



General Assembly

Distr.: General
25 August 2016

Original: English

Human Rights Council

Working Group on the Universal Periodic Review

Twenty-sixth session

31 October-11 November 2016

Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Zimbabwe

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

GE.16-14767(E)



* 1 6 1 4 7 6 7 *

Please recycle



I. Background and framework

A. Scope of international obligations¹

1. International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1991)	OP-CRC-AC (2013)	ICCPR-OP 2
	ICESCR (1991)	OP-CRC-SC (2012)	CAT
	ICCPR (1991)	CRPD (2013)	OP-CAT
	CEDAW (1991)		ICRMW
	CRC (1990)		ICPPED
<i>Reservations and/or declarations</i>	ICCPR (declaration, art. 41, 1993)	OP-CRC-AC (declaration, art. 3 (2), 18 years, 2013)	
<i>Complaints procedures, inquiries and urgent action³</i>	ICCPR, art. 41 (1991)	OP-CRPD, art. 6 (2013)	ICERD, art. 14
			OP-ICESCR
			ICCPR-OP 1
			OP-CEDAW
			CAT
			OP-CRC-IC
		ICRMW	
		ICPPED	

2. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	-	-
	-	-	Rome Statute of the International Criminal Court
	-	Palermo Protocol ⁴	-
	Conventions on refugees and stateless persons (except 1961 Convention on the Reduction of Statelessness) ⁵	-	1961 Convention on the Reduction of Statelessness
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁶	-	Additional Protocol III to the 1949 Geneva Conventions ⁷
	ILO fundamental conventions ⁸	-	-

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
-	-	ILO Conventions Nos. 169 and 189 ⁹
Convention against Discrimination in Education	-	-

1. The Office of the United Nations High Commissioner for Refugees (UNHCR) recalled that, during the universal periodic review held on 10 October 2011,¹⁰ Zimbabwe had supported the recommendation to ratify the 1961 Convention on the Reduction of Statelessness and that it had recommended that Zimbabwe accede to the Convention.¹¹

2. In 2016, the Committee on the Rights of the Child recommended that Zimbabwe ratify CAT, ICRMW, ICPPED¹² and OP-CRC-IC.¹³ In 2012, the Committee on the Elimination of Discrimination against Women recommended that Zimbabwe ratify OP-CEDAW.¹⁴

3. The Committee on the Rights of the Child recommended that Zimbabwe consider ratifying the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.¹⁵

B. Constitutional and legislative framework

4. The United Nations country team applauded Zimbabwe for adopting, in May 2013, a new Constitution founded on principles that include the rule of law and fundamental human rights.¹⁶ It recommended accelerating the process of reviewing and aligning the laws to the Constitution.¹⁷ It urged Zimbabwe to utilize the legislative alignment process as an opportunity to incorporate the ratified conventions into the domestic legal framework.¹⁸

5. The Committee on the Elimination of Discrimination against Women urged Zimbabwe to give high priority to the process of fully incorporating CEDAW into its domestic legal system.¹⁹

6. The Committee on the Rights of the Child welcomed the constitutional provision establishing the age of majority at 18 years, as well as the prohibition on pledging children in marriage and on forced marriage. It recommended amending all statutory and customary law to establish the minimum age of marriage at 18 years.²⁰

7. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended decriminalizing defamation in accordance with international standards.²¹

8. In 2012, the High Commissioner for Human Rights stated that section 33 of the Criminal Code, dealing with “insulting or undermining the authority of the president”, should be repealed. Also, section 121 of the Criminal Procedure and Evidence Act, which was seriously misused by prosecutors to block the release of persons after bail had been granted, without any reason, should be amended to prevent its frequent misuse for political purposes.²²

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions²³

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle²⁴</i>
Zimbabwe Human Rights Commission	-	A (2016) ²⁵

9. The country team stated that the Zimbabwe Human Rights Commission remained underresourced and understaffed, which negatively affected its performance.²⁶ The country team recommended strengthening the independence of the Commission in carrying out its monitoring mandate, including in places of detention.²⁷ The Committee on the Rights of the Child urged Zimbabwe to ensure that the Commission had the mandate and resources to monitor children's rights and to ensure the independence of the Commission in relation to its funding, mandate, immunities and the appointment of its members, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).²⁸

10. The country team encouraged Zimbabwe to accelerate efforts to ensure the full operationalization of the Zimbabwe Gender Commission.²⁹

11. The Committee on the Elimination of Discrimination against Women encouraged Zimbabwe to strengthen the Ministry of Women's Affairs, Gender and Community Development by providing it with adequate human, financial and technical resources and to strengthen its impact assessment mechanisms so as to ensure that gender equality policies are properly monitored and evaluated and that their implementation is assessed.³⁰

12. The Committee on the Rights of the Child urged Zimbabwe to ensure the establishment of an appropriate body at a high interministerial level with a clear mandate and sufficient authority and resources to effectively coordinate all activities related to the implementation of CRC.³¹

