South, Chegutu West and Masvingo North, where candidates were accused of distributing groceries and paying school fees on behalf of the electorate ahead of the primary elections.

The ZHRC also monitored the human rights situation prior to the MDC –T primary elections which were initially scheduled for the 17th of May 2018. The Commission however, faced challenges in monitoring these primary elections due to the fact that they were re-scheduled after ZHRC monitors had already been deployed and were on the ground. Monitoring was only successful in respect of the primaries conducted in Matebeleland South Province. In some instances, the MDC Alliance was forthcoming, but later on became discreet with information regarding the specific election dates.

7.1.6. Monitoring Nomination Court Process

ZHRC monitored the Nomination Court processes throughout Zimbabwe from 11 to 15 June 2018. The Commission noted that ZEC was well prepared ahead of the Nomination Day in some Provinces, whilst others experienced set up delays. The unavailability of the voter's roll posed problems for the aspiring candidates as some were turned away for having a nomination list which included persons not on the voters' roll. There were variances in the manner in which the proceedings were being handled. In some of the areas the process was very slow and too formal, whilst in others it was swift and informal. There were more aspiring candidates running for public office as well as more political parties and youth participating in the process as opposed to previous elections reflecting the opening up of democratic space in Zimbabwe's political environment. However very few women participated in this process, reflecting limited participation by women as electoral candidates. ZHRC made recommendations for ZEC to embark on intensive education for aspiring candidates and the electorate to ensure that they had accurate information on the required documentation to participate in the electoral process.

7.1.7. Elections Deployment

ZHRC deployed a total of 23 teams across the 10 Provinces of Zimbabwe during the period from 23 July to 06 August 2018 to monitor the elections. The key findings from the particular monitoring period stated were that: there was general calmness and peace in the country; there were isolated incidences of electoral malpractices such as violence, intimidation, vote-buying and hate speech, among others. The most regrettable incident as already moved somewhere, was the killing of civilians on the 1st of August 2018 who were demonstrating against the alleged delay in the announcement of Presidential results, although ZEC was within the legislated 5 days.

7.1.8. Post Elections Monitoring

During the post elections monitoring missions in August and September 2018, the findings were that peace continued to prevail in the communities visited. There were however, some cases of

allegations of members of the opposition being denied food aid and being intimidated in Manicaland and Mashonaland Central Provinces. In Masvingo, findings were that there was intimidation and harassment of district election officers. ZHRC produced detailed reports of each monitoring mission.

The ZHRC was called to give evidence at the Commission of Inquiry to Investigate the Post-Election Violence of 1 August 2018. It also followed the proceedings of the same Inquiry so as to fully understand the events that led to the violence and subsequent loss of life and bodily harm.

7.2. MONITORING AND INSPECTIONS OF PLACES OF DETENTION

The monitoring and inspections missions for places of detention were conducted in terms of section 243 (1)(k) of the Constitution which mandates ZHRC to undertake these in order to ascertain the conditions under which persons are kept. After the inspections, ZHRC made recommendations regarding the noted conditions to government institutions responsible for administering laws relating to the facilities. ZHRC carried out the missions in Police cells and Prisons.

7.2.1. Prison Visits

The Commission monitored and inspected prisons in Matabeleland North i.e. Nkayi, Tsholotsho, Nyamandlovhu, and Mashonaland East Province at Murehwa, Mutawatawa, Tabudirira Farm and Mutoko Prisons. The issues noted during the missions were similar at all the institutions visited. Dominant amongst the challenges noted was the issue of limited resources within the Zimbabwe Prisons and Correctional Services (ZPCS), owing to a small budgetary allocation by Treasury. The ZHRC noted that despite the limited resources, respective stations were trying their best to keep their facilities clean. Other key issues noted during the prison visits were that; there was monotony in the diet of inmates and inmates stated that the quantities were small, and the quality of food was bad. The uniforms for both staff and inmates were limited and some no longer usable.



Figure 5 The clothing situation at Nkayi Prison

⁶ At Tabudira and Mutawatawa Prisons there were no clinics stationed at the prisons because they are satellite stations to Mutoko and Murehwa Prisons, respectively.

At some prisons such as Tabudirira and Mutawatawa, the cell toilets were not secluded. This was an infringement of the right to human dignity. The infrastructure at most of the prisons was dilapidated and old, with some structures no longer proper for human habitation. The ZHRC observed that although there were clinics situated at prisons, there were acute medical supplies shortages and most inmates were required to source their own medicines through relatives, who in most cases were said to be not forthcoming. There were also isolated cases of cruel and inhumane treatment of inmates by some prisons officials. Prisoners reported being beaten underneath their feet and being addressed according to the offences they had committed. There were instances where the ZHRC received positive feedback on treatment of inmates. One such case was from inmates at Mutoko Prison who stated that the Officer In Charge, “has people at heart and makes time to interact with inmates to take their concerns, and one can see his effort to try and address them, in as much as some of the issues would be beyond his reach”.

The Commission was informed that at most prisons there were staff shortages leading to staff burn out. For example, at Murehwa Prison, there were three nursing staff officers to cater for inmates as well as prison staff and their dependents. At the time of the visit, there was only one nurse at the station to attend to all the cases. Staff members at all stations raised concern over limited accommodation within the stations or close by. Most officers indicated that they rented in locations surrounding the stations. This was raised as a concern in that it became difficult to coordinate the workforce/support in times of emergencies. At Tabudirira Prison, there was no accommodation for staff. ZHRC however noted vibrant rehabilitative programmes at prisons, which aimed at preparing inmates after prison life. These included, building, farming, music and drama as well as studies such as theology.



Figure 6 A canteen that was built by inmates at Murehwa Prison

⁷These remarks were made by an inmate during focus discussions. These sentiments were then confirmed and supported by other inmates during the discussions.

The key recommendations made by ZHRC were that there was need to increase the budgetary allocation for prisons, in order to address the resource challenges noted. There was also need for constant refresher courses for staff on international standards guiding the treatment of prisoners in order to address issues to do with inhumane, degrading and cruel treatment of inmates by some officers. ZHRC has developed separate detailed reports for each of the prisons and these are available on the ZHRC website.

7.2.2. Police Cells Monitoring Visits

The Commission wishes to acknowledge the support it has received from the Commissioner General of Police during 2018. Previously, it was difficult for the ZHRC to monitor and inspect police cells despite the Constitution being clear on that mandate. In 2017, ZHRC's Chairperson engaged the ZRP and received cooperation and support in fulfilling its mandate. During 2018, ZHRC managed to visit Nkayi, Tsholotsho and Nyamandlovhu police cells as part of the mandate to monitor places of detention.

