



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of  
Discrimination against Women**

**Seventy-fifth session**

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Item 4 of the provisional agenda

**Consideration of reports submitted by States parties  
under article 18 of the Convention on the Elimination  
of All Forms of Discrimination against Women**

**Replies of Zimbabwe to the list of issues and questions in  
relation to its sixth periodic report\***

[Date received: 14 January 2020]

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\* The present document is being issued without formal editing.



## **I. Introduction**

1. Pursuant to our 6th Periodic Report on the Convention on the Elimination of all forms Discrimination against Women that was duly submitted before the Committee, the Committee raised several questions to the State party. In this regard Zimbabwe undertakes to compile a detailed update and submit as we hereby do. The Government of Zimbabwe will respond to the questions ad-question as follows.

## **II. Replies to the list of issues (CEDAW/C/ZWE/Q/6)**

### **A. Reply to paragraph 1 of the list of issues**

2. The State Party acknowledges that the economic challenges being faced by the State Party mainly due to the economic sanctions imposed on the State by the West have had a negative impact on the people of Zimbabwe. The impact of these sanctions has been exacerbated by austerity measures adopted by the State Party in 2018 in a bid to make the Country's economy more competitive. Cognisant of the adverse impact of these measures on the marginalised communities of the State Party, the Government in the 2020 National Budget statement declared a transition from austerity to prosperity. The transition also marks a shift towards a growth stimulation and employment generation era. The budget statement also introduced subsidies for basic commodities like roller meal, cooking oil and bread. Further, in order to cushion the commuting public against the rising cost of transport, Government has introduced a subsidised mass transport system through the Zimbabwe United Passenger Company (ZUPCO).

3. Although there have been informal allegations of cases of gender based violence perpetrated against women and girls by State Security agencies during the January 2019 unrests and during Cyclone Idai, the State Party has not formally received any reports of such violence by victims despite the encouragement to victims to report with guarantees of their safety and non-retribution.

### **B. Reply to paragraph 2 of the list of issues**

4. The Government of Zimbabwe through efforts led by the Inter-Ministerial Taskforce (IMT) on the Alignment of Laws with the Constitution continues to fulfil its mandate through a concrete strategy to align the country's laws with the Constitution. This drive has been focusing on ensuring that all the national laws are in line with the Constitution. To date, of the 206 Acts which required alignment, 159 Laws have been aligned. With consolidations and separations of some previous laws, about 64 laws still require to be aligned during 2019–2020. Of note are the following pieces of legislation that are paramount to the advancement of woman's rights which are being aligned and have been scheduled on the legislative agenda for the 10th Parliament session:

(a) Harmonised Marriages Bill

5. Consultations for a comprehensive Marriages Bill that seeks to harmonise marriage laws in Zimbabwe and bring the governance of marriages under a single Act were carried out. The Marriages Bill criminalises the marriage of girls under the age of 18. The minimum age requirement extends to unregistered customary law and civil partnerships.

(b) Child Justice and Protection Bills

6. The Children's Bill sets the age of 18 as the age of sexual consent and seeks to align different interpretations in the definition of a child. The amendments to the Guardianship of Minors Act confer equal rights to both parents with regards to custody and guardianship. Consultations are currently underway on the Child Justice Bill. The Bill also sets the minimum age of criminal responsibility at ten years; establishes a mechanism of dealing with children who lack criminal capacity; establishes child justice courts; enhances diversion of children in conflict with the law from the formal criminal justice system; promotes the best interests of the child and prevents child delinquency through restorative justice.

(c) Education Amendment Bill

7. The Parliament of Zimbabwe held public hearings in April 2019 on the Education Amendment Bill which provides for inter alia, the progressive realisation of the right to a basic State-funded education as enshrined in the Constitution. The Bill recognises the right to language and culture; the principle of best interests of the child in all matters; freedom from physical or psychological torture or cruel or inhuman and degrading treatment or punishment, the right of a pregnant girl to continue with her education, and the need to provide persons with disabilities with special facilities for their education. The Bill is currently being discussed in Parliament, where the views of the public have been presented.

