

The Commission Newsletter

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Newly appointed Executive Secretary hopes to leave a mark



Mrs Makanatsa Makonese (swearing), the new Executive Secretary for the Commission assumed duty on 3 January 2017. (Full story on Page 3)

International
recognition for
ZHRC

The Zimbabwe Human Rights Commission (ZHRC) is now part of the International Ombudsman Institute (IOI) following its accreditation to the global body at a meeting held in Bangkok, Thailand in November 2016. The ZHRC's recognition by IOI is a result of its application for accreditation by the global body as it deals with cases of abuse of power as well as maladministration

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International recognition for ZHRC

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by State institutions and officials. This follows the assumption of the Public Protector role by ZHRC in August 2013. “The positive decision regarding the application is based on the fact that your institution fulfils the criteria for Voting membership

set out in the 2012 IOI By-laws, art 6.2 (see attachment 1 – 2012 IOI By-laws). This regards the establishment of the institution, its independence, its mandate and powers as well as the requirements regarding the appointment and dismissal of the incumbent. In

addition, the information you provided clearly shows that your institution supports the purposes and principles of the IOI as outlined in art 2 of the IOI By-laws,” the letter from IOI to ZHRC stated.

Z H R C ’ s accreditation by IOI will enhance its constitutional role of

improving public administration while making the government’s actions more open and its administration more accountable to the public. Furthermore, the Commission will now be able to access IOI support in terms of training, research and regional subsidies for projects .

Established in 1978, IOI is the only global organisation for the co-operation of more than 170 independent Ombudsmen institutions from more than 90 countries worldwide. The IOI is organised in six regional chapters including Africa.

Grieving man relieved, thanks to ZHRC

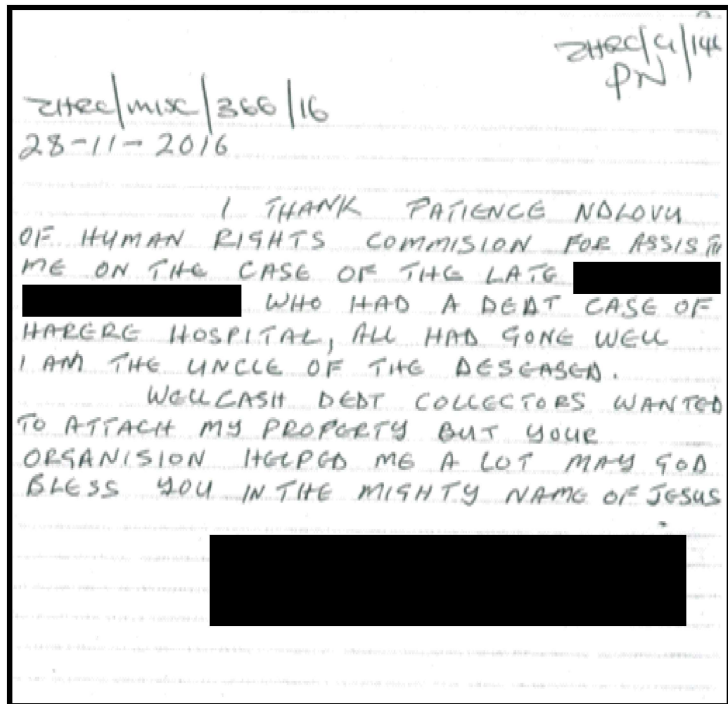
Officials at one of the country’s top hospitals were recently made to reverse their demand for payment from a grieving man after he petitioned the Zimbabwe Human Rights Commission (ZHRC).

The complainant, who is an uncle to the late patient, alleged that he received several letters of demand from a well-known debt recovery company acting on an instruction from Harare Central Hospital demanding that he pay for the medical bills incurred by his late relative.

His nephew

died as a result of injuries sustained in a road traffic accident. Prior to his death, the patient had been hospitalised at Harare Central Hospital where he accrued bills due to medical attention.

When the hospital authorities started demanding payment from the complainant, he tried to engage them and the debt collector without success. He then received letters and text messages from the debt collector threatening to attach his property if he failed to settle the said medical bills. The complainant approached ZHRC in October 2016 whereupon the ZHRC contacted Harare Hospital



ZHRC is humbled by people who appreciate assistance.

which was very cooperative. It was agreed between ZHRC and the hospital that procedurally, debts incurred by people who would have died must be written off.