II. Cooperation with human rights mechanisms

13. The country team stated that Zimbabwe had prepared a midterm report on the implementation of the recommendations received during the 2011 review.³²

14. In 2012, the United Nations High Commissioner for Human Rights expressed the willingness of her Office to provide technical support to Zimbabwe to implement recommendations from the 2011 review. She urged Zimbabwe to reconsider those recommendations the implementation of which had not been supported, as they were of great importance to the country's future.³³

A. Cooperation with treaty bodies

1. Reporting status

15. The Committee on the Rights of the Child regretted that the second periodic report had been submitted with considerable delay.³⁴ The country team stated that, although progress had been made in drafting the overdue treaty body reports, delays were noted in obtaining Cabinet and Ministry approval, which had resulted in the information in the reports being outdated at the time of submission.³⁵

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	March 2000	-	-	Fifth report overdue since 2000
Committee on Economic, Social and Cultural Rights	May 1997	-	-	Second report overdue since 1998
Human Rights Committee	April 1998	-	-	Second report overdue since 2002
Committee on the Elimination of Discrimination against Women	January 1998	-	March 2012	Sixth report overdue since 2016
Committee on the Rights of the Child	June 1996	2013	January 2016	Combined third to seventh periodic reports due in 2021. Initial reports on OP-CRC-AC and OP-CRC- SC overdue since 2015 and 2014
Committee on the Rights of Persons with Disabilities	-	-	-	Initial report overdue since 2015

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Discrimination against Women	2014	Constitutional review; violence against women ³⁶	2015; follow-up dialogue ongoing

B. Cooperation with special procedures³⁷

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	-	-
<i>Visits agreed to in principle</i>	Torture Violence against women	- -

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Visits requested</i>	Independence of judges and lawyers	Human rights defenders
	Human rights defenders	Violence against women
	Freedom of expression	Peaceful assembly and association
	Torture	Water and sanitation
	Food	Extreme poverty
	Mercenaries	Negative impact of unilateral coercive measures
	Housing	Torture
	Disappearances	Cultural rights
		Independence of judges and lawyers
		Freedom of expression
		Disappearances
	Housing	
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 16 communications were sent. The Government replied to 6 communications.	

16. The country team encouraged Zimbabwe to cooperate with the special procedures mandate holders of the Human Rights Council.³⁸

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

17. In 2012, the United Nations High Commissioner for Human Rights visited Zimbabwe.³⁹

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

18. The Committee on the Elimination of Discrimination against Women expressed concern about the persistence of harmful norms, practices and traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles, responsibilities and identities of women and men in all spheres of life.⁴⁰ It urged Zimbabwe to put in place a comprehensive strategy to modify or eliminate patriarchal attitudes and stereotypes that discriminate against women.⁴¹

19. The Committee also expressed concern about customary and religious laws and practices that discriminated against women in the area of marriage and family relations, such as polygamy and bride price (*lobola*), and that were being upheld to preserve both civil and customary marital regimes.⁴²

20. The Committee on the Rights of the Child expressed concern about forced and early marriage, polygamy, *lobola* and, in certain regions, virginity testing and witch hunting.⁴³
21. The Committee on the Elimination of Discrimination against Women expressed concern about the prevalence of discriminatory customs and traditional practices that prevent rural women from inheriting or acquiring land and other property and accessing credit facilities and community services. While noting that Zimbabwe had allocated a 20 per cent quota for women under the fast-track land reform programme, the Committee expressed concern that rural women's access to land remained limited compared to that of men.⁴⁴ The Committee called upon Zimbabwe to monitor the implementation of the land reform programme to ensure that the quota would be achieved.⁴⁵
22. The Committee also expressed concern about the disadvantaged position of women in rural and remote areas who experienced poverty, difficulties in accessing health and social services and lack of participation in decision-making processes at the community level.⁴⁶
23. The Committee commended efforts to apply temporary special measures allowing women to access loans under the small and medium-sized enterprises policy in 2010 and encouraged strengthening those measures. It recommended setting time-bound targets and allocating sufficient resources for the implementation of strategies and measures aimed at achieving the substantive equality of women and men in all areas, in particular employment and participation in political and public life.⁴⁷
24. The Committee on the Rights of the Child expressed concern about the situation of girls who suffered marginalization and gender stereotyping and who were more vulnerable to sexual violence, abuse and HIV/AIDS.⁴⁸
25. The Committee also expressed concern about discriminatory legislation on guardianship that distinguished between children born within and outside marriage. It recommended aligning the laws with the non-discriminatory provisions of the Constitution, thereby giving parents equal rights and responsibilities with regard to guardianship and custody of their child, and removing any preference given to a parent prior to specific consideration of the best interests of the child. It also recommended ensuring that the children of unmarried parents have contact with their fathers when it is in the best interests of those children.⁴⁹
26. The Committee remained concerned about the low number of births registered and the low rate of issuance of birth certificates, especially in rural areas and in low-income households. The failure to present a birth certificate could prevent school enrolment and children from receiving their national school examination certificates. It could also lead to a child being denied inheritance from his or her legitimate father if paternity was not proved, as required by the inheritance laws.⁵⁰
27. The Committee expressed concern about reports that children born on the territory of Zimbabwe to parents of indeterminate nationality had been denied the right to have their birth registered and to acquire Zimbabwean nationality, which had impeded their access to health care, education and other social services.⁵¹
28. The Committee reiterated its concern about high levels of discrimination against certain groups of children, including children with disabilities, children in street situations, children living in rural areas, children born out of wedlock, orphans, children living in foster care, lesbian, gay, bisexual, transgender and intersex children and children infected with HIV or affected by HIV/AIDS.⁵²