ZHRC noted that the ZRP, just like the ZPCS was not spared by the financial resource constraints. ZHRC noted that some of the cells were dilapidated. There were also shortage of blankets for detained persons. It was noted that most of the cells fell short of the minimum standards for places of detention, an example being that toilets inside cells were not cordoned off. ZHRC also developed detailed separate reports of the Police cells inspections.

7.3. MONITORING THE SITUATION OF DETAINED PROHIBITED IMMIGRANTS IN ZIMBABWE

The Zimbabwe Prisons and Correctional Services and the ZHRC convened a one day consultative meeting on 22 May 2018 with other stakeholders who deal with immigration issues in Zimbabwe. The aim of the meeting was to discuss the situation of prohibited immigrants and come up with a lasting solution to the challenge of prolonged immigrant detention in Zimbabwean Prisons.

The plenary discussion came up with proposals, including that: the ZPCS should establish a Holding Centre for Prohibited Immigrants, which must be an "Open System" such as Connemara in Gweru and that the ZPCS should undertake a costing exercise on the budgetary implications for lengthened detention versus swift deportation of Prohibited Immigrants (deportation costs). This budget would be presented to the Ministry of Finance and Economic Development and the Executive. It was also agreed that the Department of Immigration should consider mass deportation by road transportation and that the Ministry of Home Affairs through the Department of Immigration should establish Ferret Teams (Stakeholder teams) at all border posts for initial assessment of potential Asylum seekers. The Ministry of Foreign Affairs and International Cooperation were urged to assist the Immigration Department to speed up Bilateral Agreements to facilitate road deportations.

The ZHRC also carried out a profiling exercise for the Prohibited Detained Immigrants at Harare Remand Prison. Through this process, the Commission documented each individual case, stating the duration of one's stay, where they came from and proposing recommendations for each case. Following concerted efforts to facilitate deportations of Detained Immigrants by the two institutions, ZPCS, in the third quarter reported that as at 28 August 2018, only 26 Immigrants were detained in Zimbabwean Prisons, down from the previously recorded average of two

*Key stakeholders who attended the meeting included Zimbabwe Prisons and Correctional Services (ZPCS), Immigration Department, Ministry of Home Affairs, Ministry of Labour and Social Services, Policy and Legal Research department (Ministry of Justice, Legal and Parliamentary Affairs) and the Office of the President and Cabinet.



Figure 7: ZHRC Commissioners and Staff with ZPCS, Min of Justice, Immigration and other stakeholders talking to immigrants at Harare Remand Prison

hundred and fifty (250) immigrants per month.

7.4. Monitoring Ratification of Regional and International Instruments

In the year under review the Commission continued to monitor Government's implementation of ratified human rights treaties and specifically submission of State Reports. The ZHRC noted that Zimbabwe has not been submitting its State Party Reports timely (except for the Convention on the Rights of the Child) as per the provisions of the relevant Treaty Bodies, as reflected in the table below.

The ZHRC lobbied Government to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT). This was conducted through the development of a position paper underlying the importance of ratifying the instrument. The Commission urges Parliament to domesticate human rights treaties, in order to adopt regional and international standards on disability, gender equality and child protection rights issues through alignment of laws. In addition, the ZHRC faces resource constraints which inhibit its capacities to produce parallel reports to treaty bodies. Therefore, the Commission urges Treasury to take into account this crucial role and allocate sufficient resources through its annual budgeting processes.

TREATY	RATIFICATION DATE	LAST SUBMISSION OF STATE PARTY REPORTS
International Covenant on Civil and Political Rights (ICCPR)	13 May 1991	1994
International Covenant on Economic Social and Cultural Rights (ICESCR)	13 May 1991	1997
Convention on the Elimination of All forms of Discrimination Against Women (CEDAW)	13 May 1991	2012
Convention on the Elimination of Racial Discrimination (CERD)	13 May 1991	2000
Convention on the Rights of the Child (CRC)	11 September 1990	15 July 2016 Next Report due 2021
CRC Optional Protocol On Children involved in Armed Conflict (CRC-OPAC)	22 May 2013	-
CRC-Optional Protocol on the Sale of Children	14 February 2012	-
Convention on the Rights of Persons with Disabilities (CRPD)	22 May 2013	22 October 2015

8. PROMOTION OF HUMAN RIGHTS

8.1. ZHRC Visibility Partnership Programmes with Civil Society Organisations

In conjunction with the Zimbabwe Lawyers for Human Rights (ZLHR), the ZHRC conducted 8 radio broadcasts on national and community radio stations to raise awareness about its mandate and functions as well as human rights focusing on issues that ZHRC and ZLHR had covered during the Mobile Human Rights Clinics conducted in 2017. The radio broadcasts averaged 30 minutes. The radio stations which aired the programmes were; Wezhira –Masvingo, Kumakomo-Mutare, Diamond FM-Mutare, Skyz Metro-Bulawayo, ZiFM Stereo-National, Community Radio Harare (CORAH), Radio VOP-National and STAR FM-National. Another partnership with Habakkuk Trust also resulted in 6 radio programs being conducted in Bulawayo community radio station Skyz Metro to raise awareness on the importance of women's participation in electoral processes during the run up to the elections starting in March as the world commemorated International Women's Day.

The radio programmes went a long way in raising the visibility of the Commission as evidenced by a higher number of people utilising the Commission's services compared to the previous year.

8.1.1. Electoral Rights Awareness Outreaches

ZHRC conducted 18 roadshow outreaches directly reaching out to about 6 000 people with 16, 753 IEC materials being distributed at the road shows and other areas in Tsholotsho, Nkayi, Mount Darwin, Sanyati, Mudzi Districts, Zvishavane District- Mutambi, Dadaya, Mabasa and Muzvondiwa, Gwanda - Redcross Hall and Jahunda Park. The outreaches aimed to raise awareness on the mandate of the ZHRC as well as on electoral rights. In Zvishavane, ZHRC partnered with Ya FM for publicity of the Commission's electoral awareness campaign and live coverage of the outreaches to reach millions of people beyond those who attended the outreaches. The detailed reports for the outreaches were produced.

