**COMMISSIONS WATCH 2/2020**

**ZIMBABWE HUMAN RIGHTS COMMISSION**

**[25th February 2020]**

**Parliament Invites Public to Nominate Candidates for Appointment**

**to the Zimbabwe Human Rights Commission**

Section 242 of the Constitution establishes the Zimbabwe Human Rights Commission.  The Commission has:

1. a chairperson appointed by the President after consultation with Parliament’s Committee on Standing Rules and Orders [CSRO]; and
2. eight other members appointed by the President from a list nominees submitted by the same CSRO.

**Four Vacancies Coming Up in May**

The terms of office of four of the current members of the Commission are due to expire on 6th May 2020: Deputy Chairperson Dr Ellen Sithole, Mr Japhet Ndabeni-Ncube, Ms Kwanele Muriel Jirira and Dr Joseph Kurebwa.  All four are founder members of the Commission and will have served two-five year terms by 6th May.

 With commendable appreciation of the need for early action on its part, the CSRO has already published advertisements announcing the forthcoming vacancies and calling on the public to nominate suitable persons for appointment by the President to fill the vacancies.  The complete advertisement is set out at the end of this bulletin for information, but Veritas takes the opportunity to emphasise that:

1. there is a deadline – nominations must be received at Parliament **before end of business hours on Friday 13th March 2020**, which is just over two weeks from now;
2. an official nomination form must be used – this may be obtained from Parliament [details in the advertisement] or can be downloaded from the Veritas website *[*[*link*](http://www.veritaszim.net/node/3934)*]* – and a separate nomination form must be used for each nominee.
3. how to submit nominations is explained in the advertisement [email can be used].

**Other Relevant Points for Would-be Candidates and their Nominators**

Ineligible persons [Constitution, section 320(3)]

The following persons are not eligible for appointment: members of Parliament, members of provincial or metropolitan councils, members of local authorities [city and town councillors, local board members, rural district councillors] and members of government-controlled entities [board members of parastatals and government-controlled companies].

Commission members to be non-political  [Constitution, section 236]

Commissioners must not, in the exercise of their functions, act in a partisan manner, further the interests of any political party or cause, prejudice the lawful interests of any political party or cause, or violate the fundamental rights or freedoms of any person.

A member of a political party or organisation may be appointed to the Commission, but must without delay and in any event within thirty days of appointment relinquish the membership – failure to relinquish within 30 days means automatic and immediate forfeiture of the appointment.  If a Commission member becomes a member of a political party or organisation, he or she immediately ceases to be a  Commission member.

Term of office and remuneration  [Constitution, section 320)

The term of office is five years, renewable only once.  Remuneration, allowances and other benefits are fixed by or under an Act of Parliament; remuneration must not be reduced during a member’s tenure of office.

**What Happens after Parliament Receives Nominations?**

Section 242(1) of the Constitution spells out what must happen after the CSRO receives nominations.

Once nominations have been received from the public, the CSRO will have to conduct public interviews of prospective candidates, prepare a list of nominees for appointment, and then submit the list to the President.  The list must contain at least six nominees – “at least six” because section 242(1) would require at least twelve nominees if there were eight vacancies to be filled.

The President can choose any four appointees from the list submitted but his choice is restricted to the persons on the list – and there is no provision allowing the President to request the Committee to compile a fresh list. l

Like all constitutional obligations, each step in the appointment process *“must be performed diligently and without delay”* [Constitution, section 324].

**Parliament’s Advertisement**

**CALL FOR PUBLIC NOMINATIONS FOR PERSONS TO SERVE ON THE ZIMBABWE HUMAN RIGHTS COMMISSION**

The Committee on Standing Rules and Orders (CSRO) of the Parliament of Zimbabwe is mandated in terms of sections 237, 243 and 244 of the Constitution, to nominate candidates for appointment by His Excellency, the President, to serve as Commissioners on the **Zimbabwe Human Rights Commission** as provided for in Chapter 13 Part 5 of the Constitution.

Four (4) vacancies will arise in the Zimbabwe Human Rights Commission on **6th May, 2020**, which is the expiry date of the term of office for four (4) current Commissioners. Accordingly, the Committee on Standing Rules and Orders is hereby calling on the Public to nominate persons to be considered for appointment to this Commission.

The functions of the Commission and the person specifications are given below.

**1.      ZIMBABWE HUMAN RIGHTS COMMISSION**

**Functions of the Zimbabwe Human Rights Commission (sections 243 and 244 of the Constitution)**The Zimbabwe Human Rights Commission has 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 the Commission considers appropriate;

(e)    to protect the public against abuse of power and maladministration by 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—

                     prisons, places of detention, refugee camps and related facilities; and

                     places where mentally disordered or intellectually handicapped persons are detained; in order to ascertain the conditions under which persons are kept there, and to make recommendations regarding those conditions to the Minister responsible for administering the law relating to those places.

**Person Specifications**

* Members of the Zimbabwe Human Rights Commission must be chosen for their integrity and their knowledge and understanding of, and experience in, the promotion of human rights.
* **Number of vacancies – four (4).**

Nomination material must consist of a typewritten submission of no more than two A4 pages long stating why the person nominated is a suitable candidate together with a completed nomination form which can be obtained at Parliament Offices **(Counsel to Parliament – 3rd Floor Room 306 or Human Resources – 4th Floor Room 405)** or downloaded from the website: [www.parlzim.gov.zw](http://www.parlzim.gov.zw)

Nominations must be addressed to the Clerk of Parliament in sealed envelopes clearly marked with the name of the Commission. These may be emailed to hrvacancies@parlzim.gov.zw, posted, or hand delivered to:

**The Clerk of Parliament**

**Parliament of Zimbabwe**

**Parliament Building**

**Cnr. Kwame. Nkrumah Avenue and Third Street**

**P.O. Box CY 298**

**Causeway, Harare**

Closing date for the submission of nominations is end of business hours on Friday 13**th**March 2020.

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