8. Zimbabwe in 1998 adopted the Prevention of Discrimination Act [chapter 8:16] of which expressly prohibit amongst other grounds, gender discrimination.

### **C. Reply to paragraph 3 of the list of issues**

9. The State Party is committed to increasing 'Access to Justice' and through Its specialised Department, the Legal Aid Directorate Government provides free legal services to the public particularly to vulnerable and indigent citizens and residents. The Legal Aid Directorate has its own budget that is administered by the Ministry of Justice Legal and Parliamentary Affairs. In 2019, Government allocated ZWD 1 200 000 towards the operations of the Legal Aid Directorate. The Government of Zimbabwe is currently in the process of decentralizing the Legal Aid Directorate. Apart from the establishment of the Legal Aid Directorate in all the 10 Provinces of the Country, the State Party is in the process of establishing these at District level. To date, the Legal Aid Directorate has been decentralised to Gokwe, Chipinge, Chiredzi, Beitbridge and Chivhu which are some of the remote districts in the Country. Efforts are underway to capacitate the centres so that they meet regional and global standards in their service delivery.

10. Further, the Government of Zimbabwe has increased collaboration with other Legal Aid offering organisations through issuance of limited practising certificates to members of these organisations so that they can represent those requiring legal aid in courts.

11. In terms of increasing access to justice for women and girls with disabilities, the Judicial Service Commission is the process of upgrading infrastructure access to courts by people with disabilities. Under the Access to Justice Programme, Disability Organisations are providing Court Interpreters who are conversant with sign language. Further, the State Party under the Spotlight initiative is training of service providers on sign language. In addition, the High Court has been decentralised to 6 out of 10 Provinces. Decentralisation has significantly reduced the travelling distances thus improving on access to justice for the vulnerable groups such as women, children and people living with disabilities.

## D. Reply to paragraph 4 of the list of issues

12. The table below represents the budget allocations for the Ministry of Women Affairs, Community Small and Medium Enterprises Development as a percentage of the national budget.

Table 1  
**Percentage Budget Allocations for MWACSMED**

<i>Year</i>	<i>% Budget Allocation</i>
2017	0.18
2018	0.5
2019	0.4
2020	0.79

13. In terms of distribution of human and technical resources in the Ministry of Women Affairs, Community, Small and Medium Enterprises Development, the table below represents the technical and human resources deployed to the Ministry of Women Affairs, Community, Small and Medium Enterprises Development.

Table 2  
**Distribution of human and technical resources in MWACSMED**

<i>Post</i>	<i>Male</i>	<i>Female</i>
Senior Management	11	7
Middle Management	43	30
Technical Staff	577	524
Support Staff	59	97
<b>Total</b>	<b>690</b>	<b>658</b>

14. The Government of Zimbabwe recognises that Gender Budgeting initiative is central in the equitable distribution of resources among women and other marginalized groups. Through the Budget Call Circular issued by the Ministry of Finance and Economic Development at the beginning of each budget cycle, all Ministries are required to submit as part of their budget bids a gender budgeting statement. Gender Budgeting Trainings targeting key Government officials including Directors of Finance, Permanent Secretaries, Gender Focal Persons, Heads of Department and Budget Review Officers, economists and Members of Parliament have been conducted.

15. The Government of Zimbabwe developed a Gender Equality and Women Empowerment (GEWE) Framework with the aim of tracking gender equality results across Ministries. The framework defines the results framework for Gender Equality and Women Empowerment by identifying core indicators to be measured and tracked for each sector. One of the key objectives of the GEWE framework is to enable enforcement of accountability for resources allocated to specific strategies related to gender. The Framework is still being operationalised as different Ministries are at different levels of implementing the requirements of the Framework.

**E. Reply to paragraph 5 of the list of issues**

16. Civil Society and Women's rights organisations are regulated as any other such organisation and enjoy the same benefits from the State. They all exercise their functions independently from the State in accordance to their registration mandate and confines. They mainly exist to complement Government efforts in advancing women's human rights.

17. Women's organisations contributed immensely in unpacking the Transitional Stabilisation Programme (TSP) by simplifying its provisions and packaging them in a manner easily understood by the layperson especially women. A number of sensitisations on TSP were also conducted by women's organisations such as the Women and Law Southern Africa (WLSA) to women in hard to reach areas.

