Zimbabwe’s Universal Periodic Review: Mid-Term Progress Report

Compiled by

Zimbabwe Civil Society Organisations, 21 March 2014

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1. Introduction

This mid-term Universal Periodic Report (UPR) is submitted by Civil Society Organisations (CSOs) working on human rights issues in Zimbabwe. It assesses the progress made by the Government of Zimbabwe (GoZ) to achieve the accepted UPR recommendations following Zimbabwe’s review on 10 October 2011 by the United Nations Human Rights Council. The period covered by this report is from October 2011 to February 2014. This report also highlights challenges and suggested actions to ensure full realisation of the accepted recommendations. Notably, the GoZ adopted a National Action Plan which elaborates the activities that will be implemented for the accepted recommendations to be realised. The adoption of the Constitution on 22 May 2013 has also resulted in implementation of some recommendations on paper with practical progress yet to be experienced.

2. Status of Implementation

2.1 Ratification of outstanding human rights instruments

Recommendations to ratify outstanding human rights instruments and collaborate with treaty and charter based mechanisms were accepted. Implementation - GoZ has ratified the following Optional Protocols; Convention of the Rights of the Child (CRC) on The Involvement of Children in Armed Conflict (22 May 2013); Sale of Children, Child prostitution and Child Pornography (14 February 2012). The GoZ also ratified the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol (23 September 2013). GoZ also invited the UN Human Rights Commissioner in May 2012. Outstanding - GoZ is yet to ratify the Convention Against Torture and other Cruel, Inhuman or degrading Treatment (CAT), the International Convention for the Protection of all Persons against Enforced Disappearances (ICPED) and Optional Protocols to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW); International Covenant on Civil and Political Rights (ICCPR); and International Covenant of Economic, Social and Cultural Rights (ICESCR).

Suggested action

- GoZ must ratify outstanding treaties and invite all UN Special Procedures mandates holders who have made requests to visit Zimbabwe.

2.2 Domestication of Human Rights Treaties

The GoZ agreed to align domestic laws, including customary laws, with ratified human rights instruments, as well as harmonise laws with the Constitution, review and amend the Public Order and Security Act (POSA) and the Private Voluntary Organisations Act (PVOA) to be in line with international standards as POSA and PVOA restrict the work of human rights defenders (HRDs). Implementation - The Constitution addresses some of these recommendations. Discrimination in areas of personal law or African customary law is now outlawed. The GoZ is also in the process of aligning laws with the Constitution. Outstanding - The GoZ has failed to amend or repeal POSA, and the PVOA, and legitimate CSOs continue to be harassed and arrested under these laws.

Suggested action

- GoZ must amend the PVOA to remove undue restrictions on the work of HRDs and repeal offensive sections of POSA inhibiting freedom of assembly.
- GoZ must educate law enforcement agencies on the role and functions of CSOs in a democratic society.

2.3 Creating/Strengthening Independent Institutions

The GoZ agreed to strengthen media, human rights and anti-corruption institutions and ensure that the law operationalising the Zimbabwe Human Rights Commission (ZHRC) complies
with the Paris Principles. Implementation - Progress to operationalize the ZHRC has been very slow, with no full, functional Secretariat. Challenges - Independent Commissions created under the Constitution such as the Gender Commission (GC), National Peace and Reconciliation Commission (NPRC) are not operational. The existing Anti-Corruption Commission is inadequately financed and technically incapacitated.

Suggested action
- The GoZ must urgently facilitate the appointment of all the Secretariat members for the ZHRC and enact laws to operationalize the NPRC and the GC.
- The GoZ must also guarantee the independence of the Anti-Corruption Commission and the Zimbabwe Media Commission as well as ensure that they are adequately resourced.

2.4 National Healing and Reconciliation
The GoZ was encouraged to ensure that the Organ on National Healing and Reconciliation and Integration (ONHRI) fully implemented its mandates based on truth, reconciliation and forward-looking approaches. Implementation - Despite this undertaking, ONHRI remained a symbolic entity without a clear policy to guide its functions. Right up to the period leading to the 2013 elections, ONHRI failed to ensure accountability for atrocities perpetrated in 2008, and previously. The Constitution now provides for the establishment of a National Peace and Reconciliation Commission (NPRC), to take forward the agenda of healing and reconciliation. Challenges - The NPRC is still to be constituted and operationalized.

