

Annual Report

2015-2016



Zimbabwe
Gender
Commission



Annual **Report**

2015-2016

Contents

Letter to Parliament	1
Foreword by the Chairperson	2
Acknowledgements	4
Executive Summary	5

Chapter 1: Introduction

9

1.1 The Commission's Mandate	9
1.2 The Commission's Strategic Direction	9
1.3 The Inaugural Commissioners	10
1.4 The Legal Framework that guides the Commission	14

Chapter 2: Achievements for the year 2015-16

18

2.1. Induction Process	19
2.2.Strategic Intent and Direction	19
2.3. Organisational Development	19
2.4. Departments/Units	20
2.5. Establishment of Sub-Committees of the Commission and their roles	21
2.6. Thematic Working Groups	22
2.7. Capacity Strengthening of Commissioners and Secretariat	23
2.7.1. Gender and Human Rights Training	23
2.7.2. Capacity Building on Women Workers Rights	23
2.7.3.Training on Gender and electoral processes	23
2.7.4.Learning visit to Kenya National Gender and Equality Commission	24
2.8. Implementation of Programmes	26
2.8.1. Public Education and Information	26
2.8.2.Participation at Major Exhibitions	26
2.8.3.Media and Publicity Campaigns	26
2.8.4. Commemoration of Calendar Events on Gender Equality	27
2.9. Stakeholder Engagement and Building Strategic Partnerships	28
2.9.1. All Stakeholders' Conference	28
2.9.2.Collaboration with Parliament	29
2.9.3 Cooperation with other Independent Commissions	30
2.9.4.Supporting lobbying and advocacy activities by Strategic Stakeholders	30
2.10. Complaints Handling and Investigations	31
2.10.1. Development of an investigations and complaints handling Manual	31
2.10.2. Complaints Handled by the Commission	32
2.11. Research and Knowledge Management into Issues Related to Gender Justice	32
2.11.1. Ending Child Marriages in Zimbabwe Study	32
2.12. Financial Support and Resource Mobilisation	34

Chapter 3: Challenges and Recommendations

36

3.1. Challenges	36
3.2. Recommendations to Parliament	36

Chapter 4: Audited Financial Statements

38

Abbreviations

ACPST	African Centre for Peace and Security
ADVC	Anti-Domestic Violence Council
AG	Attorney General
BUSE	Bindura University of Science Education
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEO	Chief Executive Officer
CGE	Commission for Gender Equality [South Africa]
CRC	Convention on the Rights of the Child
CRF	Consolidated Revenue Fund
CSO	Civil Society Organisation
EY	Ernest and Young
GBV	Gender-Based Violence
HRC	Human Rights Council
HR	Human Resources
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information Communication Technology
ICCPR	International Covenant on Civil and Political Rights
IEC	Information, Education and Communication
ILO	International Labour Organisation
ISS	Institute for Security Studies
JPGE	Joint Programme on Gender Equality
SC	Judicial Services Commission
KRA	Key Result Area
MoFED	Ministry of Finance and Economic Development
MoHCC	Ministry of Health and Child Care
MoU	Memorandum of Understanding
MWAGCD	Ministry of Women Affairs, Gender and Community Development
MSU	Midlands State University
MP	Member of Parliament
NGEC	National Gender and Equality Commission [Kenya]
NHRI	National Human Rights Institutions
NPRC	National Peace and Reconciliation Commission
PoZ	Parliament of Zimbabwe
SADC	Southern Africa Development Community
SAYWHAT	Students and Youth Working on Reproductive Health Action Team
SRHR	Sexual Reproductive Health Rights
STEM	Science, Technology Engineering, Mathematics
UDACIZA	Union for the Development of Apostolic Churches in Zimbabwe Africa
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
WHO	World Health Organization
WiPSU	Women in Politics Support Unit
ZEC	Zimbabwe Electoral Commission
ZGC	Zimbabwe Gender Commission
ZHRC	Zimbabwe Human Rights Commission
ZIMASSET	Zimbabwe Agenda for Sustainable Socio-Economic Transformation
ZWLA	Zimbabwe Women Lawyers' Association

Letter to Parliament

Section 323 of the Constitution of Zimbabwe Amendment (No 20) Act of 2013 requires every Commission to submit to Parliament, through the responsible Minister, an Annual Report describing fully its operations and activities.

The Zimbabwe Gender Commission accordingly submits its first Annual Report to the National Assembly for tabling in accordance with these legal requirements. The Commission hopes the report will inform Parliament on its achievements to date, and assist in mapping the way forward in advancing gender equality and equity in Zimbabwe.

Yours faithfully



Mrs. Margaret Mukahanana - Sangarwe
Chairperson
Zimbabwe Gender Commission

Foreword by the Chairperson



Mrs Margaret Mukahanana-Sangarwe, Chairperson

It is my pleasure to submit the first Annual Report of the Inaugural Commission to the National Assembly. While this may be the Commission's first report, it does not belie the vast efforts and milestones covered in the advancement of gender equality by various stakeholders inclusive of government departments and women's rights organisations. We therefore would like to acknowledge the Commission's work as building on the decades of advocacy and diverse victories on gender equality that have preceded the ZGC's emergence and establishment.

Zimbabwe has realized remarkable strides in improving the status of women, men, girls and boys. Since Independence in 1980, the Government has always ensured the existence of a National Gender Machinery in the form of either a department or a Ministry. In addition,

Zimbabwe has also ratified a number of international and regional instruments that promote gender equality such as the Convention on the Elimination of All forms of Discrimination Against Women [CEDAW], Beijing Declaration and Platform for Action, African Union Protocol on Human and People's Rights on the Rights of Women in Africa [Maputo Protocol], SADC Protocol on Gender and Development, among others. The National Constitution [2013] has enshrined Gender Equality as a Human Right, while various policy instruments exist to enhance an effective environmental landscape and policy framework for the advancement of women's rights and gender equality.


Suffice to say, with a clearly articulated mandate, the Commission hit the ground running. Our focus in the first year was putting in place systems and operating procedures to enable functionality and execution of our mandate as reflected in the report. Despite several teething challenges such as limited fiscal space, we were able to realize milestones through the dedication of the Commissioners and skeletal staff. Working under the guidance of the Constitution, the ZGC Act and other legal and policy frameworks, the entire team was committed to the development and implementation of a Strategic Plan, with Commissioners doubling up as policy makers and implementers.

In the first year, the Commission navigated the gender and development landscape in Zimbabwe through interaction with various

stakeholders. The period also served to establish requisite baselines in the various sectors. The experience enabled us to recognize a lot of systemic barriers that the Commission is now seized with. These include; entrenched patriarchal tendencies, significant levels of violence against women and girls, imbalanced representation of men and women in politics and other levels including the private sector, glaring inequalities between men and women in access, control and ownership of productive resources.

With the mark made on the operating landscape thus far, the Commission remains committed to ensuring that the expansive bill of rights, gender equality notions and other provisions in the National Constitution are translated into practical benefits for women and men, boys and girls in Zimbabwe at all levels. The Commission continues to rely on multi-level stakeholder support to enhance its capacities in delivering its mandate beyond rhetoric.

In achieving our mandate, we shall remain focused on our vision for a 'just society that enjoys gender equality' and our mission, which is 'to promote and protect gender equality through public education, research, investigations and monitoring'.



Mrs Margaret Mukahanana-Sangarwe
Chairperson,
Zimbabwe Gender Commission [ZGC]

Acknowledgements

The Zimbabwe Gender Commission (ZGC) acknowledges with utmost gratitude, the dedication and commitment of its staff and partners for the work undertaken resulting in the production of this report. Sincere gratitude goes to the Government of Zimbabwe for the enabling environment in the formative phase of such a Commission in Zimbabwe.

The Commission appreciates the financial and technical support by the United Nations Development Programme (UNDP), UN Women and International Labour Organisation (ILO), through the Joint Programme on Gender Equality (JPGE), who contributed to making implementation of the work possible. In addition, the contributions by diverse and wide-ranging community of stakeholders cannot go unmentioned, albeit at different levels. Your support enhanced the dedication of the Commissioners, who worked tirelessly throughout the year both at policy and implementation level. The contribution of the Ministry of Women Affairs, Gender and Community Development (MWAGCD), in setting up of the Commission alongside other Government departments is greatly appreciated.

Lastly, the Commission acknowledges the support by the UNDP for the publication of this report.