**F. Reply to paragraph 6 of the list of issues**

18. During the period under review the State Party implemented a Temporary Special Measure provided for in Sections 120 and 124 of the Constitution which provides for the representation and participation of women in politics through a reserved quota for women in the National Assembly and proportional representation in the Senate. To complement the Constitution and in line with the re-alignment process the Electoral Act [Chapter 2:13] was amended to reflect the aforementioned provision of the Constitution under section 45 of the Act.

19. The current Constitutional quota for 60 reserved seats for women in the lower house will lapse in 2023 and the State Party is currently reviewing the Electoral Act and effect Constitutional Amendments to extend the timeline for the quota.

**G. Reply to paragraph 7 of the list of issues**

20. The Constitution of Zimbabwe in section 80 (3) outlaws all laws, customs traditions and cultural practices that infringe the rights of women. Further, Section 26 of the same Constitution prohibits forced and child marriages. One of the objectives of the proposed Marriages Bill is to criminalise child marriage.

21. As part of the implementation of the National Action Plan and Communication Strategy on ending Child Marriages, the State Party is engaging with Faith Based Organisations and traditional leaders to raise awareness on Child Marriage. Traditional Leaders have come up with their own communiqué on ending Child marriages in which they commit to take the lead in ending child marriage in the country. Continuous awareness raising on child marriage through community level dialogues, the multi-media and road shows are being implemented by the State Party.

22. In order to make the provisions of the National Gender Policy implementable, the State Party developed an Implementation Strategy and Action Plan for the National Gender Policy. The Implementation Strategy identifies the specific activities to be implemented and by different actors and the specific timeframes for implementation.

23. The Constitutional Court in 2015 outlawed the arrest of women found loitering on the streets "for purposes of prostitution". This was a landmark case in promoting women's fundamental rights to protection under the law. Over the past years, women's rights to freedom of movement had at times been misconstrued as acts of soliciting which led to their arrest. Such misconception was not only illegal and discriminatory, but was a sign of inequality as men and women are supposed to be equal before the law.

## H. Reply to paragraph 8 of the list of issues

24. The Domestic Violence Act section 3 categorises the following as criminal offense: physical abuse, sexual abuse, intimidation, harassment and stalking, malicious damage to property and abuse derived from cultural or customary practices. Section 4 of the Domestic Violence Act provides that psychological abuse, emotional, verbal and economic abuse will not form part of criminal offenses.

25. The Government of Zimbabwe is in the process of amending section 64 of the Criminal Law (Codification and Reform) Act [Chapter 9:23]. The proposed amendment provides for “minimum mandatory sentencing for rape and sexual offences”. The minimum sentences proposed range from five (5) years to 30 years depending on the gravity of the offence. It provides that:

- The sentence for rape and sexual offences must fully reflect the depravity and seriousness of the crime. Mandatory sentencing requires that offenders serve a predefined term for certain crimes, commonly serious and violent offences. The idea is to punish the offender sufficiently before they are brought back into mainstream society. Mandatory sentences are also supposed to deter potential criminals and repeat offenders;
- Offences such as raping children, gang rape and rape where the offender knew they were infected with HIV are categorized as life threatening to the victim. Thus a stiffer custodial sentence of such offences to match the severity of the crime.

26. It further proposes that Chapter V of the Code be amended by inserting the following categories:

- (a) Gang rape;
- (b) Raping girls or a male who commits what is currently aggravated indecent assault on a boy;
- (c) Rape where the offender knew that they were infected with HIV at the time of the offence;
- (d) Rape of a person with disability;
- (e) Rape of persons above the age of 18 in coercive circumstances;
- (f) Rape of the elderly; and
- (g) Sodomy.

27. The Victim Friendly Unit (VFU) has been established at every police station. A total of 1 123 VFU officers have been trained and deployed across the Country. In terms of financial resources, the VFU is funded through a Government budget to the Zimbabwe Republic Police.