Suggested action
- The GoZ is urged to urgently give effect to the constitutional provisions establishing the NPRC such as enacting a law to operationalize it, adequately funding it to ensure that the process of healing and reconciliation gains momentum.

2.5 Freedom of assembly and association
The GoZ agreed to recognize the right to assembly of members of non-political groups, prioritize efforts to implement domestic policies to give effect to the protection of human rights and the prevention of politically-motivated violence and intimidation. The GoZ also undertook to take necessary measures to investigate all allegations of human rights violations (including unlawful acts of harassment of human rights defenders (HRDs), NGO workers and other members of civil society) and bring perpetrators to justice, taking steps to incorporate and enforce the United Nations Declaration on Human Rights Defenders (UNDHRDs). Implementation - There was less overt politically motivated violence before and during the July 2013 elections. Challenges - There was covert violence leading to many people not being able to fully and freely participate in the elections. No action has been taken to give effect to the UNDHRDs or ensure that the rights to freedom of assembly and association of non-political groups is upheld.

Suggested action
- GoZ must fully implement the provisions of the UNDHRDs and investigate acts of harassment of HRDs
- The GoZ must bring all those who perpetrate violations against HRDs to account.
- The GoZ must consider the recommendation it rejected to uphold its international obligations to respect the rights to freedom of expression, assembly and cease arrests, harassment and detention of individuals with different views.

2.6 Rule of law
GoZ accepted to continue its efforts to strengthen the rule of law, the capacity of national mechanisms on human rights and the promotion of national healing process based on tolerance and respect among different communities. Implementation - There was no progress in giving effect to this recommendation. Challenges - The law continued to be selectively
applied against perceived supporters of opposition parties and legitimate HRDs. From January 2012 to December 2013, 2416 HRDs were arrested, detained, with some being prosecuted. The leaders of the security sector also made partisan utterances before the elections with the Police Commissioner General in May 2013 publicly refusing to entertain security sector reforms. The partisanship and selective application of law within the police was apparent with police being accused of failing to protect known MDC candidates and supporters. Such harassment included disruption of their campaign efforts by militias or themselves, arresting and detaining none ZANU PF candidates and supporters for frivolous charges.

Suggested action
- The GoZ must take measures to guarantee equal application and protection of the law.
- Government must reform state institutions.

2.7 Administration of Justice
GoZ undertook to take all appropriate legal and administrative measures to bring justice to the people (vulnerable groups living in remote and rural areas) and to adopt necessary measures to enhance the courts’ competence and functioning as far as the administration of justice is concerned, including the training of the staff in courts in the area of human rights. Implementation - A constitutional court was established by the Constitution and is operating. Four courthouses were constructed in outlying areas of Guruve, Murehwa, Mutoko and Tsholotsho, with a victim friendly unit opened in Murewa. There are plans to build 30 other courts. There is improved clearance of cases at Magistrates and Supreme Court. Challenges - The Constitutional Court does not have rules of procedure. There is a backlog of cases in the High Court and the Labour Court with 23% of criminal appeals in High Court being finalized in 2013. The Legal Aid Directorate has not decentralized with two offices in Harare and Bulawayo and is inaccessible to many people that require legal assistance. Practice Directives by the Chief Justice have had the effect of putting justice out of reach of people due to the exorbitant fees required for court processes.

Suggested action
- GoZ must decentralize the legal aid services by the Legal Aid Directorate and expedite construction of courts.
- Case management must be improved through injection of adequate funds for human and material resource sustenance of the judicial system.
- GoZ must ensure that staff members receive adequate training.

2.8 Prohibition of torture
The GoZ agreed to criminalise torture and prevent all forms of torture and inhuman or degrading treatment (including prohibiting corporal punishment as a form of sentence or punishment) ensure full accountability of perpetrators and redress and rehabilitation to victims. Implementation - Torture has not yet been criminalized. At least 89 claims for damages have been filed against the police, members of Defence Forces since 2011. In addition 861 victims have received medical and psychosocial support as a result of torture by state and non-state actors since 2011.

