



NATIONAL TRANSITIONAL JUSTICE WORKING GROUP ZIMBABWE

Community Dialogue on the Mandate of the NPRC Report

Where: Mbowane Line, Tsholotsho, Ward 15.

When: 27/09/2019.

Time: 8:30am to 2:00pm.

Introduction

On 5 January, 2018 the Government of Zimbabwe gazetted the National Peace and Reconciliation Commission Act (NPRC Act), operationalising the National Peace and Reconciliation Commission (NPRC). Following the operationalization, the NPRC convened consultative meetings across the country with survivors on key issues pertinent for the NPRC to cover. The NTJWG has continuously monitored the work of the NPRC since January 2018. Following the need to develop an extensive tool for survivors to raise awareness of work of the NPRC, the NTJWG developed a trainers' and participants' manual for survivors/victims so that they have a basic understanding and engage in the work of the NPRC.

On 30 August, 2019 the NTJWG undertook a capacity-building workshop for twenty-four survivors selected from the ten provinces in Zimbabwe. The survivors were trained in sensitisation and awareness raising around the work of the NPRC which they are now expected to disseminate at community levels. This process will also feed into the NPRC monitoring and evaluation work of the NTJWG.

In this regard, the NTJWG convened a community dialogue to build the capacity of communities on the work of the NPRC. This prepared communities at ward level to be active participants and be involved in the work of the NPRC, and to contribute through the NTJWG, to influence the NPRC's interventions ensuring that they are victim-centred.

Objectives

- To enhance victims' understanding of the NPRC process and motivate communities to participate, document and put in place measures to ensure the participation of survivors in ensuring non-recurrence of past violations.
- To equip communities with tools and information for effective participation in the peace and reconciliation processes and
- To provide survivors of past violations with relevant knowledge on the national peace and reconciliation process in order to ensure and encourage informed engagement with the NPRC.

Methodology

The NTJWG convened a meeting with survivors based in Tsholotsho, Ward 15 on 27 September, 2019 bringing together 31 participants. 11 were male and 20 were female. 3 men were from the NTJWG Secretariat. This shifted our focus from the traditional survivors which the NTJWG has been working with in the past to engaging communities which have been doing TJ work in their communities who will be engaged for further initiatives in the future. The NTJWG seeks to activate survivors at Ward-level and make the entire TJ process in Zimbabwe victim-centred.

Engaging survivors at this juncture is important because the NPRC has also commenced consultative meetings, basis truth-telling and truth-seeking initiatives and it is important to disseminate the mandate of the NPRC so that survivors can effectively engage official TJ process in Zimbabwe. Survivors can even go further and present their challenges to PPCs. It is important to ensure that survivors are equipped with the necessary skills to engage the NPRC processes when they visit their areas.

NPRC processes should be victim-centric, thus survivors should be equipped with the right information and knowledge when approaching the Commission. The community dialogue created a platform for survivors to share their experiences and what they think about the official TJ processes in Zimbabwe. The dialogue allowed survivors to identify gaps, challenges, successes and recommendations for the Commission. Issues raised by survivors will also be utilized by the NTJWG to compile a holistic report for advocacy purposes.



Figure 1: Participants singing at the start of the community dialogue in Tsholotsho.

Expectations from the dialogue

Mr. Wellington Nkai, representative of survivors in the NTJWG and one of the trainees, opened the session by probing expectations from participants. He started by unpacking the Constitutional process which set the pace for the development of a framework for the NPRC. This process paved way for discussions on *Gukurahundi*, political, violence, operation *Murambatsvina*, among others.

Through the Constitution, the NPRC is mandated to deal with these and other issues for a period of ten years. Participants expected the following:

- More work needs to be done in the rural areas where violations occurred;
- Participants expected to have a better understanding of the mandate of the NPRC's mandate and know who to approach to convey their experiences.
- Participants also expected to see movement after the community dialogue, such as seeing the NPRC coming to their communities to engage them and also complying with its Constitutional mandate.

Unpacking human rights and the NPRC's mandate

Sindiso Nxumalo, one of the trainees on 30 August 2019, opened the session by unpacking human rights. This was an important process to chastise participants with information on human rights as TJ is an element of human rights. This enabled survivors to also be able to establish the link between conflict, human rights and TJ.

She illustrated conflict by using a picture which some see as a person's face whilst others see as animals and trees. She emphasised that conflict emanates from a situation in which people see things differently and might degenerate into violence or progress. One of the participants noted that in cases where there is acute disagreements, there is need for a mediator to diffuse violent confrontations. Participants indicated that dialogue always resolve conflict by enabling both parties to share their grievances and reconcile. If spaces for dialogue are not opened-up, bitterness will eventually take people to their graves.