During the outreaches, participants learnt about the ZHRC's mandate and functions and also received information on electoral rights. In areas such as Makaha (Mudzi) and Dotito (Mt. Darwin) it was observed that people were still hesitant to engage in political rights' discussions due to political related violence that occurred in those areas in the past pointing to the need for ZHRC to continue monitoring the electoral environment in those areas in the build-up to the 2023 elections

8.1.2. IEC Materials Printing and Distribution

Besides distribution of IEC materials at outreaches and engagement meetings, specific trips were made (including during monitoring visits) to distribute IEC materials on electoral rights. ZHRC distributed IEC materials in Harare Metropolitan, Masvingo, Mashonaland Central, Midlands and Matebeleland South Provinces. The IEC materials were also distributed through newspaper vendors, commuter omnibus and bus terminuses, in schools, medical institutions and inserts in newspapers. The following are the statistics of the IEC materials printed and distributed: (a) 120 000 electoral rights leaflets; (b) 20 000 electoral rights brochures; (c) 95 000 political rights leaflets; (d) 95 000 leaflets on remedies for Human Rights Violations; and (e) 9 000 posters on remedies for Human Rights Violations.



Figure 8 Some of the IEC material produced by ZHRC with elections messaging.

8.1.3. Radio/TV Programmes: “My Vote, My Right, My Choice” Campaign

Under the theme “My Vote, My Right, My Choice” Campaign, the ZHRC promoted electoral rights nationwide through weekly radio programmes and advertisements on Star FM¹⁰, Radio Zimbabwe¹¹ and Zimbabwe Television¹². The media campaign resulted in overwhelming interaction between the public and the ZHRC.

As a result of the campaign, which also publicised the Commission’s hotlines, social media platforms and the website, there was an influx of complaints and inquiries and heightened interaction between the Commission and the public. Moreover, the submissions and interactions with the public through Whatsapp on the three Commission lines revealed allegations of several incidents of politically motivated violence in the run up to the elections. Some of these informed the monitoring and investigation missions conducted by the Commission.

⁹The Herald, Manica Post, Chronicle and the Mirror

¹⁰11 programmes and 55 advertisements

¹¹8 programmes and 40 advertisements

¹²8 programmes and 16 advertisements

8.2. Exhibitions

8.2.1. Zimbabwe International Trade Fair

ZHRC exhibited at the 59th edition of the Zimbabwe International Trade Fair (ZITF), on 24 - 28 April 2018. ZHRC's exhibition was conducted under the theme, "My Vote, My Right, My Choice". The Commission explained its mandate and functions and gave information on how citizens could access the Commission and its services. Over 6, 000 IEC materials were distributed at the ZHRC stand. ZHRC also conducted a television program broadcast on Zimbabwe Television. This was complemented by 4 radio programmes in Ndebele and English on Radio Zimbabwe and Power FM respectively. The interviews publicised ZHRC's participation at ZITF and explained electoral rights in the build up to the 2018 General elections.

8.2.2. Harare Agricultural Show Exhibition

ZHRC exhibited at the Harare Agricultural Show from 27 August to 1 September 2018. The purpose of the exhibition was to enhance awareness of the ZHRC, its operations and human rights as enshrined in Chapter 4 of the Constitution of Zimbabwe.

An estimated 2 500 people passed through the Commission stand during the exhibition. The number increased from last year's 1 500. This could be attributed to the location of the stand which was out in the open. IEC materials were distributed to the public. These were approximately 1000 brochures, 300 T-Shirts, 100 caps and 50 sun hats that were distributed. A ZBC television interview was also conducted and broadcast to an estimated 3 million viewers.



Figure 9: Show goers follow proceedings at the ZHRC stand at the Harare Agricultural Show

8.3. Commemorations

8.3.1. International Human Rights Day

As has become custom over the past 5 years that the ZHRC has been operational, the Commission joined the global community in commemorating the International Human Rights Day (IHRD) on 7 December 2018. The IHRD is observed annually by the international community on the 10th of December each year. The day has been proclaimed by the United Nations General Assembly to celebrate the adoption of the Universal Declaration of Human Rights (UDHR) on 10 December 1948. The Declaration is hailed as the first global enunciation of human rights.

The Commemorations were running under the theme #Standup4HumanRights. The 2018 commemorations were significant as they marked the end of a year-long campaign which began on 10 December 2017 to celebrate 70 years since the adoption of the UDHR. The theme #Standup4HumanRights advocated for everyone to stand up for their rights and those of others-civil, economic, political and cultural rights. In addition, it underscored the universal nature of human rights, the imperative to empower rights holders, promote the ideals of equality, freedom, justice and prevention of violence among many others.

The 2018 commemorations were held at Murewa Rural District Council ground in Murewa in partnership with key stakeholders such as Government Ministries and Institutions (as duty bearers), Development Partners, Civil Society Organisations (CSOs) and the Murewa Community. The Guest of Honor for the event was the Chairperson of the ZHRC Commissioner Dr Elasto Hilarious Mugwadi who was represented by the Deputy Chairperson of the ZHRC, Commissioner Dr Ellen Sithole. The event was also graced by the Minister of State for Mashonaland East Province, Honourable Apollonia Munzverengi (Minister of State), ZHRC Commissioners, Commissioners from other Independent Commissions and Chief Mangwende among the notable dignitaries.

Eight (8) organisations delivered solidarity messages in line with the theme for the commemorations. In addition, fifteen (15) organisations drawn from Civil Society and the Private Sector exhibited at the event. These included the following: National Aids Council (NAC), Zimbabwe Peace Project (ZPP), Legal Resources Foundation (LRF), Justice for Children Trust, Women and Law in Southern Africa (WLSA) Research and Education Trust, Telecel, Netone, Shamwari Yemwana Sikana Trust, Murewa Hospital, Zimbabwe Electoral Commission (ZEC), Zimbabwe Lawyers for Human Rights (ZLHR) and the Zimbabwe Women Lawyers Association.

The commemorations drew an estimated crowd of 2300 from all sectors of society including Government Officials, private sector, civil society, traditional leadership and ordinary members of society. All corners of the host district were represented at the event. Entertainment was provided by Andy Muridzo and the Jeetaz Band, Ngoma Dzapasi Traditional Group, drum majorettes and the Police Band among others. The event was transmitted to a national audience through live coverage on Radio Zimbabwe and National FM.

All these activities enhanced awareness of human rights, increased visibility of the ZHRC and its functions as well as increased appreciation among duty bearers of their duty to promote and protect human rights and fundamental freedoms.

¹³These organisations represented the following sectors: Women's Rights Organisations; Faith Based Organisations; Human Rights Civil Society Organisations; Labour; Persons with Disabilities; Children's Rights; Youths and People Living with HIV and AIDS.



