



General Assembly

Distr.: General
23 August 2016

Original: English

Human Rights Council

Working Group on the Universal Periodic Review

Twenty-sixth session

31 October-11 November 2016

Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

Zimbabwe*

The present report is a summary of 20 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.



I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles

1. The Zimbabwe Human Rights Commission did not make a submission.

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations²

2. JS7 stated that during its universal periodic review in 2011 (2011 review),³ Zimbabwe supported a recommendation to ratify outstanding human rights instruments⁴ and has since ratified OP-CRC-AC, OP-CRC-SC, CRPD and OP-CRPD. Zimbabwe was yet to ratify CAT, ICPPED, OP-CEDAW, ICCPR-OP1, ICCPR-OP2, OP-ICESCR and the 1961 United Nations Convention on the Reduction of Statelessness⁵

3. AI stated that during the 2011 review, Zimbabwe undertook to consider ratifying ICCPR-OP2.⁶ It recommended ratifying this instrument without reservation.⁷

4. HRW stated that at the 2011 review, Zimbabwe supported recommendations to ratify CAT.⁸ It urged ratification and rigorous implementation of CAT and its optional protocol.⁹

5. ISHR recommended the ratification of ICPPED.¹⁰

2. Constitutional and legislative framework

6. AI stated that in 2013, the Constitution of Zimbabwe Amendment (No. 20) Act 2013 (2013 Constitution) was adopted with stronger guarantees for economic, social, cultural, civil and political rights.¹¹ ECLJ stated that the process of modifying the laws that were out of alignment with the 2013 Constitution had begun, but that significant work remained to be done to ensure the rights guaranteed in the 2013 Constitution were protected in the legal system.¹² ACTSA urged Zimbabwe to work with civil society to ensure the alignment of existing laws with the 2013 Constitution and with its international human rights obligations.¹³

7. ECLJ stated that the Access to Information and Protection of Privacy Act, which governs print and electronic media, needed significant reform in order to be aligned with the 2013 Constitution.¹⁴

8. JS2 stated that the power to grant licences under the Broadcasting Services Act was vested in the Broadcasting Authority of Zimbabwe which was not independent and also not free from political interference.¹⁵ JS3 stated that the Act breached the right to freedom of expression and was not able to promote freedom of artistic expression and diversity.¹⁶

9. ECLJ stated that the 2013 Constitution made provision for a mechanism to receive and to address complaints against security services. It encouraged Zimbabwe to enact a law creating such a mechanism.¹⁷

10. JS5¹⁸ stated that the lack of legal recognition and inability to change gender markers on government issued documentation significantly impeded the rights of transgender individuals.¹⁹

11. ISHR stated that restrictive laws not aligned with the 2013 Constitution were selectively applied to restrict the activities of human rights defenders.²⁰ It recommended the alignment of those laws with international human rights instruments and the protections guaranteed in the 2013 Constitution. It also recommended enactment of specific laws and policies recognising and protecting the work of human rights defenders.²¹

12. FLD stated that independent human rights organisations and human rights defenders operate under a restrictive legal framework. The Private Voluntary Organisations Act (2002) provides for a cumbersome registration process.²² The Public Order and Security Act provides that the permission of the police is required for public meetings and demonstrations and gives broad discretionary powers to the police to determine the lawfulness of gatherings.²³ The Criminal Law (Codification Reform) Act, in particular Section 31, which criminalises communicating or publishing false statements, has been applied to justify state harassment of independent journalists.²⁴ JS3 stated that the police often rely on this provision (Section 31) to detain artists or to ban artistic expression.²⁵ FLD stated that the Official Secrets Act does not define what may be prejudicial to the interest of the State and effectively shields state officials from scrutiny for offences committed in the course of their duty; and the Act has been used to threaten journalists with prosecution.²⁶ FLD recommended reviewing, repealing or amending the aforementioned legislation.²⁷

13. JS4 recommended that Zimbabwe revise the Interception of Communications Act to bring it in line with the 2013 Constitution.²⁸ Also, Zimbabwe should ensure that the Data Protection Bill meets international standards and that any data protection authority established by law is appropriately resourced and independent, and has the power to investigate breaches of the data protection principles.²⁹

3. Institutional and human rights infrastructure and policy measures

14. JS7 stated that at the 2011 review, Zimbabwe supported recommendations to strengthen the constitutional, media, human rights, and anti-corruption institutions.³⁰ The 2013 Constitution provides for the Independent Commissions Supporting Democracy which includes the Zimbabwe Electoral Commission, the Zimbabwe Human Rights Commission, the Zimbabwe Gender Commission, the Zimbabwe Media Commission, the Zimbabwe Anti-Corruption Commission, and the National Peace and Reconciliation Commission.³¹ However, the Zimbabwe Gender Commission and National Peace and Reconciliation Commission were not operational and the Zimbabwe Anti-Corruption Commission did not have adequate funding or technical capacity. Also, the Zimbabwe Human Rights Commission was inadequately funded and contrary to the Paris Principles, the Commission received funding from Ministry of Justice.³²

15. ISHR stated that the effectiveness of the Zimbabwe Human Rights Commission has been impinged by limited funding and a restricted mandate.³³

16. SOS CVZ stated that Zimbabwe must ensure that the Zimbabwe Human Rights Commission has the mandate and resources to monitor children's rights and is able to receive, investigate and address complains from children in a child-sensitive manner.³⁴

17. JS7 encouraged Zimbabwe to ensure that the Organ on National Healing and Reconciliation and Integration is constitutionally compliant, effective and independent, having noted that, Zimbabwe supported a recommendation in that regard at the 2011 review.³⁵

