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Compilation on Zimbabwe

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. In 2020, the Committee on the Elimination of Discrimination against Women encouraged Zimbabwe to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.³

3. In 2020, the Committee on the Elimination of Discrimination against Women encouraged Zimbabwe to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴

4. In 2020, the Special Rapporteur on the rights to freedom of peaceful assembly and of association noted that Zimbabwe had not issued a standing invitation to the special procedures of the Human Rights Council. However, in 2018, Zimbabwe extended invitations to six mandate holders.⁵

5. The United Nations country team stated that the interministerial committee responsible for reporting and following up on recommendations from human rights mechanisms faced challenges that hindered its effective functioning. The status of implementation of recommendations from the universal periodic review, treaty bodies and other human rights mechanisms was not readily available.⁶



III. National human rights framework⁷

6. The Special Rapporteur on freedom of peaceful assembly and of association noted that Zimbabwe had a mixed legal system of English common law, Roman-Dutch civil law and customary law, and that the Constitution of Zimbabwe was the supreme law of the State and contained legal safeguards for the protection of human rights and fundamental freedoms.⁸

7. The United Nations country team noted that the process of aligning legislation with the Constitution and with international human rights obligations was slow.⁹ The Committee on the Elimination of Discrimination against Women expressed concern at the long delays in amending legislation subsidiary to the Constitution and by the remaining discriminatory provisions in the legislative framework, including provisions on marriage and property rights and on the minimum age for marriage. The same Committee recommended that Zimbabwe amend or repeal, without delay, all remaining sex-discriminatory provisions, including those on marriage and property rights and on the legal minimum age for marriage, with a view to bringing them into compliance with the Constitution and with the Convention on the Elimination of All Forms of Discrimination against Women. Noting with concern the absence of a specific gender equality law, the Committee on the Elimination of Discrimination against Women recommended that Zimbabwe adopt such a law, covering all prohibited grounds of discrimination and encompassing direct and indirect discrimination in both the public and the private spheres, as well as intersecting forms of discrimination against women.¹⁰

8. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that with regard to the freedoms of expression and opinion, Zimbabwe should align all relevant legislation with sections 61 and 62 of the Constitution, including the Media Commission Bill, which was being debated in Parliament, the Censorship and Entertainment Controls Act, of 1967, the Official Secrets Act, of 2004, sections of the Criminal Law (Codification and Reform) Act, of 2004, and the Interception of Communications Act, of 2007.¹¹

9. In 2017, the Working Group on Arbitrary Detention encouraged Zimbabwe to incorporate the Model Law for the Recognition and Protection of Human Rights Defenders into its domestic legislation and to ensure its implementation.¹²

10. The Committee on the Elimination of Discrimination against Women noted the limited independence of the Zimbabwe Human Rights Commission and, inter alia, recommended that Zimbabwe ensure the independence of the Commission and include a clear, transparent and participatory process for the selection and appointment of human rights commissioners.¹³ The United Nations country team noted that budgetary allocations were inadequate, which adversely impacted the Commission's ability to discharge its mandate.¹⁴

11. The United Nations country team stated that the Zimbabwe Gender Commission had a limited reach nationwide and lacked the requisite capacity to deliver on its mandate. The National Peace and Reconciliation Commission was constrained from delivering on its mandate due to inadequate resources.¹⁵

12. In 2020, the Special Rapporteur on freedom of peaceful assembly and of association recommended, inter alia, that Zimbabwe ensure that all law enforcement officers received systematic training on the proper management of assemblies and the use of force, especially in the context of demonstrations, and on the use of non-violent means of crowd control.¹⁶

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

A. Cross-cutting issues

1. Equality and non-discrimination¹⁷

13. Noting relevant concerns, the Committee on the Elimination of Discrimination against Women recommended that Zimbabwe eliminate intersecting forms of discrimination against women and girls with disabilities, as well as against lesbian, bisexual and transgender women and intersex persons, raise public awareness about their human rights, and prosecute and adequately punish the perpetrators of violence against them.¹⁸

2. Development, the environment, and business and human rights¹⁹

14. In 2020, the Special Rapporteur on the right to food noted that Zimbabwe had been under some form of sanctions since 2001. She stated that such sanctions had had detrimental humanitarian effects.²⁰

15. The Special Rapporteur on freedom of peaceful assembly and of association stated that irrespective of the imposed unilateral restrictive measures, Zimbabwe had a duty to fulfil its human rights obligations. He called on Zimbabwe to take action to end corruption, improve the human rights situation, and ensure accountability and the rule of law in order to encourage the lifting of the unilateral measures, which had a negative impact on the economy.²¹ Zimbabwe stated that the major cause of the economic fragility, which were the unilateral restrictive measures, had been ignored, and it called for the unconditional lifting of all such measures, which would assist the country in sustaining peace and development.²²