Figure10 : Part of a commemorative march which marked the beginning of proceedings at the International Human Rights Day at Murewa Centre



Figure 11 The Guest of Honour and other dignitaries tour the Exhibition stands at the IHRD



Figure 12 Children have rights too. School children were part of the entertainers at the celebrations



Figure 13 ZHRC Commissioners came in their number to support a worthy cause-IHRD



Figure 14 People from all walks of life came to attend the IHRD at Murewa Centre



8.3.2 International Women's Day

The Zimbabwe Human Rights Commission joined the global community in commemorating the 2018 International Women's Day which was running under the theme, "Time is Now: Rural and Urban Activists Transforming Women's Lives". The theme called for the empowerment of women in all settings, rural and urban. The year 2018 being an election year, ZHRC chose to focus the commemorations activities on raising awareness on the need to enhance gender equality in all spheres of life including in politics such as strategies (if any) that were being adopted by political parties to enhance gender inclusivity ahead of the 2018 elections. The commemorations were conducted in the form of 2 public dialogue sessions on the Zimbabwe Television Program and Mai Chisamba Show. A total of 136 participants attended the recording sessions as audiences. These were drawn from civil society organisations, Independent Commissions, members of the public and Political Parties.

The Programmes discussed the challenges faced by women in their participation in political spheres and how these could be addressed in order to enhance their participation. The Programmes were broadcast through the national broadcaster and reached an estimated 3% of the country's population.

8.4. ZHRC Practitioners' Training Manual on Constitutional Rights : Volume 1

The ZHRC completed development of a Practitioners Training Manual on Constitutional Rights Volume 1. This resource manual covers rights from section 18 to 78 in the Constitutional and forms volume 1. Sections 80 to 84 as well as the rights of arrested and detained persons will be

¹⁴Panelists were drawn from the Zimbabwe Human Rights Commission –Commissioner E.H Mugwadi, Women in Politics Support Unit-Director Ms S.Sifelani-Ngomu and Women's Parliamentary Caucus Chairperson-Hon M.Mutsavangwa.

¹⁵As informed by the ZAMPS survey report

¹⁶The meeting was held on 30 May 2018

¹⁷The meetings were conducted from 10-13 April 2018

¹⁸The meetings were convened from 23-27 April 2018

covered in Volume 2 of the manual. The development of the Manual is in line with the ZHRC Strategic Action Plan. Paragraphs 13a of the Action Plan which mandates the ZHRC to develop thematic human rights educational and promotional materials that can be used effectively to increase the level of awareness of human rights and good governance principles amongst the general public.

9. ENGAGEMENT MEETINGS

9.1. Engagements with local stakeholders.

9.1.1. Awareness on the Mandate of ZHRC

Stakeholder engagement meetings were convened in Gwanda, Mashonaland Central and in Midlands Provinces. These meetings were attended by Rural District Councillors, Town Councillors, traditional leaders, government officials, faith based leaders and civil society organisations. The aim was to raise awareness on the mandate and work of the ZHRC and plan envisaged outreaches and monitoring missions in these areas. In the Midlands Province, there were concerns raised over demands by certain individuals (mainly traditional leaders and the ZANU PF local leadership) on voters to disclose their biometric voter registration (BVR) serial numbers. During the meetings ZEC officials advised that citizens should take up the matter with the police as this was an offence. ZEC further advised that citizens were expected to present their BVR slips during the voters' roll inspection in order to address any anomalies on the voters' roll, including the issue of missing names. Without the BVR slips, such anomalies would be difficult to resolve.

Some of the concerns raised by stakeholders related to the need for ZHRC to decentralise and ensure that there were volunteers at grassroot level. It was also noted that there was need to expedite submission of recommendations to the relevant stakeholders and duty bearers in relation to election issues that required attention.

9.1.2. Inter-ministerial Taskforce on Alignment of Laws

One of the functions of the ZHRC is to monitor and assess the enjoyment of human rights and freedoms by the citizens. As part of its roles under this function, the ZHRC assesses legislation and Bills for human rights compliance. In line with this function, the ZHRC attended meetings on the Inter-Ministerial Taskforce on Alignment of Legislation to the Constitution which were organised by the Ministry of Justice Legal and Parliamentary Affairs in conjunction with the Centre for Applied Legal research (CARL). The objective of the meetings was to allow legal advisors and other authorised representatives to provide updates and work plans in relation to legislation requiring alignment. ZHRC followed up on the progress made with regards to the ZHRC Bill principles as well as the Electoral Amendment Bill, as it sought to have them adopted before the harmonised elections. This was a priority for the ZHRC given that there were some sections which had the effect of compromising its independence when carrying out its mandate, especially during elections.

9.2. Regional and International Engagements

9.2.1. Learning Visit to Kenya National Commission on Human Rights (KNCHR):22-26 January 2018

In preparation for the 2018 harmonised elections, the ZHRC conducted a study visit to the Kenya National Commission of Human Rights (KNCHR) to learn best practices on election monitoring. The KNCHR established an election monitoring guiding standard for National Human Rights

¹⁴Panelists were drawn from the Zimbabwe Human Rights Commission Commissioner E.H Mugwadi, Women in Politics Support Unit-Director Ms S.Sifelani-Ngoma and Women's Parliamentary Caucus Chairperson-Hon M.Mutsvangwa.

¹⁵as informed by the ZAMPS survey report

¹⁶The meeting was held on 30 May 2018

¹⁷The meetings were conducted from 10-13 April 2018

¹⁸The meetings were convened from 23-27 April 2018

Institutions (NHRIs) which ZHRC adopted for the 2018 elections. The delegation was led by the Chairperson of the ZHRC, Dr Elasto H. Mugwadi. It was noted that Kenya shared a lot of similarities with Zimbabwe on the political and electoral front such as; both having faced contested election results in the past, encountered formation of Governments of National Unity and the ushering of new Constitutions which have accorded powers to NHRIs during the electoral period.

Some of the key learning points for the ZHRC included that; ZHRC needed to develop and refine its election monitoring tools, ZHRC needed to map stakeholders (to partner in monitoring) in hotspot areas, to consider early deployment and identification of monitors and to engage political parties in order to monitor political party primary elections and campaigns. The Monitoring and Evaluation and the Information Communication and Technology functions of the Commission were to develop an election monitoring system which could capture data qualitatively and quantitatively. Following the learning visit, the ZHRC prepared and refined its monitoring tools, and implemented most of the lessons learnt as it participated in the monitoring of the 2018 Harmonised Elections.



Figure 16: ZHRC Chairperson and staff with members of the KNHRC

9.2.2. Alternative Mining Indaba

ZHRC through support from the Zimbabwe Environmental Law Association (ZELA) attended the Alternative Mining Indaba (AMI) held in Cape Town, South Africa from 5-7 February 2018. The AMI was held under the theme “Making Natural Resources Work for the People: Towards Just Legal, Policy and Institutional Reforms”. The event provided Civil Society Organisations with a platform to share experiences from host mining communities and possible solutions to curtail the continued imbalance brought about by the prevailing mining statutes that are pro-investor and not oriented towards the rights of communities. The ZHRC shared a presentation on the “Access to Remedy Pillar (UN Guiding Principles on Business and Human Rights), a case study of Mazvihwa Community of Zvishavane, Midlands Province. The case study, among others, brought about the

the issue of standardisation which tends to ignore local standards and realities.