18. ACTSA urged Zimbabwe to ensure that members of all security agencies undertake rigorous human rights training, and hold the agencies accountable for violations of the law.³⁶

19. JS7 noted that the outcome of 31 July 2013 elections was contested and urged Zimbabwe to align the Electoral Act with the 2013 Constitution. It also urged Zimbabwe to transfer custody of the voters' roll to Zimbabwe Electoral Commission, expedite the establishment of biometric voters' roll system to enhance transparency, guarantee equal access to the searchable electronic voters' roll by all political parties and the electorate, prioritise adequate funding for Zimbabwe Electoral Commission for proper administration of electoral processes, open up the public broadcaster and guarantee equitable access to all political parties and candidates, create a conducive electoral environment that enables free participation in electoral processes by all citizens and political parties, allow civil society organisations to formulate and implement voter education programmes, and put in place mechanisms to enable the Diaspora and prisoners to vote.³⁷

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

20. TI stated that Zimbabwe should, in accordance with articles 16 and 17 of ICESCR, submit an updated report to the relevant Committee.³⁸

2. Cooperation with special procedures

21. JS2 and ISHR called on Zimbabwe to issue a standing invitation to all United Nations Special Procedures mandate holders.³⁹ HRW urged Zimbabwe to issue an invitation to the Special Rapporteur on the situation of human rights defenders.⁴⁰

22. JS7 stated that the Zimbabwe refused or neglected to respond to reminders for requests for country visits by several Special Rapporteurs and encouraged the Government to grant all outstanding requests by 2018.⁴¹

3. Cooperation with the Office of the High Commissioner for Human Rights

23. JS7 stated that in May 2012, the United Nations High Commissioner for Human Rights made a five-day visit to Zimbabwe at the invitation of the Government.⁴²

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

1. Equality and non-discrimination

24. JS7 stated that at the 2011 review, Zimbabwe agreed to implement measures to prohibit discrimination against women, address the marginalization and exclusion of women from the economic, social and political spheres.⁴³ The 2013 Constitution protected women's rights and prohibited discrimination on basis of gender. However, the envisaged equality had not translated into social and economic empowerment for women.⁴⁴

25. GALZ stated that although the 2013 Constitution guarantees equality for all citizens and freedom from unfair discrimination, it fails to specifically prohibit discrimination on the basis of sexual orientation and gender identity. Homophobia permeates Zimbabwean society unchecked and manifests itself in different forms, ranging from verbal and physical assault on, to discrimination of, lesbian, gay, bisexual, transgender and intersex people on the basis of their sexual orientation or gender identity. Refusal by duty bearers and policy makers to address this issue has resulted in the public intolerance of lesbian, gay, bisexual, transgender and intersex persons becoming deeply ingrained in the community and reinforces the general stigmatization of sexual minorities in society.⁴⁵ JS5 stated that

political leaders and state-sponsored media regularly incited hatred towards gays and lesbians by depicting same-sex relations as immoral.⁴⁶

26. ERI stated that there was discrimination and stigmatization of people living with HIV/AIDS, which needed to be addressed through education and awareness-raising.⁴⁷ It recommended that Zimbabwe support public education campaigns to eliminate stigma and discrimination against those living with HIV/AIDS, especially children.⁴⁸

27. SOS CVZ stated that birth registration was not prioritized by parents and that the Births and Death Registration Act did not address this problem.⁴⁹ The authorities should increase public awareness of the importance of, and process for, birth registration.⁵⁰

28. ERI stated that at the 2011 review, Zimbabwe did not support a recommendation to amend the Births and Death Registration Act to ensure that all children born in Zimbabwe, regardless of the origin of their parents, were issued with a birth certificate.⁵¹ It recommended amending the Act to make provision for birth registration of all children born in Zimbabwe, regardless of their parents' origin.⁵²

2 Right to life, liberty and security of the person

29. AI stated that during the 2011 review, Zimbabwe supported recommendations to abolish the death penalty and to consider issuing a moratorium on capital punishment.⁵³ However, the Government has proposed an amendment of Criminal Law (Codification and Reform) Act through the General Laws Amendment Bill (2015) which seeks to reintroduce the death penalty for men between the ages of 21 and 70 years convicted of "aggravated murder".⁵⁴

30. AI stated that on 9 March 2015 men suspected of being state security agents abducted activist Itai Dzamara, who two days earlier addressed a rally in Harare, in which he called for protests against the deteriorating situation in the country. Despite a High Court ruling ordering state security agents to investigate the disappearance of Itai Dzamara, there has been no evidence to suggest that such investigation was carried out with due diligence.⁵⁵ AI and HRW called for an independent judge-led commission of inquiry into the disappearance of Itai Dzamara.⁵⁶

31. HRW stated that torture and other ill-treatment of detainees by the police and intelligence services remained a serious and systemic human rights problem. Documented cases of torture included severe beatings that involve victims being punched, kicked, and struck with batons, beatings on the soles of the feet, repeated banging of detainees' heads against walls and the shackling of detainees in painful positions.⁵⁷

32. ACTSA stated that torture, as a specific crime, was not defined in law and thus not criminalized, which permitted the police and other security agencies to continue to engage in such practices with impunity.⁵⁸

33. JS5⁵⁹ stated that sex workers experienced verbal, physical and sexual abuse from law enforcement officials. Many sex workers have been detained and forced to engage in sexual activities with officers to ensure their release.⁶⁰

34. JS5⁶¹ stated that lesbian, gay, bisexual, transgender and intersex individuals, particularly transgender women and men, reported cases of arbitrary detention and torture by law enforcement officials, which were frequent and harmful.⁶²

