



NATIONAL
TRANSITIONAL JUSTICE
WORKING GROUP
ZIMBABWE

Semi-Annual Regional Process Monitoring Meeting Report

1 October 2019

Cresta Lodge, Harare

Introduction

Zimbabwe is currently implementing Constitutional provisions relating to the National Peace and Reconciliation Commission (NPRC) whose lifespan was extended by five years to enable it to fully carry out its mandate. The National Transitional Justice Working Group (NTJWG) has noted with interest key developments such as the appointment of a secretariat for the NPRC, establishment of provincial peace committees and the rolling out of the NPRC outreach program. Concerns have been raised by the NTJWG on the capacity of the NPRC to carry out some of the activities that it has undertaken to carry-out and also the seemingly elusive manner in which the NPRC is carrying out its activities. Also of concern is the increasingly shrinking civic space in which NTJWG stakeholders are operating coupled with the economic hardships plaguing Zimbabwe.

It is in this context that the NTJWG convened a semiannual regional process monitoring meeting for the Harare region on the 1st of October 2019. This was done in a bid to engage with its stakeholders on opportunities and challenges they are having in engaging the NPRC as well as obtaining and disseminating information to the working group.

Objectives

The objectives of the meeting were as follows:

- a. To discuss the NTJWG' s communication strategy with stakeholders in Harare;
- b. To assess what challenges stakeholders are facing in engaging the National Peace and Reconciliation Commission;
- c. To map which stakeholders are involved in transitional justice.

Participants Profile

The meeting was attended by seventeen participants representing twelve organizations. The organizations that were represented are Tree of Life, Heal Zimbabwe Trust, Counseling Services Unit, NANGO, GALZ, Research and Advocacy Unit (RAU), Zimbabwe Democracy Institute (ZDI), VERITAS, Legal Resources Foundation (LRF), ZACRO, Law Society and ZimRights.



Contextual Analysis of the Operating Environment

In the first session of the meeting, participants were invited to discuss the operating environment they are currently working in. This was done to give the NTJWG insight into the issues that stakeholders are currently grappling with in their day to day programming. Participants highlighted the following issues regarding the current operating environment for transitional justice stakeholders:

- The operating environment has been increasingly deteriorating in recent times;
- There is a lot of fear among citizens in discussing transitional justice issues for example Tree of Life was in Tsholotsho recently and noted that there was a lot of fear to discuss issues of Gukurahundi;
- The economic situation is making it difficult for people to participate in civic activities;
- The government has appealed the High Court judgment that extended the lifespan of the NPRC. Participants commented that this appeal is indicative of an attitude of simply giving the impression that efforts to facilitate peace and reconciliation were made without actually having an effective peace and reconciliation process;
- The NPRC is making efforts to engage different stakeholders in its processes. It was however pointed out that the NPRC seems to only engage the same actors in civil society such that time and time again only a handful of the same organizations can interface with the NPRC. An inquiry was made as to whether the NPRC has engaged stakeholders to explain its mandate and strategy at all

since its establishment. It appeared from the discussion that although some organizations had been present when the NPRC has unveiled its strategy others were not;

- The Provincial Peace Committees that the NPRC set up are a welcome step in the right direction and indicate the willingness of the NPRC to decentralize;
- The government seems increasingly intent on over-regulating people and how they exercise their rights;
- The criminal persecution of human rights defenders has become increasingly prevalent;
- The operating environment is unstable and not conducive to the promotion of human rights work. This is amplified by public statements by government officials meant to intimidate NGOs;
- It seems people are willing to engage with the NPRC although they are a bit skeptical about it amidst concerns of governmental interference with the Commission. It was concluded that now would be an ideal time for the NPRC to assert its independence and gain credibility in the eyes of the public;
- The government's intolerance when it comes to day to day issues such as people's freedoms of association and assembly and the human rights violations that occur as a result of the tolerance make it difficult to even begin to address historical violations;
- The space for engagement in communities is shrinking just as much as civil space is shrinking amidst fear of persecution. It was however said that this varies from each community to the next with other communities being more willing to engage while in others the fear is very evident and translates to an unwillingness to engage;
- There is a lack of information in many communities not just on the NPRC but transitional justice issues in a broad sense and
- There is a power matrix that is making it difficult to engage with the public especially in rural communities. It was said that local authorities in some communities intimidate people to stop them from talking about local issues. Participants noted that such intimidation is only possible because the government has fostered a culture of intimidation and instilling fear.