Executive Summary

The Zimbabwe Gender Commission, hereinafter referred to as the “Commission”, was sworn into office on 3 September 2015 by His Excellency, President Robert Gabriel Mugabe. Its main functions include investigating and making recommendations on removal of barriers to the attainment of gender equity and equality. It derives its mandate from the Constitution and the Zimbabwe Gender Commission Act. It reports to Parliament through the Minister responsible for gender in terms of Section 323 of the Constitution of Zimbabwe Amendment Act No 20 of 2013, hereinafter referred to as the Constitution.

The Commission has nine Inaugural Commissioners. The structure provides for a Secretariat headed by the Chief Executive Officer. It has relevant Units; namely: Finance, Human Resources and Administration; Research and Programming; Legal and Investigation; and Public Education and Information. Although its Organogram has been approved, the Secretariat is yet to be appointed. Limited financial resources have delayed the recruitment of a full staff complement.

The Commission is guided by its **Vision** of ‘a just society that enjoys gender equality’. Its mission is ‘to promote and protect gender equality through public education, research, investigations and monitoring’.

To date, the Commission has recorded a number of achievements, outlined below:

Induction process

The Commissioners undertook several activities as part of their induction into their roles and functions. Locally, they benefitted on how to set up the Secretariat from other Independent Commissions such as the Zimbabwe Human

Rights Commission and the Zimbabwe Electoral Commission while internationally they learnt from similar Commissions in Kenya and South Africa. They underwent training in Ethiopia and undertook a study visit to Kenya.

Several capacity building workshops were conducted by experts to sensitise and train Commissioners on their mandate.

Strategic Planning Process

The Commission developed its Five-year Strategic Plan [2016-2021] to guide the implementation of its mandate. The Strategic Plan was validated through a stakeholder’s workshop.

Investigations and Complaints Handling

The Commission developed An Investigations and Complaints Handling Manual to guide its investigative function. During the period under review, the Commission handled a number of cases of gender violations by both men and women. These related to gender based violence [GBV], land disputes, inheritance, divorce settlement, sexual assault, labour dispute, attachment of matrimonial property by commercial banks.

Research and Publications

A Study on Ending Child Marriages was also commissioned to develop a holistic understanding of the issue of child marriages.

Participation at Public Events

To enhance its visibility, the Commission participated at various public events, among them the Zimbabwe Agricultural Show and the Zimbabwe International Trade Fair. Its exhibition stands attracted many visitors who were offered free legal advice by the Commission in partnership with the Zimbabwe

Women Lawyers' Association [ZWLA]. The Commission's presence at such public events enhanced its visibility as well as increased understanding of its role and mandate by the public.

All Stakeholders' Conference

The Commission held an All Stakeholder Conference in Harare on the 25th November 2016. The major objectives were: to build consensus on thematic areas of the Commission; to get sectoral issues which the Commission could focus on in implementing its constitutional mandate; to provide general baseline information on practices and systemic gender barriers and gaps to gender equality; and to increase visibility for the Commission. The Conference brought together Zimbabwe Gender Commission partner representatives from Government, Parliament, Civil Society Organisations [CSOs], the private sector and Development Partners. Key outcomes of the conference were eight [8] Policy Briefs on Constitutional and Legal Affairs; Gender and Health; Gender Based Violence; Politics and Decision making; Gender and Economic Empowerment; Gender Education and Young Women; Gender, Environment and Climate Change; and Gender, Media and ICTs. These Policy Briefs highlighted systemic gender barriers in the respective sectors. These will be directed to the relevant line Ministries for action.

Publicity and Media Campaigns

The Commission conducted media campaigns and took part in commemorations such as International Women's Day and 16 Days of Activism against gender based violence. The Commission partnered with Television Talk Show host, Mai Chisamba to make the public aware of the existence of the Commission and to engage the public on issues of great concern such as child marriages, gender based violence and sexual harassment.

Partnerships

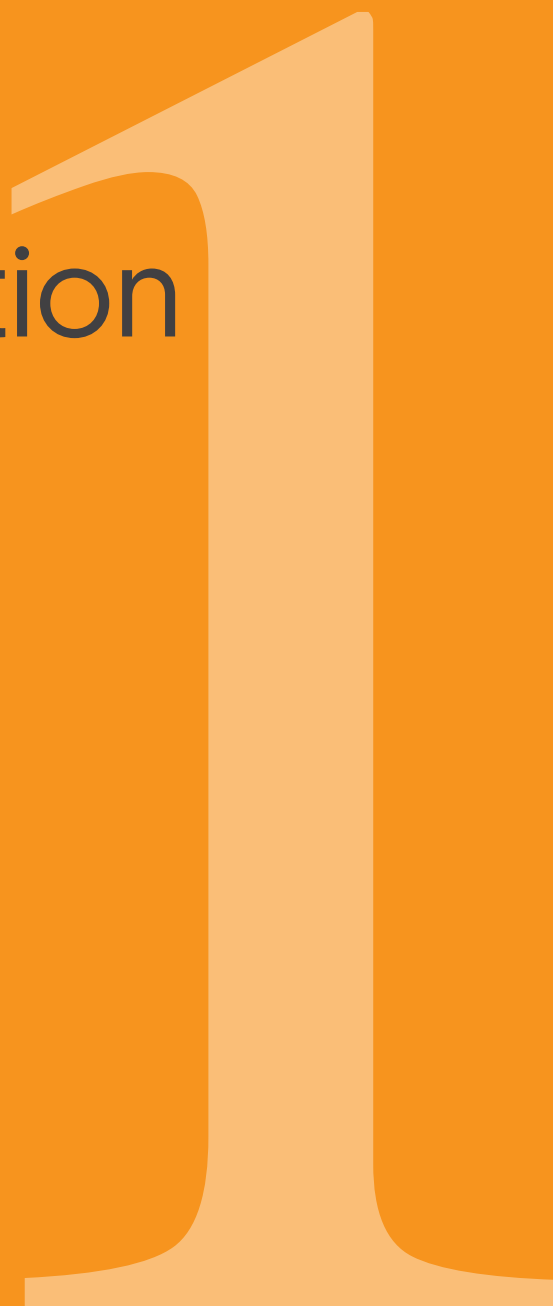
The Commission built and leveraged on strategic partnerships. In some instances, it was to influence policy while in other instances it was to strengthen its implementation abilities. Among stakeholders engaged were the President of the Senate and Speaker of the National Assembly, the Chairperson of the Portfolio Committee on Women Affairs, Gender and Community Development and the Chairperson of the Thematic Committee on Gender and Development. The Commission also explored partnerships with development partners, women's rights organisations and other gender and development advocacy groups. Key outcomes of these engagements were increased consciousness on the role of the Commission in the promotion of gender equality and an enhanced image of the same.

Despite these milestones, the Commission experienced a number of challenges which included: insufficient funding, absence of a full complement of secretariat and no vehicles. This therefore impacted on the Commission's ability to fully deliver on its mandate.

The Commission therefore recommends that Parliament and Treasury increase budgetary allocation to the Commission to enable the recruitment of a full complement of Secretariat. This will enable the Commission to retain momentum in advancing gender equality and equity and

broaden its coverage and reach to include urban, peri-urban and rural areas. Funding will improve the Commission's delivery of service through the procurement of vehicles and resources for programme implementation.

Introduction



Introduction

The Zimbabwe Gender Commission, “hereinafter referred to as the Commission” was established in terms of Section 245 of the Constitution of Zimbabwe, “hereinafter referred to as the Constitution” and operationalised through the Zimbabwe Gender Commission [ZGC] Act [Chapter 10:31].

During the nationwide consultative processes of drafting the National Constitution, the constant resurgence of gender related issues reflected a glaring need for the establishment of an independent institution to specifically look into gender issues. This then birthed the Commission, as one of the Chapter 12 Independent Commissions supporting democracy whose objectives are set out in Section 233 of the constitution as:

- To support and entrench human rights and democracy;
- To protect the sovereignty and interests of the people;
- To promote constitutionalism;
- To promote transparency and accountability in public institutions;
- To secure the observance of democratic values and principles by the State and all institutions and agencies of government, and government-controlled entities; and
- To ensure that injustices are remedied.

1.1 The Commission’s Mandate

The specific mandate of the Commission is derived from Section 246 of the Constitution whose provisions are listed as follows:

- a. to monitor issues concerning gender equality and to ensure gender equality as provided for in the Constitution;
- b. to investigate possible violations of rights relating to gender equality;

- c. to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;
- d. to conduct research into issues relating to gender and social justice and to recommend changes to laws and practices which lead to discrimination based on gender;
- e. to advise public and private institutions on steps to be taken to ensure gender equality;
- f. to recommend affirmative action programmes to achieve gender equality;
- g. to recommend prosecution for criminal violations of rights relating to gender;
- h. to secure appropriate redress where rights relating to gender have been violated; and
- i. to do everything necessary to promote gender equality.