16. The United Nations country team stated that corruption was widespread and that in 2020 a five-year National Anti-Corruption Strategy had been launched to coordinate efforts to combat corruption. It added that the Zimbabwe Anti-Corruption Commission faced challenges, including resource constraints, and lacked prosecutorial powers.²³

17. In 2021, the Human Rights Committee requested Zimbabwe to report on the measures taken to prevent and mitigate the negative effects of climate change and environmental degradation, particularly in relation to food and water security.²⁴

18. The Committee on the Elimination of Discrimination against Women noted that the national climate change policy adopted in 2016 included a gender component, but remained concerned about the disproportionately adverse effects of cyclones and floods on women and girls, and, inter alia, recommended that Zimbabwe ensure the integration of a gender perspective in the development and implementation of policies and programmes on disaster risk reduction and climate change.²⁵

19. The Special Rapporteur on freedom of peaceful assembly and of association stated that rural communities were frustrated by the governance of natural resources. They were directly affected by the activities but derived little benefit from the exploitation of the resources. The Special Rapporteur stated that there should be genuine consultations so that projects for the exploitation of natural resources aligned with the Guiding Principles on Business and Human Rights. There was also a need to compensate those communities who had been relocated, particularly the Marange communities.²⁶ Zimbabwe stated that the Community Share Ownership Trust, which was spearheaded by local actors and stakeholders, including chiefs, and rural district council officials, among others, worked closely with the Zimbabwe Consolidated Diamond Company, a State-owned company. This company had formulated a sustainable corporate social responsibility programme which had contributed to economic and social advancement in Marange.²⁷

B. Civil and political rights

1. Right to life, liberty and security of person²⁸

20. In 2021, the Human Rights Committee requested information on the progress made towards abolishing the death penalty and the formal commutation of pending death sentences.²⁹

21. On 10 June 2020, the Working Group on Enforced or Involuntary Disappearances and various Special Rapporteurs³⁰ called on Zimbabwe to immediately end a reported pattern of disappearances and torture that appeared to be aimed at suppressing protests and dissent. They called on the authorities to immediately enforce a policy of zero tolerance for abductions and torture and to ensure the effective protection of women against sexual violence.³¹

22. The Special Rapporteur on freedom of peaceful assembly and of association stated that in the aftermath of the presidential election, on 1 August 2018, demonstrations, which had started in a spontaneous and peaceful manner, had turned riotous. The police, and later the army, which had been deployed to control the situation, had used excessive force, resulting in the death of six people. The Special Rapporteur noted that the Commission of Inquiry (Motlanthe Commission) appointed by the President of Zimbabwe to investigate those events had concluded that the use of live ammunition directed at people, especially when they had been fleeing, was clearly unjustified and disproportionate. The use of sjamboks, baton sticks and rifle butts to assault members of the public indiscriminately had also been disproportionate.³²

23. Zimbabwe stated that the police had “used proportionate force in all circumstances during the 1 August 2018 disturbances” and that due regard had been given to the standards of proportionality, legality, accountability and necessity whenever force was to be used. In situations of “resisting arrest”, the law empowered the police to use force, which was reasonable, justifiable and proportionate in the circumstances to overcome such resistance.³³

24. The Special Rapporteur on freedom of peaceful assembly and of association noted that in January 2019, following the Government’s announcement of a 150 per cent increase in fuel prices, the Zimbabwe Congress of Trade Unions, together with other civil society organizations, had called for a national stay-away from 14 to 16 January 2019 in protest against that harsh measure. Although in some cities that call had been followed, demonstrations had erupted in the country and the situation had quickly deteriorated, becoming riotous, and therefore police and military units had been deployed. The Special Rapporteur noted that in the aftermath of the stay-away, the Zimbabwe Human Rights Commission had issued a monitoring report in which it had concluded that indiscriminate and excessive use of force had been used and that the army and police had instigated systematic torture, had undertaken door-to-door searches and had unlawfully entered private homes. In addition, the Special Rapporteur received reports of arbitrary arrests and heard allegations of politically motivated sexual violence. He recommended that Zimbabwe ensure that all allegations of excessive use of force were promptly, thoroughly and independently investigated, alleged perpetrators are prosecuted and adequate remedy was provided to the victims.³⁴

25. Zimbabwe stated that the demonstrations of August 2018 and January 2019 had been characterized by violence, arson, traffic barricades, harassment of motorists and indiscriminate looting of supermarkets and tuck shops. This state of affairs had left the Government with the dilemma of balancing two equally important interests, namely the rights of those who participated in the demonstrations to exercise their right to peaceful assembly, which were hijacked by looters, and the rights of those citizens who looked up to the State to protect them from the violent demonstrators. Zimbabwe had a constitutionally enshrined duty to protect its citizens, and therefore the police had been deployed to stop the violent demonstrations. Zimbabwe also stated that in relation to the alleged politically motivated sexual violence, the police had made a call to all victims to visit the nearest police station and get assistance from the Victim Friendly Unit sections, via the media and specifically at the press conference on 29 January 2019. There had not been any response from the victims. In

addition, the victims had been invited to approach the Zimbabwe Gender Commission or other commissions, but none had come forward.³⁵