Stakeholder Mapping

The stakeholder mapping exercise was done by asking all the participants to share briefly what their organization does in general, then what they do specifically in the sphere of transitional justice and their geographical sphere of influence. This exercise aimed to give the NTJWG an

appreciation of which of its stakeholders are doing what in terms of transitional justice work. This information is critical for the effective implementation of the NTJWG strategy. The mapping exercise unfolded as follows:

Gays and Lesbians of Zimbabwe (GALZ)

Mr. Samuel Matsikure from GALZ said that the organization is interested in the protection and promotion of the rights of sexual minorities in Zimbabwe and currently works in over twenty sites nationally. Although GALZ is not currently doing much work in the transitional justice sphere it was said that they have every intention of finding out how queer persons can engage in such issues as they have also suffered violations in the past and would have something beneficial to add to transitional justice conversations.

ZimRights

The mandate of ZimRights was said to be the promotion of human rights and advocating for their protection. It was also said that the organization has a national reach. The representative from ZimRights indicated that the organization seeks to remind the NPRC on the need to recognize and respect the dignity of all people. It was however said that ZimRights mainly focuses on present violations and not so much on those of the past.

Legal Resources Foundation (LRF)

Ms. Moreblessing Mbire from LRF indicated that LRF has a national reach and is interested in legal education. She said that although LRF is not currently involved in activities to do with furthering the transitional justice agenda the organization is actively promoting knowledge of human rights which is an indirect contribution. She also said that LRF has been sensitizing traditional leaders on their mandate to help facilitate peace in communities.

Tree of Life

This organization deals with victims of organized violence and torture with a particular focus on their healing. This is done by offering a trauma healing process that caters to individuals but is done in groups. There is also a psycho awareness component to TOL's programs that interrogates what trauma is, what causes it and how traumatized people can be supported. TOL is present in about twenty communities including Harare, Bulawayo, Chegutu, Gwanda, Chitungwiza, Nkayi, Mutoko, Chimanimani, and Murewa. The TOL representative informed the

meeting that the organization is also present in Buhera but has had challenges in carrying out its activities in that area. The TOL representative also said that the organization focuses on restorative justice for victims of past violations. TOL is part of the NPRC Victim Support and Healing Group aimed at supporting victims to go through healing and offering follow up support. TOL is actively engaged in transitional justice issues-particularly in advocating for the best ways the NPRC can carry out its work without doing any harm to victims.

Heal Zimbabwe Trust

This organization was said to be mainly present in rural communities and focusing on peacebuilding work which addresses past violations. In terms of transitional justice, it was said that HZ is mainly interested in restorative justice. This organization also monitors and documents human rights violations as they happen and works towards building early warning systems as well. The HZ representative said that the organization also helps community-based organizations through small grants to set up activities that develop their communities.

Law Society of Zimbabwe

The organization is based in Harare and Bulawayo and exists mainly to regulate the conduct of legal professionals. Ms.Chagadama from the LSZ said that the organization is not directly involved in the transitional justice issue. She pointed out that the LSZ's access to justice program may indirectly assist in transitional justice processes. She said that the LSZ as a stakeholder of the NTJWG is in a unique position to facilitate dialogue between the NPRC and the NTJWG at a high level if there is a need for such facilitation.

VERITAS

Ms. Anesu Chirisa from VERITAS said that the organization is mainly concerned with information dissemination particularly online. She said that the organization has publications in which it reports on the activities of Independent Commissions. The organization also works on capacitating citizens on engaging Parliament and also does strategic impact litigation.

Zimbabwe Association for Crime Prevention and Rehabilitation Organization (ZACRO)

It was said that this organization works with prisons and prisoners intending to ensure the rehabilitation of offenders as a means of preventing crime. Although ZACRO is currently not doing much work directly in transitional justice issues its work with offenders who could include perpetrators of human rights violations is critical in ensuring no recurrence.

Research and Advocacy Unit (RAU)

The representative from RAU said that the organization focuses on research and advocacy on human rights as well as governance issues. In the transitional justice sphere, the organization has produced publications on human rights violations from the past and present, national healing as well as healing of survivors among others.

Zimbabwe Democracy Institute (ZDI)

According to the ZDI representative, the organization cracks down on, monitors and reports malpractices such as corruption and military presence in civilian communities. The organization also facilitates debates on democracy and good governance which have a direct influence on transitional justice issues.

National Association for Non-Governmental Organizations (NANGO)

This organization was said to be present in all ten provinces of Zimbabwe. In terms of transitional justice, it was said that the organization is quite active and facilitated dialogue between the NPRC and civil society in January 2019 during which the NPRC presented its five-year strategy.