B. Right to life, liberty and security of person

29. The country team stated that little progress had been made by the authorities to establish the whereabouts of Itai Dzamara, a freelance journalist who was abducted in March 2015, despite a High Court order in that regard. It encouraged Zimbabwe to take all measures necessary to investigate his whereabouts.⁵³

30. The Committee on the Rights of the Child urged Zimbabwe to establish child-sensitive complaints mechanisms regarding ill-treatment and torture of children in police custody and detention and ensure the independent monitoring of places where children are deprived of their liberty.⁵⁴

31. The country team stated that conditions of detention remained below international standards. It encouraged Zimbabwe to take urgent steps to improve prison conditions and address prison decongestion.⁵⁵ The Committee on the Rights of the Child expressed concern about reports of a serious lack of nutritious food and poor sanitary conditions for infants and children sharing prison cells with their mothers.⁵⁶

32. The Committee on the Elimination of Discrimination against Women expressed concern about acts of violence perpetrated by State and non-State actors against lesbian, bisexual and transgender women.⁵⁷ It urged Zimbabwe to provide effective protection against violence and discrimination for women, including lesbian, bisexual and transgender women.⁵⁸

33. The Committee welcomed the enactment of the Sexual Offences Act in 2003, which recognized marital rape as an offence, and was deeply concerned that its effectiveness had been hampered owing to a lack of financial and human resources.⁵⁹

34. The Committee expressed concern about the high prevalence of violence against women, in particular domestic and sexual violence, which remained, in many cases, underreported, and also about the absence of an expressed political will to give priority to eliminating violence against women.⁶⁰ The Committee also expressed concern at the failure to address politically motivated violence against women.⁶¹

35. The Committee urged Zimbabwe to provide adequate assistance and protection to women who were victims of violence by strengthening the capacity of existing shelters and establishing more shelters.⁶²

36. The Committee on the Rights of the Child expressed concern about allegations that members of religious sects, such as apostolic churches, were involved in harmful cultural practices, in particular early marriage between girls as young as 10 years of age and older men for “spiritual guidance”.⁶³

37. The Committee also expressed concern about the prevalence of sexual exploitation and abuse of girls, orphans, children with disabilities, child migrants and children living in poverty, and about the underreporting of such violations.⁶⁴ It recommended that Zimbabwe ensure that victims have access to child-protection centres throughout the country.⁶⁵

38. The Committee further expressed concern that corporal punishment remained legal and widely practised in the family, in schools and in other settings,⁶⁶ and about the recourse to whipping as a disciplinary measure for boys.⁶⁷

39. The Committee expressed concern about the persistence of child labour, including hazardous labour, owing to the weak enforcement of existing legislation and policies and about reports of exploitation of children, in particular from low-income households, in the agriculture, forestry, hunting and fishing sectors.⁶⁸ It urged Zimbabwe to establish a list of hazardous kinds of work in which children should not be involved,⁶⁹ to address the

socioeconomic factors contributing to child labour and scale up the implementation of social welfare programmes to prevent children engaging in economic activities.⁷⁰

40. The Committee on the Rights of the Child welcomed the enactment of the Trafficking in Persons Act (2014)⁷¹ and the creation of the Interministerial Task Force on Human Trafficking.⁷² It noted persistent reports of trafficking in children in the context of the high rate of migration of unaccompanied children.⁷³ The Committee on the Elimination of Discrimination against Women remained concerned at the continuing prevalence of trafficking in women and girls, as well as at the low reporting rate.⁷⁴ That same Committee called for members of the judiciary, law enforcement officials, border guards and social workers to be trained in identifying and dealing with victims of trafficking and in the anti-trafficking legislation.⁷⁵

41. The Committee on the Elimination of Discrimination against Women was concerned at the lack of shelters and counselling services for victims of trafficking and prostitution.⁷⁶ The Committee on the Rights of the Child recommended that Zimbabwe ensure the protection of, and support services for, children who had been victims of trafficking and commercial sexual exploitation.⁷⁷