26. The Committee on the Elimination of Discrimination against Women expressed concern about the persistence of discriminatory gender stereotypes and harmful practices, including child marriage, polygamy and virginity testing. It was particularly concerned about the widespread impunity for such harmful practices and the absence of convictions in cases of child marriage. It recommended that Zimbabwe broaden the definition of perpetrators in the Domestic Violence Act to include those who may not be related to or living in the same household as the complainant, and that it engage with communities, including religious and community leaders, and parents and relatives of girls, on the criminal nature and negative impact of child marriage on the enjoyment by girls of their rights.³⁶

27. The United Nations country team noted that conditions of detention remained below minimum international standards and that juveniles were detained with adults.³⁷ The Human Rights Committee requested Zimbabwe to report on progress made in addressing overcrowding and poor material conditions in places of detention, including pretrial detention centres, and in ensuring access to adequate water, food, clothing and health care.³⁸

2. Administration of justice, including impunity, and the rule of law³⁹

28. The United Nations country team stated that 8 of the 13 members of the Judicial Service Commission were either directly appointed by the President of Zimbabwe or were ex officio members of the executive branch of the Government, and consequently their independence was perceived to have been compromised.⁴⁰

29. The Human Rights Committee requested Zimbabwe to respond to the concerns relating to the influence over the judiciary by the executive and legislative branches and to indicate the measures taken to address these concerns. It also requested a response to allegations of politically motivated prosecutions of high-level officials and threats against magistrates and judges presiding over corruption cases.⁴¹

30. The United Nations country team noted undue delays in the completion of cases and growing perceptions of corruption and patronage within the judiciary.⁴²

31. The Committee on the Elimination of Discrimination against Women recommended, inter alia, that Zimbabwe expedite the creation of legal aid centres at the district level, strengthen the standard of service delivery at all levels, and provide adequate funding to non-governmental organizations that provided free legal aid.⁴³

32. The United Nations country team stated that children in contact with the juvenile justice system faced difficulties in accessing rehabilitative programmes. A pretrial diversion programme for juveniles had been rolled out in all 10 provinces but only implemented in 33 out of the 65 districts.⁴⁴

33. The United Nations country team noted that the National Peace and Reconciliation Commission had elaborated a five-year strategic plan, which had commenced in 2018. However, inadequate resources restricted the Commission from fully delivering on its mandate.⁴⁵

3. Fundamental freedoms and the right to participate in public and political life⁴⁶

34. The Working Group on Arbitrary Detention recalled that at the previous universal periodic review, delegations had made 28 recommendations that Zimbabwe improve enjoyment of the rights to freedom of opinion and expression and of peaceful assembly. Several of those recommendations related specifically to repealing public order offences that could be used to penalize critics of the Government.⁴⁷

35. On 24 July 2020, the Office of the United Nations High Commissioner for Human Rights expressed concern at allegations which suggested that Zimbabwe may have been using the coronavirus disease (COVID-19) pandemic as a pretext for clamping down on the freedoms of expression, peaceful assembly and association. It stated that any lockdown measures and restrictions to contain the pandemic should be necessary, proportionate and time-limited, and enforced humanely without resorting to unnecessary or excessive force.⁴⁸

36. The United Nations country team noted that media personnel and human rights defenders continued to face threats, harassment and arbitrary arrests.⁴⁹

37. The Committee on the Elimination of Discrimination against Women recommended that Zimbabwe prevent, investigate and adequately punish politically motivated violence against women human rights defenders and activists, including when such violence is committed by members of the police and security forces and at the instigation of public officials.⁵⁰

38. Noting relevant concerns, the Committee on the Elimination of Discrimination against Women recommended, *inter alia*, that Zimbabwe ensure the applicability of the constitutional gender quota beyond the elections in 2023 and until substantive equality between women and men was achieved, make gender quotas for political parties' electoral lists mandatory, enforce the principle of gender equality in section 17 of the Constitution in the appointment of government ministers and members of the boards of public and private companies, amend the Political Parties Finance Act to specifically provide for the allocation of campaign financing and the provision of training for women candidates for elections, and adopt legislation to criminalize political harassment and sexist attacks against women candidates and political activists.⁵¹

39. The Special Rapporteur on freedom of peaceful assembly and of association recommended, *inter alia*, that Zimbabwe ensure, in law and in practice, that the rights to freedom of peaceful assembly and of association were freely exercised, provide a conducive and safe environment for everyone to those rights and ensure that any restrictions on the rights to freedom of peaceful assembly and of association were prescribed by law.⁵²