Counseling Services Unit (CSU)

Mr. Reason Machengere representing CSU reported that the organization offers comprehensive rehabilitation to victims of organized violence and torture which includes medical, psychological and legal. The organization is present in Harare, Mashonaland, Midlands and Manicaland. Although the organization is not present in Bulawayo and Matabeleland it does partner with organizations that are active in those areas. It was also said that CSU does forensic documentation to ensure that transitional justice processes can benefit from the information it has collected over the years. CSU is also part of the NPRC's Victim Support Thematic Group. As

a follow up to this a question was asked as to whether the NPRC has ever engaged CSU on accessing its victim database in its work and Mr Machengere said they have not received any requests of that nature. He also said that CSU has established a call center system which they are trying to get other stakeholders to use as well to make it easier for victims to communicate and get assistance.

Discussion on the NTJWG's Communication Strategy

During the third session, the aim was to discuss the NTJWG's communication strategy. This discussion was aimed at allowing stakeholders to inform the NTJWG how they would like to be communicated with and also give pointers as to how communication can be made more effective. Participants were instructed to pair up and answer some questions then give feedback to the group. The questions and feedback received were as follows:

How do we keep in touch as stakeholders?

In response, the participants indicated that this can be done through the use of:

- Social media platforms such as Twitter, Instagram, Facebook, WhatsApp;
- Emails;
- Monthly updates;
- Platforms like Kubatana;
- Continuous holding of meetings both informal and formal;
- Creation of a stakeholder database.

How do we use communication to be more visible and remain relevant?

In their feedback participants suggested:

- Allowing stakeholders to contribute in the monthly newsletter;
- Having presenters that are good listeners and also be able to disseminate information;
- Having members contributing to the groups;
- Build a behavior online that attracts followers;
- Sharing of simple but meaningful messages;
- Giving regular updates on social media and tagging stakeholders;
- Giving timely and user-friendly messages
- Producing IEC materials both online and hard copies;
- Packaging of the meetings in a manner that is attractive and encourages attendance.

What do you suggest as an effective communication strategy?

In suggesting what would be an effective communication strategy participants gave the following pointers:

- Communication must be time conscious and consistency;
- Communication must have a broader approach through the use of visual and oral communication;
- Communication must address the needs of the targeted group

How do we use communication to motivate other stakeholders to be involved in the transitional justice process?

In response the participants indicated that this can be done through:

- Networking and awareness meeting
- Reaching out to stakeholders;
- Ensuring members have a sense of ownership and involvement in the NTJWG's activities;
- Facilitating national dialogues with different stakeholders of transitional justice;
- Networking through focal persons representing different stakeholders;
- Giving live updates on social media platforms of meetings in case other stakeholders are absent;
- Having international reach (UN, AU, SADC)

Opportunities and Challenges Faced in Engaging the NPRC and Implementing TJ Work in Zimbabwe.

In the final session of the meeting, stakeholders were invited to indicate the opportunities and challenges they face in engaging the NPRC and implementing transitional justice work.

Among the opportunities that were identified by the stakeholders were:

- The establishment of the NPRC which appears to be accessible to stakeholders;
- Some of the Commissioners of the NPRC are forthcoming to collaborate with stakeholders;
- The everyday programming of stakeholders is an entry point to assist the NPRC.

The stakeholders agreed that although the existence of the NPRC presents an opportunity for transitional justice actors in Zimbabwe there are some challenges in engaging with the NPRC.

These challenges include:

- Lack of trust by the public in the NPRC;
- Concerns that the NPRC may not be able to adequately protect victims who take part in its processes;
- The NPRC’s unwillingness to share its work plan or at least the dates they wish to carry out their activities in communities. This would help stakeholders to coordinate and facilitate for victims to be involved in NPRC processes in their areas.

Conclusion

The regional process monitoring meeting was a success as the objectives were met. The meeting provided much-needed insight for the NTJWG on the views of its Harare based stakeholders on their operating environment and the challenges they are facing in carrying out their work. NTJWG stakeholders agreed that there is scope for them to engage with the NPRC and they should take advantage of that in their day to day programming especially with the different commissioners that are amenable to working closely with civil society. The stakeholders also agreed to be added to a WhatsApp group in which constant updates will be sent by the Secretariat on NTJWG activities. It was also agreed that the stakeholders will give updates of their own activities to the Secretariat to allow those updates to be incorporated in the NTJWG’s publications.