Suggested action
- GoZ must ratify and domesticate the Convention Against Torture, Cruel, inhuman and Degrading Treatment and the Convention on Protection of all Persons from Enforced Disappearances.
- GoZ must criminalise torture and enforced disappearances and these must be prosecuted with very high penalties.
- Damages granted by the courts in cases of civil claims must be honored.

1 (Security chiefs won’t meet Tsvangirai: Chihuri, The Herald, 30 April 2013).
2.9 Prison conditions
The GoZ undertook to adopt necessary measures to improve conditions in prisons and other places of detention and set up an independent mechanism to monitor places of detention and to prevent torture. **Implementation** - No progress since October 2011. **Challenges** - The declining economy has made Zimbabwe’s prison conditions a human tragedy and a serious abuse of human rights. Lack of adequate financial and material resources, has contributed to the dire prison conditions. According to The Justice, Legal and Parliamentary Affairs Secretary, “In order to feed prisoners on the prescribed standard dietary scale as prescribed in Statutory Instrument 96 of 2012, the ministry requires $21 million for the whole year, but the department was only allocated $2.5 million for prisoner’s rations.” In a 2013 baseline survey ‘The Needs of Female Inmates in Zimbabwean Prisons’ by ZACRO, Female inmates highlighted poor quality and quantity of food, lack of food for children living with their mothers and insensitivity to dietary needs of inmates on ART, TB medication, detained mentally ill patients and those pregnant. Other issues raised were acute shortages of uniforms, sanitary ware and other non-food items. There is no mechanism to monitor prisons. The Zimbabwe Human Rights Commission (ZHRC) has a role of visiting and inspecting prisons, places of detention, refugee camps, places where mentally disordered or intellectually challenged persons are detained and related places. It has not fulfilled its functions due to resource constraints. A new proposed Prison Act is being drafted by Zimbabwe Prisons and Correctional Services to align prison laws to the constitution. There have been no consultations with CSOs, and no information to assess whether proposed new provisions are progressve.

**Suggested action**
- GoZ must inject adequate funds to ensure adequate resources for prisons and also put in place measures to expedite the hearing of cases to reduce incarceration of pre-trial detainees.
- The GoZ must improve resources of ZHRC for it to carry out its detention conditions monitoring role.

2.10 Trafficking in Persons
The GoZ was encouraged to continue efforts to combat trafficking in persons and accede to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons. **Implementation** - On 13 December 2013, the GoZ acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons and on 3 January 2014, the President gazetted the Presidential Powers (Temporary Measures) (Trafficking in Persons Act) Regulations giving temporary legal effect to provision of the Protocol. **Outstanding** - Regulations must be placed before parliament to make them into permanent law.

**Suggested action**
- GoZ must make domestication of Protocol permanent through an Act of parliament.
- The GoZ must increase awareness campaigns against trafficking in persons.

2.11 Women’s Rights
The GoZ agreed to implement legislative and administrative measures to outlaw discrimination against women; promote the status of women and prevent marginalization and exclusion of women from the economic, social and political spheres of society as well as strengthen the representation of women in decision-making process, including efforts to reach the quotas established by SADC. **Implementation** - The Constitution protects women’s rights, outlawing discrimination on the basis of gender, including under customary law. Death penalty for women has been abolished and an additional 60 additional seats of the House of

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3 Section 48 of the Constitution of Zimbabwe.
Assembly are reserved for women. **Challenges** - Reserved seats resulted in less women participating in the contested seats. Women are only 34% of the Parliament (SADC quota is 50%), while there are only 3 female Ministers in a cabinet of 26. There are no provisions for gender equality in local government leading to decreased women’s representation from 19% in 2008 elections to 16% in 2013 elections. The percentage of women in economic decision making positions in the public sector is 33% as compared to 67% for men. The new economic policy Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZimASSET) does not set a target for the participation of women in the economy

**Suggested action**
- The realignment of laws should include a review of economic and financial legislation to ensure more participation of women and economic empowerment of women.