40. The Special Rapporteur on freedom of peaceful assembly and of association stated that the Maintenance of Peace and Order Act, which had come into force in November 2019, was not conducive to free and unhindered exercise of the right to freedom of peaceful assembly. He recommended, *inter alia*, that Zimbabwe amend this Act in consultation with civil society, recognize spontaneous peaceful assemblies and demonstrations, and develop law enforcement protocols on the management of assemblies that were compatible with international human rights norms and standards.⁵³ Zimbabwe stated that contrary to the views of the Special Rapporteur, the Act was not restrictive, but promoted the right to freedom of assembly.⁵⁴

41. Noting the excessive limitations, multiple challenges and harsh sanctions provided in the Private Voluntary Organizations Act, which led to many non-governmental organizations resorting to registering as trusts, the Special Rapporteur on freedom of peaceful assembly and of association recommended, *inter alia*, that Zimbabwe amend the Private Voluntary Organizations Act to ensure that the registration procedure for national and international organizations was simple and expeditious, abolish the practice of using memoranda of understanding that limited the autonomy and independence of those organizations, and engage in meaningful consultation with civil society on all relevant legislation, including at the policy, drafting, review and implementation stages.⁵⁵

42. Zimbabwe stated that all registered organizations adhered to legislation and procedures in terms of their registered mandate and operated without any persecution or undue control. It denied the assertion that civil society organizations were restricted in their activities and stated that some of these organizations were involved in immense operations that had positively informed government policies, such as the policy on HIV and AIDS and the National Gender Policy.⁵⁶

4. Prohibition of all forms of slavery⁵⁷

43. Expressing relevant concerns, the Committee on the Elimination of Discrimination against Women recommended, *inter alia*, that Zimbabwe step up efforts to identify and protect victims of trafficking from and within the country and to investigate, prosecute and adequately punish the perpetrators, and amend the Trafficking in Persons Act to incorporate a definition of trafficking in persons that is consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It further recommended that Zimbabwe ensure the availability of State shelters for victims of trafficking in all 10

provinces and increase financial support for non-governmental organizations running shelters and offering support services, including legal counselling and rehabilitation services.⁵⁸ The United Nations country team stated that the Trafficking in Persons Act was undergoing amendment to incorporate a definition of trafficking in persons consistent with the aforementioned Protocol.⁵⁹

44. The United Nations country team noted that there was inadequate funding for the implementation of the national plan of action to operationalize the Trafficking in Persons Act, that of the 10 shelters prescribed by the Act, only three shelters had been established, that public awareness about human trafficking remained low and that prosecution and conviction rates were low.⁶⁰

45. Noting the high number of women exploited in prostitution, the Committee on the Elimination of Discrimination against Women recommended that Zimbabwe analyse and address the root causes of prostitution, and provide women and girls who wish to leave prostitution with exit programmes and alternative income-generating opportunities.⁶¹

5. Right to privacy and family life⁶²

46. The Committee on the Elimination of Discrimination against Women noted that most marriages were conducted under customary law and were not registered, and, inter alia, recommended that Zimbabwe adopt legislation providing for mandatory registration of all marriages.⁶³

47. The Committee on the Elimination of Discrimination against Women expressed concern that discriminatory customary laws and practices continued to regulate marriage and family relations, allowing for harmful practices such as polygamy. It recommended that Zimbabwe ensure that customary laws and practices were in conformity with the Constitution and the Convention on the Elimination of All Forms of Discrimination against Women so as to prohibit harmful practices, and that it repeal any provisions that were discriminatory towards women in family relations.⁶⁴

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁶⁵

48. Noting relevant concerns, the Committee on the Elimination of Discrimination against Women recommended, inter alia, that Zimbabwe develop plans to combat horizontal and vertical occupational segregation in the public and private sectors, strengthen measures to encourage women and girls to choose non-traditional career paths, mobilize efforts to facilitate equal access for women to new technologies and digital skills, enhance the participation of women in decision-making in economic life, amend the Labour Act to fully incorporate the principle of equal remuneration for work of equal value, ensure equal social protection benefits for women and men, and extend health care, pension benefits and maternity protection to the informal economy.⁶⁶

49. The Special Rapporteur on freedom of peaceful assembly and of association noted the difficult environment in which labour unions operated. Expressing concerns about, inter alia, allegations of State interference in the activities of trade unions and acts of intimidation and harassment against their leaders, he stated that the actions of the Government needed to be consistent with the Constitution and with its international obligations, allowing for a more enabling space for trade unions to operate. The Special Rapporteur recommended, inter alia, that Zimbabwe increase its efforts to promote the rights to form and join strong trade unions.⁶⁷

2. Right to social security⁶⁸

50. The Committee on the Elimination of Discrimination against Women noted with concern the lack of comprehensive social security and protection systems.⁶⁹

3. Right to an adequate standard of living⁷⁰

51. On 31 March 2020, the Special Rapporteur on the right to food called for the immediate lifting of international sanctions to prevent hunger crises in countries hit by the COVID-19 pandemic, including Zimbabwe, stating that the imposition of economic sanctions undermined ordinary citizens' fundamental right to sufficient and adequate food.⁷¹