Consequently, the complainant was invited to Harare Hospital where the issue was amicably resolved. The man is now full of praises for ZHRC. According to him, the debt was

cancelled and he is now a free man. “Well Cash Debt Collectors wanted to attach my property but your organisation helped me a lot,” he acknowledged.

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Staff News

Newly appointed Executive Secretary hopes to leave a mark



Mrs Makanatsa Makonese

The newly sworn in Zimbabwe Human Rights Commission (ZHRC) Executive Secretary, Mrs Makanatsa Makonese has paid tribute to members of the Commission for working tirelessly in order to

ensure that a fully functional National Human Rights Institution is in place.

Mrs Makonese said experience has shown her that it is difficult especially for countries within the SADC Region to set up a vibrant National Human Rights body. She said this at her swearing in ceremony held at the ZHRC Head Office in Harare on 6 January 2017.

"I think what remains for us as we go forward is basically,

to ensure that after establishing ourselves as an institution, we are available, we are responsive and we are able to address the human rights needs of the citizens of Zimbabwe and it should not be a very difficult function for us from what I have seen because I believe we have a very strong team in place that is able to discharge those functions as provided for in the law and Constitution of Zimbabwe," said the experienced lawyer in her acceptance

remarks.

Prior to joining ZHRC, Mrs Makonese worked in a similar capacity for the SADC Lawyers' Association for more than five years. She replaces Ms Jester Charewa who left the Commission to join the High Court bench. Since then, the Deputy Executive Secretary for Programmes, Mr Vengesai Erick Mukutiri had been holding fort in an acting capacity. Well done Mr Mukutiri!



Congratulations to Mr and Mrs Chikuvadze who tied the knot in Harare on 17 December 2016. The groom, McDonald, is a Records Assistant at ZHRC Head Office.

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International Human Rights Day Commemoration (2016) lives up to its billing

The International Human Rights Day 2016 lived up to expectations when it was celebrated at Mkoba Stadium in Gweru on 10 December 2016.

The commemoration activities included participation by the Commission on the television programme, Good Morning Zimbabwe, jingles on Star FM and Radio Zimbabwe, live coverage of the event by ZI FM Stereo, newspaper supplements in the Chronicle and Newsday as well as pre-event road and live performances by Iyasa and other groups. This year commemorations were held under the theme: **“Stand up for Someone’s Rights Today!”**

The theme called on everyone to stand up for someone’s rights as many people, the world over, are fearful about the way the world is heading. This is evident as human values



Chairperson Elasto Hilarious Mugwadi spoke about Child Rights live on ZI FM on International Human Rights Day (2016)

have come under attack. Disrespect for basic human rights continues to be widespread in all parts of the globe. Extremist movements subject people to horrific violence while messages of intolerance and hatred prey on people’s fears. The theme resonated with the ZHRC constitutional mandate to stand up for the rights of all people in Zimbabwe. The achievements of the International Human Rights Day included attendance to witness the occasion by an estimated 1200 people while millions others were reached through electronic

and print media. The commemorations also received live coverage on Zi FM Stereo radio station, National FM, Zimbabwe Television as well as microblogging site, Twitter. The International Human Rights Day provided a platform for 10 human rights organisations and ZHRC to exhibit their work to members of the public and distribute IEC materials as well as disseminate information on human rights. The ZHRC distributed a total of 1500 T shirts, 1250 Declaration of Rights in English, 1250 Declaration of Rights in Shona, 350

Declaration of Rights in Ndebele, 1250 brochures on the Establishment, Mandate and Work of ZHRC, 1250 Complaints Handling and Investigation Brochures – English and 350 Complaints Handling and Investigations - Ndebele. In addition, the event served as an opportunity for ZHRC to engage Midlands stakeholders to reflect on the status of human rights in the province. It also facilitated the forging of partnerships with various organisations in Midlands which are useful especially at a time the Commission is not yet fully

decentralised. The Guest of Honour, Honourable Sithembiso Nyoni, Minister for Small and Medium Enterprises and Co-operative Development launched the Universal Declaration of Human Rights in Shangani and Venda produced by the United Nations Information Centre (UNIC). The event was also attended by officials from Government Ministries, Civil Society Organisations, Development Partners and ordinary citizens from Gweru.

Stakeholders contribute to the monitoring of institutions

The ZHRC held a feedback meeting on the 1st of December 2016 at Cresta Oasis Hotel with seventy five stakeholder representatives from the Mental Health and Prisons Institutions.