9.2.3. Learning Visit to Tanzania

The ZHRC, led by its Deputy Chairperson conducted a learning visit to the Tanzania Commission for Human Rights and Good Governance (CHRAGG). Key lessons learnt were that the ZHRC should continue to work towards establishing and supporting departments such as Planning, Monitoring and Evaluation, Procurement, Internal Audit, Registry and ICT. ZHRC was encouraged to be more proactive in reviewing Bills whenever they were drafted to assess their compliance with International Human Rights Standards and work out a clear strategy with the Ministry of Justice, Legal and Parliamentary Affairs and the relevant Parliamentary Portfolio Committees to implement this. ZHRC was also encouraged to make efforts to be included in the Inter Ministerial Committee on Human Rights and Humanitarian Law. This would be similar to its role as a member of the Steering Committee on UPR which strengthen its participation in production of State Party reports and advocacy on ratification and domestication of international and regional human rights instruments. ZHRC noted the need to be more creative on enforcement mechanisms of recommendations arising from its investigations and monitoring reports. After the visit, The Commission equally noted the need to increase its staffing levels in order to fully implement its mandate. In this regard, it has continued during the year under review to engage Treasury Authorities for additional staff so that its departments can become fully operational to ensure more effective programming and improved technology.

9.2.4 Learning Visit to Ghana Commission on Human Rights and Administrative Justice (CHRAJ)

From the 9th to the 13th of July 2018, a five (5) member team from the Zimbabwe Human Rights Commission (ZHRC) Education, Promotion and Research (EPR) Unit undertook a learning visit to the Ghana Commission on Human Rights and Administrative Justice (CHRAJ). CHRAJ was established in 1993 under the 1992 Constitution of Ghana by Act 456. It is the national institution for the protection and promotion of fundamental rights and freedoms and administrative justice in Ghana. The Commission combines the work of the Anti-Corruption Agency, the Ombudsman and the Human Rights Commission under one roof.

Key lessons drawn from the visit included the need for ZHRC to decentralise to the provinces and districts in order to reach out to communities, the need to have broader and binding powers in order to enforce decisions and the need to have more personnel in order for the Commission to be more effective.



Figure 17: The ERP visiting team poses for a group photography in front of the CHRAJ Head Quarters Building in Accra, Ghana with the Zimbabwe and Ghana National Flags in the background

9.2.5. *Training Workshop on the International Human Rights System and National Human Rights Systems*

The ZHRC took part in the above training which was hosted by Freidrich Ebert Stiftung (FES) Geneva, Global Alliance for National Human Rights Institutions (GANHRI), United Nations Institute for Training and Research (UNITAR) and Office of the High Commissioner for Human Rights (OHCHR) in Geneva from 7 – 11 May 2018. The training was attended by participants of NHRIs from 14 countries. During the training, participants learnt that NHRIs play a bridging role and work according to international standards since they are required and are expected to be neutral and therefore, trusted and legitimate. It was also highlighted that only “A” Status Accredited NHRIs could participate in and contribute to the Human Rights Council proceedings in their independent capacity alongside States and Non-Governmental Organisations. As an “A” Status accredited NHRI, the ZHRC fits the stated criteria.

9.2.6. *Pilot Workshop for NHRIs Staff on Monitoring and Reporting in Relation to Human Rights Treaties in Africa: 20-22 June 2018, Naivasha, Kenya.*

The Commission was invited to attend the Pilot Workshop for NHRIs Staff on Monitoring and Reporting in Relation to Human Rights Treaties in Africa. The workshop was organised by the Network of African National Human Rights Institutions (NANHRI). The overall objective of the workshop was to enable cooperation with key regional actors and to ensure follow up and influence the implementation of human rights commitment in the region.

The workshop also intended to strategize on how NHRIs could be capacitated to incorporate the

the Sustainable Development Goals (SDGs) in their programming. In view of the fact that the implementation happens at the national level, and that State parties are the primary implementers, the role of the national stakeholders becomes critical. NHRIs play a major role in promoting compliance with regional and international treaties. ZHRC has since started inclusion of SDGs in its programming as these equally contribute to the realisation of human rights.

9.2.7. *Enhancing the capacity of National Human Rights Institutions and Parliamentarians in Eastern and Southern Africa in Realizing the Right to Health and Ending AIDS. 27-29 August 2018, Nairobi Kenya.*

The meeting was convened by the Network of African National Human Rights Institutions (NANHRI) and the Kenya National Commission on Human Rights (KNCHR) with support from the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Office of the High Commissioner for Human Rights (OHCHR) and the International Development Law Organisation (IDLO).

The objectives of the meeting were: to discuss the role of Governments, National Human Rights Institutions (NHRIs) and Parliamentarians in the realisation of the right to health and ending AIDS; to influence policy and legislative processes in the promotion of access to Universal Health Coverage; to discuss the recent and historic resolution adopted by the Pan African Parliament on the 'Role of Parliamentarians in Realizing the Right to Health and Achieving Health Targets in Africa; and to enhance strong partnership in a bid to promote and protect the right to health in the context of HIV and AIDS in Eastern and Southern Africa.

During the workshop, participants deliberated on, developed and adopted a plan of action on the "Regional Consultation for National Human Rights Institutions and Parliamentarians on Realizing the Right to Health and Ending AIDS". The plan included recommendations for joint strengthened engagement by NHRIs and Parliamentarians in realising the right to health and ending AIDS for the period 2018-2020.

9.3. *Trainings on Human Rights Based Approach to Development*

The Commission conducted 3 trainings on the Human Rights Based Approach to Development in Beitbridge, Murewa and Mutoko during the last quarter of 2018. The trainings were conducted with the realisation that human rights and development share a common vision and purpose of securing freedoms, well-being and dignity of the people. The trainings, focusing on raising awareness on the human rights based approach and constitutional rights, targeting councillors, traditional leaders and government officials. A total of 280 human rights duty bearers were trained with the hope that the human rights based approach to delivery of social services would enhance the protection of human rights especially of the marginalised and excluded whose rights remain largely unfulfilled.



Figure 18 Participants follow proceedings at the Beitbridge training workshop on human rights based approach.

