



**Zimbabwe Care Leavers Network (ZiCLAN) Individual Submission
to the Universal Periodic Review of the Republic of Zimbabwe
40th Session of the UPR Working Group
July 2021**

I. Introduction

1. ZiCLAN is a child and youth rights organization which was established in 2018. Our aim is to improve the quality of life for children in alternative care and care leavers. For more information, contact birchillc@yahoo.com
2. This submission to the third UPR of Zimbabwe focuses on the rights of children in alternative care and care leavers. It highlights the key child and youth rights concerns raised by our target group. The concerns are categorized around the following rights: - (1) education, (2) identity and nationality, (3) access to employment/ equality and non-discrimination, (4) social security and (5) survival and development.

II. Right to Education

3. During the previous reviews by the UPR Working Group, the Government of Zimbabwe (GoZ) was recommended to increase funds for vulnerable children to have access to quality education.
4. In the 2020 – 2021 National Budget, the Basic Education Assistance Module (BEAM), established in 2001 with the aim to provide education assistance to vulnerable children, - was allocated ZW \$100 million¹ and targeted an increase of beneficiaries of the module by 16%².
5. However most children in alternative care in particular children in residential childcare facilities are not part of the module and neither are part of its targeted additional beneficiaries. About 80%³ of the residential childcare facilities are struggling with payment of school fees for the children within their care even at the “so called cheap state

¹ National Budget 2021-2022, Ministry of Finance and Economic Development, GoZ.

² National Budget 2021-2022, Ministry of Finance and Economic Development, GoZ.

³ ZiCLAN UPR Consultations 2021.

schools”. Taking into consideration that 55%⁴ of children in residential care are girls, thus affects even more the girl-child. Some children in residential care have been sent back home even at government schools for non-payment of school fees.

6. Public examination candidates or students, who are writing their Ordinary and Advanced level exams are required to pay an examination fee. The BEAM payment only caters for primary and secondary school fees and does not cover other costs such uniforms, stationery and examination fees. We commend the GoZ for cushioning public candidates by paying 30%⁵ of the examination fees per subject and leaving 70% to the student. Most residential care facilities have inadequate funds to cover the 70% of the fee as they have almost 15 plus children in need for such payments, and furthermore some writing more subjects about 9-12.
7. The GoZ acknowledges in their UPR mid-term report⁶ the need to increase budget allocation for education, including BEAM. The GoZ further acknowledged the need to strengthen scholarships for vulnerable children across the country. However, this has not been implemented effectively due to resource constraints in the country and lack of prioritization by government to address children’s rights to education, especially those in alternative care.
8. The GoZ has established various safety nets for the most disadvantaged/vulnerable young people who would want to progress to higher and tertiary education. Programs like the National and Presidential Scholarship Program, Ministry of Public Service tuition fee payment among other have been established. However for children and or young people who have left alternative care in residential care and foster care known as care leavers barely have the chance to progress to higher and tertiary education. During the oral evidence in the Parliament of Zimbabwe⁷, ‘only the talented at school are supported by GoZ for payment of only tuition fee at universities’⁸. Most care leavers are not progressing beyond Ordinary Level and or Advanced Level because of lack of adequate or no support from the state. Only 3% of care leavers have received state support for higher and tertiary education out of the 368 care leavers.⁹ Furthermore BEAM only cover school fees for primary and secondary education.

Recommendations

9. We recommend the Government of Zimbabwe to:
 - **Allocate adequate funds towards the Basic Education Assistance Module and include children in alternative care in particular from residential care as targeted beneficiaries within the module.**
 - **Create a dedicated fund for the payment of examination fees which is accessed by vulnerable children including children in alternative care and care leavers.**
 - **Establish an Aftercare Fund which will also cater for the educational needs for care leavers.**

⁴ Ministry of Public Service, Labor and Social Welfare, Department of Social Development, presentation on the Financing Alternative Care Dialogue, 14 December 2020.

⁵ Ministry of Primary and Secondary Education Circular 9 of 2021

⁶ GoZ UPR Report

⁷ www.parly.gov.zw/hansard/14_July2020.

⁸ Ibid

⁹ ZiCLAN Report on the Care Leavers Conference, January 2019

- **Have affirmative action that assist care leavers to access Technical, Vocational, Educational Training and higher education including in the Presidential and National Scholarship Program.**