35. GALZ stated that there was a disproportionately high rate of arbitrary detentions of lesbian, gay, bisexual, transgender and intersex individuals due to them being sexual minorities.⁶³

36. JS7 stated that at the 2011 review, Zimbabwe had undertaken to improve conditions in prison and other places of detention.⁶⁴ However, a declining economy and inadequate

resources had led to a further deterioration of conditions in prisons.⁶⁵ ERI stated that the nutritional needs of prisoners have been neglected, including those living with HIV.⁶⁶ It recommended that the Government channel a just portion of the AIDS levy to the needs of prisoners living with HIV.⁶⁷

37. JS7 stated that at the 2011 review, Zimbabwe undertook to collect and analyse disaggregated data on domestic violence to better understand prevailing trends and to assess the effectiveness of measures that were in place.⁶⁸ In this context, information was collated on those victims who had sought assistance from the police. JS7 stated that there were inadequate protection mechanisms for the victims, with only nine shelters operated by a non-governmental organisation. It encouraged Zimbabwe to address the root causes of domestic violence and to provide adequate resources for the implementation of the Domestic Violence Act.⁶⁹

38. JS5⁷⁰ stated that lesbian, bisexual and transgender women were particularly at risk of sexual violence in the form of “corrective” or “curative” rape, where those women were raped by family members under the erroneous belief that this will “cure” their sexuality.⁷¹

39. JS8 stated in relation to child abuse that during the 2011 review, Zimbabwe committed to providing a child-sensitive, accessible complaint mechanism, ensuring proper redress, rehabilitation and social reintegration of children who were victims of abuse.⁷² No action has been taken to implement the recommendation.⁷³ JS8 stated that cases of child abuse were very high, and that the child protection systems remain weak and ineffective in providing quality care and protection for children.⁷⁴

40. JS8 stated that child marriage was fuelled by extreme poverty, harmful religious cultural practices and conflicting laws.⁷⁵ HRW stated that Zimbabwe lacked comprehensive strategies to curb the rising practice of child marriage. It stated that the relevant marriage laws should be amended and a national action plan should be created and implemented to combat child marriage.⁷⁶

41. GIEACPC stated that at the 2011 review, Zimbabwe accepted recommendations to prohibit all forms of corporal punishment.⁷⁷ While the 2013 Constitution, unlike its predecessor, does not expressly provide for “moderate” corporal punishment of children, there has been no change in the legality of corporal punishment, which remains lawful in all settings – in the home, alternative care settings, day care, schools, penal institutions, and as a sentence for crime. The General Laws Amendment Bill 2015, intended to harmonise legislation with the 2013 Constitution, does not include prohibition of corporal punishment of children. A Children’s Bill is being prepared and a Juvenile Justice Bill is planned, both of which provide opportunities to prohibit corporal punishment.⁷⁸ ACTSA urged Zimbabwe to ensure that corporal punishment of children is unlawful.⁷⁹

42. JS7 encouraged Zimbabwe to continue its efforts in combatting trafficking in persons and in this regard provide training to judicial and law enforcement officials on the identification of victims, increase public awareness of trafficking in persons, improve border security, increase international, regional and bilateral cooperation with countries of origin, transit and destination, and ensure that victims have access to quality medical care, counseling and legal services.⁸⁰

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

43. JS7 stated that at the 2011 review, Zimbabwe supported recommendations to take appropriate measures to deliver justice to the people and to enhance the competence and the functioning of the courts which included providing human rights training to its staff.⁸¹ In this context, a Constitutional Court was established, the Attorney General’s office was separated from the National Prosecuting Authority, and there was some improvement in the judicial appointment process for the superior courts. Also, four courts were constructed in

outlying areas with plans to build 30 additional courts. There has been improvement in the finalisation of cases in the magistrates and supreme courts. However, the Constitutional Court did not have any rules of procedure and there was a backlog of cases in the Constitutional, High and Labour Courts. The Legal Aid Directorate had not been decentralised and remained inaccessible to indigent people requiring legal assistance. Exorbitant court fees put justice out of reach of the majority of the people. Some judgments have not being handed down within the time period of 180 days as required by the Judicial Service Code of Ethics.⁸²

44. JS4 stated that the Administrative Court which considered renewal of warrants of interception operated in an environment where judicial independence was difficult to maintain. Although the 2013 Constitution contained protections for judicial independence, Judges have been subjected to intimidation and pressure from political actors.⁸³

45. JS7 stated that during the 2011 review, Zimbabwe supported recommendations to continue strengthening the rule of law.⁸⁴ It noted cases of selective application of the law, and encouraged Zimbabwe to guarantee equal protection of the law to all people and to ensure the independence of the institutions supporting the rule of law.⁸⁵

46. JS2 cited cases of intimidation and attacks of journalists⁸⁶ and called for their thorough and impartial investigation with a view bringing the alleged perpetrators to justice.⁸⁷

47. ISHR cited attacks on human rights defenders and representatives of civil society organisations⁸⁸ and recommended that Zimbabwe combat impunity by ensuring prompt, thorough and transparent investigations and the prosecution of alleged perpetrators.⁸⁹

48. CRIN stated imprisonment for life is lawful as a sentence under the Criminal Procedure and Evidence Act, and there is no exemption for child offenders.⁹⁰ It called for explicit prohibition of life imprisonment for offences committed by persons when they were under the age of 18 years. It also called for a review of the sentences of those who received life imprisonment for offences committed when they were under the age of 18 years and for resentencing them.⁹¹

