



NATIONAL
TRANSITIONAL JUSTICE
WORKING GROUP
ZIMBABWE

NPRC WATCH

Stakeholders, Friends, and Partners

ANALYSIS ■ PROFILES ■ NEWS ■ RECOMMENDATIONS ■ PARTICIPATION

October and November 2020 Consolidated Newsletter

In this Edition

As the year 2020 draws to a close it is important to keep abreast with the developments in the transitional justice sphere and identify opportunities for furthering the transitional justice agenda in the coming year. This year has been characterised by virtual engagements and very limited physical engagements which have resulted in transitional justice stakeholders having restricted access to survivors in the most remote parts of the country. However, in October and November 2020 this changed with the National Peace and Reconciliation Commission (NPRC) resuming its normal programming and either going into communities or preparing to do so. The National Transitional Justice Working Group (NTJWG) implores the NPRC and other transitional justice actors across the country that may have or are planning to resume their usual programming to ensure that they protect themselves and their constituents in their engagements by adhering to COVID-19 safety regulations.

The NTJWG continued to monitor transitional justice developments in the country in the past two months with a focus on activities of the NPRC and other transitional justice actors that have an impact on the transitional justice agenda in Zimbabwe. These developments have been packaged for you in this newsletter so that you get the full picture of the transitional justice landscape in the country. In this newsletter, we highlight the activities of the NPRC and also share some of our activities. We welcome your feedback and urge you to stay safe as COVID-19 is still an issue of concern in the country with increasing cases of infections.

NPRC ACTIVITIES

NPRC Hosts Training Workshop for Enumerators

On 14 October the NPRC conducted an enumerators' training workshop for a Conflict Mapping Baseline Survey which the NPRC will be conducting in the Midlands and Masvingo Provinces. The training was aimed at capacitating enumerators that will go into the field to speak to survivors about their experience with conflict and their expectations of the NPRC. This survey will assist the NPRC in planning its interventions in communities so they can adequately address the needs of survivors. A conflict mapping exercise is key to informing the NPRC's interventions to address conflict in Zimbabwe and the NTJWG commends the NPRC on its initiative to train and capacitate the enumerators that will conduct this important exercise. Such an exercise has the potential to re-traumatise survivors of conflict and violence as such it is crucial for those that will be deployed to engage survivors to be trained on how to carry out such engagements in a manner that will not cause further harm and trauma.

Information Dissemination on the NPRC's Investigative Functions

As part of the NPRC's efforts to disseminate information on its work and mandate in October officials from the NPRC's Complaints Handling and Investigations Department was in Mbare and Epworth in Harare and Chitungwiza. During these visits, the NPRC collaborated with the Centre for Conflict, Management, and Transformation and convened meetings in which the NPRC officials explained to members of the public the investigative functions of the Commission. In particular, the NPRC highlighted how complaints may be lodged with the NPRC and who may lodge complaints. The NTJWG welcomes the NPRC's efforts to increase its visibility and encourages the NPRC to carry out similar engagements in different parts of the country for wider information dissemination. Furthermore,

the NTJWG commends the collaboration between the NPRC and the Centre for Conflict, Management, and Transformation. Such collaborations between official and non-official transitional justice actors are key to the adoption of a comprehensive national approach to transitional justice that will facilitate national healing and sustainable peace. To know more about the NPRC's protocol for complaints handling and investigation visit this <http://www.nprc.org.zw/complaints-handling-and-investigations-protocol-2/>

Publication of the NPRC's Annual Reports

The NTJWG notes that by the end of October 2020, the NPRC had published its 2018 and 2019 Annual Reports. This is a welcome development that will enable stakeholders particularly survivors to interact with the NPRC's report and reflect on the recommendations made by the NPRC. While the reports were presented to Parliament and published late contrary to the NPRC's constitutional obligations, the NTJWG welcomes their eventual publication. Looking towards the future, the NTJWG urges the NPRC to ensure timely compliance with its reporting obligations. According to section 323 of the Constitution every Commission including the NPRC must submit to Parliament, through the responsible Minister, an annual report describing fully its operations and activities, the report being submitted not later than the end of March in the year following the year to which the report relates. Section 16(7) of the NPRC Act [Chapter 10:32] further obliges the NPRC to make public the Annual Report and any other reports expected to have been presented to Parliament thirty days after the Minister is expected to have presented it to Parliament. The presentation of the NPRC's annual report to Parliament and the publication of the annual report is an obligation that must be fulfilled promptly every year to ensure that the NPRC accounts to the people of Zimbabwe on what it will have done in the previous year and the areas it identified as requiring legislative or policy reform as well as any other issues of interest that the NPRC will have identified. To read the 2018 report please visit <http://www.nprc.org.zw/nprc-2018-annual-report/> and for the 2019 report visit <http://www.nprc.org.zw/nprc-2019-annual-report/>