28. In relation to statistics on the instances of Gender Based Violence against women and girls, please refer to annexes I and II from the Zimbabwe Republic Police.

29. The Anti-Domestic Violence Council is an entity under the Ministry of Women Affairs, Community, Small and Medium Enterprises Development and its budget is provided through the Budget of the Ministry of Women Affairs, Community Small and Medium Enterprises Development. In 2019, The ADVC received a total of \$143 000 from the national budget.

30. There exists a National Referral pathway for GBV Services. The Multi-Sectoral Protocol on the management of Sexual Violence and Abuse sets out the referral pathway and defines the role of each service provider within the referral pathway. The

referral pathway prioritises health care first followed by Psycho-social support and then legal assistance and justice. Each and every service provider has an obligation to refer survivors to the next service provider based on their assessment.

31. The State Party has made efforts in integrating Gender Based Violence (GBV) training in the Pre-service training curriculum for the Police, Nurses and Judiciary. Pre-service training curriculum has been developed and so far incorporated in the training curricula of Nurses and the police.

## **I. Reply to paragraphs 9 and 10 of the list of issues**

32. In terms of technical and human resources support for the implementation of the National Action Plan on Trafficking in Persons (NAPLAC), an Anti-Trafficking Inter Ministerial Committee (ATIMC) is in place established in terms of section 9 of the Trafficking in Persons Act [Chapter 9:25]. The ATIMC is comprised of representatives from the following Ministries and Departments and is chaired by the Ministry of Home Affairs:

- (a) Labour and Social Services;
- (b) Women;
- (c) Home Affairs;
- (d) Health and Child Welfare;
- (e) Information and Publicity;
- (f) Education;
- (g) Local Government;
- (h) Foreign Affairs;
- (i) National Prosecuting Authority;
- (j) Registrar General Department;
- (k) Immigration;
- (l) Zimbabwe Republic Police;
- (m) Financial Intelligence Unit.

33. The ATIMC is the lead national coordinating body in trafficking in persons issues in Zimbabwe. According to the Act, the ATIMC with the approval of the Minister is responsible for the following:

- (a) Formulation of a National Plan of Action against trafficking in persons for any period of one year or more as it deems fit, and monitor and report on the implementation of the National Plan of Action; and
- (b) Liaising with appropriate Government agencies to promote the rehabilitation and reintegration of victims; and
- (c) Taking note of and implement appropriate measures to adopt or comply with international and regional developments and standards in the prevention and combating of trafficking in persons; and
- (d) Conduct activities which it is mandated to under this Act and the National Plan of Action Against Trafficking in Persons, and by the Minister in pursuance of this Act; and

(e) Propose and promote strategies to prevent and combat trafficking in persons; and

(f) Provision of advice on the investigation and prosecution of cases of trafficking in persons; and

(g) Introduction and implementation of public awareness programmes or other measures designed to inform and educate the public on issues relating to trafficking in persons including:

(i) The causes that foster trafficking in persons, especially women and children;

(ii) Common methods used by traffickers to entice or coerce victims for purpose of trafficking or to keep victims captive;

(iii) The forms of abuse to which victims may be subjected;

(iv) Informing the public of institutions or law enforcement agencies or other national, regional or international organisations that may be approached for assistance or information;

(v) Making victims aware of their rights and the legal and other measures in place to ensure their safety, recovery and repatriation where necessary.

34. Further, a full-fledged Secretariat is in place to support the operations of the ATIMC. The Secretariat is seconded from the coordinating Ministry, the Ministry of Home Affairs and Cultural Heritage.

35. The budget for the implementation of the NAPLAC is provided for under the Budget for the Ministry of Home Affairs and Cultural Heritage.

36. In order to provide survivors of trafficking with effective redress, rehabilitation, compensation, and social integration schemes, one of the measures adopted by the State Party is the criminalisation of Trafficking in Persons through the enactment of the Trafficking in Persons Act [Chapter 9:25]. The Act comprehensively provides for redress, rehabilitation, compensation and social integration for victims of Trafficking. It also provides for the adoption of a National referral mechanism for vulnerable migrants in Zimbabwe which maps out an effective way of referring victims to services and defining the roles and functions of actors involved.