III. Right to Identity and Nationality

10. The Births and Deaths Registration Act and the Constitution of Zimbabwe section 81 notes the right for every person to have vital documents like birth and death certificates, national identity card, passport among other registration documents.. Notwithstanding, many children do not have birth certificates throughout the country including those in alternative care, and in particular children in residential childcare facilities.
11. Some efforts have been made through the mobile birth registration done by two government ministries, to issue birth certificates for children in residential care. The exercise saw many children being issued with short/ abridged birth certificates. Still there are children in residential care and care leavers who do not have birth certificates. This deprives children and care leavers from enjoying their rights especially, to identity, nationality, voting, and access to education even participation in extracurricular activities like sports, and access to descent work among other deprivations.
12. The Children's Act Chapter 5:06 (2016) and the National Residential Child Care Standards (2010) stipulates that social workers should timely take birth certificates for children who would be placed in residential care. But, for many children and care leavers this is not the case, as their birth certificates were taken after months and mostly after years, while the child lives at the residential childcare facilities without a birth certificate. The lack of a timely acquiring of the document has been attributed to the work-load of the GoZ's social workers, as the main obstacle. Some care leavers testified that their birth certificates were taken when they were 17 or 18 years old, while they entered care at the age of 2 and 3 years¹⁰. ZiCLAN up to date has assisted more than 21 care leavers to take their birth certificates at different ages beyond 18 years and females were 16 out of the 21¹¹.

Recommendations

13. We recommend the Government of Zimbabwe to:
 - **Ensure timely acquisition of birth certificates for all children including those in alternative care**
 - **Carry out mobile birth registration at least twice a year throughout the country also targeting children in residential care and care leavers.**
 - **Ensure that children do not exit alternative care especially residential care without vital registration documents like birth certificates and national identity cards.**

¹⁰ ZiCLAN UPR Consultations 2021

¹¹ ZiCLAN's Annual Working Reports 2019 and 2020

IV. Right to Equality and Non-discrimination and access to fair and equal opportunities to employment

14. The security sector which includes the military Zimbabwe Defense Forces (ZDF) with two organs namely, Zimbabwe National Army (ZNA) and Air Force of Zimbabwe (AFZ), Zimbabwe Republic Police among other organizations recruit yearly and in large numbers. The National Employment Act and other national and international instruments on labor and employment opportunities, note that the principle of equality and non-discrimination and access to fair and equal opportunities to employment should be offered to everyone.
15. However ZDF's two organs states as one of its requirements for anyone to be considered for employment is a long birth certificate¹². A long birth certificate contains the full information of the child, village of origin, birth place/ city and the parents of the child, while a short/abridged have only the name, surname, date of birth and birth city of the child. Almost 80% of care leavers and arguably children in alternative care in particular residential care and foster care have short/abridged birth certificates¹³. Both children and care leavers are being discriminated, treated unfairly and not given access to employment opportunities within the ZNA because of having a short/abridged birth certificate. In June, 2021, 23 care leavers, 16 females and 7 males failed to put their Curriculum Vitae for consideration because of their birth certificates¹⁴. The call for recruitment¹⁵ of the AFZ which had been advertised was however cancelled this year. This year, the ZNA had two separate adverts, one for general soldiers, while the other one for cadets (professionals). Many care leavers with short/abridged birth certificate did not apply to the latter call as they had already being discriminated and denied access to fair employment opportunity by the former call.
16. The lack of recognition, stigmatization and discrimination of people with small/abridged birth certificates including most children in residential childcare facilities and care leavers is also a systematic problem in Zimbabwe and not only entrenched within the ZDF. The Registrar General Department (RGD) under the Ministry of Home Affairs and Culture is responsible for issuing documentations for the citizens including birth certificates, national identity cards, passport among other documents. The RGD itself has a problem recognizing the small birth certificate especially when someone with it wants to take a national identity card or passport. The officials would ask for additional documents which most of the time are not easily accessible and are confidential.
17. The systematic discrimination, stigmatization and lack of recognition of people with the short birth certificate has been witnessed also within the Ministry of Primary and Secondary Education especially in both primary and secondary schools. In schools especially during sporting activities, the small birth certificates are not recognized and most children in alternative care no longer participate in such activities because of the lack of recognition, discrimination and stigma that is associated with such a birth certificate. 85% of the care leavers who participated in the UPR consultations for the preparation of the present report admitted having faced challenges more than once including discrimination because of their small/abridged birth certificate. Furthermore the Parliament of Zimbabwe echoed the sentiments through their findings in 2020 about the challenges associated with the small/abridged birth certificates for children in residential

¹² www.theHerald.co.zw/SundayMail. Accessed on 18 April 2021.

¹³ ZiCLAN UPR Consultations 2021 and The Pilot Study on lived experiences of care leavers in Zimbabwe 2021

¹⁴ Report on the Discrimination of care leavers access to employment in the Zimbabwe National Army 2021

¹⁵ www.theHerald.co.zw/SundayMail. Accessed on 02 May 2021

care like, lack of recognition, discrimination and stigma among other¹⁶.

Recommendations

18. We recommend the Government of Zimbabwe to:

- **Encourage the Ministry of Defense and War Veterans which the Zimbabwe National Army is in, to remove its discriminatory practices when employing.**
- **Engage other government ministries, through the Ministry of Public Service, Labor and Social Welfare to resolve the systematic discrimination, stigmatization and lack of recognition of the small birth certificate.**
- **Issue children in alternative care especially in residential care and foster care with long birth certificates.**

V. Right to Social Security

19. The Constitution of Zimbabwe Section 30¹⁷ provides that the state must take practical measures within the limits of the resources available to it, to provide social security and social care to those who are in need.

