



Statement on the Appointment Process of Commissioners – The National Peace and Reconciliation Commission

The Human Rights NGO Forum (the Forum) and the Zimbabwe Lawyers for Human Rights (ZLHR) recognizes the effort by the Committee on Standing Rules and Orders of inviting the public to make nominations for persons to serve on National Peace and Reconciliation Commission among other independent commissions.

Section 251 (4) of the Constitution states: *Members of the National Peace and Reconciliation commission must be chosen for their integrity and their knowledge and understanding of, and experience in, mediation, conciliation, conflict prevention and management, post-conflict reconciliation or peace building.*

By its very nature, the National Peace and Reconciliation Commission will derive its power and legitimacy to a large extent from the moral authority and competence of commissioners. Hence, selecting suitable commissioners will be a crucial factor for this commission to function properly.

The Forum and ZLHR strongly believe that Commissioners appointed to this post must have both personal and institutional credibility and proven integrity to engage in their work.

International norms require that the credibility of such Commissioners must be above suspicion or doubt. Therefore it is important to articulate more clearly the relevant criteria, beyond generalities concerning reputation. No position of comparable responsibility must be filled on the basis of poorly defined standards.

Therefore the Forum and ZLHR recommend that **Commissioners** must fulfill the following criteria:

- Demonstrable commitment and leadership in the cause of human rights as well as have demonstrated *accomplishments* in transitional justice thematic areas.

- Demonstrable lack of conflict of interest – no prior membership in events or support for an organization whose activity might be the subject of investigation by the NPRC; no involvement either as victim or perpetrator in the cases to be dealt with by the NPRC.
- The criteria **MUST** ensure that persons who have been implicated in human rights violations or who presided over institutions that were or may be implicated in human rights violations; persons actively associated with any political party in Zimbabwe, are not appointed to this independent commissions.

Concerning the **election process** the Forum and ZLHR recommend the following:

- The NPRC must reflect an adequate gender balance.
- The nominated Commissioners must not be selected secretly and announced suddenly by the President or any other source. Their selection must be subjected to scrutiny and public discussion.
- The criteria, which the Committee is applying for the short - listing process, must be discussed publicly.
- Shortlisted nominees must have proven technical capacity.
- The whole selection process up to the appointment of the Commissioners should be consultative.

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