37. The Government of Zimbabwe continues to ensure that measures are put in place for the reintegration of Victims of Trafficking (VoTs) back into their communities. Most of the VoTs have no secure means of livelihoods upon arrival back into the country as most had disposed of their sources of livelihoods whilst processing their travel to the anticipated greener pastures. The government of Zimbabwe partnered with IOM in a project to offer reintegration assistance to 117 women in the form of support to start income generating projects and academic and skills acquisition.

38. During the reporting period, several targeted capacity building workshops were conducted. The trainings were meant to improve the capacity of the target group to better respond to human trafficking. The State Party has carried out training of trainers workshops for law enforcement agencies and social workers on victim identification, referral procedure and on how to interview victims of trafficking. These trainings have since been cascaded to Provinces and Districts. Capacity building trainings were also conducted for the judiciary with a focus on prosecution and adjudication of Trafficking in Persons (TiP) Cases, Victim protection and sentencing considerations for TiP Cases.

39. The table below presents the number of reported cases, prosecutions, convictions and sentences imposed on perpetrators of TiPs.



Table 3  
**Number of reported cases, prosecutions, convictions and sentences imposed on perpetrators of TiPs**

<i>Year</i>	<i>Report Cases</i>	<i>Prosecuted Cases</i>	<i>Convicted cases</i>	<i>Sentenced</i>
2016	72	21	–	–
2017	2	14	2	–
2018	2	2	1	1

40. The State Party has established 3 Reception, Holding and Support Centres for survivors of trafficking in Harare, Bulawayo and Mutare.

## J. Reply to paragraph 11 of the list of issues

41. As part of the process of aligning laws to the Constitution and in order to implement the provisions of Section 17 of the Constitution, the State Party has enacted the Public Entities Cooperate Governance Act [CHAPTER 10:31] which was promulgated in 2018 and provides that both genders are equally represented in all institutions and agencies of Government as follows:

Public Entities Corporate Governance Act [chapter 10:31]

Appointment of boards of public entities

(6) Members of boards of public entities shall be appointed for their knowledge of or experience in administration, management or any other field which is relevant to the operation and management of the public entities concerned.

(7) A line Minister shall ensure that, so far as practicable-

(a) There are equal numbers of men and women on the board of every public entity for which he or she is responsible; and

Table 4  
**Women's representation in Politics 2018**

<i>Category</i>	<i>Total</i>	<i>Number of women</i>	<i>% Representation of women</i>
Cabinet Ministers	22	5	22.7
Deputy Ministers	18	4	22
Ministers of State for Provincial Affairs	10	5	50
Local Government Councillors	1 359	190	13.3
Upper House	80	35	43.7
Lower House	270	85	31

Table 5  
**Women's representation in Management Positions in the Public Sector**

<i>Category</i>	<i>(Percentage)</i>
Principal Directors/Chief Directors	25
Directors	29.5
Ambassadors	25.6

Table 6  
Representation of women in the Judiciary

<i>Category</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>% Representation of women</i>
Judges	23	35	<b>58</b>	39
Registrars and Deputy Registrars	5	8	<b>13</b>	38
Regional Magistrates	13	18	<b>31</b>	41
Magistrates	108	84	<b>192</b>	56.25

### K. Reply to paragraph 13 of the list of issues

42. A draft Labour Amendment Bill is in place. The amendment Bill will address the issue of Equal Pay for Work of Equal Value in line with ILO principles. The Bill is set to be tabled before Cabinet.

43. The current Labour Act provides for the enjoyment of rights of all workers in both formal and informal sectors. A dispute resolution mechanism is in place and is accessible by all workers including women in the informal sector.

### L. Reply to paragraph 14 of the list of issues

44. The State Party acknowledges that there has been slow progression in the achievement of set targets for maternal mortality (MMR) and neo-natal mortality. In as much as the State Party has reduced MMR from 960/100 000 in 2010 to 651/100 000 in 2015 the major causes for maternal mortality remains as follows:

- Post-partum haemorrhage;
- Abortion;
- Hypertension;
- HIV/AIDS;
- Infections.