C. Administration of justice, including impunity, and the rule of law

42. The Committee on the Rights of the Child expressed concern about the inefficiencies and lack of resources in the justice system resulting in the extremely low conviction rate of perpetrators of sexual exploitation and abuse of children.⁷⁸

43. The Committee on the Elimination of Discrimination against Women urged Zimbabwe to provide mandatory training for judges and prosecutors on the strict application of legal provisions dealing with violence against women and train police officers on procedures to deal with victims of violence.⁷⁹

44. The country team stated that the provision of legal aid remained a challenge, as services were not decentralized, which was compounded by reports of corruption in the justice delivery sector.⁸⁰

45. The Committee on the Rights of the Child remained concerned about the minimum age of criminal responsibility being set at 7 years and urged Zimbabwe to increase it in accordance with international standards.⁸¹

46. That same Committee commended Zimbabwe for including in its Constitution a provision stating that children are not to be detained except as a measure of last resort and welcomed the constitutional and legislative provisions guaranteeing the right to legal aid.⁸²

47. The country team stated that Zimbabwe piloted the pretrial diversion programme, which targeted children in conflict with the law, and encouraged the Government to provide funding for the roll-out of the programme nationally.⁸³

48. The Committee on the Rights of the Child urged Zimbabwe to continue the pretrial diversion programme and ensure that children have access to alternative measures to deprivation of liberty and ensure the provision of qualified and independent legal aid to children in conflict with the law by increasing the allocation of human and financial resources to the Legal Aid Directorate.⁸⁴

49. That same Committee urged Zimbabwe to designate and train specialized judges for children and strengthen specialized juvenile court facilities and procedures by providing adequate human, technical and financial resources.⁸⁵

50. The Committee recommended that Zimbabwe ensure the effective implementation of legislation recognizing the right of children to express their views in relevant legal proceedings, including by considering establishing systems and procedures for social workers and courts to monitor compliance with the principle.⁸⁶

D. Right to privacy, marriage and family life

51. The Committee on the Rights of the Child was concerned about the inadequate enforcement of laws protecting children's right to privacy, in particular in relation to the publication of information by the media relating to children who were either victims of abuse or accused of committing crimes, as well as being subjected to invasive practices such as virginity testing.⁸⁷

52. The country team stated that three marriage regimes existed in Zimbabwe, with different consequences for women after divorce or the death of the spouse. It recommended harmonizing the laws to create one marriage regime.⁸⁸

53. The Committee on the Rights of the Child noted the rising number of children in residential care and recommended that Zimbabwe support and facilitate family-based care for children wherever possible and further develop the foster care system for children who cannot stay with their families.⁸⁹

54. The Committee was concerned about the overly restrictive interpretation of the rules of adoption and the negative views of adoption within the society.⁹⁰

E. Freedom of movement

55. UNHCR stated that Zimbabwe had an encampment policy requiring all refugees to stay at Tongogara Refugee Camp. Detention was used for migration-related offences, including unlawful entry, employment without an official permission to work and exiting the refugee camp without authorization.⁹¹

F. Freedom of or belief, expression, association and peaceful assembly, and the right to participate in public and political life

56. The Committee on the Rights of the Child expressed concern about reports that children had been forced to participate in political activities.⁹²

57. The Committee also expressed concern about reports that the Public Order and Security Act had been invoked by the authorities to deny children permission to hold marches in commemoration of International Children's Day.⁹³

58. The Committee on the Elimination of Discrimination against Women expressed concern that obstacles to the advancement of women remained in the areas of public and professional life, as well as in decision-making positions, including the judiciary, local government and the private sector.⁹⁴ It called for the adoption of quotas for women throughout the public service.⁹⁵

59. The Committee also expressed concerned that systematic barriers impeded the equal participation of women in political life.⁹⁶ It called on Zimbabwe to allocate adequate funds for women candidates participating in elections, including opposition candidates, in the public funding of election campaigns⁹⁷ and to promote women's participation in civil society organizations, political parties, trade unions and other associations, including in leadership positions.⁹⁸

G. Right to work and to just and favourable conditions of work

60. The country team stated that structural and legislative barriers existed for women in the labour market. Maternity benefits remained out of reach for women in the informal sector and in rural areas.⁹⁹

61. The Committee on the Elimination of Discrimination against Women expressed concern at the continuing vertical and horizontal occupational segregation and the persistent wage gap between women and men.¹⁰⁰ It urged Zimbabwe to adopt legislation guaranteeing equal pay for work of equal value and temporary special measures, such as quotas aimed at achieving de facto equality of opportunity for men and women in the labour market.¹⁰¹

62. The Committee expressed concern about the concentration of women in the informal sector, where there were no social security or other benefits.¹⁰² It urged Zimbabwe to provide a regulatory framework for the informal sector with a view to providing women with access to social security and other benefits.¹⁰³

63. The country team stated that the Labour Amendment Act of 2015 prohibited children under the age of 16 years from working. It recommended that Zimbabwe implement that provision through the use of appropriately trained labour inspectors and the application of severe penalties for those who exploit children.¹⁰⁴