10. THEMATIC WORKING GROUPS (TWGs)

In accordance with paragraph 7 of the First Schedule of the ZHRC Act and in order for it to better exercise its functions, the ZHRC established 8 Thematic Working Groups (TWGs). The TWGs are as follows:

- Children's Rights;
- Gender Equality and Women's Rights;
- Civil and Political Rights;
- Economic, Social and Cultural Rights;
- Capacity Building and Development;
- Environmental Rights'
- Special Interests Groups; and
- International Agreements and Treaties.

The first 4 TWGs mentioned above are specifically provided for by paragraph 7(3) (a) – (d) of the first schedule, of the ZHRC Act whilst the last four were established in line with paragraph 7(3) (e) thereof which states that the ZHRC may establish any other thematic areas which it may deem necessary. In terms of their composition, TWGs are chaired by a Commissioner and supported by the Secretariat, headed by a Chief Human Rights Officer (CHRO). TWGs are a forum which the Commission utilises to thoroughly interrogate different rights in thematic sectors in order to ensure the implementation of the mandate of ZHRC. Best practices towards the promotion and protection of human rights are shared in these TWGs as various stakeholders meet to dialogue on pertinent issues affecting the relevant thematic sector. In terms of paragraph 7 subsection 2 (b) of the First Schedule of the ZHRC Act, the Commission may appoint as members of the TWG persons who are not members of the Commission and may fix terms and conditions of their appointment. Therefore, this allows the invitation of experts from different fields of interest to join the TWGs. The activities implemented by the TWGs are as outlined below:

10.1. Environmental Rights TWG

10.1.1. Stakeholder feedback meeting on environmental pollution assessment findings

ZHRC was invited by Basilwizi Trust to attend a Stakeholder feedback meeting at Baobab Hotel in Hwange on environmental pollution assessment findings. The meeting resulted in a clear understanding of the environmental pollution assessment findings and the possible implication on the communities' environmental rights, an understanding of the strategies put in place to address key issues emerging from the report and an agreement on the action points on joint mutually beneficiary monitoring initiatives for improved welfare of communities.

10.1.2. Engagement Meeting with Mazvihwa Community

The TWG conducted a consultative engagement meeting with Mazvihwa Community members in Zvishavane. The engagement meeting was pursuant to an investigation that was conducted by the ZHRC on alleged environmental rights violations in Mazvihwa, particularly the issue of cracking houses and excessive dust pollution due to mining activities. The major finding from the meeting was that the affected community members were seeking compensation for damages caused to their houses due to alleged mining activities at Murowa Diamond Mine. It was resolved that the ETWG should engage the executive management of Murowa to come up with a solution to this long outstanding matter.

10.1.3. Meeting on Business and Human Rights:

The TWG held a meeting at Bronte Hotel on 19 June 2018 in Harare to deliberate on matters around business and human rights in Zimbabwe. Some of the priority issues discussed were that 48% of the cases being dealt with by the Commission were business and human rights related, hence there was need to lobby the Government to adopt the UN Guiding Principles on Human Rights and Business. In addition, it was noted that there was need for stakeholders to develop a National Action Plan on Business and Human Rights. It was recommended that the ZHRC should establish a team responsible for spearheading business and human rights issues which would be responsible for developing terms of reference and a concept note to mobilise funding to implement the National Action Plan. However, the implementation of these resolutions were put on hold as ZHRC became more occupied with elections related programmes.

10.2. Economic, Social and Cultural Rights TWG

The TWG held its inception meeting on the 11th of April 2018. The meeting reviewed terms of reference and appointment letters of its members. With regards to development of an action plan, members agreed to the following: (a) ZHRC to consult on how to broaden health monitoring issues; (b) conduct situational analysis of economic, social and cultural rights on an annual basis; (c) conduct analysis of national budget; (d) strategise on how best to work with other thematic working groups as human rights are inter-dependent; (e) monitor food aid distribution and (f) create a database of key economic, social and cultural rights.

10.3. Gender Equality and Women's Rights TWG

The TWG held its first quarterly meeting on the 27th of February 2018. The TWG took an active role in promoting women's participation in politics focusing on the 2018 General Elections. The meeting deliberated on promoting women's participation, including ensuring that the Commission's Elections Monitoring Tools adequately incorporated gender issues. These submissions resulted in engendered ZHRC Elections Monitoring Tools.

Subsequently, on the 6th of March 2018, the TWG Chairperson was one of the panelists at the launch of the 50/50 Gender Parity Advocacy Campaign and Launch of the Women's Manifesto for the period 2018-2023. The Commission took the advocacy further by hosting 2 episodes of the Zimbabwe Television talk show Mai Chisamba Show recorded on the 7th of March 2018 and aired on the 18th and 25th March 2018 with additional repeats afterwards. The TWG also finalised drafting of the factsheet on gender provisions in the Constitution.

The TWG is a participant in the Spotlight Initiative Global Partnership to Eliminate all Forms of Violence Against Women and Girls which was launched in September 2017 by the United Nations (UN) Secretary-General and the European Union (EU) High Representative and Vice President (HRVP). The Spotlight Initiative supports UN Development System (UNDS) to implement the 2030 Agenda for Sustainable Development. The initiative will cover 5 regions, each with a specific focus area. Asia will focus on trafficking; Latin America on femicide; The Pacific on Domestic Violence; and Caribbean on Family Violence. In Africa, Spotlight will focus on eliminating sexual and gender-based violence (SGBV), harmful practices (HPs), and addressing related aspects of sexual and reproductive health and rights (SRHRs).

The TWG also participated in the 50 – 50 political representation campaign. In addition, the TWG was part of like-minded human rights organisations which monitored the gender aspects of the 2018 Harmonised elections through the Gender Observatory Platform. The Platform was chaired by the Zimbabwe Gender Commission and produced a report on the gender dimensions and how they manifested in elections.

10.4. Special Interests Groups TWG

The Special Interest Groups Thematic Working Group held two (2) quarterly meetings on the 21st of March and the second one on the 5th of October 2018. These meetings were to plan for activities of the TWG, review progress on work of the TWG and deliberate on the work of TWG members during the electoral period. During the course of the year the TWG implemented various activities which sought to ensure that Special Interest Groups in Zimbabwe (focusing on the youths, indigenous minorities, people with disabilities and older persons) enjoyed their rights on an equal footing with others. In recognition of the valuable work of the TWG and the Commission, the Chairperson of the TWG, was appointed to be a Board Member of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Board on Disability.