1.2 The Commission’s Strategic Direction

Our Vision

A just society that enjoys gender equality.

Our Mission

To promote and protect gender equality through public education, research, investigations and monitoring.

The **Strategic Goals** are anchored on the Commission’s constitutional mandate and obligation. These strategic goals are:

1. To enhance public awareness on gender issues in all provinces;
2. To investigate and provide redress to all reported cases of violations of rights related to gender;
3. To reduce systemic barriers to gender

equality;

4. To create a functional knowledge hub and available knowledge products on gender equality;
5. To enhance compliance with all gender equality provisions in the constitution, laws and policies; and
6. To create an effective, efficient and visible Gender Commission.

The Commission is guided by the following values:

- Accessibility;
- Accountability;
- Fairness;
- Gender sensitivity; and
- Integrity.

1.3 The Inaugural Commissioners

The Constitution and the ZGC Act provide for the appointment of nine Commissioners to carry out the constitutional mandate of the Commission. The Commission comprises an equal representation of four men and four women Commissioners and a Chairperson. These Commissioners were sworn into office by His Excellency President Robert Gabriel Mugabe on the 3rd of September 2015. The Commissioners for the first five year term are: Mrs Margaret Mukahanana – Sangarwe [Chairperson]; Dr Paul Kadzima [Vice Chairperson]; Mrs Naome Chimbetete; Mrs Tsungirirai Hungwe-Chimbunde; Mr Obert Matshalaga; Mrs Sibongile Mauye; Mr Peter Mawonera [Chief Chikwizo]; Mr Victor Nkiwane; and Dr Nyepudzai Mercy Nyangulu.

The Commission has an impressive mix of qualifications, competencies and experiences that are pertinent to the advancement of gender equality and equity in Zimbabwe. The mix presents many entry points for addressing systemic gender discrimination and barriers found in social, economic, traditional, religious, political and academic settings. The following table presents the nine Commissioners and their profiles.

Table 1: Profiles of Inaugural Commissioners



Mrs Margaret
Mukahanana-Sangarwe

Education

She is a holder of MBA (UZ), MSc in Natural Resources Management (Manitoba, Canada), Bachelor of Politics and Administration (UZ).

Gender Equality Area of Interest/Expertise

Gender Equality in Leadership and Decision Making.

Career summary

A Senior Career Civil Servant who worked for the Government of Zimbabwe for 33 years. The Chairperson served as Permanent Secretary in the Ministries of Environment and Tourism; and Hospitality Industry for over a decade. She is a former Chair of the Ad Hoc Working Group on Long-term Cooperative Action under the United Nations Framework Convention on Climate Change (Cancun, 2010). She is also a seasoned negotiator on international agreements and participated in the negotiations of the Rio Declaration and Agenda 21, the Climate Change Convention and its Kyoto Protocol, the Biodiversity and the Desertification Conventions. She has served on the Board of Biotechnology Zimbabwe. She currently sits on the Boards for the Infrastructure Development Bank of Zimbabwe; and Forestry Commission of Zimbabwe.



Dr Paul Kadzima

Education

He is a holder of PhD in Business Administration (St Linus University, West Indies), MSc in Strategic Management (St Linus University, West Indies) and several diplomas and certificates.

Gender Equality Area of Interest/Expertise

Promotion of Gender equality and empowerment of women at Community and Grassroots Level. He has a passion for the advancement of the girl child.

Career summary

The Vice Chairperson is a former Member of Parliament (MP) for Nyanga Constituency and Provincial Councillor for Nyanga-Mutasa Districts. He is a Bishop in the African Apostolic Church for Manicaland Province and is also a Doctoral Fellow Member of the Institute of Professional Financial Managers (UK).



Mrs Naome Chimbetete

Education

She is a holder of MA in Development Studies (WUA), MSc in Environmental Policy and Planning (UZ), Certificate in Environmental Impact Assessment and Management EIAM (Aberdeen, Scotland), Graduate Certificate in Education (UZ) and BA (Hons) in Geography (UZ).

Gender Equality Area of Interest/Expertise

The Commissioner has a keen interest in and technical expertise around Gender Responsive Budgeting, Gender Equality and Women's Empowerment Programming, Gender Analysis, Training and Mainstreaming.

Career summary

Commissioner Naome Chimbetete has worked in different positions in Government, Donor agencies, NGOs and academic institutions. She has a distinguished career in Development and Grant Fund Management.



Mrs Tsungirirai K. Hungwe-Chimbunde

Education

She is a holder of BSc Reproductive Health and Family Science (WUA), State Registered Nurse (SRN), State Certified Midwife (SCM), Diploma in Nursing Administration (Dip. in NA), Certificate in Occupational Health and Safety (OCS), and Family Planning Certificate.

Gender Equality Area of Interest/Expertise

Sexual and Reproductive Health, Political participation of Women and Education of the Girl Child.

Career summary

Commissioner T. K. Hungwe-Chimbunde is a former Deputy Minister in the Ministry of Political Affairs (Responsible for Women's Affairs), Deputy Minister of Health and Child Welfare, and former Minister of State in the Vice President's Office. She is also a former Board Member of the Zimbabwe Family Planning Council (ZNFPCC).



Mr Obert Matshalaga

Education

He is a holder of Masters' Degree in International and Public Affairs (University of Pittsburgh, USA), Diploma in Economics (University of Colorado-Economic Institute) and BA General (University of Rhodesia).

Gender Equality Area of Interest/Expertise

Engendering the Fiscal and Public Policy Process. Monitoring the gender gap with regards to political and economic participation of men, women, girls and boys and Governance issues. He wishes to see Zimbabwe conclusively address all issues of gender discrimination and attaining the 50/50 gender parity in the shortest possible time frame.

Career summary

Commissioner Obert Matshalaga has worked as a High School Teacher and spent two decades as a Senior Civil Servant in the Ministry of Finance. The Commissioner joined politics and became a Member of Parliament and Deputy Minister of Foreign Affairs. Thereafter, he was the Deputy Minister of Home Affairs.



Mrs Sibongile Mauye

Education

She is a holder of MA in Gender and Development *with distinction* (UK), Dip in Managing Development (UK), Certificate in Gender and Organizational Change (Netherlands) and BA Hons in Economic History (UZ).

Gender Equality Area of Interest/Expertise

Gender Based Violence; Constitutional and Legal Rights; Politics and Decision-making.

Career summary

Commissioner Sibongile Mauye's experience and exposure spans three economic regions of Latin America, West Africa, East and Central Africa in Water and Sanitation, Education, Gender Based Violence, HIV and AIDS. She worked with the Youth Commonwealth Centre on enterprise development and youth reproductive health. She was also Technical Advisor to the Citizens Economic Empowerment Commission of Zambia. She is a University Lecturer in Gender, Development Studies, Culture and Society.



Mr Peter Mawonera
[Chief Chikwizo]

Education

He is a holder of Accounting Diploma and Certificate in Government Accounting.

Gender Equality Area of Interest/Expertise

Local governance, tradition and culture, Gender-Based Violence and Finance.

Career summary

Commissioner Chief Chikwizo is an Accounting Specialist with the Parirenyatwa Group of Hospitals' Finance Department for the past 28 years. As substantive Chief of the Chikwizo area in Mudzi since 2006, he has presided over the Chiefs' Court on cases that include gender-based violence and inheritance. As an Ex-Officio member of Mudzi Rural District Council, Chief Chikwizo has used that platform to highlight the plight of the local community on gender related issues.



Mr Victor Nkiwane

Education

He is a holder of Bachelor of Law, Honours (LLB) degree (UZ), Master of Laws (Warwick) and Postgraduate Diploma in Women's Law (UZ).

Gender Equality Area of Interest/Expertise

Gender and Law with special focus on Masculinities.

Career summary

Commissioner Victor Nkiwane is the founding Dean of Herbert Chitepo School of Law at Great Zimbabwe University. Prior to that, he taught law at the Universities of Zimbabwe, Lesotho, South Africa and the United Kingdom. He has been a Visiting Lecturer at the Southern and East African Regional Centre for Women's Law, UZ since 2005 where he teaches Masculinities, Gender and Law in the LLM (Women's Law and Human Rights) programme. Commissioner Nkiwane was a member of the Women and Law in Southern Africa (WLSA) Board for 10 years. He has published articles and book chapters on Law and Development, Human Trafficking, Men, Gender and Law, Urban Squatting, Women and Children's Rights and Intellectual Property.