64. UNESCO stated that there was a need to increase the salaries of teachers that were below the poverty datum line and improve working conditions for teachers in rural areas.¹⁰⁵

H. Right to social security and to an adequate standard of living

65. The country team stated that Zimbabwe experienced significant food insecurity. Capacity should be enhanced in areas of social protection to better deliver food assistance and address malnutrition. Improved water management and a concerted effort in the rehabilitation of irrigation schemes were crucial for building resilience and reducing food insecurity.¹⁰⁶

66. The United Nations High Commissioner for Human Rights was disturbed by reports that some humanitarian agencies were not allowed to operate in certain parts of the country, notably Mayvingo and Mashonaland, and as a consequence aid, including food aid, was not being delivered on the basis of need.¹⁰⁷

67. The Committee on the Rights of the Child expressed concern at the persistent widespread poverty and inadequate basic services, including lack of a comprehensive social security system.¹⁰⁸ It urged Zimbabwe to develop a national strategy to address poverty, social security, nutrition and health, to improve access to safe drinking water and adequate sanitation facilities and to allocate sufficient resources to ensure the implementation of the 2013 Food and Nutrition Security Policy.¹⁰⁹

68. That same Committee expressed concern about the high number of child- and grandparent-headed households. It recommended that Zimbabwe strengthen the financial support and community structures to those households, with particular attention to families in rural areas and farming communities.¹¹⁰

I. Right to health

69. The Committee on the Rights of the Child recommended that Zimbabwe develop long-term strategies for retaining qualified health personnel and accelerate the training of health workers.¹¹¹

70. The Committee on the Elimination of Discrimination against Women expressed concern at the high maternal mortality rate.¹¹² It urged Zimbabwe to strengthen efforts and to raise awareness of, and increase, women's access to health-care facilities and medical assistance by trained personnel, especially in rural and remote areas.¹¹³

71. The Committee on the Rights of the Child noted with concern the high rates of maternal, neonatal and child mortality, as well as of stunting and malnutrition among children under the age of 5 years, with much higher rates in rural areas.¹¹⁴ It expressed concern about the limited access to health-care services for children living in poverty and in remote and rural areas.¹¹⁵ It also expressed concern about the significant number of deaths of children under 5 years of age owing to poor hygiene, inadequate sanitation and lack of clean drinking water.¹¹⁶

72. That same Committee expressed concern about reports that apostolic churches were barring children from seeking medical attention and regular health services, including immunization, resulting in deaths and high maternal mortality among adolescents.¹¹⁷

73. The Committee also expressed concern that in most cases disability in children was due to preventable causes, such as diseases, inaccessibility to full immunization, lack of comprehensive care (antenatal and postnatal), malnutrition and cultural practices such as early and frequent pregnancies.¹¹⁸ The Committee recommended that Zimbabwe adopt a policy of prevention and allocate sufficient resources to ensure that children with disabilities have access to health care, including early detection and intervention programmes.¹¹⁹

74. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women expressed concern about the restrictive abortion law and the lengthy procedures for authorizing abortions, which results in illegal and unsafe abortions.¹²⁰ The Committee on the Elimination of Discrimination against Women urged Zimbabwe to provide women with access to quality services for the management of complications arising from unsafe abortions and that it consider reviewing the law with a view to removing punitive provisions imposed on women who undergo abortions for unwanted pregnancies and review the procedures for the exceptions that are allowed by law.¹²¹

75. The Committee on the Elimination of Discrimination against Women expressed concern at the limited access to quality reproductive and sexual health services for women.¹²² It urged Zimbabwe to increase knowledge of and access to affordable contraceptive methods throughout the country and to ensure that women in rural and remote areas do not face barriers in accessing family-planning information and services.¹²³

76. The Committee on the Rights of the Child expressed concern about the requirement, in law, for parents or guardians to give consent for unmarried adolescents to access reproductive health services, including information on contraception and the prevention of sexually transmitted infections.¹²⁴

77. The Committee urged Zimbabwe to ensure that sexual and reproductive health education is part of the mandatory school curriculum and that it targets adolescent girls and boys, with a view to reducing teenage pregnancies and preventing HIV and other sexually transmitted infections.¹²⁵

78. The Committee expressed concern about the high rate of mother-to-child transmission of HIV and new HIV infections among girls and boys; the high number of children being orphaned by HIV and AIDS; the significant number of cases of under-5 mortality for HIV-related causes; the large percentage of infants exposed to HIV not being tested early on for HIV or not receiving the necessary medication; and the large majority of children under 15 years of age with HIV lacking access to antiretroviral treatment.¹²⁶

79. The country team stated that while the States signatories to the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases had called upon countries to allocate at least 15 per cent of their gross domestic product to the health sector, Zimbabwe only allocated 9.73 per cent in 2016.¹²⁷