49. HRW stated that there was no progress on establishing the National Peace and Reconciliation Commission as mandated by the 2013 Constitution for post-conflict justice, healing and reconciliation.⁹² To date, no independent mechanism has addressed serious past human rights crimes, including widespread election-related violence and the massacre of an estimated 20,000 people in the Matabeleland and Midlands provinces in the 1980s.⁹³

4. Right to privacy

50. JS4 stated that there were currently five internet operators in Zimbabwe. However, the Government has expressed the intention of establishing a single internet gateway operator, which could facilitate surveillance and other rights-limiting measures; and would generate significant scope for abuse by the authorities.⁹⁴

51. GALZ stated that criminalization of same-sex activity directly contravened Zimbabwe's obligations under the ICCPR to protect the right to privacy.⁹⁵ It recommended repealing the crime of sodomy as provided for under section 73 of the Criminal Code and Reform Act, 2006, to ensure that same-sex activity between consenting adults is not subject to criminal sanctions.⁹⁶

5. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

52. JS7 stated that at the 2011 review, Zimbabwe had not supported the recommendation to inter alia uphold its international obligations and to respect the

freedoms of expression, assembly and association,⁹⁷ and urged Zimbabwe to reconsider its position.⁹⁸

53. AI referred to recommendations relating to the freedom of expression which Zimbabwe had supported, and stated that the Government has failed to make improvements to ensure this freedom, as well as a more pluralist media environment.⁹⁹ JS3 also referred to a supported recommendation to “make improvements to ensure freedom of expression...” and stated this recommendation had not been implemented.¹⁰⁰

54. JS2 stated that despite the finding of the Constitutional Court that defamation was no longer a criminal offence, law enforcement agencies and prosecuting authorities continue to use defamation as a criminal offence to harass journalists.¹⁰¹

55. ACTSA stated that applications for licences for community radio stations were denied and campaigners for such licences faced harassment and arrest by the police.¹⁰² It urged Zimbabwe to allow fair and consistent access to broadcasting licenses and to respect the editorial independence of all media entities.¹⁰³ JS7 encouraged the reestablishment of the Zimbabwe Media Commission as an independent and representative institution.¹⁰⁴

56. JS2 stated that non-governmental organisations seeking to undertake activities at the district-level were required to obtain police clearance or sign a memorandum of understanding with the district administrator, both of which were not legal requirements.¹⁰⁵

57. JS2 stated that the authorities continued to use restrictive legislation, some of which were no longer in harmony with the 2013 Constitution, to intimidate civil society organisations and human rights defenders. It also expressed concern about verbal threats made towards civil society organizations by senior government officials in public speeches.¹⁰⁶

58. ISHR stated that at the 2011 review, Zimbabwe rejected all eight recommendations relating to human rights defenders.¹⁰⁷ It stated that human rights defenders continued to face harassment, violence, arbitrary arrest and malicious prosecution.¹⁰⁸ FLD stated that human rights defenders, particularly those working on issues of corruption, public accountability and democratic governance, have been subjected to intimidation and harassment by the Central Intelligence Organization.¹⁰⁹

59. ACTSA stated that Zimbabwe voted against the December 2015 United Nations General Assembly resolution on the protection of human rights defenders.¹¹⁰ It urged Zimbabwe to develop a policy on the protection of all human rights defenders, to promote this policy and to ensure that those people who threaten or attack human rights defenders are held legally accountable.¹¹¹

60. ACTSA stated that the freedoms of expression and assembly have been repressed through the misuse of the Public Order and Security Act and in particular, the requirement to hold public meetings and demonstrations with the permission of the police.¹¹² JS 2 stated that the Act conferred power on the police to deny requests for assembly with no opportunity to appeal an unfavourable decision.¹¹³

6. Right to work and right to just and favourable conditions of work

61. ITUC stated that in 2009, the Zimbabwe accepted to implement the recommendations of the ILO Commission of Inquiry, which included the obligation to bring its legislation in line with ILO Convention 87 and ILO Convention 98 and to inter alia cease all anti-union practices – arrests, detentions, violence, torture, intimidation and harassment, interference and anti-union discrimination - with immediate effect.¹¹⁴ It recommended implementation of those recommendations.¹¹⁵

62. ITCU cited cases of interference in the work of trade unions by the authorities,¹¹⁶ and stated that workers faced discrimination at work because of their union membership.¹¹⁷ Non-remittance of union dues by employers has become a widespread practice.¹¹⁸

7. Right to social security and right to an adequate standard of living

63. SOS CVZ stated that the social welfare system had a huge case-load, and the lack of adequate numbers of professional personnel impeded effective implementation and monitoring of child protection legislation.¹¹⁹

64. SOS CVZ stated that Zimbabwe has introduced programmes, such as social welfare grants for orphans and vulnerable children to ensure social security and to increase the standard of living. However, disbursements to recipients were not done on time by the national treasury resulting in, for instance, children in residential care relying on donations. Also, disbursements were hampered by widespread corruption which led to donors withdrawing their support for those programmes.¹²⁰

65. ACTSA stated that recent trends in relation to the right to food were deeply worrying.¹²¹ It urged Zimbabwe to improve planning for extreme weather conditions to minimise food insecurity, and to invest in the resilience of the agricultural sector, particularly with regard to smallholder farmers.¹²²

66. TI stated that housing demolitions posed a country-wide problem which was directly connected to the loss of access to basic commodities such as water and food and correlated to the deterioration of health and education.¹²³