52. The Special Rapporteur on the right to food stated that Zimbabwe should adopt the necessary measures to reduce the country's dependence on food importation and should create conditions for the production of its own food. The Government should provide food assistance throughout this emergency period, and ensure that social safety nets were established for the most deprived segments of its population.⁷² The Special Rapporteur recommended, *inter alia*, that Zimbabwe: (a) protect the livelihoods of rural women and support women farmers with incentives, access to credit and other productive sources;⁷³ (b) implement the various voluntary guidelines of the Food and Agriculture Organization of the United Nations;⁷⁴ (c) establish security of land tenure to prevent forced evictions of farmers, and support small-scale farmers and producers;⁷⁵ (d) continue with targeted food subsidies in times of emergency to lower food prices for vulnerable groups, and subsidize more diverse and nutritious foods, in order to address hunger and malnutrition throughout the country;⁷⁶ (e) continue to cooperate with international humanitarian agencies and donor countries to provide an equitable and transparent distribution of food and humanitarian assistance;⁷⁷ (f) extend the school meals programme to cover all children, giving priority to rural areas;⁷⁸ and (g) develop properly financed comprehensive nutrition policies aimed at dealing with stunting and wasting, and all forms of malnutrition.⁷⁹

53. The Special Rapporteur on the right to food recommended that Zimbabwe urgently address issues of open defecation, particularly in the informal settlements, with a view to adhering to housing and sanitation policies, and to preventing waterborne diseases.⁸⁰

4. Right to health⁸¹

54. The United Nations country team stated that medical institutions faced shortages of medicine, equipment and supplies, limited numbers of community-based health workers and frequent industrial action due to poor working conditions. Budgetary allocation for the health sector fell short of the commitment of 15 per cent of the national budget made in the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, of 2001.⁸²

55. The Committee on the Elimination of Discrimination against Women noted with concern the increasing costs of health care beyond what citizens could afford and the fact that 90 per cent of the population had no access to medical care. It also noted the shortage of drugs in public hospitals and supplies in maternity clinics and the reliance on the purchasing by patients of their own drugs and supplies, the shortage of trained health professionals in public hospitals and of midwives, and the persistently high maternal mortality rate. The same Committee recommended that Zimbabwe improve the coverage of and access to affordable health care throughout its territory by allocating sufficient budgetary resources to the establishment of hospitals, particularly in rural and remote areas, which should be equipped with adequate and accessible facilities and staffed with skilled health professionals, particularly with regard to obstetric services.⁸³

56. Noting the high prevalence of HIV, which disproportionately affected women and girls, the Committee on the Elimination of Discrimination against Women recommended, *inter alia*, that Zimbabwe ensure access to prevention and early detection programmes for women and girls at risk of HIV.⁸⁴

57. Noting the limited access to information on sexual and reproductive health rights, the Committee on the Elimination of Discrimination against Women recommended, *inter alia*, that Zimbabwe ensure that women and girls had affordable access to modern forms of contraception, intensify efforts to raise awareness of contraceptive use, and include mandatory and age-appropriate sexuality education in school curricula at all levels of education.⁸⁵

58. Noting the criminalization of abortion, with few exceptions, and the limited access to safe abortion services, the Committee on the Elimination of Discrimination against Women

recommended, inter alia, that Zimbabwe decriminalize abortion in all cases and ensure access to safe abortion and post-abortion services, as well as confidentiality in the administration of such services.⁸⁶

5. Right to education⁸⁷

59. UNESCO stated that Zimbabwe could be commended for its enactment of the Education Amendment Act, of 2020, which extended the prohibited grounds of discrimination in education to include marital status, age, pregnancy, disability, economic or social status, and whether persons were born in or out of wedlock, which would be added to nationality, race, colour, tribe, place of birth, ethnic or social origin, language, class, religious belief, political affiliation, opinion, custom, culture, sex and gender. UNESCO encouraged Zimbabwe to fully implement the Education Amendment Act.⁸⁸ The United Nations country team stated that policies were being developed to implement the Act.⁸⁹

60. UNESCO stated that the Education Amendment Act of 2020 explicitly provided for compulsory basic education until form four. However, free basic education was not fully in line with the 2030 Agenda for Sustainable Development, which provided for 12 years of free primary and secondary education. UNESCO encouraged Zimbabwe to ensure 12 years of free primary and secondary school education.⁹⁰ The United Nations country team stated that the Education Amendment Act, inter alia, promoted menstrual health and the retention of pregnant girls in schools.⁹¹

61. The United Nations country team stated that children in rural areas faced various challenges in accessing education, and that parents prioritized the education of boys over that of girls, especially at secondary school level.⁹²