J. Right to education

80. The Committee on the Rights of the Child remained concerned about primary education not being free owing to imposed tuition fees and hidden costs, leading to low completion rates.¹²⁸

81. It also remained concerned about the high number of girls suffering sexual abuse and harassment on the way to or from school, as well as in school, by both teachers and classmates.¹²⁹ The Committee on the Elimination of Discrimination against Women urged Zimbabwe to strengthen awareness-raising and training for school officials and students and to establish mechanisms to ensure that alleged perpetrators are prosecuted.¹³⁰

82. The Committee on the Rights of the Child remained concerned about the difficulties faced by some children in accessing education, particularly those living in poverty and those in remote and rural areas owing to the long walking distances between home and school.¹³¹

83. The Committee urged Zimbabwe to ensure the allocation of sufficient resources to improve the quality of education by increasing the number of qualified teachers, improving school infrastructure, including sports, recreational and arts facilities, and increasing children's access to school materials and textbooks with a view to eradicating rural-urban disparities in school enrolment and attendance.¹³²

84. The Committee remained concerned about the high rate of girls dropping out of school, especially at the secondary and tertiary levels, owing to early marriage, teenage pregnancy, discriminatory traditional and cultural practices and poverty, and about the lack of implementation of the policy on re-entry of adolescent mothers into school after delivery.¹³³

85. The Committee on the Elimination of Discrimination against Women expressed concern that traditional views of both students and teachers oriented female students into areas of study perceived as appropriate to their social roles and participation in public life.¹³⁴ It urged Zimbabwe to increase its efforts to provide career counselling for girls that exposes them to options related to non-traditional career paths.¹³⁵

K. Cultural rights

86. UNESCO encouraged Zimbabwe, as a State party, to implement the relevant provisions in the Convention concerning the Protection of the World Cultural and Natural Heritage, the Convention for the Safeguarding of the Intangible Cultural Heritage and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, all of which promote access to and participation in cultural heritage and creative expressions.¹³⁶

L. Persons with disabilities

87. The country team stated that persons with disabilities remained marginalized in all areas of public discourse and continued to face challenges in access to justice and adequate specialized education facilities, as well as in access to public buildings, schools and polling stations.¹³⁷

88. The Committee on the Rights of the Child urged Zimbabwe to adopt a human rights-based approach to disability and recommended that it develop an inclusive approach to education and that it train teachers specialized in providing individual support and attention to children with learning difficulties.¹³⁸ It also recommended expediting the establishment of the public infrastructure necessary to accommodate children with disabilities.¹³⁹

M. Migrants, refugees and asylum seekers

89. The Committee on the Rights of the Child was concerned that the prolonged socioeconomic crisis had led to the migration of children to neighbouring countries either with parents or unaccompanied. It was particularly concerned about the exposure of children to risks along the migration routes, including sexual abuse, physical abuse, exploitation and malnutrition.¹⁴⁰

90. UNHCR stated that refugees did not have formal access to the labour market and were therefore compelled to work in the informal sector, often working under duress or in jobs presenting special hazards and risks.¹⁴¹

N. Internally displaced persons

91. The Committee on the Rights of the Child expressed concern about the destitution faced by displaced children and their families as a result of the flooding at the Tokwe Murkosi dam and the forced resettlement operations, in particular the reported severe malnutrition and disease, incidences of abuse and sexual violence committed against children and disruption of their education. The Committee urged Zimbabwe to expedite the provision of redress to the displaced families, including prompt and adequate compensation and the ability to return to their land, while ensuring access to appropriate and quality educational, health-care and recreation facilities and the restoration of lost birth certificates.¹⁴²

O. Right to development, and environmental issues

92. The Committee on the Rights of the Child noted that the severe economic decline of the country had had an impact on the delivery of all services to children and that the situation was compounded by pervasive corruption. It urged Zimbabwe to take measures immediately to combat corruption and strengthen institutional capacities through the allocation of human, technical and financial resources to effectively detect and investigate corruption and bring those responsible to justice.¹⁴³

93. The country team stated that climate change was an increasing threat to environmental rights and encouraged Zimbabwe to pursue a low-carbon or green economy by supporting cleaner technologies.¹⁴⁴

Notes

- ¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Zimbabwe from the previous cycle (A/HRC/WG.6/12/ZWE/2).
- ² The following abbreviations have been used in the present document:
- | | |
|------------|---|
| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| OP-ICESCR | Optional Protocol to ICESCR |
| ICCPR | International Covenant on Civil and Political Rights |
| ICCPR-OP 1 | Optional Protocol to ICCPR |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| OP-CEDAW | Optional Protocol to CEDAW |
| CAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| OP-CAT | Optional Protocol to CAT |
| CRC | Convention on the Rights of the Child |
| OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict |
| OP-CRC-SC | Optional Protocol to CRC on the sale of children, child prostitution and child pornography |
| OP-CRC-IC | Optional Protocol to CRC on a communications procedure |
| ICRMW | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD | Convention on the Rights of Persons with Disabilities |
| OP-CRPD | Optional Protocol to CRPD |
| ICPPED | International Convention for the Protection of All Persons from Enforced Disappearance |
- ³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.
- ⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- ⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.
- ⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