Dr Nyepudzai M. Nyangulu

Education

She is a holder of a Doctorate (PhD) in Organisational Science and Management Learning (Lancaster University, UK), Masters in Business Administration (MBA), University of Zimbabwe, Masters in Manpower Studies (University of Westminster, UK), several Diplomas and Certificates in Project Management, General Management and Gender Studies.

Gender Equality Area of Interest/Expertise

Women's Economic Empowerment and Gender Equality in Decision-making.

Career summary

Commissioner Dr. Nyepudzai M. Nyangulu is the immediate past Head of Business Development at TN Financial Holdings. She has an illustrious senior civil service career including serving as a Deputy Secretary in the Office of the President and Cabinet. She has been actively involved in women's empowerment programmes through supporting women's groups as well as pioneering the setting up of initiatives to support women in management and leadership in the private sector and the girl child.

1.4 The Legal Framework that guides the Commission

In addition to the mandate outlined in Section 246 of the Constitution, the Commission is guided by the relevant gender equality provisions in the Constitution, reflected in the table below:

Provision	Content of the Provision
Section 2(1)	It acknowledges the Constitution as the supreme law of Zimbabwe and any law, practice, custom or conduct inconsistent with it is invalid to the extent of the inconsistency.
Section 3	Gender equality is listed as one of the founding values and principles of the Constitution. It also recognises the equality of all human beings.
Section 17	It provides for the promotion of full gender balance in Zimbabwean society with the deliberate efforts to ensure the full participation of women in all spheres on the basis of equality with men.
Section 25	It provides for the protection of the family, and prevention of domestic violence.
Section 56	It provides for non-discrimination on the basis of culture, sex, gender, marital status, age, pregnancy, economic or social status among others. It also provides for the right to equal opportunities including the right to equal opportunities in political, economic, cultural and social spheres.
Section 80	It provides that all laws, customs, traditions and cultural practices that infringe the rights of women conferred by the Constitution are void to the extent of the infringement.
Section 214 (1)(b)	It provides for 60 reserved seats for women in the National Assembly (for the life of the first two Parliaments), and proportional representation in Senate.

In addition, the Commission is guided by the ZGC Act [10:31], which further elaborates its mandate and functions. For example, the Act is explicit on how the Commission should investigate gender-related violations among other functions. The Act empowers the ZGC to investigate any systemic barriers prejudicial to gender equality, gender equity or gender mainstreaming in a specific named sphere of activity or named sector of the society or economy.

Box 1: Systemic Barriers prejudicial to gender equality and gender equity

Section 2 of the Act defines "systemic barrier prejudicial to gender equality, gender equity or gender mainstreaming" as any barrier, practice, custom, law or other impediment prejudicial to the achievement of gender equality, gender equity or gender mainstreaming, including equality of opportunities and outcomes in the following spheres of activity or sectors of the society or economy (whose itemisation here is not to be taken as exhaustive or as limiting the generality of the foregoing)

(a) Accessing social services, including those relating to education, health and housing;

(b) Accessing resources, including land, capital and finance;

(c) Employment in and upward mobility within the public, private and parastatal sectors and CSOs, including the provision of conditions in the workplace conducive to the employment of both genders;

(d) Engagement in and upward mobility of members within the professions and occupations, including the provision of conditions conducive to the engagement of individuals of both genders in the professions and occupations;

(e) In the sphere of family law (including marriage, divorce and custody and guardianship of minors), children's rights, succession and inheritance; and

(f) any other sphere or activity specified by the Commission in pursuance of its constitutional mandate.

The work of the Commission is also guided by various international and regional human rights legal instruments that promote gender equality and women's rights, which Zimbabwe is party to. These include: Universal Declaration of Human Rights (UDHR) [1948]; International Covenant on Civil and Political Rights (ICCPR) [1966]; International Covenant on Economic, Social and Cultural Rights (ICESCR)[1976]; Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)[1979]; Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa [1995]; SADC Protocol on Gender and Development (2008); and Sustainable Development Goals particularly Goal No. 5 on Gender Equality. Zimbabwe is party to the Paris Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights. The Commission is one of the National Human Rights Institutions (NHRIs) established by the Constitution with six criteria that it is expected to meet. Box 2 lists the said criteria.

Box 2: Paris Principles

- Independence guaranteed by statute or Constitution;
- Autonomy from government;
- Pluralism, including in its membership;
- A broad mandate based on universal human rights standards;
- Adequate powers of investigation; and
- Adequate resources.

The Commission has however observed that there are conflicts between certain provisions of the ZGC Act and the Constitution that have implications on the Commission's functions and independence. The Commission has engaged the Attorney General's office to address the issue.



Achievements for the year 2015-16

Achievements for the year 2015-16

The Commission became operational on 3 September 2015 after the appointment and swearing in of nine Commissioners by His Excellency, the President of the Republic of Zimbabwe, Cde. Robert Gabriel Mugabe



Inaugural Commissioners at State House with His Excellency President R.G Mugabe after the swearing in ceremony.

The key achievement of the period under review was putting the Commission's entire wheels in motion and establishing an effective presence among stakeholders across the board. Following the Organisational Development process, the need to operationalize functions emerged. The Commissioners therefore defined their three-tier roles of: operating at policy level, establishing the Commission as an institution and as a key player with strategic partners in the operating environment.



2.1. Induction Process

Following their appointment and swearing in, the Commissioners were inducted into their roles during a Workshop supported by UN Women. This was to help them develop a clearer understanding of their roles within the context of the Commission's mandate. The process enabled the Commissioners to appreciate the Constitutional provisions dealing with gender equality and equity. The Commissioners were also capacitated in understanding International and Regional Human Rights Instruments particularly those relating to gender, funding for Independent Commissions, reports to Parliament and relating with other State institutions and key stakeholders that include Civil Society Organisations (CSOs).

Several stakeholders were invited to enhance the learning process. Among them were representatives from Parliament of Zimbabwe; Ministry of Justice, Legal and Parliamentary Affairs; MWAGCD; MoFED; UN Women; United Nations Development Programme (UNDP); Women's Coalition of Zimbabwe, Padare/Enkundleni Men's Forum on Gender, Kenyan Human Rights Commission and South African Commission for Gender Equality.

Participants from Kenya and South Africa shared their experiences and challenges. These included the need for Commissioners to be apolitical and to be strategic in alliances and engagement with various stakeholders that include State institutions.

2.2. Strategic Intent and Direction

In order to guide its work for the next five years, the Commission embarked on a Strategic Planning process supported by UN Women to map out its intent and direction. Through

this process the Commission crafted its Vision, Mission, Key Result Areas and Specific Goals (see Chapter 1). The Key Result Areas were articulated as follows:

1. Public education and awareness
2. Investigation of possible violations related to gender
3. Research and knowledge management into issues related to gender justice
4. Monitoring compliance with all gender equality provisions in the constitution, laws and policies
5. Institutional capacity strengthening

The Strategic Planning process was participatory in nature and was attended by the Commissioners and stakeholders from both State and non-state institutions to ensure shared ownership. The Strategic Plan was validated through a stakeholder's workshop. The process was informed by key international and regional human rights agreements; the Constitution; ZGC Act; the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIMASSET) and the Principles of Integrated Results Based Management (IRBM).

2.3. Organisational Development

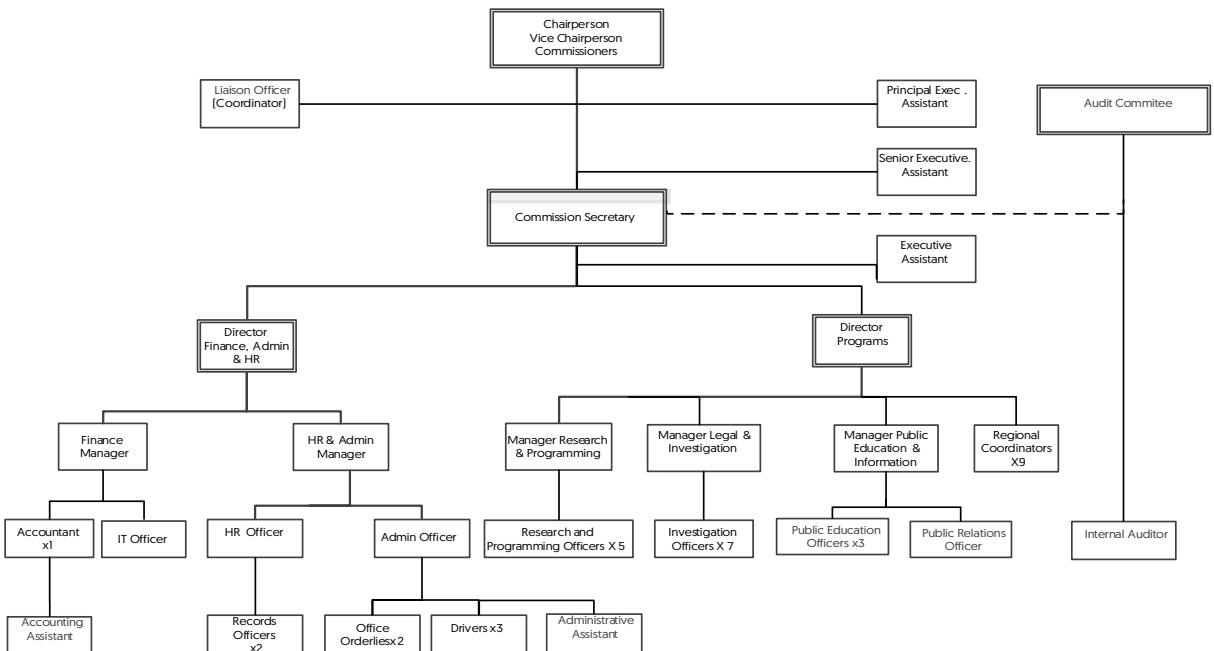
The Commission undertook an Organisational Development (OD) process to consolidate its formative processes. The OD set out to:

- Define the organisational structure of the Commission including the management structure and operational structure, based on the mandate of the Commission
- Define the governance relationship between the Commissioners and management of the Commission
- Define the staff capacity required to carry out the Commission's mandate in terms of

the staff complement/positions

- Spell out the job descriptions for each and every job in the Commission as well as the person specifications for each position i.e. qualifications and experience required
- Spell out the reporting lines within the structure for internal accountability.

ZGC's approved Organogram



2.4. Departments/Units

As part of establishing the institutional aspect of the Commission, five departments were set up. The departments are:

- **Finance:** The department is responsible for effectively and efficiently managing finances of the Commission. It ensures costs are monitored within budgeted levels, accurate and timely financial management and compliance with stated policies and statutory requirements.
- **Human Resources and Administration:** This division is responsible for provision of human resources services and implementation of strategic human resources programmes. It also provides the Commission with all its outsourced supply through implementation of sound purchasing, transport and stores management strategies.

- **Research and Programming:** This department is responsible for managing and coordinating the various researches and programming operations of the Commission.
- **Legal and Investigations:** The department is responsible for developing guidelines and practices for conduct of effective investigations. It is also responsible for planning and directing the conduct of investigations of possible violations related to gender in accordance with established standards, policies and procedures.
- **Public Education and Information:** The department is responsible for managing the various public education and information operations for the Commission and ensuring efficient information dissemination.

These units are headed by managers who report to two directors: a Director of Programmes heading technical units, and a Director of Finance responsible for support units of Finance, Human Resources and Administration.

The Secretariat is headed by a Chief Executive Officer or Commission Secretary, who is accountable for assisting the Commission through the initiation and implementation of Strategies to promote and protect gender equality.

The approved establishment of the Commission stands at 56 members of staff. However, the Commission has 10 filled positions, representing

18 percent of the required full secretariat. Of the 10, nine are in the support services department of finance and administration, while at technical level only one legal officer is in place. To enhance the realization of most of its objectives, the Commission approached UN Women for support. UN Women then supported the engagement of a Technical Adviser, whose key mandate was to provide pragmatic support and advice in setting up the Commission. Her role included developing various capacity building initiatives among the Commissioners, institutional capacity building, liaising with various stakeholders on behalf of the Commissioners and facilitating the implementation of the Strategic Plan. To further curb the technical challenges resulting from limited staff, two interns were also engaged.

2.5. Establishment of Sub-Committees of the Commission and their roles

The Commission established committees to ensure the effective implementation of the Commission's strategic objectives as laid out in its five year Strategic Plan. The Committees were established in line with section 8(1) of the First Schedule of the Zimbabwe Gender Commission Act which provides for one or more Committees in which it may vest its functions as it considers appropriate. As part of the oversight and governance framework, the Commission established the following committees:

Committee	Members
Public Education and Information	Commissioner Dr N. M Nyangulu (Chairperson), Commissioner Dr P. Kadzima, Commissioner T. Hugwe-Chimbunde, Commissioner V. Nkiwane
Research and Programming	Commissioner S. Mauye (Chairperson), Commissioner O. Matshalaga, Commissioner N. Chimbetete, Commissioner P. Chikwizo (Chief)
Legal and Investigations	Commissioner V. Nkiwane (Chairperson), Commissioner P. Chikwizo (Chief), Commissioner O. Matshalaga, Commissioner S. Mauye
Finance and Human Resources	Commissioner M. Mukahanana-Sangarwe (Chairperson), Commissioner Dr P. Kadzima, Commissioner Dr N. Nyangulu, Commissioner N. Chimbetete

It is the role of these subcommittees to inform the larger Commission meetings in terms of policy guidance and strategic direction and framework. The subcommittees therefore undertook the dual role of policy direction and programme implementation (in the absence of secretariat) to enable the realization of key achievements for the period under review. As a result, the Commission and its subcommittees met on a monthly basis. This was to enhance the capacities of the Commission's departments within the context of limited resources.

Given that the subcommittees were established in line with the Commission's Key Result Areas, their responsibilities were crafted to achieve the same. For example, the Public Education Committee seeks to provide input and oversight on the implementation of Key Result Area number one whose focus is on Public Education and Awareness.

The Research and Programming Committee's main function is to provide input and oversight on Research and Knowledge Management into issues relating to gender justice. The Legal and Investigations Committee seeks to ensure the effective investigations of possible violations of rights related to gender, while the Finance and Human Resources Committee provides oversight on all matters concerning financial and human resources policies and controls within the Commission.

2.6. Thematic Working Groups

In order to have specialized attention to various gender and development issues, the Commission established various Thematic Working Groups (TWGs) with their respective terms of reference. This was to enable it to tap into the expertise of its diverse stakeholders and strengthen the strategic partnerships. The TWGs comprise Government line Ministries and Departments, other Independent Commissions, Traditional and Religious entities, Academic Institutions, relevant CSOs, private sector and funding partners. Focus areas of the TWGs are Constitutional and Legal Rights, Economic Empowerment, Politics and Decision-making, Health, Education and Young Women, GBV, Environment and Climate Change, Media and Information Communication Technologies

[ICTs] and Culture and Religion.

The TWGs enhance critical information-sharing among stakeholders using various communication channels to ensure coordinated approaches in addressing gender-related issues.

2.7. Capacity Strengthening of Commissioners and Secretariat

To enable the Commission to effectively execute its mandate, a number of capacity building initiatives were undertaken. These included training, study tours and workshops.

2.7.1. Gender and Human Rights Training

All the nine Commissioners underwent a joint training with Commissioners from Sudan and South Sudan on Gender and Human Rights in Addis Ababa, Ethiopia from 26 to 30 September 2016. The training was organized by UN Women in collaboration with The African Centre for Peace and Security (ACPST) and the Institute for Security Studies (ISS) for cross pollination of knowledge and ideas. The training focused on strengthening the Commissioners' understanding and knowledge of gender equality, monitoring frameworks, gender budgeting, national, regional and international human rights instruments and the Paris Principles on the role of Independent Commissions.

2.7.2. Capacity Building on Women Workers Rights

A sensitisation workshop on women workers rights was organised for all the Commissioners. This was funded by the International Labour Organisation (ILO) under the Joint Programme on Gender Equality (JPGE). The workshop equipped Commissioners with knowledge on International Labour Standards related to gender

equality as well as gender and employment-related provisions in the Constitution and Labour Act. As a result of the training, the Commissioners identified the need to carry out a baseline survey of current gender dynamics in the labour market; and the development of tools and indicators to monitor gender mainstreaming in the workplace.

2.7.3. Training on Gender and electoral processes

Commissioners were trained on gender sensitive election monitoring through the support of UN Women in December 2016. The training enhanced their planning processes for greater involvement and responses to gender equality considerations in electoral processes. The training covered issues of women empowerment; engendering the electoral laws; strategies for promoting gender equality and women's participation in electoral processes; and strategies for gender sensitive election monitoring.

2.7.4. Learning visit to Kenya National Gender and Equality Commission

The Commission undertook a three day learning visit to Kenya from 28 to 30 November 2016. The study tour comprised interaction with the National Gender and Equality Commission (NGEC), Kenya Human Rights Commission, National Cohesion and Integration Commission, the Commission of Administrative Justice (Ombudsman) and the Ministry of Public Service, Youth and Gender Affairs.