### 2.12 Domestic Violence
The GoZ undertook to collect and analyse disaggregated data on domestic violence to better understand prevailing trends and assess effectiveness of measures in place and consolidate mechanisms to protect women against all forms of violence. **Implementation** - While the GoZ collates information on number of victims of domestic violence seeking assistance from the police, there is inadequate protection mechanisms for survivors of domestic violence. There are two shelters only in country to cater for women experiencing violence. One is run by an NGO, and in the 2013 National budget, inadequate funds were allocated to the Victim Friendly system at US$10 000, and only $44 000 for the Victim Friendly Courts.

**Suggested action**
- The GoZ is further urged to put in place a better framework to implement the Domestic Violence Act.

### 2.13 Children’s rights
The Goz agreed to look into the matter of orphans caught up in the battle for property within the Anglican Church and ensure that the rights of those children are covered. It also undertook to address the issues of school drop-out rates of children and establish a specialised juvenile justice system. **Implementation:** The Anglican Church dispute was resolved by the courts and the property was returned to the legal trustees. In May 2013, the GoZ launched the pre-trial diversion programme for juveniles for rehabilitative, educative and restorative support. **Challenges** - In October 2013, Matebeleland South Province reported school drop-out of 3000 children due to hunger and starvation. The cutting of funding under BEAM at the beginning of 2014 from $73million to $15million affected many children, the majority being orphans and vulnerable children.

**Suggested Action:**
- GoZ should find alternative ways to fund BEAM in order to ensure basic education for children
- GoZ should find sustainable solution to poverty, to ensure that children have access to food and shelter

### 2.14 Global Political Agreement
The GoZ agreed to implement fully the provisions of the Global Political Agreement (GPA) especially articles relating to the security of persons and prevention of violence, freedoms of expression, assembly and association, and support the Constitution making Processes by (COPAC). **Implementation** - Implementation of provisions of the GPA remained outstanding right up the 31 July 2013 elections. A new Constitution was adopted barely two months before the elections. The Inclusive Government failed to implement most of the reforms contemplated under GPA as recommended.

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4 In 2011 and 2012 the Zimbabwe Republic Police received reports of domestic violence totalling 21894.
Suggested action

- *The GoZ must fully implement all provisions of the new Constitution.*
- *The GoZ should ensure that the issues raised under reforms in the GPA are implemented, even under the new government.*

2.15 Elections
The GoZ was encouraged to take immediate steps to bring about reforms to ensure that the electoral process and the legislation were in line with international standards and address concerns on independence of the Zimbabwe Electoral Commission (ZEC) and the accuracy of the voters’ roll. GoZ accepted to investigate all credible allegations related to the Presidential elections in 2008, particularly in areas of torture, arbitrary detentions and enforced disappearances. *Implementation* - There was no progress in implementing these recommendations. *Challenges* - On 31 July 2013 Zimbabwe held harmonised elections. The credibility of the harmonised elections was compromised by lack of adherence to the UPR recommendations. No official investigation of the 2008 atrocities was carried out, human rights violations such as harassment and intimidation of perceived opposition party supporters continued. While the new Constitution provided for the independence of ZEC, and its management of voter registration and the compilation of voters rolls, in reality these functions continued to be exercised by the Registrar General of Voters. Voter registration was not carried out properly. The mobile voter registration exercise benefitted 99.97% rural voters, while only about 67.94% of urban voters were registered.\(^5\) Further, ZEC denied political parties access to the electronic version of the voters roll, availing hard copies on the day of election after a court order. Although the election day was peaceful, there were unusually high numbers of assisted voters, despite the country’s high literacy rates.