- ⁸ International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- ⁹ ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).
- ¹⁰ See A/HRC/19/14.
- ¹¹ See UNHCR submission for the universal periodic review of Zimbabwe, p. 4. See also A/HRC/19/4, para. 94.9 (Slovakia), read in conjunction with A/HRC/19/2, para. 705.
- ¹² See CRC/C/ZWE/CO/2, para. 79. See also CEDAW/C/ZWE/CO/2-5, para. 42.
- ¹³ See CRC/C/ZWE/CO/2, para. 78.
- ¹⁴ See CEDAW/C/ZWE/CO/2-5, para. 12.
- ¹⁵ See CRC/C/ZWE/CO/2, para. 53 (c).
- ¹⁶ See country team submission, para. 3.
- ¹⁷ Ibid., paras. 4 and 6.
- ¹⁸ Ibid., para. 25.
- ¹⁹ See CEDAW/C/ZWE/CO/2-5, para. 12.
- ²⁰ See CRC/C/ZWE/CO/2, paras. 24 and 25.
- ²¹ See UNESCO submission for the universal periodic review of Zimbabwe, para. 124.
- ²² See <http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12192&LangID=E>.
- ²³ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- ²⁴ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
- ²⁵ See <http://nhri.ohchr.org/EN/AboutUs/ICCAccreditation/Documents/SCA%20FINAL%20REPORT%20-%20MAY%202016-English.pdf>, p. 21, para. 2.6.
- ²⁶ See country team submission, para. 9.
- ²⁷ Ibid., para. 11.
- ²⁸ See CRC/C/ZWE/CO/2, para. 21.
- ²⁹ See country team submission, para. 7.
- ³⁰ See CEDAW/C/ZWE/CO/2-5, para. 16.
- ³¹ See CRC/C/ZWE/CO/2, para. 13.
- ³² See country team submission, para. 19.
- ³³ See <http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12192&LangID=E>.
- ³⁴ See CRC/C/ZWE/CO/2, para. 2.
- ³⁵ See country team submission, para. 21.
- ³⁶ See CEDAW/C/ZWE/CO/2-5, para. 44.
- ³⁷ For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
- ³⁸ See country team submission, para. 22.
- ³⁹ See www.ohchr.org/EN/NewsEvents/Pages/HRChiefendsfirstevermissiontoZimbabwebyaUNHCforHR.aspx#.
- ⁴⁰ See CEDAW/C/ZWE/CO/2-5, para. 21.
- ⁴¹ Ibid., para. 22 (c).
- ⁴² Ibid., para. 37.
- ⁴³ See CRC/C/ZWE/CO/2, para. 46 (a). See also CEDAW/C/ZWE/CO/2-5, para. 21.
- ⁴⁴ See CEDAW/C/ZWE/CO/2-5, para. 35.

- ⁴⁵ Ibid., para. 36 (d).
⁴⁶ Ibid., para. 35.
⁴⁷ Ibid., paras. 19 and 20.
⁴⁸ See CRC/C/ZWE/CO/2, para. 26.
⁴⁹ Ibid., paras. 48 and 49.
⁵⁰ Ibid., paras. 34 and 35.
⁵¹ Ibid., para. 36.
⁵² Ibid., paras. 26 and 27.
⁵³ See country team submission, para. 33.
⁵⁴ See CRC/C/ZWE/CO/2, para. 77 (g) and (h).
⁵⁵ See country team submission, para. 31.
⁵⁶ See CRC/C/ZWE/CO/2, para. 54.
⁵⁷ See CEDAW/C/ZWE/CO/2-5, para. 23.
⁵⁸ Ibid., para. 24 (f).
⁵⁹ Ibid., para. 23.
⁶⁰ Ibid., para. 23.
⁶¹ Ibid., para. 23.
⁶² Ibid., para. 24 (e).
⁶³ See CRC/C/ZWE/CO/2, para. 46 (b).
⁶⁴ Ibid., paras. 44 (b) and (c). See also CRC/C/ZWE/CO/2, para. 60 (a).
⁶⁵ See CRC/C/ZWE/CO/2, para. 45 (a).
⁶⁶ Ibid., para. 42.
⁶⁷ Ibid., para. 76 (c).
⁶⁸ Ibid., para. 72.
⁶⁹ Ibid., para. 73 (a).
⁷⁰ Ibid., para. 73 (c).
⁷¹ Ibid., para. 4 (c).
⁷² Ibid., para. 74.
⁷³ Ibid., para. 74.
⁷⁴ See CEDAW/C/ZWE/CO/2-5, para. 25.
⁷⁵ Ibid., para. 26 (b). See also CRC/C/ZWE/CO/2, para. 75 (c).
⁷⁶ See CEDAW/C/ZWE/CO/2-5, para. 25.
⁷⁷ See CRC/C/ZWE/CO/2, para. 75 (e). See also CEDAW/C/ZWE/CO/2-5, para. 26 (a) and (e).
⁷⁸ See CRC/C/ZWE/CO/2, para. 44 (d).
⁷⁹ See CEDAW/C/ZWE/CO/2-5, para. 24 (b).
⁸⁰ See country team submission, para. 36.
⁸¹ See CRC/C/ZWE/CO/2, paras. 76 (a) and 77 (a).
⁸² Ibid., para. 76.
⁸³ See country team submission, para. 35.
⁸⁴ See CRC/C/ZWE/CO/2, para. 77 (e) and (f).
⁸⁵ Ibid., para. 77 (d).
⁸⁶ Ibid., para. 33 (a).
⁸⁷ Ibid., para. 40.
⁸⁸ See country team submission, para. 38.
⁸⁹ See CRC/C/ZWE/CO/2, paras. 50 and 51.
⁹⁰ Ibid., para. 52.
⁹¹ See UNHCR submission, p. 7.
⁹² See CRC/C/ZWE/CO/2, para. 38.
⁹³ Ibid.
⁹⁴ See CEDAW/C/ZWE/CO/2-5, para. 27.
⁹⁵ Ibid., para. 28 (a).
⁹⁶ Ibid., para. 27.
⁹⁷ Ibid., para. 28 (b).
⁹⁸ Ibid., para. 28 (c).
⁹⁹ See country team submission, para. 29.
¹⁰⁰ See CEDAW/C/ZWE/CO/2-5, para. 31.