67. AI stated that the Government and local authorities continued to evict people without adequate notice, alternative housing, compensation, and due process. The police often use excessive force during forced evictions, and the Government regularly failed to provide effective remedies to victims.¹²⁴ In August 2014, the Government forcibly shut down Chingwizi Holding Camp in Masvingo province which had been set up to accommodate an estimated 20,000 people displaced by the floods in Chivi district. In September 2014, hundreds of homes were demolished by the Epworth Local Board and the Chitungwiza Town Council with police support, but without court orders. On 12 January 2015, the High Court stopped the removal of about 150 families settled at Arnold Farm in Mazowe district. The families' homes had been indiscriminately demolished by police on 7 January, leaving them homeless and with no cover from the elements in the middle of the rainy season.¹²⁵ AI called on Zimbabwe to declare an official moratorium on mass evictions until all legal and procedural safeguards are in place, and ensure minimum essential levels of education, healthcare, water and sanitation with the aim of providing effective remedies for victims.¹²⁶

68. JS7 stated that water shortages persisted in most parts of the country, with residents resorting to unsafe sources of water such as open wells, leading to water borne diseases such as typhoid. It encouraged the upgrading of infrastructure to ensure that all citizens were able to access clean and potable water.¹²⁷

8. Rights to health

69. JS8 stated that during the 2011 review, Zimbabwe supported recommendations related to the continuation of efforts to reduce HIV/AIDS, malaria and tuberculosis as well as mortality rate caused by HIV, and development of a financing mechanism to help the underprivileged.¹²⁸ Despite support for those recommendations, children continue to experience difficulties in accessing health services.¹²⁹ JS8 recommended that Zimbabwe ensure that all children have access to free quality health services, notably through the establishment of a policy of universal health coverage that prioritizes access to healthcare for the most deprived children by, December 2018; and allocate adequate resources to the

health sector in line with the 15 percent benchmark in the Abuja Declaration, by December 2018.¹³⁰

70. JS7 stated that at the 2011 review, Zimbabwe undertook to continue efforts to reduce HIV/AIDS, Malaria and Tuberculosis with the assistance of development partners.¹³¹ In 2012, the HIV Combination Prevention Strategy relating to prevention interventions was adopted. Anti-Retroviral Therapy services was increased with the drugs being available and accessible free of charge.¹³²

71. In relation to maternal mortality, JS7 stated that Zimbabwe has not met the Millennium Development Goal target of 71 deaths per 100,000 live births by 2015. It urged Zimbabwe to abolish medical fees, ensure adequate supplies of critical maternal and newborn health and medical equipment and commodities such as blood products and ensure an adequate budget for medical care.¹³³

72. JS5¹³⁴ stated that many sex workers report problems in seeking health services from government hospitals because the medical personnel refuse to treat sex workers unless they bring their partners for treatment.¹³⁵ JS5 stated that lesbian, gay, bisexual, transgender and intersex persons have reported being threatened, ridiculed, and driven out of health institutions upon disclosing that they have engaged in same-sex relations. This stigmatization prevented sex workers and lesbian, gay, bisexual, transgender and intersex persons from fully disclosing their specific health needs.¹³⁶ With regard to transgender individuals, there was a lack of access to gender affirming services including access to hormones, medical equipment such as binders, and to medical procedures such as surgery.¹³⁷

73. JS6 stated that many young people did not have access to comprehensive information about sexual reproductive health issues and services, including contraception.¹³⁸ Also, service providers denied adolescents and unmarried youth access to contraception, due to their own personal prejudices and biases about adolescent sexuality, opting instead to place emphasis on abstinence-only messages, or to demand parental consent.¹³⁹

74. JS6 stated that women and girls seldom had access to safe abortion services, even in instances where abortion was legal and should have been performed in accordance with the law.¹⁴⁰

75. TI stated that the Public Service Medical Aid Society had failed to meet its service obligations and had thus denied its wider membership access to medical healthcare. Hospitals and pharmacies declined the medical aid insurance.¹⁴¹

9. Right to education

76. JS8 stated that at the 2011 review, Zimbabwe supported recommendations on the right to education for children, including girls and vulnerable children,¹⁴² all of which reflected the challenges within the education sector.¹⁴³ It stated that there was a shortage of schools, with some children walking about 5 kilometres to the nearest primary school and 10 kilometres to the nearest secondary school.¹⁴⁴ The economic crisis has left many parents unemployed and unable to provide for the educational needs of their children.¹⁴⁵

77. JS8 stated that the Basic Education Assistance Module intended for providing assistance to vulnerable children was under resourced. Also, it only catered for school fees and not for uniforms, stationery and examination fees.¹⁴⁶

78. JS7 stated that school infrastructure had deteriorated due to the lack of maintenance. Schools faced capacity challenges, with double-session lessons and overcrowded classrooms. The quality of education was poor for pupils with disabilities. Teachers were demotivated by their low salaries, limited resources, pressure and political harassment.¹⁴⁷

JS7 encouraged Zimbabwe to improve the conditions of service for teachers and to increase their opportunities for professional development.¹⁴⁸

79. JS8 stated that in secondary schools, the quality of education was compromised by the lack of trained teachers and a shortage of teachers, which was higher in rural areas.¹⁴⁹

80. ERI called for an increase in government spending on education to keep pace with population trends, and to protect the rights of vulnerable children, in line with the Sustainable Development Goals.¹⁵⁰ It also called for measures to combat discrimination and sexual violence in schools.¹⁵¹ ERI made recommendations including the providing of training on the children's rights for teachers and the development of a child protection policy to be signed by all teachers.¹⁵²