This session was ensued by explaining the Chapter four of the Constitution: Bill of Rights. Mr.Nkau and Ms.Nxumalo co-facilitated this session. The rights to life, property, personal liberty, human dignity, personal security, equality and non-discrimination were some of the major highlights of the discussion. These rights were linked to how conflict such as *Gukurahundi* and Operation *Murambatsvina* violated these rights and how everything culminates into the NTJWG's call for compensation, reparations and redress.



Figure 2: Sindiso Nxumalo unpacking human rights and the NPRC's mandate.

This session also revealed to the Secretariat that most people do not know the contents of Chapter 4 which also affects how people exercise and claim their rights. Mr.Nkau emphasised that human rights that were violated during upheavals can be redressed by approaching the courts, Chapter 12 Commissions and the police for redress.

Mr.Nkau put emphasis on the Commission's mandate to deal with the past, promote peace, support democracy and entrench a culture of human rights as articulated under Section 252. Against this background, the Commission is mandated to carry-out its work by being victim-centred and is obligated to be accountable and accessible to all citizen particularly those who are survivors of past atrocities. He added that its main concern, as outlined under section 52 of the Constitution, is to ensure post-conflict justice, peace, healing and reconciliation.

Mr.Nkau then highlighted that Commissioner Lesley Ncube oversees the Matabeleland provinces and is also chairing the Provincial Peace Committee (PPC) for the same. He added that he can be approached and appraised on the problems communities are facing due to past conflicts.

Why Zimbabwe needs the NPRC:

This session engaged survivors on why Zimbabwe needs the Commission. Mr. Nkau guided participants in this discussions and the main issues that came out of the discussion were:

- We need the Commission to facilitate an apology for violations of the past.
- The Commission is needed for the restoration of the dignity of Ndebele people.
- The Commission is critical for information gathering.
- The NPRC needs to know and also educate the public on what happened in Matabeleland and when it happened, who was affected and how this can be resolved.
- The NPRC is needed to create safe spaces for people where they can share their experiences and get healing.

The Secretariat distributed 31 Guides to understanding the NPRC and 24 participants manuals so that participants familiarise themselves with the NPRC then they use the participant's manual to disseminate that information to others in the community. The NTJWG anticipates the project to have a ripple effect by raising awareness on the work of the NPRC in marginalised areas.

Group work

Participants were split into 3 groups. Group 1 focused on a question entitled **"If you have issues related to the NPRC, how do you approach the Commission?"**



Figure 3: Participants discussing question 1.

- Contact the NPRC in Bulawayo. However, the Secretariat corrected this and noted that offices are yet to be opened in Bulawayo. Survivors can contact Commissioner L.Ncube to convey their issues.
- Participants also listed a number of organisations such as ZLHR, Tree of Life, the Matabeleland South Provincial Peace Committee Vice Chairpersons/committee members, Masakhaneni and Ukuthula Trust, among others.
- Participants also noted that survivors can also use their closest and local resources such as MPs, Councillors, traditional leaders and the NTJWG focal person to reach the NPRC.

Group 2: What are the main issues in your community?



Figure 4: Participants discussing question 2.

The responses that were given by participants are that:

- Unfair distribution of resources, especially jobs and houses along ethnic lines.
- Politically motivated violence as w approach elections.
- Marginalisation of Matabeleland South and underdevelopment.
- Intimidation and fear to speak about pertinent issues.
- Lack of trust and suspicion in the community.

Group 3: How can the NPRC improve in its work?



Figure 5: Participants discussing question 3.

- The NPRC should be seen to be independent and impartial in its conduct.
- The NPRC should adhere to or comply with its mandate as articulated in the Constitution.
- The NPRC should go and meet people at community level where survivors are concentrated and where the real issues occurred.
- The NPRC should commence documenting the experiences of people as some are getting old and might leave with the memory of *Gukurahundi*.
- The NPRC should also facilitate compensation and reparations for survivors whose properties were destroyed and pillaged during political upheavals.

Outcomes

- Enhanced understanding by survivors' of the NPRC process and motivated communities to participate, document through measures that ensure the participation of survivors in ensuring non-recurrence of past violations.
- Equipped survivor groups with tools and skills for effective participation in the peace and reconciliation processes and
- Survivors' informed engagement with the NPRC through information and knowledge-sharing on the national peace and reconciliation process.