- 101 Ibid., para. 32 (a) and (c).
102 Ibid., para. 31.
103 Ibid., para. 32 (b).
104 See country team submission, paras. 45 and 46.
105 See UNESCO submission, para. 108.
106 See country team submission, paras. 47 and 50.
107 See
<http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12192&LangID=E>.
108 See CRC/C/ZWE/CO/2, para. 64.
109 Ibid., para. 31. See also CRC/C/ZWE/CO/2, para. 65 (b).
110 See CRC/C/ZWE/CO/2, paras. 48 and 49. See also CRC/C/ZWE/CO/2, para. 65 (a).
111 See CRC/C/ZWE/CO/2, para. 59 (c).
112 See CEDAW/C/ZWE/CO/2-5, para. 33.
113 Ibid., para. 34 (b).
114 See CRC/C/ZWE/CO/2, para. 30.
115 Ibid., para. 58 (b).
116 Ibid., para. 30. See also CRC/C/ZWE/CO/2, para. 58 (a), (c) and (d).
117 See CRC/C/ZWE/CO/2, para. 58 (f). See also CRC/C/ZWE/CO/2, paras. 46 (b) and 47 (d).
118 See CRC/C/ZWE/CO/2, para. 56.
119 Ibid., para. 57 (b) and (c).
120 See CRC/C/ZWE/CO/2, para. 60 (c) and CEDAW/C/ZWE/CO/2-5, para. 33.
121 See CEDAW/C/ZWE/CO/2-5, para. 34 (e). See also CRC/C/ZWE/CO/2, para. 61 (c).
122 See CEDAW/C/ZWE/CO/2-5, para. 30.
123 Ibid., para. 34 (c).
124 See CRC/C/ZWE/CO/2, para. 60 (d).
125 Ibid., para. 61 (b). See also CEDAW/C/ZWE/CO/2-5, para. 34 (d).
126 See CRC/C/ZWE/CO/2, para. 62. See also CEDAW/C/ZWE/CO/2-5, para. 33, and country team submission, paras. 53-55.
127 See country team submission, para. 51.
128 See CRC/C/ZWE/CO/2, para. 68 (a). See also country team submission, para. 56.
129 See CRC/C/ZWE/CO/2, para. 68 (e). See also CEDAW/C/ZWE/CO/2-5, para. 29.
130 See CEDAW/C/ZWE/CO/2-5, para. 30 (e). See also CRC/C/ZWE/CO/2, para. 69 (d).
131 See CRC/C/ZWE/CO/2, para. 68 (d).
132 Ibid., para. 69 (c).
133 Ibid., para. 68 (b). See also country team submission, para. 60.
134 See CEDAW/C/ZWE/CO/2-5, para. 29.
135 Ibid., para. 30 (c).
136 See UNESCO submission, para. 139.
137 See country team submission, para. 63.
138 See CRC/C/ZWE/CO/2, para. 57, in particular (d) and (e).
139 Ibid., para. 57 (f).
140 Ibid., paras. 70 and 71.
141 See UNHCR submission, p. 7.
142 See CRC/C/ZWE/CO/2, paras. 66 and 67.
143 Ibid., para. 17.
144 See country team submission, para. 72.
-