10. Persons with disabilities

81. ACTSA stated that in 2013, Zimbabwe ratified CRPD. However, the Government has failed to align domestic legislation with the international obligations arising from this Convention. Existing disability laws adopted a "medicalised model of disability" with stigmatising language. Further, ACTSA stated that the Ministry of Public Service, Labour and Social Welfare had virtually no budget to address the rights of persons with disabilities.¹⁵³ ACTSA urges Zimbabwe to take measures to ensure the inclusion of persons with disabilities in social, economic and political spheres.¹⁵⁴

11. Right to development

82. TI expressed concern at the levels of corruption that undermined the enjoyment of fundamental social and economic rights, including the right to adequate housing, the right to health, the right to water and the right to food.¹⁵⁵ TI stated that it had monitored corruption scandals in the health delivery system, allegedly involving top-level government officials.¹⁵⁶ It also stated that in the local government sector, Council officials used their power to either provide or withhold a service to demand bribes from residents. Citizens report that they are regularly solicited to pay bribes to circumvent complex processes or secure access to services.¹⁵⁷

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

*Civil society**Joint submissions*

JS1	AIDS-Free World, Research and Advocacy Unit Zimbabwe and Zimbabwe Human Rights NGO Forum, Uniondale, United States of America (Joint Submission 1);
JS2	CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa and Zimbabwe Human Rights NGO Forum, Zimbabwe (Joint Submission 2);
JS3	Freemuse, Copenhagen, Denmark and Nhimbe, Bulawayo, Zimbabwe (Joint Submission 3);
JS4	Zimbabwe Human Rights NGO Forum, the Digital Society of Zimbabwe, the International Human Rights Clinic at Harvard Law School, and Privacy International, London, UK (Joint Submission 4);
JS5	The Sexual Rights Centre, Ottawa, Canada, GALZ – An Association of LGBTI People in Zimbabwe, Harare, Zimbabwe, COC Nederland, Amsterdam, Netherlands (Joint Submission 5);
JS6	Katswe Sistahood and Sexual Rights Initiative, Ottawa, Canada (Joint Submission 6);
JS7	National Association of Non-Governmental Organisations, Zimbabwe Human Rights NGO Forum and Zimbabwe Lawyers for Human Rights, Harare, Zimbabwe (Joint Submission 7);
JS8	Zimbabwe National Council for the Welfare of Children, Save the Children International-Zimbabwe, Plan International, SOS Children's Village Zimbabwe, Regional Network of the Children and Young People Trust, Progressio, ICCO KERKINACTIE, Terre Des Hommes, Coalition against Child Labour in Zimbabwe, Shanduko Yeupenyu Child Care Trust, Justice for Children, Life Empowerment Support Organisation, Tinokunda Trust, Tusanani Cover Trust, Leonard Cheshire Disability Zimbabwe, Hills Christian College, Chitungwiza Resident Trust, National Employment Council for Transport Organisation Industry, Makanaka Trust, St Joseph House for Boys, FAWEZI, Tag a Life International, Student Connect, Action Aid, World Vision Zimbabwe, Child Line, Action Aid, Education Coalition of Zimbabwe, Zambuko Refugee and Rehabilitation Centre for the Marginalised House, Mavambo, Mary Ward Children's Home, Youth Alive, Zimbabwe Parents of Children with Disabilities, Just Children Foundation, Mwana Trust, Simukai Child Protection Programme, Loving hand, Sandra Jones Centre, Midlands Aids Service Organisation, Hope in Destiny Trust, AIDS Care Education Training, Tose Respite Care Centre, Tariro House of Hope, ALPHA Cottages, National Association of Social Workers, Family Aids Support Organisation, Restoration of Hope, Pamuhacha HIV and AIDS Prevention Project, Mentoring Zimbabwe, Miriro Children Care Networks, Family Orphans Support Trust, Family Support Trust, Zimbabwe Association for Crime Prevention Rehabilitation of the Offender, Zimbabwe AIDS Prevention and Support Organisation, Batanai HIV and Aids Support Organisation, Dananai Children Care, Capota School of the Blind, Care at the Core of Humanity, Goodwill Foundation, Mary Ward Children's Home, Christian Legal Society, Queen Elizabeth Children's Home, Child Advocacy Solidarity Trust, Uluntu Community Foundation, Hope in Destiny Trust, Multiple Therapy Trust (CCCAMB Therapy Trust), ZIFDAT, Free the Children Trust, Patsaka trust, and Zimbabwe National Network of People living with HIV/AIDS (Joint Submission 8).

Individual submissions

ACTSA	Action for Southern Africa, London, UK;
AI	Amnesty International, London, UK;

CRIN	Child Rights International Network, London, UK;
ECLJ	European Centre for Law and Justice, Strasbourg, France;
ERI	Edmund Rice International, Geneva, Switzerland;
FLD	Front Line Defenders – THE International Foundation for the Protection of Human Rights Defenders, Dublin, Ireland;
GALZ	GALZ - An Association of LGBTI People in Zimbabwe, Harare, Zimbabwe; GIEACPC – Global Initiative to End All Corporal Punishment of Children, London, UK;
HRW	Human Rights Watch, Geneva, Switzerland;
ISHR	International Service for Human Rights, Geneva, Switzerland;
ITUC	International Trade Union Confederation, Brussels, Belgium;
SOS CVZ	SOS Children’s Villages Zimbabwe, Harare, Zimbabwe;
TI	Transparency International, Berlin, Germany.

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 See A/HRC/19/14.

⁴ See A/HRC/19/4, paras. 94. 5 (Zimbabwe) read with A/HRC/19/2, para. 705.

⁵ JS7, para. 2.1.

⁶ AI, pp. 3-4 and fn. 8 referring to A/HRC/19/14, para. 94.12 (Romania).

⁷ AI, p. 5.