**Suggested action**

- *Investigations into the 2008 violence must be conducted to ensure that perpetrators are held accountable and do not perpetuate electoral violence by re-victimising survivors of the violence.*
- *The GoZ must ensure the integrity of the voters roll by transferring custody to ZEC in accordance with the provisions of the Constitution.*
- *The GoZ must consider biometric voters’ roll system as a way of enhancing transparency in the electoral system.*
- *ZEC must be adequately funded to ensure proper implementation of electoral processes, such as voter registration and voter education, among others.*

2.16 Media
The GoZ agreed to improve the right to freedom of expression, media freedoms, and ensuring a more pluralist media environment. *Implementation* - Section 61 of the Constitution provides for freedom of expression and freedom of the media. *Challenges* - Media reforms are still lacking. GoZ has still not licenced community radio stations. In November 2013, the Minister of Media, Information and Publicity emphasised that community radio stations are not a priority for government although they enhance access to information for citizens at grass roots level. Hate language continues through the public broadcaster (the Zimbabwe Broadcasting Corporation). In August 2013, 14 articles in the state-controlled papers contained abusive, intimidating, intolerant and false commentary against human rights lawyer Beatrice Mtetwa. By January 2014, there were 9 counts of hate speech reported. The continued arrest of journalists remains an issue of concern with 9 recorded between December 2012 and May 2013.

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\(^5\) Reflected in the voters’ roll of 19 June as provided by the Office of the Registrar-General of Voters.
Suggested action

- The GoZ is urged to re-establish the Zimbabwe Broadcasting Corporation as an independent, representative body that will safeguard its editorial independence and fulfills its public mandate to report events fairly and accurately as well as reflect fairly the opinions of all sections of Zimbabwean society before and after elections.
- Promote voluntary self-regulation of the media so that media practitioners establish self-regulatory systems.
- Repeal the restrictive provisions of the Broadcasting Services Act and Criminal Law (Codification and Reform) Act.
- Issue licenses to more players in the industry including community radio stations in order to create a truly pluralistic environment.

2.17 The Right to Education

The GoZ agreed to ensure free access to education for everyone, especially girls and vulnerable children, increase budget for basic education, providing additional tuition assistance to orphans and vulnerable children and requesting necessary technical assistance in the education sector such as teaching tools and technological and scientific material.

Implementation – Section 75 of the Constitution provides for the right to basic state funded education, and further made progressively available by the state through reasonable legislative and other measures. There is Education Transition Fund (ETF) programme covering curricula review, teacher training support; textbooks and early childhood development kits, school grants, education information systems. The BEAM programme for underprivileged children is still in place. Challenges - Inadequate government revenue inflows, suspension of cadetship programmes for tertiary institutions has prevented poor students from attaining tertiary education. BEAM programme is undermined by corruption with deserving candidates not benefitting. The pass rate for Ordinary Level remained poor, in 2013 at 20.72%. Although Zimbabwe maintains the highest literacy levels in Africa, focus should be shifted towards quality of education.

Suggested action

- The GoZ must stem corruption in the education sector to ensure that underprivileged students benefit from state-funded programmes.
- The GoZ must increase resources for programmes like BEAM to ensure universal access to primary education for both boys and girls.
- The GoZ should also improve the conditions of service for teachers and increase their opportunities for professional development.

2.18 The Right to Health

The GoZ committed to incorporate principles of the human rights framework created by the SR on the human right to safe drinking water and sanitation into Zimbabwe’s national policy on domestic water supply and sanitation. The GoZ also agreed to work with the international community, and development partners to fight diseases through securing relevant expertise.

Implementation – Section 77 (a) of the Constitution provides for the right to safe, clean and potable water.

Challenges - Water shortages persist in most parts of the country with residents resorting to unsafe sources of water such as open wells. Harare loses 50% of processed water through leakages. Further, in mid-2012, Harare and Chitungwiza reported 112 new cases of water-borne typhoid due to contaminated water supply. In November 2013, the Standards Association of Zimbabwe reported that water pumped into homes by the Harare City Council is not fit for drinking purposes and could soon cause an outbreak of water-borne diseases. The Deputy Minister of Health reported in November 2013 that up to eight children were dying weekly as a result of diarrhea. The situation has not improved with 132 people reported to
have died of diarrhea in 2014 and on average 12000 cases are recorded weekly throughout the country. In Jan and Feb 2014 a total of 37 cases of typhoid were reported.