Stakeholder Sensitisation Workshop on Conflict Early Warning and Early Response System

On 11 November, the NPRC's thematic committee on Prevention and Non-Recurrence conducted a sensitisation workshop for partners and stakeholders on the NPRC's Conflict Early Warning & Early Response system. In setting up the system, the NPRC aims to detect areas or hotspots of potential conflicts and mobilize for timely response before the occurrence of the conflict; empower individuals and communities threatened by peace and security threats to act in sufficient time and an appropriate manner to reduce the possibility of violence; promote a shared assessment of conflict risks and stimulate timely relevant and coherent response to prevent the emergence, re-emergence or escalation of violence; and enhance collaboration and coordination proceedings between authorities and the population to share information and align response capability at the time of receiving an early warning. The NTJWG welcomes this initiative by the NPRC which could provide valuable insights that will help the NPRC to anticipate conflict and act to prevent tensions from growing into a full-blown conflict that is characterised by violence.

NTJWG ACTIVITIES

Transitional Justice Policy Reflective Meeting

On 18 November, the NTJWG met with representatives from the Parliamentary Portfolio Committee on Justice, Legal and Parliamentary Affairs and from the Senate Thematic Committee on Human Rights. During the meeting, the NTJWG presented a policy paper and policy brief on reparations in Zimbabwe and made recommendations on how a policy on reparations in Zimbabwe may be formulated and what should be addressed in such a policy. The meeting presented an opportunity for the NTJWG and Parliament to share ideas on how they can work together to facilitate the formulation and implementation of a national reparations policy.

Presentation of the Parliamentary Briefing for the Fourth Quarter of 2020

On 24 November, the NTJWG met the Parliamentary Portfolio Committee on Justice, Legal and Parliamentary Affairs to present the final NTJWG Parliamentary Briefing for 2020. In the briefing, the NTJWG highlighted its concerns on the Executive's involvement in exhumations processes, the need for Parliament to ensure that the Act establishing the Independent Complaints Mechanism is enacted in line with the provisions of the Constitution, and the need for Parliament to ensure that the NPRC is adequately funded among other issues. During the meeting, the Parliamentarians implored the NTJWG to share information on stakeholder and survivor expectations regarding the establishment of the Independent Complaints Mechanism taking into consideration best practices and lessons from other countries.

NTJWG on the Airwaves

Radio Program on Gender Mainstreaming in Peace and Reconciliation Processes

On 8 October, the NTJWG hosted a radio program on gender mainstreaming in peace and reconciliation processes. The panelists for this program were Mr. Dzikamai Bere from ZimRights, Ms. Abigail Matsvai the NTJWG Thematic Leader on Gender, and Ms. Virginia Muwanigwa the Chief Executive Officer of the Gender Commission of Zimbabwe. The panelists discussed the need to ensure gender mainstreaming in peace and reconciliation processes. They also focused on how section 9 of the NPRC Act can be implemented and how the NPRC can collaborate with civil society and other independent Commissions to ensure gender mainstreaming in its programming.

Doing No Harm in Transitional Justice Processes in Zimbabwe

The NTJWG hosted a radio program to discuss how transitional justice processes can be carried out in a manner that does not cause further harm to survivors on 13 October. The panelists were Ms. Samukelio Khumalo the NTJWG Independent Expert on Gender, Ms. Sindiso Nxumalo, a trained NTJWG survivor, and Reverend Sithole the NPRC Provincial Peace Committee Chairperson for Matabeleland North. During the program, the panelists highlighted the need for the NPRC and other transitional justice stakeholders to ensure that they involve survivors at the inception and design of their programs to minimise the risk of harm being done to survivors when transitional justice programs are implemented in their communities. Radio Program on the Role of Traditional Leaders in Peace and Reconciliation Processes

Noting the increased discourse on the role that must be played by traditional leaders in the exhumations and reburials of the remains of victims of past human rights violations, on 29 October the NTJWG hosted a radio program to discuss the role of traditional leaders in peace



64B Connaught Road Avondale Harare; Tel: +263 8677008773

Email: info@ntjwg.org.zw; www.ntjwg.org.zw

@ntjwgzimbabwe

ntjwg



**NATIONAL
TRANSITIONAL JUSTICE
WORKING GROUP
ZIMBABWE**

NPRC WATCH

OCTOBER AND NOVEMBER 2020 CONSOLIDATED NEWSLETTER

Stakeholders, Friends, and Partners

ANALYSIS ■ PROFILES ■ NEWS ■ RECOMMENDATIONS ■ PARTICIPATION

and reconciliation processes. The panelists were Dr. Musa Kika from the NTJWG Secretariat, Ms. Jestina Mukoko from the Zimbabwe Peace Project, and Chief Nembire a traditional leader. Among the emerging issues were denials by traditional leaders of allegations of partisan distribution of food aid. Chief Nembire indicated that he believes that this is not a problem in Zimbabwe but rather it is a figment of the imagination of the media. The panelists and listeners encouraged traditional leaders to create platforms for informed dialogue in their communities.