45. In terms of Neo-natal mortality the major causes are as follows:

- Birth asphyxia;
- Preterm;
- Infections.

46. The Adolescent and Youth Sexual and Reproductive Health Strategy II has been very instrumental in enhancing coordination around issues of Adolescent and Youth Sexual and reproductive health. This has been achieved through the establishment of a National Level Coordination Forum on Adolescent Sexual and Reproductive Health (ASRH) and a National Steering Committee on ASRH.

47. The State Party has moved from establishing Youth Friendly Corners and is now advocating for health facility friendly services with youth friendly service provision. The stand-alone concept of Youth Friendly Corners has proved to be costly for the State Party. On the job training to capacitate all health staff on the provision of Youth friendly services is underway. To date 308 health facilities in 20 Districts have been certified in line with WHO standards on adolescent health.

48. In order to facilitate for free Sexual and Reproductive Health Services, the Government of Zimbabwe has developed a Health Financing Policy and Framework to ensure that there is universal health coverage which leaves no one behind.

49. The Termination of Pregnancy Act provides grounds for termination of pregnancy as follows; (i) in cases of rape, (ii) in the case of incest, (iii) in the case of severe foetal impairment and (iv) when there is risk to life of the pregnant mother. Consultative processes are however underway for the review of the current Termination of Pregnancy Act particularly in relation to abortion in other cases not covered in the Act.

## M. Reply to paragraph 15 of the list of issues

50. As highlighted in the State Party Report, Government established the Women's Microfinance Bank with the following objectives:

- To improve access to affordable capital and operational finance by women;
- To facilitate financial inclusion by decentralising the banking system so that it becomes accessible to the majority of women who reside in the rural or remote areas.

51. As such, the table below indicates the number of bank accounts opened by women and loans disbursed to women across all the Country's 10 Provinces.

Table 7  
**Number of bank accounts opened by women and loans disbursed through the Zimbabwe Women's Microfinance Bank**

<i>Province</i>	<i>Savings Accounts opened by women as at 30 November 2019</i>	<i>Loans disbursed to women from August 2018 – 30 November 2019</i>
Harare	8 591	1 274
Bulawayo	5 386	353
Mashonaland West	9 114	1 663
Mashonaland East	8 662	374
Mashonaland Central	6 643	1 137
Midlands	12 287	7 601
Manicaland	8 304	953
Matabeleland North	3 631	228
Matabeleland South	4 155	138
Masvingo	8 678	3 678
Mobile Platform Loan Facility		29 480
<b>Total</b>	<b>75 451</b>	<b>46 879</b>

52. Further, according to the Reserve Bank of Zimbabwe 2019 Mid-term Monetary Statement, nationwide, the total number of women with bank accounts was at 1 814 875 in September 2019. From the 210 registered Micro-Finance Institutions, and for the period March 2018 to March 2019, a total of 160 074 borrowers were women translating to 39.79 per cent of the total borrowers. The value of the loans disbursed to women for the same period was \$111.54 million translating to 25.17 per cent of the total value of loans disbursed.

53. Below is a table presenting the distribution of beneficiaries of the Small and Medium Enterprises Development Cooperation (SMEDCO). 30 per cent of the beneficiaries of SMEDCO are women.

Table 8  
**Beneficiaries of the Small and Medium Enterprises Development Cooperation (SMEDCO)**

<i>Province</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>Total</i>
Mashonaland Central	126,800	238,000	154,480	47,230	39,500	610,376	1,099,485	4,778,490	7,094,361
Bulawayo Metropolitan	73,500	157,000	12,000	18,155	0	139,000	158,500	2,766,600	3,324,755
Matabeleland North	13,000	9,300	2,190	0	0	51,850	86,400		162,740
Matabeleland South	29,000	61,000	75,984	42,964	18,600	40,560	316,500		584,608
Midlands	133,000	224,500	42,325	3,558	4,500	104,830	279,652	2,684,091	3,476,456
Harare Metropolitan	235,000	374,565	82,140	29,4000	0	546,800	750,050	11,199,000	13,216,955
Mashonaland East	66,300	33,000	30,200	0	0	268,016	247,000		644,516
Mashonaland West	46,500	55,000	9,000	0	0	26,000	439,000		575,500
Masvingo	120,000	249,500	81,100	4,500	0	840,816	920,000	2,100,000	4,316,296
Manicaland	179,000	246,500	68,450	0	0	403,858	694,886	1,962,512	3,555,206
<b>Total</b>	<b>1,022,100</b>	<b>1,648,365</b>	<b>557,869</b>	<b>145,807</b>	<b>62,600</b>	<b>3,032,106</b>	<b>4,991,583</b>	<b>25,490,693</b>	<b>36,951,393</b>