62. The Committee on the Elimination of Discrimination against Women noted with concern: (a) the high school dropout rate among girls due to child marriage and/or early pregnancy, or financial difficulties; (b) that the needs of girls were not sufficiently taken into account in school infrastructure; (c) the reports of sexual abuse and harassment of girls in and on the way to and from school and the impunity for the perpetrators of such acts; and (d) the disproportionately low enrolment rate among women and girls in studies in the fields of science, technology, engineering and mathematics. The same Committee recommended, inter alia, that Zimbabwe: (a) intensify efforts to reduce the school dropout rate among girls; (b) ensure that every school had adequate, separate and accessible sanitation facilities for girls to prevent them from missing or dropping out of school because of menstrual management challenges; (c) investigate and adequately punish cases of sexual abuse and harassment of girls in and on the way to and from school, prosecute the perpetrators, including teachers and school administrators, and provide the victims with medical care, psychosocial counselling and rehabilitation; and (d) encourage women and girls to choose non-traditional fields of study and career paths, including in the fields of science, technology, engineering and mathematics.⁹³

63. UNESCO stated that Zimbabwe had put in place several measures to ensure distance learning when schools were closed due to the COVID-19 pandemic. UNESCO encouraged Zimbabwe to ensure quality and inclusive education during the pandemic.⁹⁴

D. Rights of specific persons or groups

1. Women⁹⁵

64. The United Nations country team stated that there was limited political will to implement policies that protected and empowered women. Women's empowerment programmes were underresourced and women had limited access to finance, land and freehold property. Women had limited opportunities to influence policy and continued to face legal, cultural and patriarchal barriers.⁹⁶

65. While welcoming the efforts by Zimbabwe to facilitate women's access to land, the Committee on the Elimination of Discrimination against Women expressed relevant concerns, including the existence of harmful practices which impeded access to land for rural women. It recommended, inter alia, that Zimbabwe complete a comprehensive and

independent land audit to ascertain land ownership patterns, expose inequalities in land redistribution and release land for redistribution to women, facilitate women's access to their inherited land and penalize any action impeding or preventing them from enjoying their right to land, facilitate women's access to adequate loans and financial credit, and strengthen efforts to promote the economic empowerment of rural women, ensuring that they had access to justice, education, employment, health care, housing, safe water and sanitation, electricity and other infrastructure.⁹⁷

66. In 2020, the Committee on the Elimination of Discrimination against Women expressed its appreciation for the recognition by Zimbabwe of Sustainable Development Goal 5, on achieving gender equality and empowering women, as a priority area within the framework of the Zimbabwe Agenda for Sustainable Socioeconomic Transformation. It urged Zimbabwe to recognize women as the driving force of sustainable development and to adopt relevant policies and strategies to that effect.⁹⁸

67. The Committee on the Elimination of Discrimination against Women recommended that Zimbabwe adopt and implement temporary special measures in order to achieve substantive equality between women and men in all areas in which women were underrepresented or disadvantaged.⁹⁹

68. Expressing concerns including about the persistent high level of gender-based violence and the underreporting of such cases, the Committee on the Elimination of Discrimination against Women recommended, inter alia, that Zimbabwe allocate adequate resources and establish monitoring and assessment mechanisms for the implementation of the national programme on gender-based violence prevention and response, and that it address the stigma discouraging victims from reporting such violence, through awareness-raising campaigns.¹⁰⁰

2. Children¹⁰¹

69. The Committee on the Elimination of Discrimination against Women noted the prevalence of child marriage, with one third of girls being married before they reached the age of 18 years, and recommended, inter alia, that Zimbabwe criminalize child marriage and prosecute and adequately punish perpetrators.¹⁰²

70. The United Nations country team stated that the enactment of the Marriages Bill setting the minimum age of marriage at 18 years was facing inordinate delays. The Children's Amendment Bill which, when enacted, would criminalize child marriage, was undergoing legislative processes. A national action plan to end child marriage was being implemented.¹⁰³

71. UNESCO stated that the Education Amendment Act of 2020 prohibited corporal punishment in schools. However, the Criminal Code continued to allow schoolteachers the authority to administer moderate corporate punishment for disciplinary purposes upon minor male pupils or students. UNSECO encouraged Zimbabwe to amend the Criminal Code to ensure its alignment with the Education Amendment Act.¹⁰⁴

3. Persons with disabilities¹⁰⁵

72. The United Nations country team stated that the rights of persons with disabilities had been mainstreamed in the National Development Strategy. A national disability policy had been adopted in 2021, and a persons with disabilities bill was at an advanced stage of development, among other initiatives. Stigmatization and discrimination against persons with disabilities remained a challenge.¹⁰⁶

4. Minorities and indigenous peoples

73. UNESCO encouraged Zimbabwe to implement the Convention for the Protection of the World Cultural and Natural Heritage, of 1972, the Convention for the Safeguarding of the Intangible Cultural Heritage, of 2003, and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, of 2005, to which it was a party.¹⁰⁷

5. Migrants, refugees, asylum seekers and internally displaced persons

74. The Human Rights Committee requested information on the measures taken to ensure that all persons applying for international protection had access to fair and efficient asylum procedures, protection against refoulement, and an appeal mechanism with suspensive effect against negative decisions on asylum.¹⁰⁸