During the course of the year, the Special Interest Groups TWG successfully finalized the validation of the San Tsholotsho Report. The Report has since been adopted by the Commission and recommendations sent out to partners, Government Ministries and other stakeholders. The Commission and the TWG participated in the SADC three day meeting on the Rights of Indigenous People Focusing on the San which was hosted by the Government of the Republic of Namibia, supported by the United Nations Department of Economic and Social Affairs (UNDESA) from 3 – 5 December 2018. The aim of this event was to discuss and share approaches, progress and challenges in realising the rights and economic mainstreaming of the San communities in the region, with a view to planning innovative approaches, future cooperation and information sharing.

To ensure that the ZHRC increased inclusivity in communications with all potential clients, two ZHRC staff members were trained in the use of sign language by Deaf Zimbabwe Trust which

which further pledged to train more officers (to cater for resignations by staff) including the Chairperson of the TWG. During the course of the year, the TWG member organizations hosted and celebrated various commemorations. These included International Youth Day in which the TWG members participated. The theme for the commemorations was ‘Safe Spaces for Youth’ which highlighted the need for safe spaces for youths, where they can come together, engage in activities related to their diverse needs and interests, participate in decision making processes and freely express themselves.

The TWG also developed a Position Paper on Identification Models for People with Disabilities. This position paper will be used as an advocacy tool to lobby Government to put in place an identification system that facilitates easy identification of Persons with Disabilities. To give weight to the position paper the TWG members agreed to conduct a baseline study on issues that particularly need identification of PWDs. Currently the TWG is in the process of developing a concept note to conduct the baseline study.

The TWG drafted a concept note on the harmonisation of old age definition and this awaits finalization. The TWG noted that it was critical for the harmonisation of the old age definition as the various legislations in Zimbabwe refer to different ages (The Constitution defines it to be 70 years while the Older Persons Act defines it to be 65 years old). The TWG resolved to lobby for Constitutional changes to lower the age that defines a person as Old and the first step was that the ZHRC would submit a letter to the Ministry of Public Service, Labour and Social Welfare on the issue.

The TWG also engaged the World Bank in relation to challenges faced by people with Albinism. The World Bank has since facilitated the placement of interns with disabilities within its operational systems. The World Bank has also finalized research on albinism and the findings will be shared and assist in TWG programming.

In the last quarter of the year, the TWG held its quarterly meeting in which the member organisations shared their experiences during the election period. The TWG members noted that PWDs, Youths and the Elderly participated in the 2018 harmonised elections thus exercising their political rights. This was attributed to increased awareness of their rights than before. However, in some instances these rights were violated during the election period. Some of the campaigns conducted by the member organisations during the election period included the **‘leave no youth behind’** campaign by NAYO, **‘My Vote, My Right, My Choice’** by the ZHRC and **“Disability Vote Campaign”** by Deaf Zimbabwe Trust.

In conclusion, the Special Interest Group continued to push for the promotion, protection and enforcement of human rights and administrative justice for all its members including during the 2018 harmonized elections. It is anticipated that the work achieved will be continued in 2019.

10.5. Children’s Rights TWG (CR-TWG)

The TWG held its quarterly meeting on 23 March 2018. The TWG deliberated on the protection of children’s rights in view of the 2018 elections and the Commission’s Investigations Report on the involvement of children in campaign rallies which they felt should be widely publicised.

It was also agreed that children’s rights issues should be included in the electoral rights messages

on radio and television programs to be rolled out by ZHRC and in all election related activities by TWG members. The CR-TWG could only meet again in the Third Quarter as the Commission was busy with elections business. Issues discussed at the Third Quarter CR-TWG were updates from members on what they did during the election period and other issues relating to State Party Reporting. Stakeholders were at first also not clear of Government's State Party reporting plans since the report for the ACRWC was due in 2018 and shadow reports could only be submitted after Government had submitted its report. However, at the third quarter meeting, both the Ministry of Health and Childcare and the Ministry of Justice, Legal and Parliamentary Affairs were represented and reported that the process of writing the report was underway.

The meeting also noted the importance of subjects such as Heritage Studies for the teaching and learning of values including human rights, and yet many people were unaware of the contents of this subject. It was agreed that curriculum change should be consultative as this helped in building public confidence and trust. In this regard, the Commission and TWG were encouraged to reach out more to the Ministry of Primary and Secondary Education and schools. The TWG also agreed to complete the mainstreaming of children's rights into the work of the Commission by reviewing all information gathering tools used by the Commission to ensure that they were sensitive to children and children's rights issues.

10.6. Civil and Political Rights TWG

The TWG had its meeting on the 7th of March 2018. The meeting included discussions relating to the adoption of the terms of reference, and on what the role of the TWG would be in the 2018 Workplan. Members identified the following priority issues: lobbying citizens to vote, civic and voter education; human rights election campaign; accessibility of voter education by persons with disability; identification of partners and multiple approaches for voter education, role of traditional leaders during elections noting key issues such as their demand for BVR serial numbers from voters. ZHRC was tasked to engage traditional leaders on their conduct in electoral processes.

A Training Course on Civil and Political Rights was conducted from 5-8 June 2018, with technical support from Raoul Wallenberg Institute of Human Rights. The objective of the workshop was to raise awareness on the civil and political rights guaranteed in the Constitution of Zimbabwe. Facilitators of the training were drawn from the academia, legal practitioners and political activists. The training also highlighted the challenges faced by vulnerable groups such as women and persons with disabilities in exercising their civil and political rights within the context of the harmonised elections scheduled for the 30th of July 2018 and how their participation in the upcoming general elections could be improved. The facilitators provided feedback on how the ZHRC could improve its work of monitoring and assessing the observance of human rights, especially civil and political rights in the elections.

10.7. Capacity Building and Institutional Development TWG

The TWG held its first meeting on the 20th February 2018 in Bulawayo. The meeting was held to consider the Terms of Reference for the appointment of members and for purposes of coming up with a Workplan for the activities of the TWG for the year 2018. The meeting was attended by all the members who had been selected at the Inception Meeting with representatives mainly from the Southern Region CSOs and the Council for Legal Education. The TWG agreed to work on sensitising Government Departments on the role of the ZHRC, developing a brochure and working on joint projects with the organisations represented on the TWG.

10.8. International Agreements and Treaties Thematic Working Group

The TWG held a meeting on the 27th of February 2018 to deliberate on priority issues for the TWG in 2018. Members were issued with their appointment letters for signature. During the meeting, the Ministry of Justice, Legal and Parliamentary Affairs was assigned to make a follow up on the ratification of the Convention Against Torture (CAT) and to report back to the TWG. The meeting agreed to track Government's commitment and compliance regarding the implementation of recommendations of Treaty Bodies. It was proposed that this should be done in conjunction with other ZHRC TWGs, with assistance from the Ministry of Justice, Legal and Parliamentary Affairs.

