



## FOR IMMEDIATE RELEASE

### **PRESS STATEMENT: CONCERNS OVER THE INDEPENDENCE OF THE ZIMBABWE HUMAN RIGHTS COMMISSION FOLLOWING THE RE-ASSIGNMENT OF ITS CHAIRPERSON**

**Nairobi, 13 April 2026**

The Network of African National Human Rights Institutions (NANHRI) is a regional umbrella organization that brings together 46 National Human Rights Institutions (NHRIs) across Africa. Its mission is to support the establishment and strengthening of independent, Paris Principles-compliant NHRIs that effectively promote and protect human rights across the continent.

The Network of African National Human Rights Institutions (NANHRI) expresses grave concern regarding the recent executive decision to “reassign” Ms. Fungayi Jessie Majome from the Chairpersonship of the Zimbabwe Human Rights Commission (ZHRC) to the Public Service Commission (PSC). This action sets a dangerous precedent that threatens the constitutional order, the rule of law, and democratic oversight in Zimbabwe.

This development comes in the immediate aftermath of the ZHRC’s analysis and **7 April 2026 press statement** on its monitoring of public hearings on Constitutional Amendment Bill No. 3 (CAB 3). In that statement, the Commission raised serious concerns regarding:

- Harassment, intimidation, and, in some cases, physical attacks against individuals expressing dissenting views;
- Restricted access to public hearing venues and controlled participation;
- Violations of fundamental rights, including freedom of expression, human dignity, equality, and personal security.

These findings reflect the ZHRC’s constitutional mandate to independently monitor and report on human rights situations. Any adverse action against its leadership in close proximity to such reporting raises legitimate concerns about retaliation and the shrinking space for independent oversight.

## **Preserving the Independence of the ZHRC**

The ZHRC is a Chapter 12 institution (constitutional body) whose effectiveness is grounded in its independence. For any NHRI to function credibly, it must comply with the **Paris Principles**, which guarantee independence from executive interference.

The reassignment of a sitting Chairperson—particularly in the context of the Commission’s recent public reporting and statement—undermines the independence, credibility, and effectiveness that are essential to the ZHRC’s mandate.

## **Constitutional Tenure and Due Process**

The Constitution of Zimbabwe does not provide for the “reassignment” of commissioners of independent institutions but rather removal. Under Section 237, commissioners enjoy security of tenure and may only be removed through a formal and transparent tribunal process on grounds such as misconduct or incapacity.

Circumventing this process through executive action constitutes a de facto removal from office and erodes constitutional safeguards designed to protect institutional independence.

## **The Role of the Public Service Commission (PSC)**

While reference has been made to Section 202 of the Constitution, which governs the Public Service Commission, it is important to underscore that the PSC forms part of the Executive’s administrative structure.

Independent commissions, by contrast, are constitutionally established oversight bodies intended to operate outside executive control. Treating a Constitutional Commissioner as a transferable civil servant fundamentally misconstrues this distinction and creates a dangerous precedent that compromises institutional integrity.

## **Safety of Commissioners and Staff**

NANHRI is further concerned by reports of an increasingly hostile environment for individuals expressing dissenting views, as highlighted in the ZHRC’s own findings.

In this regard, NANHRI calls upon the Government of Zimbabwe to:

1. Ensure the physical and professional safety of all ZHRC commissioners and staff;
2. Refrain from all forms of intimidation, harassment, or reprisals against individuals participating in public consultations;
3. Respect the constitutional guarantees of tenure and independence afforded to members of Chapter 12 institutions.

“Protection Against Removal (Section 237): A member can only be removed from office on limited grounds, such as gross misconduct, physical or mental incapacity, or incompetence.

Judicial Process Requirement: Crucially, Section 237(3) states that the procedure for removing a judge applies to the removal of a commissioner. This means the President must appoint a formal tribunal to investigate any allegations. The President can only act upon the recommendation of that tribunal.”

## **Conclusion**

The independence of the ZHRC is a constitutional guarantee and a fundamental safeguard for the people of Zimbabwe.

NANHRI urges the Government of Zimbabwe to rescind this decision and to uphold the constitutional principles of independence, accountability, and the rule of law. Protecting the integrity of independent commissions is essential to ensuring a democratic society where human rights are respected, protected, and fulfilled.



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