Learning visit objectives

- Draw practical lessons on best practices which have worked in the operationalisation of the National Gender and Equality Commission [NGEC];
- Acquire knowledge on structures, administration and funding modalities for the Commission;
- Share broad experiences and network on gender equality and women's empowerment issues;
- Share information on the relationship[s] between the Gender Commission and other related Commissions or institutions such as the National Human Rights Commission, Constitutional Courts, Parliament, especially the relevant portfolio committees and Ministries responsible for Gender; and
- Share knowledge and information on some of the challenges likely to be encountered during and after the establishment of Gender Commissions and how these challenges have been mitigated.

The NGEC was established under Article 59 (4) of the Kenyan Constitution [2010]. It is a fairly new Commission that came into operation in May 2011 but pre-dates the creation of Ministry of Public Service, Youth and Gender Affairs. It has decentralised its offices into three (3) regions.

One of the key lessons learnt from the Study Tour in Kenya was the existence of a Forum for Chairpersons of independent Commissions. Notably, the Chairperson of Commission has initiated the setting up of a similar platform in Zimbabwe.

Key Lessons from Kenya

Issue	Learning Point
Visibility on the ground	Decentralisation: NGEC has three (3) regional offices in addition to the Head Office.
Funding	The NGEC is well funded by Treasury and is therefore able to execute its mandate
Staff	The Commission has a significant staff establishment which is crucial for implementation of its objectives

Independence	The NGEC issues advisory notes to any institution across the board without fear or favour in the event of an infringement on any issue that falls within its mandate.
Partnerships	NGEC has nurtured strategic partnerships and networks whose synergy helps generate technical and financial resources. The Commissioners learnt that strategic partnerships could be in terms of MoUs and other agreements.
Chairpersons' Platform	The Chairpersons of all Independent Commissions have their own platform known as the Forum of Chairpersons of Constitutional Commissions which convenes on a monthly basis to discuss common issues peculiar to these Commissions. They collectively take up issues such as financial challenges to the Treasury for adequate funding.
Role Clarity and Individual Commissioner Responsibility	Every Commissioner has direct responsibility over a theme/ sector/department. This is helpful and ensures accountability and performance of each Commissioner.
Need for Baseline Surveys	For proper monitoring and evidence based programming, it is important to undertake baseline surveys on specific sectors.
Publication of Research Findings	This is used as lobby and advocacy tool for evidence-based research on gender equality issues. Researches consolidate the work of the Commission
Advisory Role to Government	This establishes credibility of the NGEC and it helps Government deliver on the gender equality agenda.
Use of Technology	The NGEC and other Commissions have embraced mobile phone and social media technology in receiving complaints. These include WhatsApp platforms, Hotlines and Websites.
Gender-Based Awards	The NGEC and other Commissions have launched Gender-based Awards for institutions and individuals that have distinguished themselves in promoting gender equality.

2.8. Implementation of Programmes

Despite the limited fiscal space, the Commission was able to carry out a significant number of activities at programming level. The achievements were largely through the support of UN Agencies.

2.8.1. Public Education and Information

Given that the Commission was in its formative stages, it was imperative that education and awareness activities be prioritised. This was also to address the general misconceptions around gender being women-only focused. Key activities undertaken are articulated as follows:

2.8.2. Participation at Major Exhibitions

The Commission participated at the Zimbabwe Agricultural Show (2016) held in Harare. This was the Commission's inaugural exhibition. The theme was 'Climate Resilience: Addressing the Gender Dimensions of Climate Change'. The exhibition attracted many visitors who were offered free legal advice by Zimbabwe Women Lawyers' Association (ZWLA) who had partnered with the Commission.

The Commission's presence at the Show enhanced its visibility as well as increased understanding of its role and mandate by the public. Male visitors to the stand expressed great appreciation for an Independent Commission committed to gender equality. This de-mystified the perception that gender issues were only specific to women, but that they cut across both men and women. In the same vein, the Commission participated at the Zimbabwe International Trade Fair (ZITF). The Commission's participation at these public forums enhanced its engagement at different levels and contributed to the increase in the number of cases brought to the Commission. The major outcome of participating at these forums was an increased awareness of the role of the Commission among the general public.

2.8.3. Media and Publicity Campaigns

All the Commissioners took responsibility to profile the mandate and activities of the Commission. The aim was to achieve visibility through the use of mainstream and social media, as well as community and stakeholder engagement. The Commission partnered with Television Talk-Show Host Mai Chisamba in engaging the public on issues of great concern. Four episodes were broadcast. These were on: publicising the Commission and its relevance to members of the public; sexual harassment in tertiary institutions; child marriages; and Gender-Based Violence. Due to the show's wide audience and popularity, the Commission received a lot of feedback from across the country with members of the public seeking guidance and interventions on varied gender-related issues.

The Commission developed Information, Education and Communication materials to enhance

visibility and community engagement.



Commissioners enhancing ZGC visibility through branded T-Shirts

2.8.4. Commemoration of Calendar Events on Gender Equality

The Commission participated at the National Launch of International Women’s Day, Human Rights Day and 16 Days of Activism Against Gender-Based Violence. The Commission also participated at the Human Rights Day celebrations in Gweru under the theme, ‘Stand up for Someone’s Rights Today’. Participation at these events increased public awareness of gender equality and equity issues as well as the visibility of the Commission.

2.9. Stakeholder Engagement and Building Strategic Partnerships

2.9.1. All Stakeholders' Conference

Prior to embarking on the Commission's work, it was important to engage stakeholders in their diverse capacities to enable them to build an appreciation of the diversity of gender-dimensions of socio-political and economic landscape. The conference was pivotal in mutually guiding different



Chairperson of ZGC flanked by UNDP country director Mrs Verity Nyagah and Chairperson of the Portfolio Committee on Women Affairs Gender and Community Development Honourable B Nyamupinga at the ZGC Stakeholders Conference

sectors on the importance of addressing critical systemic gender issues through the multi-level stakeholder approach. In addition, the conference served to provide general baseline information on practices and systemic gender barriers and gaps to gender equality and to increase visibility for the Commission.

The Conference brought together representatives from Government, Parliament, UN Agencies, Traditional and Religious leaders, CSOs, the private sector and development partners. The conference came up with critical areas requiring redress; recommendations and action points for the Commission. Some of the key issues are outlined as follows;

Thematic Area	Action Point / Recommendation
Constitutional and Legal Rights	The need to speed up the re-alignment of laws; harmonisation of marriage laws [i.e. harmonisation of civil and customary unions, outlawing child marriages; review of the inheritance laws to protect children; implementation of the Constitutional provisions that promote gender balance and domestication of international and regional instruments on gender equality and equity.
Politics and Decision Making	The need to improve women's participation in politics and decision-making. The extremely low representation of women requires implementation of a legislated quota for political parties and a mechanism mandating political parties to adhere to gender-parity enshrined in the Constitution. There is need for a legislated quota for local government. There is also need to address systemic issues such as patriarchal attitudes and cultures in both the public and private sectors to accommodate women participation in decision-making positions.
Gender and Economic Empowerment	Financial inclusion and financial literacy are pivotal to women's access to credit. There is need to put in place measures for women to have special access to finance with flexible lending rates and collateral to enable formalisation of businesses. A quota must be reserved for women in government tender processes.
Gender Based Violence	Key recommendations in relation to GBV are ensuring survivors' increased access to Direct Support Services such as shelters, counselling, timely access to justice and clear referral pathways to enable them to make informed decisions. Community Based Organisations need enhanced capacity in GBV case management.
Gender and Health	There is need for increased access to maternal health services (through fees' reduction, nurse to patient ratio) to reduce high maternal mortality rates. Male involvement in sexual and reproductive health issues is pivotal in promoting gender and health.
Gender Environment and Climate Change	There is need to put in place policies, legal and institutional frameworks to address the gender dimensions of climate change.
Gender, Media and ICTs	There is need for media houses to have gender-sensitive editorial policies as part of promoting the equitable use of and access to the media. Images of women in the media must go beyond trivialising them. Women need more access to digital technologies.
Gender, Education and Young Women	Due to the intertwined nature of challenges facing young women, there is need for legal frameworks and implementation plans promoting young women's education, promoting their sexual and reproductive health rights (including addressing issues of HIV and AIDS), prevention of child marriages, teenage pregnancies, sexual harassment and trafficking.

2.9.2.Collaboration with Parliament

The Commission paid a courtesy call on the President of the Senate and Speaker of the National Assembly in July 2016 to appraise the Presiding Officers on the mandate of the Commission and seek support and possible collaboration with Parliament in implementing the Commission's Strategic Plan.