The meeting discussed the issue of prioritising the topical issue of corporal punishment. It was agreed that since there was a pending case on the subject before the Constitutional Court, the TWG would prioritise other issues. The meeting also agreed to prioritise scrutinizing existing laws in an effort to ensure that they were in tandem with requirements of International Agreements on human rights. Great Zimbabwe Law School suggested the Births and Deaths Registration Act and the Citizenship Act as priority instruments for scrutiny.

10.9. Challenges faced by TWGs

The TWGs made an effort to convene and implement some of their activities. However, due to the July 2018 harmonized elections, ZHRC's efforts and energy was mostly directed towards elections related matters. This in turn resulted in most of the TWGs' follow up meetings and other activities being suspended or postponed. Besides having most programming efforts being directed towards elections, the following were some of the challenges faced by TWGs in general;

- There was and continues to be no full time secretariat for the TWG desk(s).
- There is inadequate funding to enable TWGs to be fully operational in their planned activities.

11. LESSONS LEARNT DURING THE 2018 REPORTING PERIOD

During the reporting period, ZHRC learnt the following lessons:

- 11.1. ZHRC learnt of the need to frequently make updates to the citizens on the human rights situation in the country, as well as making statements on the topical human rights developments that will be happening in the country. Where missions that are of public interest are carried out, the reports of such should be made public rapidly.
- 11.2. In as much as there have been programmes to raise awareness of the Commission's existence in the country, ZHRC is still not yet fully known including its mandate. There is therefore the need to continue with more awareness programmes on the mandate of ZHRC as there is still misconception of its functions which are being confused with those of NGOs. This has resulted in lack of cooperation from some key State stakeholders who are ignorant of the Commission's mandate.
- 11.3. Mobile Legal Aid Clinics have immensely assisted in reaching out to more citizens in the different communities that the programmes have been carried out. There is need to scale up such initiatives into all parts of the country, including the less accessible communities and for this, more resources are required.
- 11.4. In terms of Elections Monitoring, ZHRC has to scale up its engagements with

political parties so that its mandate is clearly understood and embraced. For future electoral processes, ZHRC needs to start the pre- election monitoring exercises well in advance unlike monitoring during the ‘peak/ heat periods’ to an election.

- 11.5. Learning missions to other jurisdictions, by the different units and Departments, rendered an opportunity to learn on the best practices, and equally gave an opportunity to improve on some operations within the Commission. There is need for now, to continue with these exposure missions.
- 11.6. There is also the need to maintain and strengthen partnerships and relationships built with Government players, NGOs, Development Partners, the Security Sector, the citizens and various other stakeholders that ZHRC has been working with.
- 11.7. The Commission noted that 70% of male complainants visited the ZHRC offices in Harare and Bulawayo whilst only 30% females had done so. However, during mobile legal aid clinics it was noted that 60% females were able to access the Commission’s services. This reflects that the low access to ZHRC offices by women is due to the different gender roles that men and women play, and women can better access services from their communities.

12. RECOMMENDATIONS

12.1. Ministry of Finance and Economic Development/ Treasury

- To increase funding for places of detention such as prisons and police cells. Treasury is further encouraged to constantly review such allocations to ensure that the facilities have enough resources at any given time.
- To increase support to the Department of Immigration to be able to deport prohibited immigrants timeously.
- To provide sufficient funding for the ZHRC to enable it to fully implement its mandate through decentralisation and improved staffing levels.
- To introduce measures that improve the socio-economic rights of the people of Zimbabwe.

12.2. Ministry of Justice, Legal and Parliamentary Affairs

- To prioritise the completion of the legislation alignment process.
- It is recommended that State Party Reports be submitted timeously in all instances.
- To continue supporting the ZPCS in having refresher trainings on International Standards guiding the treatment of inmates in prisons.

12.3. Ministry of Public Service, Labour and Social Welfare

- The Ministry is recommended to put in place strict regulations that guide aid distribution in order to guard against partisan distribution.
- To align the Older Person Age in legislation to the Constitution.

12.4. Ministry of Lands, Agriculture, Water, Climate and Rural Resettlement

- To implement the regulations that guide distribution of government agricultural inputs and other related assistance in order to guard against partisan distribution.

12.5. Ministry of Home Affairs and Cultural Heritage

- To ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)
- The Ministry is recommended to continue having refresher courses for its Officers on International Standards guiding the rights of detained persons.
- To support the Department of Immigration in establishing alternative places to keep prohibited immigrants awaiting deportation, so as to reduce the strain on the ZPCS.

12.6. Ministry of Health and Child Care

- To negotiate with health personnel so as to find lasting solutions to challenges in the health sector. This will in turn preserve the health and lives of citizens.
- To put in place measures that oblige service providers such as doctors, medical facilities and pharmacies to enable citizens to access health services without - barriers, for example, the need to remove demands for payment for services and medicines in foreign currency.
- Government, through the Ministry to prioritise availability of affordable medicines to the citizens.

FINANCIAL STATEMENT: UNAUDITED STATEMENT OF COMPREHENSIVE INCOME FOR 2018

DESCRIPTION	AMOUNT
INCOME: (Voted Funds)	2,878,003
LESS EXPENDITURE	2 865 003,26
Employment Costs	1,260,844
Basic Salaries	619,645
Housing Allowances	156,321
Transport Allowances	34,996
Other Allowances	449,882
Goods and Services	567,007
Communication Information supplies	136,892
Educational Materials, Supplies & Services	6,748
Office Supplies and services	26,196
Rental and Hire Expenses	35,497
Training and Development	1,500
Domestic Travel Expenses	71,291
Foreign Travel Expenses	35,700
Utilities and other Services	184,544
Financial Transactions	1,573
Institutional Provisions	67,066
Other Goods and Services	—

DESCRIPTION	AMOUNT
Maintenance	240,635
Physical Infrastructure	8,390
Technical & Office Equipment	2,512
Vehicle and Mobile Equip	67,077
Stationary plant, machinery & fixed equipment	4,473
Fumigation and Cleaning	3,286
Fuel, Oils & Lubricants	154,897
Current Transfers	11,400
Subscriptions to various organisations	11,400.00
Programmes	589 964,26
Goods and Service	289,964.45
Motor Vehicles	300,00.00
Acquisition of Fixed Assets	195,153
Motor Vehicles	115,00.00
Computer & Networking Equipment	40,500.00
Furniture & Equipment	39,653.00
Surplus of Income over Expenditure	12,999.74



114 Samora Machel Avenue, Harare, Zimbabwe
Tel: +263 242 705268/426 or 2703596/616 or 2701811

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