75. The United Nations country team stated that a national referral mechanism for vulnerable migrants had been rolled out in three provinces and six districts.¹⁰⁹

6. Stateless persons¹¹⁰

76. The United Nations country team stated that children born in Zimbabwe to parents of indeterminate nationality could not have their births registered and acquire nationality, which impeded their access to health care, education and social services.¹¹¹

Notes

- ¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Zimbabwe will be available at <https://www.ohchr.org/EN/HRBodies/UPR/Pages/ZWIndex.aspx>.
- ² For relevant recommendations, see [A/HRC/34/8](#), paras. 131.1, 131.49–131.51, 131.138, 132.1–132.27, 132.29–132.36, 132.39–132.61, 132.70–132.77, 132.86–132.87, 133.2–133.6 and 133.12.
- ³ [CEDAW/C/ZWE/CO/6](#), para. 52.
- ⁴ *Ibid.*, para. 56.
- ⁵ [A/HRC/44/50/Add.2](#), para. 19. See also the United Nations country team submission for the universal periodic review of Zimbabwe, para. 4.
- ⁶ United Nations country team submission, para. 3.
- ⁷ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.2–131.33, 131.35–131.37, 131.42–131.44, 131.46–131.48, 131.138, 131.141–131.142, 132.67–132.69 and 132.100.
- ⁸ [A/HRC/44/50/Add.2](#), para. 21.
- ⁹ United Nations country team submission, para. 6.
- ¹⁰ [CEDAW/C/ZWE/CO/6](#), paras. 9–12.
- ¹¹ UNESCO submission for the universal periodic review of Zimbabwe, para. 10.
- ¹² [A/HRC/WGAD/2017/82](#), para. 52.
- ¹³ [CEDAW/C/ZWE/CO/6](#), paras. 21–22.
- ¹⁴ United Nations country team submission, para. 7.
- ¹⁵ *Ibid.*, paras. 8–9.
- ¹⁶ [A/HRC/44/50](#), para. 124 (e).
- ¹⁷ For relevant recommendations, see [A/HRC/34/8](#), paras. 133.7–133.11 and 133.13–133.18.
- ¹⁸ [CEDAW/C/ZWE/CO/6](#), paras. 45–46.
- ¹⁹ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.38–131.39, 131.98–131.99, 131.101, 131.135–131.137 and 131.139.
- ²⁰ [A/HRC/43/44/Add.2](#), paras. 97–99.
- ²¹ [A/HRC/44/50/Add.2](#), para. 120.
- ²² [A/HRC/44/50/Add.3](#), paras. 45 and 47.
- ²³ United Nations country team submission, para. 28.
- ²⁴ [CCPR/C/ZWE/QPR/2](#), para. 12.
- ²⁵ [CEDAW/C/ZWE/CO/6](#), paras. 47–48.
- ²⁶ [A/HRC/44/50/Add.2](#), paras. 75, 78 and 80.
- ²⁷ [A/HRC/44/50/Add.3](#), para. 53.
- ²⁸ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.63–131.64, 131.75–131.76, 131.97, 132.82–132.85 and 132.88.
- ²⁹ [CCPR/C/ZWE/QPR/2](#), para. 11.
- ³⁰ The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on violence against women, its causes and consequences.
- ³¹ See <https://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25944&LangID=E>.
- ³² [A/HRC/44/50/Add.2](#), paras. 44–46.
- ³³ [A/HRC/44/50/Add.3](#), paras. 33–34.
- ³⁴ [A/HRC/44/50/Add.2](#), paras. 50–56 and 124 (f).
- ³⁵ [A/HRC/44/50/Add.3](#), paras. 38 and 43.
- ³⁶ [CEDAW/C/ZWE/CO/6](#), paras. 25–26.
- ³⁷ United Nations country team submission, para. 18.