⁸ See A/HRC/19/14, e.g. paras. 94. 1 (United Kingdom of Great Britain and Northern Ireland) , 94. 2 (New Zealand), 94.6 (Chad) and 94.7 (Poland) read with A/HRC/19/2, para. 705.

⁹ HRW, p. 3. See also JS7, para. 2.8; ACTSA, p. 6; and AI, p. 5.

¹⁰ ISHR, p. 4. See also HRW, p. 2; and AI, p.5.

¹¹ AI, p. 1.

¹² ECLJ, paras. 2 and 3. See also AI, p. 1; and JS7, para. 2.2.

¹³ ACTSA, p. 6.

¹⁴ ECLJ, para. 4. See also JS 2, paras. 2.1 and 6.2.

¹⁵ JS2, paras. 2.2 and 6.2. See also ECLJ, para. 6.

¹⁶ JS3, paras. 32 and 33.

- 17 ECLJ, para. 8.
- 18 The submission draws primarily on findings in the Matabeleland regions.
- 19 JS5, p. 8.
- 20 ISHR p. 2.
- 21 ISHR, p. 4.
- 22 FLD, para. 4-8.
- 23 FLD, para. 13.
- 24 FLD, para. 15.
- 25 JS3, para. 23. JS3 made a recommendation (para. 46).
- 26 FLD, para. 17.
- 27 *Ibid*, paras. 28 (g), (h) and (i). See also JS3 paras. 42 and 45; and ISHR, p. 4.
- 28 JS4, para. 45.
- 29 *Ibid*.
- 30 JS7, para. 2.3. For recommendations see A/HRC/19/14, paras 93.5 (South Africa), 93.12 (Democratic Republic of Congo) and 93.13 (Norway).
- 31 *Ibid*, para. 2.3
- 32 *Ibid*.
- 33 ISHR, p. 1. ISHR made a recommendation (p. 4). See also TI, p. 1; and ACTSA, p. 5.
- 34 SOS CVZ, para. 43.
- 35 JS7, para. 2.4. For recommendation see A/HRC/19/14, paras 93.28 (Indonesia).
- 36 ACTSA, p. 8.
- 37 JS7, p.7.
- 38 TI, p. 2 and 5.
- 39 JS2, para. 6.6 and ISHR, p. 4.
- 40 HRW, p. 2.
- 41 JS7, para. 2.24.
- 42 *Ibid*, para. 2.25.
- 43 *Ibid*, para. 2.11. For recommendations see A/HRC/19/14, para 93.32-36 (South Africa, Sri Lanka, Myanmar, Republic of Korea and Thailand).
- 44 *Ibid*, para. 2.11.
- 45 GALZ, para. 2.
- 46 JS5, p. 8.
- 47 ERI, para. 11.
- 48 *Ibid*, p. 4.
- 49 SOS CVZ, para. 30.
- 50 *Ibid*, paras. 37-40.
- 51 See A/HRC/19/14, para. 94.30 (Slovakia) read with A/HRC/19/2, para. 707.
- 52 ERI, para. 5 and p. 6. For other recommendations see p. 6.
- 53 AI, pp. 3-4 and fn. 8 and 9 referring to A/HRC/19/14, paras. 94.12 (Romania) and 94.21 (Russian Federation).
- 54 *Ibid*, para. 4.
- 55 *Ibid*, p. 3. See also HRW, p.1.
- 56 *Ibid*, p. 5. For other recommendations see p. 5 and HRW, p. 2. See also JS 2, para. 3.2.
- 57 HRW, p. 3.
- 58 ACTSA, p. 4. See also JS7, para. 2.8.
- 59 The submission draws primarily on findings in the Matabeleland regions.
- 60 JS5, pp. 4-6. JS5 made recommendations (p. 10).
- 61 The submission draws primarily on findings in the Matabeleland regions.
- 62 JS5, pp. 4-6. JS5 made recommendations (p. 10).
- 63 GALZ, para. 6. For other recommendations see p. 15.
- 64 For recommendation see A/HRC/19/14, para 93.41 (Portugal).
- 65 JS7, para. 2.9.
- 66 ERI, para. 11.
- 67 *Ibid*, p. 4.
- 68 JS7, para. 2.12. For recommendation see A/HRC/19/14, para 93.23 (Canada).
- 69 *Ibid*, para. 2.12.