The Commission held a meeting with the Chairperson of the Portfolio Committee on Women Affairs, Gender and Community Development and the Chairperson of the Thematic Committee on Gender and Development on 21 October 2016. The meeting discussed areas of collaboration that included working with the two Committees of Parliament to push for gender sensitive law reform and realignment of laws to the Constitution and bringing gender dimensions to debates in Parliament.

2.9.3 Cooperation with other Independent Commissions

In line with the Paris Principles recommendation, the Commission sought cooperation from other institutions dealing with the responsibility to protect specific human rights in Zimbabwe. The ZGC recognises the effectiveness of co-ordinated efforts by Independent Commissions in promoting and protecting human rights. There are ongoing conversations on the setting up of a Forum for the Chairpersons of these Commissions to address overlapping areas.

2.9.4. Supporting lobbying and advocacy activities by Strategic Stakeholders

The Commission supported activities implemented by several stakeholders working in the area of gender and development. This was in recognition of these players as on-the-ground partners who could inform the Commission's work. The outcome of supporting lobbying and advocacy activities by Strategic Stakeholders resulted in increased visibility of the Commission. Some of the key engagements were:

Padare Men's Forum on Gender: The Commission engaged Padare in pursuit of male involvement as Champions of Gender Equality. As a result, Padare will partner the Commission in the hosting of a National Conference on 'Men as Partners in Promoting Gender Equality'.

Students and Youth Working on Reproductive Health Action Team [SAYWHAT]: The Commission sought to address issues of GBV and sexual and reproductive health rights in tertiary institutions through partnership with SAYWHAT, a local NGO working with tertiary institutions. The two collectively identified ways of dealing with increased cases of sexual harassment in colleges. This partnership has enabled the Commission to respond to and monitor sexual harassment cases among students. Outcomes of the interaction were: the commissioning of a National Survey on Situational Analysis of Sexual Harassment in Tertiary Institutions; development of sexual harassment policies for colleges; provision of support services such as counselling and health care clinics; and awareness-raising on negative effects of intergenerational relationships.

Girls Legacy: The Commission participated at a Girls Symposium, organised by the Girls Legacy in commemoration of the International Day of the Girl Child. The symposium sought to promote dignity in the lives of the girls. This included addressing issues abuse, poverty, child marriages and other struggles facing girls in Zimbabwe.

Union for the Development of Apostolic Churches in Zimbabwe Africa [UDACIZA]: The Commission supported efforts by the Apostolic Sects to recognise and uphold gender equality by participating

at the launch of the UDACIZA Gender Policy. The Policy addresses issues of women's SRHR and respect for women's rights. The Commission took the opportunity to castigate child marriages and other gender related violations of women's rights associated with some religious practices.

Zimbabwe Women Lawyers Association (ZWLA): The Commission established a working relationship with ZWLA to facilitate the referral of women in need of free legal services. This was to enhance the effectiveness of the Commission's work.

2.10. Complaints Handling and Investigations

2.10.1. Development of an investigations and complaints handling Manual

To guide the Commission in its investigative function, the Commission developed an Investigations and Complaints Handling Manual [ICHM]. The manual articulates the nature of cases that can be brought to the Commission, the reporting process, the procedures of handling complaints and a referral system. For example, while the aggrieved party can lodge a complaint, a third party can initiate investigations by the Commission in a gender-related matter as outlined in the manual. Complaints can be reported through appearing in person, registered mail, couriered mail, hand delivered letter or written report, ordinary post office mail, by telephone, via email, any social media platforms, using the Commission's online reporting form or any other form that facilitates easy lodging of complaints and reports with the Commission.

The manual further stipulates that the Commission may initiate an investigation on its own accord and without receiving a report or complaint from any person. An investigation by the Commission on its own accord may be initiated in any of the following situations:

- If there are media reports indicating or suggesting the existence of a practice, custom, law or other impediment prejudicial to the achievement of gender equality, gender equity or gender mainstreaming, the absence of laws to address these or a deficiency in an existing law;
- If in their interactions with communities or segments of society, Commissioners or staff of the Commission receive reports or suggestions of the existence of a practice, custom, law or other impediment prejudicial to the achievement of gender equality, gender equity or gender mainstreaming, the absence of laws to address these or a deficiency in an existing law; or
- If aggregation of the reports or complaints received by the Commission indicate or suggest the existence of a systemic barrier prejudicial to gender equality, gender equity or gender mainstreaming

"The Commission shall investigate matters that constitute a "systemic barrier prejudicial to gender equality, gender equity or gender mainstreaming" as defined in Section 2 [2] of the Act or any matter that has the effect of or potential to cause gender-based discrimination." -ICHM

2.10.2. Complaints Handled by the Commission

Part III of the Zimbabwe Gender Commission Act [Chapter 10:31] empowers the Commission to receive and investigate possible violations relating to gender. During the period under review, the Commission received, recorded and acted on a number of gender violation cases from both women and men which are listed in Box 3.

Box 3: Handling of cases of violations of gender-related rights

Nature of case	Number
GBV	10
Land dispute	1
Inheritance	4
Divorce settlement	3
Sexual assault	1
Labour dispute	2
Matrimonial property attached by commercial banks	1
Total	22

The Commission recorded a high number of men reporting gender-based violence cases perpetrated by female intimate partners. The trend was contrary to the general perception that women make up the larger proportion of victims in GBV issues.

Some of the cases that have been handled by the Commission include inheritance cases arising from property grabbing by relatives of deceased spouses.

The Commission observed that the use of matrimonial homes as collateral impacts negatively on laws dealing with community of property and marriage laws. There is therefore need to review the provisions of the Banking Act to outlaw the use of matrimonial homes for collateral without carrying out due diligence.

In line with its Constitutional mandate of securing appropriate redress where rights relating to gender have been violated, the Commission issued a strong statement after the Judicial Services Commission (JSC) subjected a pregnant candidate to justify her readiness to take up a judicial appointment in view of her impending role as the mother of a baby. The Commission viewed this as a violation of gender rights and strongly condemned this practice.

2.11. Research and Knowledge Management into Issues Related to Gender Justice

The Commission sought to create a functional knowledge hub and avail knowledge products on gender equality. Some of this knowledge would emanate from conducting research into issues relating to gender and social justice, therefore recommending changes to laws and practices.

2.11.1. Ending Child Marriages in Zimbabwe Study

The Commission undertook a study on “The Role of the Zimbabwe Gender Commission in Ending Child Marriages in Zimbabwe”. The focus was on reviewing and analysing gaps in laws and policies, and identifying systemic and institutional barriers to the eradication of child marriages. The research findings were to inform the Commission’s interventions on the matter. The key issues highlighted in the report include: status and trends of child marriages in Zimbabwe;

drivers of child marriages; and the role of the Commission in ending child marriages.

Proposed Child Marriage Interventions and Activities to be aligned with the Commission's functions:

Function of the Commission	Child Marriage Intervention	Recommended Activities
To monitor issues concerning gender equality to ensure gender equality as provided in the Constitution	Monitor reform of marriage laws and effective implementation of new and existing laws	Urgent follow up with Ministry of Justice regarding status of Marriage Bill
To investigate possible violations of rights relating to gender	Investigate systemic drivers of child marriages.	Working with relevant Ministries undertake research on drivers of child marriages and submit recommendations to Parliament and the Executive.
To receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate	Create awareness of child marriage as a human rights violation and popularise the complaints handling function of the ZGC	Introduce child-friendly complaints procedures and mechanisms that would enable children to bring cases to the attention of the ZGC
To advise public and private institutions on steps to be taken to ensure gender equality	Popularise international human rights instruments relating to gender equality, including Zimbabwe's obligations to prohibit child marriage and address the causes of child marriage under the Treaties	Draft position papers on findings from investigations outlined above. The position papers should clearly outline steps to be taken by public and private institutions based on the findings of the investigations.
To recommend prosecution for criminal violations of rights relating to gender.	Receive and investigate child marriage complaints.	Recommend child marriage cases for prosecution to the police or National Prosecuting Authority following an investigation or hearing by the ZGC.
To secure appropriate redress where rights relating to gender have been violated	Monitor the prosecution of cases involving child marriage to ensure justice is delivered	Collaborate with the Ministry of Justice to collect data on reported cases and outcomes in justice system, including number of prosecutions.
To do everything necessary to promote gender equality	Mainstream child marriage into Strategic Plan of the ZGC	Mainstream child marriage into activities to be undertaken as identified in the Strategic Plan of the ZGC.