Radio Program in commemoration of the International Day for Tolerance

On 16 November, the NTJWG joined the rest of the World in commemorating the International Day of Tolerance. To commemorate this day the NTJWG hosted a radio program to discuss how to build tolerance in Zimbabwean communities. The panelists for this program were Ms. Moreblessing Manenji from the National Association of Non-Governmental Organisations, Mr. Zivanai Muzorodzi from Community Tolerance Reconciliation and Development, and Mr. Samuel Matsikure from GALZ, an association of LGBTQI people in Zimbabwe. The panelists discussed the need to ensure for local, national, and political leaders to be in the forefront in advocating for a tolerance of diverging views in the country to foster better tolerance and less violence motivated by different opinions on issues, particularly politics. Furthermore, they implored politicians to be exemplary to their supporters in their conduct by no using intolerant language when addressing their opponents and their supporters. The panelists also discussed the need for communities in Zimbabwe to be more tolerant of people in the LGBTQI community and recognise they have equal rights to all other people in Zimbabwe and must be treated with equal respect.

Survivors' Radio Program Campaign

Since the national lockdown was put into effect, the NTJWG had to restructure some of its programs. One of the affected programs were the community dialogues that the NTJWG was convening in different communities across the country to concertise survivors on the mandate of the NPRC. In the past two months, the NTJWG began hosting the survivor radio program campaign aimed at creating a platform for survivors and other stakeholders to engage in sustainable dialogue and debate on critical transitional justice issues.

From October to November the NTJWG carried out a total of eight radio programs as part of this campaign in Bulawayo, Harare, Masvingo, Mashonaland East, and West, as well as Matabeleland North and South. The radio program series was made-up of several radio program sessions, each with three panellists who focused on the NTJWG's thematic areas of Memorialisation, the Promotion of Truth, Justice and Accountability, Institutional Reforms, and Gender. The panellists included NTJWG stakeholders from -organisations such as Christian Alliance, Habakkuk Trust, Emthonjeni Women's Forum, Zimbabwe Political Victims Trust Foundation, National Association of Non-Governmental Organisations, and survivors selected from each region.

To listen to the above radio programs and any other radio programs hosted by the NTJWG please visit <https://soundcloud.com/user-575637068-15080092/tracks> please feel free to get in touch with us with your views about the issues raised in any of the NTJWG's radio programs.

NTJWG Publications

Third Quarter of 2020 Parliamentary Briefing

Following the NTJWG's meeting with the Parliamentary Portfolio Committee on Justice Legal and Parliamentary

Affairs on 30 September 2020, the NTJWG published the Parliamentary Briefing for the third quarter of 2020 on 11 October. The briefing details the discussions the NTJWG had with the Parliamentary Portfolio Committee regarding the recommendations made by the NPRC in its 2018 and 2019 reports that were presented to Parliament. During the presentation of the briefing, the NTJWG reiterated the NPRC's recommendation that there is a need for a policy framework to be put in place before exhumations of the remains of victims of human rights violations may be carried out. The NTJWG discussed the NPRC's recommendation that a law be enacted to criminalise the use of hate speech. In the discussion, the NTJWG cautioned against the enactment of additional laws when the existing laws may adequately deal with the problem of hate speech if implemented fully. To read this briefing visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/11/Third-Quarter-2020-Parliamentary-Briefing.pdf>