- ⁷⁰ The submission draws primarily on findings in the Matabeleland regions.
- ⁷¹ JS5, p. 9.
- ⁷² JS8, p. 8, footnote 27 referring to A/HRC/19/14, para. 94.27 (Mexico) read with A/HRC/19/2, para. 705.
- ⁷³ *Ibid*, p. 8.
- ⁷⁴ *Ibid*, p. 8. JS8 made a recommendation (p. 9).
- ⁷⁵ *Ibid*, p. 10. JS8 made recommendations (p.10).
- ⁷⁶ HRW, pp. 2-3.
- ⁷⁷ GIEACPC, para. 1.1 and fn. 4 referring to A/HRC/19/14, para. 94.22 (Austria) read with A/HRC/19/2, para. 705.
- ⁷⁸ *Ibid*, paras. 1.1-1.3.
- ⁷⁹ ACTSA, p. 6; See also CRIN, p. 2
- ⁸⁰ JS7, para. 2.1.
- ⁸¹ *Ibid*, para. 2.7. For recommendations see A/HRC/19/14, paras. 93.42 (Islamic Republic of Iran) and 93.45 (Mexico).
- ⁸² *Ibid*, para. 2.7.
- ⁸³ JS4, para. 16. JS4 made recommendations (para. 45).
- ⁸⁴ JS7, para. 2.6. For recommendations see A/HRC/19/14, paras. 93.43 (Singapore) and 93.44 (Viet Nam).
- ⁸⁵ *Ibid*, para. 2.6.
- ⁸⁶ JS2, paras. 2.4 – 2.9.
- ⁸⁷ *Ibid*, para. 6.2.
- ⁸⁸ ISHR, pp. 1-2.
- ⁸⁹ *Ibid*, p. 4. See also JS7, para. 2.5.
- ⁹⁰ CRIN, p. 1.
- ⁹¹ *Ibid*, p. 3.
- ⁹² HRW, p. 2.
- ⁹³ *Ibid*, p. 2.
- ⁹⁴ JS4, para. 44.
- ⁹⁵ GALZ, paras. 8 and 9.
- ⁹⁶ *Ibid*, p. 15. See also JS5, p. 11.
- ⁹⁷ See A/HRC/19/14, para. 95.56 (Slovakia).
- ⁹⁸ JS7, para.2.5.
- ⁹⁹ AI, p. 1, fn. 2 and 4, referring to A/HRC/19/14, paras. 93.50 (Japan) and 93.51 (Italy).
- ¹⁰⁰ JS3, paras. 10 and 13, referring to A/HRC/19/14, para. 93.50 (Japan).
- ¹⁰¹ JS2, para. 2.1.
- ¹⁰² ACTSA, pp. 2-3.
- ¹⁰³ *Ibid*, p. 6.
- ¹⁰⁴ JS7, para. 2.16.
- ¹⁰⁵ *Ibid*, para. 5.4.
- ¹⁰⁶ JS2, para. 3.1.
- ¹⁰⁷ ISHR, p. 1 and endnote 1 referring to A/HRC/19/4, paras. 95.13 (Republic of Korea), 95.14 (Ireland), 95.50 (Norway), 95.54 (Portugal), 95.57 (Slovakia), 95.58 (Belgium), 95.61 (Switzerland) and 95.62 (Spain).
- ¹⁰⁸ *Ibid*, p. 1.
- ¹⁰⁹ FLD, para. 21. For cited cases see paras. 22 and 23. For recommendations see paras. 28 (a), (b), (d), (e) and (f).
- ¹¹⁰ ACTSA, p. 2.
- ¹¹¹ *Ibid*, p. 6.
- ¹¹² *Ibid*, p. 2.
- ¹¹³ JS2, para. 4.1.
- ¹¹⁴ ITUC, para. 3.
- ¹¹⁵ *Ibid*, para. 11.
- ¹¹⁶ *Ibid*, para. 4.
- ¹¹⁷ *Ibid*, para. 6. For specific cases see para. 6.
- ¹¹⁸ *Ibid*, para. 7.

- ¹¹⁹ SOS CVZ, para. 31.
¹²⁰ *Ibid*, paras. 20-22.
¹²¹ ACTSA, p. 5.
¹²² *Ibid*, p. 6.
¹²³ TI, pp. 3-4.
¹²⁴ AI, p. 2 .
¹²⁵ *Ibid*, p. 2.
¹²⁶ *Ibid*, p. 4.
¹²⁷ JS7, para. 2.18.
¹²⁸ JS8, p. 6 and footnotes 13-16 referring to A/HRC/19/14, paras. 93.52 (Algeria), 93.53 (Morocco) and 93.58 (Islamic Republic of Iran); See also ERI, para 13, referring to A/HRC/19/14, para. 93.25 (Norway).
¹²⁹ *Ibid*, p. 6.
¹³⁰ *Ibid*, p. 7; See also ERI, para. 13.
¹³¹ For recommendations see A/HRC/19/14, para. 93.53 (Morocco).
¹³² JS7, para. 2.19.
¹³³ *Ibid*, para. 2.20.
¹³⁴ The submission draws primarily on findings in the Matabeleland regions.
¹³⁵ JS5, p. 7.
¹³⁶ *Ibid*, p. 7.
¹³⁷ *Ibid*, p. 7.
¹³⁸ JS6, para. 10.
¹³⁹ *Ibid*, para. 11. JS6 made recommendations (paras. 32-35).
¹⁴⁰ *Ibid*, para. 18. JS6 made a recommendation. (paras. 36 - 38).
¹⁴¹ TI, p. 3. TI made recommendations (p. 4).
¹⁴² JS8, p. 4 and footnote 6 referring to A/HRC/19/14, paras. 93.22 (Cuba), 93.25 (Norway), 93.29 (Indonesia), 93.56 (Democratic People's Republic of Korea), 93.61 (Viet Nam), 93.67-70 (Ethiopia, Morocco, New Zealand, Singapore) 93.73 (Namibia) and 93.78 (Morocco).
¹⁴³ JS8, p. 4.
¹⁴⁴ *Ibid*, p. 4.
¹⁴⁵ *Ibid*, p. 4.
¹⁴⁶ JS8, p. 4. It made recommendations (p. 5).
¹⁴⁷ JS7, para. 2.18.
¹⁴⁸ *Ibid*, para. 2.17.
¹⁴⁹ JS8, p. 4.
¹⁵⁰ ERI, para. 13.
¹⁵¹ *Ibid*, para. 14.
¹⁵² *Ibid*, p. 5.
¹⁵³ ACTSA, pp. 5-6.
¹⁵⁴ *Ibid*, p. 7.
¹⁵⁵ TI, p. 1. TI made recommendations (p. 4).
¹⁵⁶ *Ibid*, p. 1. TI made recommendations, p. 4.
¹⁵⁷ *Ibid*, p. 3. TI made recommendations (p. 3).
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