Suggested action
- The GoZ must invest in the upgrading of infrastructure to ensure that all citizens are able to access clean and potable water.
- The GoZ must fully acknowledge the existence of a typhoid outbreak for local and international actors to intervene.
- The GoZ must lift its freeze on posts in the Ministry of health to ensure availability of adequate and qualified personnel who can attend to patients.

2.19 HIV/AIDS, Malaria and Tuberculosis
The GoZ also undertook to continue in its efforts to reduce HIV/AIDS, Malaria and Tuberculosis with the assistance of development partners. Implementation - The GoZ adopted the HIV Combination Prevention Strategy in 2012 to take full advantage of complementary prevention interventions. This includes male circumcision, prevention of mother to child transmission (PMTCT), behaviour change and condom promotion. Challenges - The number of ante-natal care sites that offer both on site HIV testing and ARVs increased from 87% to 89% in 2012. The Anti Retrovirol Theprapy (ART), coverage was at 86.1% of those estimated to be in need. Yet, the prevalence of HIV is still high at 15%. Women have a higher prevalence (18%) than that of men (12%). The peak age group affected in women is 30-39 (29%) and in men is 45-49 (30%) The prevention of mother-to-child transmission (PMTCT) coverage is at 86%, with 18% of babies currently being infected. Low paediatric ART is a cause for major concern as it is currently estimated at only 40%. The levels of HIV/TB co-infection remain high, with 80% of TB cases estimated to be co-infected with HIV. Human resources for health in Zimbabwe remain a key challenge together with weak health information systems for data collection, analysis and interpretation.

Suggested action
- The GoZ must fully implement the programmes and policies in place, continue education and awareness programmes to combat HIV/AIDS.
- Access to ARVs and health care should be improved particularly in rural areas.

2.20 Maternal Mortality and Morbidity
The GoZ committed to address challenges of maternal and child mortality. Implementation – Section 76 of the Constitution provides for the right to access to basic health-care services, including reproductive health-care services. Section 73(a) provides for the right to an environment that is not harmful to health or wellbeing. In terms of the Constitution, no person may be refused emergency medical treatment in any healthcare institution. These provisions complement other laws and policies that have been in place on maternal health and the delivery of equitable health services include. There is a multi-donor Health transition fund (2011-2015) providing resources towards reduction of maternal mortality. Challenges - Only 66.6% of births in Zimbabwe are attended to by skilled personnel. Maternal mortality rate in Zimbabwe is the highest in Southern Africa at 960 deaths per 100,000 live births. Of these, 24% are women aged 15-19 due to maternal health-related issues. Maternity fees remain unaffordable, reduced attendance of expectant mothers at antenatal clinics due to associated costs or distances to clinics and the inability of some women to make choices on reproductive health issues due to social or cultural pressures persist. In addition, only 59% of women have access to contraceptives. The National Budget in 2013 allocated 40% less to maternal and health care as compared to 2012. Similarly there was a 56% decrease in budget allocation to village health workers from 2012, yet they play an important role in access to health care for women in the rural areas. In the 2014 national budget the Health and Child Care Ministry got $337 million which is 8.2% of the total budget allocation and is slightly less than what was
allocated in 2013 (9.87%). The health allocation also failed to meet what was stipulated by the 2001 Abuja Declaration on Health that Zimbabwe is signatory to which demands that 15% of all national budgets should go towards health.

**Suggested action**
- The GoZ should resolve the barrier of user fees and ensure adequate supplies of critical maternal and new-born health and medical equipment and commodities such as blood products.
- The GoZ is encouraged to ensure that there is adequate budgetary support to ensure that the maternal mortality rate is reduced.