#### **Women Development Fund**

54. Since inception in 2010, A total of 1945 women's groups were funded through the Women's Development Fund with a total loan amount of \$4 021 177 disbursed.

#### **N. Reply to paragraph 16 of the list of issues**

55. The State Party has a National Sports and Recreation Policy in place which was developed in 2016. Gender has been mainstreamed in the policy and as such, the policy supports gender equity, women empowerment and the improvement of the quality life for girls and women in recognition of the benefits of their participation in Sport and Recreation. The Wrestling Control Board did not allow the participation of female boxers however, the policy was reviewed to enable women to participate.

56. The Sport and Recreation Commission Act also provides for the engagement of female administrators in sport governing bodies.

#### **O. Reply to paragraph 17 of the list of issues**

57. Zimbabwe adopted a Climate Policy in 2016 and one of the principles underpinning it is gender sensitivity. The policy recognises that climate and climate change affects women and men differently hence it is important that processes and systems that guide the formulation of plans, strategies and budgeting are gender sensitive and gender responsive to address the climate change related gender inequalities.

58. Following the Tropical Cyclone Idai disaster in March 2019, the State Party has intensified efforts on recovery and resilience building. A revised Humanitarian Appeal was launched in August 2019 and covers the period February 2019 to April 2020. The Humanitarian appeal highlights 12 priority areas to be addressed including protection which also focuses on mitigation, prevention and response to Gender Based Violence risks.

59. In terms of priority action taken to ensure equal participation of women at all levels of decision making in line with disaster risk reduction, the following key actions have been undertaken:

- Ensuring equal participation of women in all 12 sectoral committees established to respond to the needs of cyclone Idai affected communities;
- Community targeted programmes ensuring that all women are involved with the aim to assist women to develop coping mechanisms and reduce the risk of exposure to Gender Based Violence;
- Distribution of non-food items such as dignity kits and Reproductive Health kits has been prioritised;
- Ensuring access to quality comprehensive GBV Survivor’s multi-sectoral services such as health, psycho-social support, safety and legal support;
- Strengthening capacity building efforts for GBV Sector specialised actors on the application of GBV in Emergency Minimum Standards as well as for humanitarian sector actors (Food Security, Health, WASH, Nutrition and Education) on integrating GBV Interventions into humanitarian action, including the establishment of prevention, mitigation and response mechanisms; and
- Enhancing protection coordination at national level, provincial and district level, including effective monitoring, response and prevention of GBV, to inform targeted programming and offer timely response.

## **P. Reply to paragraph 18 of the list of issues**

60. In 2013, the Ministry undertook a gender assessment study that looked into key gender issues in the agriculture sector. A Gender strategy is in place for the agricultural sector whose focus is on mainstreaming gender in the agricultural sector.

## **Q. Reply to paragraph 19 of the list of issues**

61. Section 14 (1) of the Constitution provides that ‘the State and all institutions and agencies of Government at every level must endeavour to facilitate and take measures to empower through appropriate, transparent, fair and just affirmative action, all marginalised persons, groups and communities in Zimbabwe’. The State Party understands that women form part of the historically marginalised population, more so if they also have disabilities.

62. Section 56 of the Constitution stipulates that women and men have the rights to equal treatment opportunities in political, economic, cultural and social spheres. In particular Sections 56 (3) explicitly forbids unfair discrimination on the basis of sex, gender or disability among other grounds.

63. Further, Section 80 (1) of the Constitution provides that every woman has full and equal dignity of the person with men and this includes equal opportunities in political, economic and social activities.