The meeting was attended by representatives from Parliament, Government, Development Partners and Civil Society Organisations. The objectives of the meeting were to share findings on the missions conducted by the ZHRC to Mental Health Institutions and Prisons so as to map a way forward on how prisons and Mental Health Institutions can be improved, as well as to come up with a shared understanding on the conditions of prisons and mental health institutions and how best to address the challenges they experience.

Stakeholders dialogued on the financial constraints being experienced by the institutions. This has negatively affected the provision of basic necessities for the welfare of prisoners and mental health patients. Mental Health Institutions indicated that shortages of sedative drugs present a threat to both the patients and health personnel. Prisons highlighted that inmates did not have adequate food, clothing, bedding, toiletries, detergents and medication. Some prison institutions faced water challenges, which needed urgent attention. All the challenges raised were related to limited disbursement of funds provided by Treasury to these institutions. The outcome of the meeting was a draft action plan with recommendations to relevant stakeholders towards improvement of conditions in prisons and health facilities.



A Prison Official giving a presentation at the Consultative Meeting on Prisons and Mental Health Institutions Findings

ZHRC comes to pensioner's rescue

The Zimbabwe Human Rights Commission (ZHRC) continues to impact positively on people's rights by successfully handling complaints brought before it.

One such case is that of a pensioner who retired from the City of Harare in 2014 after reaching the age of 60, who had been failing to get his pension benefits from his former employer. By May 2016, he had not yet received his pension although in

a letter dated 18 March 2014 he had been advised that the Council had engaged the Local Authorities Pension Fund (LAPF) to expedite the processing of his pension.

The pensioner alleged that he was being referred back and forth by Harare City Council and LAPF with the former stating that he should claim his pension from LAPF. LAPF, in turn, argued that Council was not remitting pension contributions for its employees over the years so the complainant could

not claim from it. The complainant viewed the conduct of the City of Harare and LAPF as a violation of his right to property, in particular pension benefits as provided for in terms of Section 71 of the Constitution, hence he lodged a complaint with ZHRC.

ZHRC engaged the City of Harare and LAPF in May 2016. A follow-up was made in June 2016 and the complainant was paid his pension on 19 July 2016.

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The Commission in Pictures...



Left - Some ZHRC Commissioners pose for a photo with the Director of Programmes and the newly appointed Executive Secretary (third from the right) after the latter's swearing in in January 2017.

Below - Participants at the Train the Trainer 2 Course held in Kadoma embark on a group discussion.



Top - A depiction of violence portrayed through music and drama during the International Human Rights Day celebrations 2016 in Gweru.



Bottom - The ZHRC stand at an exhibition at Harare Gardens



Above from left to right - Commissioner Sheila Matindike and Commissioner Kwanele Muriel Jirira (front row) at the International Human Rights Day.

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For Human Dignity

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How to lodge a complaint in brief

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

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

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

ZHRC not an NGO

Zimbabwe Human Rights Commission (ZHRC) is increasingly becoming concerned about the misrepresentation of facts by the media, regarding its mandate and activities.

Such misrepresentations, whether deliberate or not, do not auger well for the Commission. ZHRC is a National Human Rights Institution

(NHRI) which was established under Section 242 of the Constitution of Zimbabwe. It is an independent Commission whose main mandate is to protect, promote and enforce human rights. ZHRC was created by the Global Political Agreement which was signed by the three major political actors namely ZANU (PF) and two MDC formations in this country in 2008 and was given effect by Constitutional Amendment No. 19 and specifically section 100R of the former Constitution.

Sections 242-244 of Chapter 12 of the Constitution of Zimbabwe Amendment (No.20) Act 2013, on the ZHRC, spell out the composition and functions of ZHRC. It is operationalised by the Zimbabwe Human Rights Commission Act Chapter 10:30 which was promulgated on 12th October, 2012. As such, ZHRC is not a Non Governmental Organisation (NGO) as some sections of the media would want Zimbabweans to believe. ZHRC carries its mandate independently in line

with the Paris Principles which guide the operations of NHRIs. The Commission would also like to correct a misconception doing rounds that parliament has in the past 'ignored' its annual reports. The truth of the matter is that ZHRC submits the reports to the line Ministry which is the Ministry of Justice, Legal and Parliamentary Affairs and it is the discretion of the Minister responsible, who in this case is Vice President Emmerson Mnangagwa, to present them to

Parliament. Although none of the reports from ZHRC has found its way to Parliament, the Commission would not want to speculate the reasons for non tabling. ZHRC urges the media to always verify information which they are unsure of from the Commission to avoid spreading incorrect information.