- ³⁸ [CCPR/C/ZWE/QPR/2](#), para. 15.
- ³⁹ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.85–131.87.
- ⁴⁰ United Nations country team submission, para. 22.
- ⁴¹ [CCPR/C/ZWE/QPR/2](#), paras. 4 and 17.
- ⁴² United Nations country team submission, para. 13.
- ⁴³ [CEDAW/C/ZWE/CO/6](#), para. 16 (a)–(b).
- ⁴⁴ United Nations country team submission, para. 41.
- ⁴⁵ *Ibid.*, para. 9.
- ⁴⁶ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.34, 131.81–131.84, 131.88–131.98, 132.62–132.64, 132.66, 132.89–132.96 and 132.99.
- ⁴⁷ [A/HRC/WGAD/2017/82](#), para. 44.
- ⁴⁸ See <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26121&LangID=E>.
- ⁴⁹ United Nations country team submission, para. 10.
- ⁵⁰ [CEDAW/C/ZWE/CO/6](#), para. 28 (c).
- ⁵¹ *Ibid.*, paras. 33–34.
- ⁵² [A/HRC/44/50/Add.2](#), para. 123 (a), (d) and (h).
- ⁵³ *Ibid.*, paras. 27, 30 and 124 (a).
- ⁵⁴ [A/HRC/44/50/Add.3](#), para. 27.
- ⁵⁵ [A/HRC/44/50/Add.2](#), paras. 86–94, 25 (a) (ii)–(iii) and (c). See also United Nations country team submission, para. 11.
- ⁵⁶ [A/HRC/44/50/Add.3](#), paras. 58–59.
- ⁵⁷ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.77–131.80.
- ⁵⁸ [CEDAW/C/ZWE/CO/6](#), paras. 29–30.
- ⁵⁹ United Nations country team submission, para. 19.
- ⁶⁰ *Ibid.*
- ⁶¹ [CEDAW/C/ZWE/CO/6](#), paras. 31–32.
- ⁶² For relevant recommendations, see [A/HRC/34/8](#), paras. 131.109 and 132.65.
- ⁶³ [CEDAW/C/ZWE/CO/6](#), paras. 49 and 50 (b).
- ⁶⁴ *Ibid.*, paras. 49 and 50 (c).
- ⁶⁵ For the relevant recommendation, see [A/HRC/34/8](#), para. 131.65.
- ⁶⁶ [CEDAW/C/ZWE/CO/6](#), paras. 37–38.
- ⁶⁷ [A/HRC/44/50/Add.2](#), paras. 102–107 and 125 (h).
- ⁶⁸ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.100, 131.102, 131.105 and 131.140.
- ⁶⁹ [CEDAW/C/ZWE/CO/6](#), para. 41.
- ⁷⁰ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.45, 131.102–131.104, 131.106–131.107 and 131.111.
- ⁷¹ See <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25761&LangID=E>.
- ⁷² [A/HRC/43/44/Add.2](#), paras. 118 and 120.
- ⁷³ *Ibid.*, para. 122 (c).
- ⁷⁴ *Ibid.*, para. 122 (d).
- ⁷⁵ *Ibid.*, para. 122 (e) and (k).
- ⁷⁶ *Ibid.*, para. 122 (m).
- ⁷⁷ *Ibid.*, para. 122 (n).
- ⁷⁸ *Ibid.*, para. 122 (q).
- ⁷⁹ *Ibid.*, para. 122 (s).
- ⁸⁰ *Ibid.*, para. 122 (v). See also United Nations country team submission, para. 36.
- ⁸¹ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.112–131.121, 131.124 and 132.81.
- ⁸² United Nations country team submission, para. 30.
- ⁸³ [CEDAW/C/ZWE/CO/6](#), paras. 39 (a) and 40 (a).
- ⁸⁴ *Ibid.*, paras. 39 (b) and 40 (b).
- ⁸⁵ *Ibid.*, paras. 39 (c) and 40 (c).
- ⁸⁶ *Ibid.*, paras. 39 (d) and 40 (d).
- ⁸⁷ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.100, 131.112, 131.123 and 131.125–131.132.
- ⁸⁸ UNESCO submission, pp. 3 and 5.
- ⁸⁹ United Nations country team submission, para. 31.
- ⁹⁰ UNESCO submission, pp. 3–5.
- ⁹¹ United Nations country team submission, para. 31.
- ⁹² *Ibid.*
- ⁹³ [CEDAW/C/ZWE/CO/6](#), paras. 35–36.
- ⁹⁴ UNESCO submission, pp. 4–5.
- ⁹⁵ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.52–131.60, 131.70–131.73 and 131.140.
- ⁹⁶ United Nations country team submission, para. 37.

- ⁹⁷ [CEDAW/C/ZWE/CO/6](#), paras. 43–44.
- ⁹⁸ *Ibid.*, para. 7.
- ⁹⁹ *Ibid.*, para. 24 (a).
- ¹⁰⁰ *Ibid.*, paras. 27 and 28 (a)–(b). See also United Nations country team submission, para. 38.
- ¹⁰¹ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.40–131.41, 131.65–131.69, 131.74, 131.108 and 131.110.
- ¹⁰² [CEDAW/C/ZWE/CO/6](#), paras. 49 and 50 (a).
- ¹⁰³ United Nations country team submission, para. 40.
- ¹⁰⁴ UNESCO submission, pp. 4–5.
- ¹⁰⁵ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.133–131.134.
- ¹⁰⁶ United Nations country team submission, para. 42.
- ¹⁰⁷ UNESCO submission, para. 11.
- ¹⁰⁸ [CCPR/C/ZWE/QPR/2](#), para. 19.
- ¹⁰⁹ United Nations country team submission, para. 19.
- ¹¹⁰ For relevant recommendations, see [A/HRC/34/8](#), paras. 131.61–131.62 and 132.78–132.80.
- ¹¹¹ United Nations country team submission, para. 23.
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