First to Third Quarter of 2020 Executive Briefing

After numerous unsuccessful efforts to meet representatives from Vice President Kembo Mohadi's office to present the Executive Briefing for the first to third quarters of 2020, the NTJWG published the briefing on 18 October. In the briefing, the NTJWG drew the Executive's attention to concerns about its response to COVID 19 pandemic particularly the rampant corruption and human rights violations that marred the response. The NTJWG also condemned the demolitions that the Government of Zimbabwe (GoZ) instructed local authorities to carry out during the national lockdown which led to the destruction of tuckshops and vending stalls which citizens used to earn a living. The NTJWG noted that the destruction bore an eerie resemblance to Operation Murambatsvina which affected thousands of Zimbabweans and still has not to be addressed. The briefing also pointed out that the GoZ's active leadership of consultations in the Matabeleland and Bulawayo Provinces on exhumations of the remains of the victims of Gukurahundi was irregular and amounted to usurping of the mandate of the NPRC. The NTJWG, therefore, urged the GoZ to step back and allow the NPRC to lead the process then support the NPRC's initiatives. In the briefing, the NTJWG also called for more tolerance from national leaders urging them to desist from using hate speech to address dissenting voices. To read the full briefing visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/11/First-to-Third-Quarter-2020-Executive-Briefing.pdf>

Third Quarter NPRC Briefing

On 25 October, the NTJWG published its NPRC Briefing for the third quarter of 2020. In the briefing, the NTJWG noted that in both its 2018 and 2019 Annual Reports the NPRC had identified the use of hate speech as a driver of conflict in Zimbabwe which leads to the incitement of violence and breeds intolerance. The NTJWG highlighted that it and some of its stakeholders had recently lodged complaints with the NPRC regarding the use of hate speech and requested that these complaints be investigated and for the NPRC to provide the complainants with the necessary updates on the progress of the investigations. The NTJWG noted the engagement between President Emmerson Mnangagwa and Matabeleland civil society organisations to discuss the issue of Gukurahundi. Of concern to the NTJWG was the lack of involvement of the NPRC in the consultations, the NTJWG, therefore, implored the NPRC to guard against usurping its mandate and take a leading role in the process. The NTJWG also discussed the recommendations made by the NPRC in its 2018 and 2019 report and encouraged the NPRC to resuscitate its efforts to facilitate a broad-based national dialogue process. To read this briefing visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/11/Third-Quarter-2020-NPRC-Briefing.pdf>

State of Transitional Justice Report

On 27 October, the NTJWG launched its 2019 State of Transitional Justice Report. This report is a culmination of the NTJWG's efforts to monitor national, regional, and international transitional justice developments emanating from the year 2019. Some of the NTJWG's key findings in the report were that there has been no traction in establishing outstanding constitutional transitional justice bodies like the Independent Complaints Mechanism; recommendations made by the Motlanthe Commission have not been implemented especially recommendations relating to compensation for victims; the NPRC failed to meet its reporting obligations for 2018 within the timeframe stipulated by law, and the lack of funding hampered the full implementation of the NPRC Strategy including establishing a competent Secretariat. To address the findings and concerns highlighted in the report the NTJWG made the following recommendations among others the GoZ should fully implement the recommendations made by the Motlanthe Commission of Inquiry; there should be increased funding and support for the NPRC; the Independent Complaints Mechanism must be urgently established as provided for under section 210 of the Constitution. To read the full report visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/10/State-of-Transitional-Justice-in-Zimbabwe-2019lr.pdf>

Press Statement on Proposed Law

On 6 October, the NTJWG published a press statement on the proposed law to criminalise "campaigning against the country". This followed an article published in the Sunday Mail newspaper on 4 October 2020, Cabinet will soon consider the principal framework of a proposed law that will criminalise and impose stiff penalties for "campaigning against the country" through private correspondence by private citizens with foreign governments and harming national interests. The NTJWG called upon the GoZ to halt all plans to enact this proposed law and prioritise the respect, promotion, and protection of human rights in Zimbabwe. To read the full statement visit <https://www.facebook.com/NTJWZim/photos/pcb.3456103954469194/3456080984471491/>

NTJWG 2019 Annual Report

On 9 November the NTJWG launched its 2019 NTJWG Annual Report highlighting the activities that were carried out by the NTJWG in 2019, the opportunities, challenges, failures, and successes. Among the key activities carried out by the NTJWG in 2019 were the community dialogues that the NTJWG carried out in communities across the country. These dialogues were aimed at building survivor knowledge on the mandate of the NPRC to ensure effective engagement of survivors with the NPRC. The NTJWG also trained identified survivors who led the community dialogues in their communities as a way of building the capacity of survivors not just to participate but to also lead transitional justice processes. To read the full report visit <https://www.ntjwg.org.zw/wp-content/uploads/2020/11/NTJWG-Annual-Report-2019lr.pdf>



About this briefing

Please share with us your feedback on the content that we have just shared with you. To view or download this briefing online click: <http://www.ntjwg.org.zw/publications.html>.



64B Connaught Road Avondale Harare; Tel: +263 8677008773

Email: info@ntjwg.org.zw; www.ntjwg.org.zw

@ntjwgzimbabwe

ntjwg