### 2.21 Agriculture
The GoZ undertook to continue to take steps to ensure that land is made productive.  

*Implementation* - The production capacity of new farmers who were given 99 year leases after benefiting from the land reform program prevents them from securing loans from banks. The High Court recently confirmed the withdrawal of an offer letter from a farmer and the subsequent re-allocation of the same land to its former owner as the new owner was under-utilising the land. *Challenges* - Farmers are still operating with 99 year leases not accepted by banks as collateral. Agribank, the GoZ’s primary vehicle for channeling financial resources to the agricultural sector is underfunded and facing financial challenges. Some farmers allocated land do not have the necessary know-how and despite receiving government support in the form of inputs, equipment and tractors this has not boosted crop production. Further, while over 550 000 hectares of Zimbabwe’s land is irrigable, only 33.6% or 200 000 hectares is under irrigation development, with a significant number of the irrigation schemes non-functional.

**Suggested action**
- The GoZ must initiate programmes targeting the rehabilitation of communal irrigation schemes to ensure utilization of idle assets.

### 2.22 Mining
The GoZ made a commitment to take concrete steps to comply fully with the minimum standards of the Kimberley Process and create stronger mechanisms to ensure greater revenue transparency from diamond mining. *Challenges* - The Constitution is silent on use of natural resources. The Mines and Minerals Act does not permit adequate public participation in the granting of prospecting licenses and mining permits. It lacks provisions for the protection of the environment and lacks provisions for transparency and accountability.

**Suggested action**
- The GoZ must accelerate the finalization and implementation of the diamond policy.
- The GoZ must enact a Diamond Act to reassert transparent State control and define the framework of compensation for communities being displaced by Diamond mining.
- The GoZ must also reconsider recommendations that it rejected and create stronger mechanisms to ensure greater revenue transparency from diamond mining, demilitarize the diamond industry and thoroughly investigate cases of beatings and abuse by government and security services in the Marange area.

### 2.20 Economic, Social and Cultural Rights
The GoZ agreed to consider how the riches of the country can best contribute to the enjoyment of the citizens, and continue with measures for an enabling environment for economic, social and cultural rights, especially in the areas of education, health, social security and the care of the disabled, the implementation of Millenium Development Goals and reducing poverty. The Goz undertook to implement further policies to support food production, such as farm insurance, access to credit and the purchase of food by the
Government to ensure a stable market for family farmers, and implement school meals programmes and link them to local food production. *Implementation* - Section 77 (b) of the Constitution provides for the right to sufficient food. *Challenges* - In February 2014, 11 village heads in Mudzi were reportedly distributing food aid only to ZANU PF supporters. As at January 2014, the poverty rate was estimated at 62.6 % (ZIMSTAT). The overall unemployment rate in Zimbabwe is over 95%, with youth unemployment being pegged at over 70%. This undoubtedly is the major reason for the high levels of poverty in the country.

**Suggested action**

- *The GoZ must reconsider the recommendation that it rejected to take concrete and effective measures to ensure that food, medicine and other humanitarian relief distribution at Government depots take place without reference to partisan political considerations.*

### 2.23 Cooperation with Human Rights Mechanisms

The GoZ was encouraged to cooperate with all human rights mechanisms, and issue a standing invitation to all UN Special Procedures mandate holders. *Implementation* - On 5 May 20, 2012, the GoZ invited the United Nations High Commissioner for Human Rights (UNOHCR) for a five day visit to assess the human rights situation in Zimbabwe. *Challenges* - However, GoZ refused or neglected to respond to reminders for requests for country visits sent by several Special Rapporteurs (SRs) on, Freedom of Association and Assembly; violence against women; and Independence of Judges and Lawyers, in 2012, and SR on Torture in 2013.

**Suggested action**

- *GoZ must accept all outstanding requests for country visits before 2016.*

### 2.24 Co-operation with Civil Society Organisations and other Stakeholders

The GoZ assented to cooperating closely with local human rights organizations in the follow up to the UPR and implementation of the recommendations. *Implementation*: In 2012, the GoZ invited CSOs to participate in national processes to draft an implementation plan, which resulted in the drafting of a National Plan of Action (NPA) A National Steering Committee was constituted and mandated with implementing the NPA. The steering committee comprises of government departments, independent commissions, CSOs and the Labour Movement. CSOs have carried out activities to further implementation of recommendations by working with arms of government such as parliament in their various fields of expertise.

**Suggested Action**

- *GoZ must continue to create platforms for engagement with CSOs in implementing the recommendations.*