20. We commend the GoZ for measures to ensure social security such as the Harmonized Social Cash Transfers, BEAM and social welfare grants for Orphans and Vulnerable Children including (children in residential care and foster care). Financing for alternative care is supposed to be covered by the budget line on Children in Difficult Circumstances Fund (CDCF) which is popularly known as per capital grant. Each child with a valid court order receives ZW\$1 500 which is equivalent to USD\$12.85¹⁸ per month to cover school fees, purchase of food, payment of utility bills etc. Unfortunately this budget line is not well financed to meet the needs in the country and the amount is not adequate at all, and grossly insufficient. GoZ provides child per capita and administrative grants and other forms of support to residential childcare facilities on an irregular basis¹⁹.

21. According to the Zimbabwe Statistics Agency (2020), the changes in the cost of living especially basket of goods and services consumed by an average urban household of 5 people had increased by 953.36% in April 2020 as compared to 810.40% in April 2019²⁰. Consequently, residential child care facilities and foster parents increasingly find it difficult to provide for the basic needs of institutionalized children due to inflationary pressures.

Recommendations

22. We recommend the Government of Zimbabwe to:

- **Increase and regularly provide support towards alternative care in particular residential child care facilities and foster care.**

¹⁶ www.parly.gov.zw/hansard/14 July2020.

¹⁷ Constitution of Zimbabwe Amendment (No. 20) Act 2013 Section 30

¹⁸ Using the weekly auction official exchange rate of USD\$1:\$83.5 ZW (06/29/2021) – Reserve Bank of Zimbabwe 2021

¹⁹ www.parly.gov.zw/hansard/14 July2020.

²⁰ The Consumer Price Index Monthly Report March and April 2020, Zimbabwe Statics Agency 2020

- **Include all children in residential childcare facilities and foster care on Basic Education Assistance Module for the children to have access to education.**
- **Review and adjust regularly the Children in Difficult Circumstances Fund given to children using the Consumer Price Index reports.**

VI. Right to survival and development

23. While the GoZ is signatory to the UNCRC and adheres to the UN Guidelines on Alternative Care, it has domesticated after care support through the National Residential Child Care Standards (2010). Section 6 notes “an exit plan should be contained in the child’s file in order to continue the development of the child beyond 18 years”. However “the government of Zimbabwe has no policy and national programs for young people who have left residential care in Zimbabwe”²¹²². GoZ through the Department of Social Development (DSD) discharges children at the age of 18 years from residential care without offering any aftercare support for their continuation of survival and development. This has made many care leavers to resort to social ills like crime, early marriages, child marriages, prostitution, begging, among other to survive.
24. Once a discharge letter has been written by DSD, most of the important support including accommodation and educational support is stopped. The number of both registered and unregistered residential child care facilities has been increasing with 54 being recorded in 2004²³, while 102 in 2014²⁴ and unofficial by 2020 more than 415²⁵. The official number of care leavers being discharged per year has not been recorded yet, but according to the consultation with care leavers in preparation of this report, an estimate of about 250 – 350 care leavers are discharged per year in Zimbabwe²⁶.
25. Section 30 of the Constitution of Zimbabwe provides for safety nets for all vulnerable groups in the society. The Sustainable Development Goals and the Africa’s Agenda 2063, have a mantra of leaving no one behind in the development agenda and arena. The GoZ has developed a national trajectory of “A Prosperous and Empowered Upper Middle Income Society by 2030”²⁷. In the National Development Strategy 1 (2020), social protection have been noted as one of the pillars. However the document identifies vulnerable groups to be targeted which are “persons with disabilities, children and the elderly”²⁸. Care leavers have been left out and have not been identified as a vulnerable group in need of assistance in line with international, continental and national instruments and policies.

Recommendations

26. We recommend the Government of Zimbabwe to:

²¹ www.parly.gov.zw/hansard/14 July2020.

²² Children in Residential Care, The Zimbabwean Experience 2004

²³ Children in Residential Care, The Zimbabwean Experience 2004

²⁴ National Baseline Survey on children in need of parental care (Residential Child Care Facilities) 2014

²⁵ Assessment Report of the alternative care system for children in Zimbabwe 2015

²⁶ ZiCLAN UPR Consultations 2021.

²⁷ National Development Strategy 1, January 2021 – December 2025, Ministry of Finance and Economic Development 2020

²⁸ Idib

- **Put in place an Aftercare Policy and a dedicated fund in order to provide the necessary aftercare support services to all care leavers throughout the country, regardless of the form of care they are leaving from.**
- **Provide adequate social protection, including through safety nets, to disadvantaged groups, particularly the care leavers.**