

Madam President,
All protocol observed,
Thank you for the opportunity to address the 19th Session of the Human Rights Council.

1. INTRODUCTION

Madam President, it is a great honor and privilege for me to lead the Zimbabwe delegation to the 19th Session of the Human Rights Council on the adoption of Zimbabwe's National Report under the UPR process.

Zimbabwe presented her National Report during the 12th Session of the first cycle of the UPR on the 10th of October 2011. Following the presentation, a total of 177 recommendations were made by Member and Observer States. Out of the 177 recommendations, Zimbabwe accepted 81, 65 of the recommendations did not receive our support and we undertook to consider 31 and provide responses thereto prior to or during this 19th Session.

Madam President, once more, allow me to extend Zimbabwe's gratitude and appreciation to member states that made positive and constructive recommendations after the presentation of our National Report.

2. CONSIDERATION OF THE RECOMMENDATIONS

Madam President, Zimbabwe has had the opportunity to go over the recommendations. We are pleased to report that of the 65 recommendations that did not receive the support of Zimbabwe a total of 20 have now been accepted. This leaves the number of those that did not receive our support at 45. The recommendations which had not enjoyed the support of Zimbabwe but are now supported relate to:-

- The Human Rights Commission
- Criminalisation of torture
- Submission of periodic reports to treaty bodies

- Cooperation with the United Nations Special Procedures
- Prevention of politically motivated violence and intimidation
- Monitoring places of detention
- Ratification of the CAT and the optional protocols to the International Covenant on Civil and Political Rights, and
- Equality between men and women, including parents and property rights.

Zimbabwe has also had the opportunity to examine 31 recommendations which she undertook to consider and provide responses. We are pleased to report that all the recommendations are now accepted except two. The two that do not enjoy the support of Zimbabwe are;

- A. Set a higher age of criminal responsibility for children and take all necessary measures to establish a specialized juvenile justice system, where children are treated in accordance with the principle of the best interest of the child (Slovenia).**

The Criminal Law (Codification and Reform) Act provides that children under the age of 7 lack criminal capacity and shall not be tried or convicted of any crime whilst children between the ages of 7 and 14 are presumed to lack the capacity to form intention to commit a crime.

This recommendation does not enjoy the support of Zimbabwe because children below the age of twelve are now committing serious offences like rape. Nevertheless we wish to highlight that Zimbabwe has in place a Pre-Trial Diversion Programme for juvenile offenders and the Victim Friendly Court System. These ensure that the principle of the best interest of the child is observed. A legal assistance programme to provide children with all forms of legal assistance is in the process of being formulated. Moreover the courts, when

adjudicating on cases involving juveniles, take into account the fact that the principle of the best interest of the child is paramount.

B. Amend expeditiously the Births and Deaths Registration Act to ensure that all Children Born in Zimbabwe, regardless of their parents' origin, are issued with Birth certificates (Slovakia).

We wish to point out that there is no need to amend the Act as it sufficiently provides for the registration of the birth of every child born in Zimbabwe. Each child is issued with an appropriate birth certificate in accordance with its status.

Madam President, Zimbabwe is grateful for being given time to go over the recommendations that were made in the 12th Session and is fully committed to honoring its obligations as far as the promotion and protection of human rights is concerned. It is in line with that commitment that the accepted recommendations will be implemented.

3. IMPLEMENTATION STRATEGY

Madam President, an Action Plan and a Strategy for implementing the accepted recommendations is being crafted in consultation with stakeholders. Zimbabwe has already approached cooperating partners on the issue and these have expressed their commitment to cooperate with, and assist us to comply with our human rights obligations.

The process will take time to complete and we will endeavour to implement the accepted recommendations before the next reporting cycle in four years time.

Madam President, Zimbabwe wishes to express gratitude for the support we are receiving from the UN Family. The UNDP continues to provide technical and financial assistance in

the UPR process. It has also made commitment to assist in the crafting of the action plan and implementing strategy for the accepted recommendations.

Zimbabwe acknowledges the important role played by the NGO community in our country in the launch of our report writing as well as the subsequent validation of the same. It remains our hope that those same NGOs will work with Government and other stakeholders in the implementation of the recommendations which came out of this process.

May I, Madam President, conclude my remarks by thanking all Member and Observer States for the constructive engagement in October last year and today.

I THANK YOU FOR YOUR KIND ATTENTION