64. Section 76 of the Constitution provides that every citizen and permanent resident of Zimbabwe has the right to have access to basic health care services, including reproductive health care services.

65. The Seventh Schedule to the Electoral Act, pursuant to the provisions of Section 120 (1) (d) of the Constitution, provides for two (2) Senators with disabilities who must be of different genders. This has ensured that women with disabilities are represented in the Senate.

66. Section 3(3) of the Trafficking In Persons Act [Chapter 9:25], creates the offence of ‘trafficking in persons’. This offence is regarded as committed in aggravating circumstances where the trafficked person is a child or a person with disabilities. The penalty upon conviction is up to life imprisonment or a minimum period of 10 years. This goes a long way in deterring trafficking in persons cases, which often lead to slavery, servitude, torture, inhuman and degrading punishment or killing of PWDs for religious or traditional beliefs.

67. Clause 25 of the Persons with Disabilities Bill, 2019, proposes a provision for the protection of the rights of women with disabilities. Under this Clause, the Minister is obliged to take all necessary steps to advance the rights of women with disabilities and to empower them to fully participate in public life and to occupy decision-making positions in Government and society. This clause will go a long way in mainstreaming disability and gender.

68. Government remains committed to the education of the girl child with disabilities. 2019 enrolment statistics of disabled females in primary and secondary education is at 15 506.

Table 9  
**2019 Summary of Disability Enrolments in tertiary institutions**

<i>Type of Impairment</i>	<i>Visual</i>		<i>Auditory</i>		<i>Physical</i>		<i>Other</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	
Universities	97	71	8	3	102	50	25	22	<b>376</b>
Polytechnics	1	0	0	3	77	42	0	0	<b>123</b>
Teachers Colleges	18	45	6	4	49	67	15	24	<b>228</b>
<b>Total</b>	<b>116</b>	<b>116</b>	<b>14</b>	<b>10</b>	<b>228</b>	<b>159</b>	<b>40</b>	<b>46</b>	<b>729</b>

## **R. Reply to paragraph 20 of the list of issues**

69. Section 42 of the Criminal Law (Codification and Reform) Act (The Criminal Law Code) provides that any person who publicly makes any insulting or otherwise grossly provocative statement that causes offence to persons of a particular race, tribe, and place of origin, colour, creed or religion shall be guilty of an offence and liable to a fine or imprisonment for a period not exceeding one year. The person should have intended to cause such offence or realised there is a real risk or possibility of doing so.

**S. Reply to paragraph 22 of the list of issues**

70. The State Party is currently reviewing its marriage laws with the aim of harmonising all marriages in the Country. A Harmonised Marriage Bill is in place and it comprehensively provides for equality of all marriage regimes.

## Annex I

## 2016 statistics on GBV from the police

2016	0-7yrs		8-12yrs		13-15yrs		16-17yrs		18-25yrs		26-40yrs		41-60yrs		61yrs +		Rural area		Urban area	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Rape		576		1002		1120		614		722		411		114		62		2389		2262
Domestic Violence	7	33	22	33	22	102	140	254	387	8473	968	6408	627	1756	127	289	680	5331	1620	12017
Attempted rape		24		52		51		49		69		50		15		7		60		257
Aggregated Indecent Assault	40	60	60	38	31	31	23	14	38	31	11	21	8	2		1	104	62	102	141
Indecent Assault	2	69	26	109	23	259	6	195	23	240	5	261	9	70	9	17	224	79		986



**Annex II****2017 Statistics on GBV from the police**

2017	0-7yrs		8-12yrs		13-15yrs		16-17yrs		18-25yrs		26-40yrs		41-60yrs		61yrs +		Rural area		Urban area	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Rape		654		954		1097		527		596		393		190		19		2178		2252
Domestic Violence	7	33	22	5	7	20	7	417	19	7689	25	7132	49	2594	23	416	14	3514	99	14776
Attempted rape		25		49		48		34		72		48		23		6		149		156
Aggregated Indecent Assault	40	60	26		92	10	67		54		38	5	16		3		109		201	1
Indecent Assault	2	76		194		226		174		298		213		141		4		341		1012