The Constitutional Court ruling of January 2016 by Justice Chidyausiku was a milestone celebrated by the ZGC alongside the nation. The judgement was hailed as a major landmark in the history of Zimbabwe as it outlawed child marriages. The ZGC anticipates that the test case will go a long way as a learning point for communities to respect the rights of young girls.

2.12. Financial Support and Resource Mobilisation

The provisions of Section 305 of the Constitution permit the Commission to be funded from the Consolidated Revenue Fund (CRF). For the fiscal year 2016, the Commission was allocated a budget amounting to USD 150 000.00 and USD 405 558.00 from the unallocated reserve. This financial support enabled the Commission to fund the set up costs and to meet expenditures relating to salaries, allowances, office rentals and equipment and furniture for the Commission.

Over and above appropriations from the CRF, Section 13 of the ZGC Act permits the Commission to raise funds and seek donations from development partners. For the fiscal year 2016, the Commission received support from a number of development partners, notably UN Women, UNDP and ILO. Support received ranged from the engagement of a Technical Advisor, a vehicle, procurement of office equipment and financial support for programme implementation throughout the year.

A large, light purple, stylized number '3' is positioned in the background, partially obscured by the text.

Challenges and Recommendations

Challenges and Recommendations

3.1. Challenges

The Commission recorded many achievements in its formative year. This was despite the limited fiscal space. The Commission's budget requirements for the Year 2016 according to the Strategic Plan amounted to USD 1,302,000.00. Funding from Treasury amounted to USD 555,558.00 for the Year 2016. This therefore left the Commission with a funding gap of USD 746,442.00, amounting to the Commission's allocation falling below 50 percent of its budgetary requirements.

The Commission experienced a fair share of challenges during the period under review. Major among them was the absence of a fully fledged secretariat. This impacted negatively on programme implementation. The Commission could not decentralise its services to enable access by various communities in different parts of the country. Other than at public exhibitions, all cases attended to by the Commission were reported at the ZGC offices in Harare. Visibility of the Commission, though significant, could have been better with the availability of adequate staff and vehicles for outreach work.

3.2. Recommendations to Parliament

To enable the Commission to effectively discharge its mandate, there is need for appropriation of adequate financial resources. Such support will facilitate the engagement of adequate staff for the secretariat, securing of adequate equipment and vehicles, and programme implementation.

The Commission's work will also be enhanced through the speedy re-alignment of laws; in particular gender-related laws and addressing inconsistencies in the ZGC Act and the Constitution among others.

Audited Financial Statements



Audited Financial Statements

All communication should be addressed to
"The Auditor-General"

P.O. Box CY 143, Causeway, Harare
Telephone No.: 793611/3/4, 762817/8/20-23
Telegrams: "AUDITOR"
Fax: 706070
E-mail:



Reference: ZGC 2/25/16

OFFICE OF THE AUDITOR-GENERAL
5th Floor, Burroughs House
48 George Silundika Avenue
Harare

REPORT OF THE AUDITOR-GENERAL

TO

THE CHAIRPERSON

VOTE 39: ZIMBABWE GENDER COMMISSION

IN RESPECT OF THE APPROPRIATION ACCOUNT

FOR THE YEAR ENDED DECEMBER 31, 2016

Report for the Appropriation Account

I have audited the Appropriation Account for the Zimbabwe Gender Commission for the year ended December 31, 2016.

Management's Responsibility for the Financial Statements

The Chairperson of the Zimbabwe Gender Commission is responsible for the preparation and fair presentation of the Appropriation Account. This responsibility includes designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the Appropriation Account that is free from material misstatements, whether due to fraud or error, selecting and applying appropriate accounting policies and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the Appropriation Account based on my audit. I conducted my audit in accordance with International Standards of Supreme Audit Institutions (ISSAIs). Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the Appropriation Account is free from material misstatements.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Appropriation Account. The procedures selected depend on the auditor's judgment including the assessment of the risks of material misstatements of the Appropriation Account, whether due to fraud or error. In making those risk assessments, the auditor considers

internal controls relevant to the entity's preparation and fair presentation of the Appropriation Account in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management as well as evaluating the overall presentation of the Appropriation Account.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the Appropriation Account presents fairly, in all material respects, the financial position and performance of Zimbabwe Gender Commission as at December 31, 2016.

May 17, 2017.

M. Chiri
M. CHIRI,
Auditor-General.

APPROPRIATION ACCOUNT

FOR THE YEAR ENDED DECEMBER 31, 2016

Service	Vote	Expenditure	Expenditure compared with Vote	
			Less than Voted	More than Voted
	\$	\$	\$	\$
A. Employment Costs:				
Original Estimate	—			
Transfer from Vote 5 - Finance	<u>405 558</u>			
	405 558	405 553	5	—
B. Goods and Services	84 500	65 976	18 524	—
C. Maintenance	15 500	17 695	—	2 195
F. Acquisition of Fixed Assets	50 000	45 874	4 126	—
	<u>\$555 558</u>	<u>\$535 098</u>	<u>\$22 655</u>	<u>\$2 195</u>
Total:				
Original Estimate	\$150 000			
Transfer in terms of section 5(2) of the				
Appropriation (2016) Act, 2015	<u>\$405 558</u>			
	<u>\$555 558</u>	<u>\$535 098</u>	<u>\$22 655</u>	<u>\$2 195</u>
Net Underspending			<u>\$20 460</u>	


Notes

1. Explanations for the Main Variations between Expenditure and the Sums Appropriated

LB The saving was due to non-release of funds by Treasury.

LC The excess was due to insufficient budget from Treasury.

05 15 2017.
Month Day Year


M. MUKAHANANA-SANGARWE,
Chairperson of the Zimbabwe Gender Commission

VOTE 39.- ZIMBABWE GENDER COMMISSION -APPROPRIATION ACCOUNT FOR THE YEAR ENDED DECEMBER 31, 2016

I have audited the Appropriation Account and the supporting returns for the Zimbabwe Gender Commission for the year ended December 31, 2016.

Opinion

In my opinion, the Appropriation Account presents fairly, in all material respects, the financial position and performance of the Zimbabwe Gender Commission as at December 31, 2016.

HOWEVER, below are other material issues noted during the audit.

1. GOVERNANCE ISSUES

1.1 Annual Report

Finding

Section 323 (1) of the Constitution of Zimbabwe Amendment (No. 20) Act 2013 states that every Commission 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 following year to which the report relates.

I observed that the Zimbabwe Gender Commission did not submit to the Parliament of Zimbabwe its annual report describing fully its operations and activities by the end of March 2017. This was caused by inadequate staffing at the Commission.

Risk/ Implication

The Commission may lose focus of its operations if no reports are submitted to the Parliament of Zimbabwe. The Commission may lack proper accountability of its activities if no reports are availed to the Parliament of Zimbabwe.

Recommendation

The Commission should submit reports of its operations and activities to the Parliament of Zimbabwe in compliance with Section 323 (1) of the Constitution of Zimbabwe Amendment (No. 20) Act 2013.

Management Response

The annual report is at its completion stage and the Commission will send it to the Ministry for submission to Parliament as soon as it is completed.

Evaluation of Management Response

While the effort by the Commission is appreciated, however, the Annual Report was not submitted to Parliament by the end of March 2017 as provided for in the Constitution of Zimbabwe.

1.2 Submission of Accounts

Finding

Section 35 (6) (b) of the Public Finance Management Act [Chapter 22:19] states that every Accounting Officer shall submit financial statements within (60) sixty days of the end of the financial year for audit.

The Commission submitted the Appropriation Account on March 17, 2017 which was after the due date of February 28, 2017. This was caused by inadequate staffing at the Commission.

Risk/ Implication

Delays in the submission of financial statements will render the information irrelevant for economic decision making purposes.

Recommendation

The Commission should prepare and submit financial statements on time in compliance Section 35 (6) (b) of the Public Finance Management Act [Chapter 22:19].

Management Response

There was no clarity on whether the Commission was supposed to submit its accounts to send to the Auditor-General as the Commission was left out in the Audit Circular No. 1 of 2016. However, the Commission found out about the requirements late after the deadline of submission of accounts to the Auditor-General.

Evaluation of Management Response

The Commission did not submit the Appropriation Account within the stipulated timeframe as provided for in section 35 (6)(b) of the Public Finance Management Act [Chapter 22:19].

The Zimbabwe Gender Commission

No. 89 Kwame Nkrumah Avenue
1st Floor Pax House
Tel: +263 04 701101 / +263 4 250296

www.zgc.org.zw



*Empowered Lives
Resilient Nations*