



STATEMENT ON THE APPOINTMENT OF BOARD MEMBERS INTO GOVERNMENT BODIES

The Zimbabwe Gender Commission (ZGC) is one of the five Independent Commissions established in terms of Section 245 of the Constitution of Zimbabwe and operationalised through the Zimbabwe Gender Commission Act [Chapter 10:31]. One of the Commission's functions, as provided in Section 246 of the Constitution, is to monitor issues concerning gender equality with a view to ensure compliance with gender equality provisions in the Constitution.

In February 2017, the Commission carried out a baseline survey on the gender composition of staff in government institutions (ministries, departments and/or agencies) as part of its monitoring process. It was noted during collation of the data provided then, that 68% of senior management staff in all government ministries were men while women were 32%. The survey also established that in parastatals, 79% of Chief Executive Officers were men while women constituted only 21%. In managerial positions in parastatals, men constituted 74% while women were 26%. The heavily skewed gender composition of board members under various ministries then were no different as men constituted 65% while women only made up 35%.

The survey, therefore, revealed a gender imbalanced occupational structure characterised by both vertical and horizontal segregation. The structure resulted in fewer women in decision making positions as compared to men.

It is common cause that these gender imbalances have existed in violation of Section 17 (b) of the Constitution, which states that the State must take all measures to ensure that:

- (i) both genders are equally represented in all institutions and agencies of government at every level; and
- (ii) women constitute at least half the membership of all Commissions and other elective and appointed government bodies established by or under this Constitution or any Act of Parliament.

The supremacy of the Constitution is stated in Chapter 1, Section 2 which declares that 'any law, practice, custom, or conduct inconsistent with it is invalid to the extent of the inconsistency.' Subsection (2) declares that the obligations imposed by the Constitution are 'binding on every person, natural or juristic, including the State and all executive, legislative and judicial institutions and agencies of government at every level, and must be fulfilled by the them.'

In line with its functions outlined in Section 246, The Commission has since its inception, constantly and consistently reminded ministries of the Constitutional requirement for gender equality. It has sent Advisory Notes to all ministers, upon appointment, and other relevant authorities, drawing their attention to the constitutional provisions. Regrettably, no measures have been taken by Ministries to use emerging opportunities to ensure the closing of the gender gaps in terms of representation on boards of state enterprises and parastatals. If anything, most recent appointments, across levels and sectors, actually show a consistent trend to deliberately disregard gender equality provisions in the Constitution.

It is against this unfortunate backdrop that ZGC expresses its deep concern at this flagrant disregard of the Constitution. The impact of inconsistency is untenable not only because of the utter violation of our Constitution but also due to the implications of the attendant lack of diversity of representation. Considering that these entities are seized with, among others, analysing problems and proposing mechanisms for redress, the gender imbalance adversely affects our social, political and economic development as a country.

Having contemplated to name and shame those who have flouted the supreme law of the land, the Commission, for now calls upon all government ministries to speedily adopt mechanisms to address the inequalities and discrimination portrayed by their respective departments and agencies.

One mechanism is for all ministries with entities slated to appoint board members in the near future, to work with various stakeholders to ensure gender balance at every level, in line with the letter and spirit of the Constitution.

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