



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the sixth periodic report of the Republic of Zimbabwe\*

#### General context

1. In the light of the ongoing economic challenges currently faced by the State party and consequent austerity measures ([CEDAW/C/ZWE/6](#), paras. 142 and 143), please provide information on specific safety nets put in place to guarantee women's and girls' access to health, education and social sectors, as well as to water, sanitation, power and roads. Please also provide information on measures taken to facilitate the ability of women, and especially rural women, to have access to mobile and plastic money, especially during the ongoing cash crisis, as well as to fuel, food, legal aid and health services. Please further inform the Committee on the number of cases of gender-based violence against women and girls at the hands of members of the security forces of the State party that were registered during the January 2019 unrests, as well as in the context of tropical Cyclone Idai in March 2019, and report on investigations initiated in that respect and on the number and outcomes of cases that led to prosecutions.

#### Legislative framework

2. Please provide updated information on the advances made in the alignment of national law with the State party's Constitution (*ibid.*, paras. 7, 10 and 147) and the Convention on the Elimination of All Forms of Discrimination against Women, as well as in the adoption of anti-discrimination legislation that recognizes direct and indirect discrimination, as well as multiple and intersecting forms of discrimination in the private and the public sphere ([CEDAW/C/ZWE/CO/2-5](#), para. 24 (f)).

#### Access to justice

3. Please inform the Committee on the human, technical and financial resources allocated to the decentralized Legal Aid Directorates ([CEDAW/C/ZWE/6](#), para. 136) and on measures taken to build the capacities of legal aid personnel regarding women's rights under national law and the Convention. Please also inform the Committee on the number of legal aid requests received from women and girls by the Directorates during the reporting period, the number of cases supported, the nature of support granted and on the outcomes of those cases. Please further provide

\* Adopted by the pre-sessional working group for the seventy-fifth session (25 and 26 July 2019).



information on the accessibility of courts to women and girls with disabilities in all provinces.

#### **National machinery for the advancement of women and national human rights institution**

4. Please provide detailed information on: (a) the human, financial and technical resources allocated to the Ministry of Women's Affairs and to the Zimbabwe Gender Commission, including their allocation as a percentage of the national budget, and to gender focal persons and committees; and (b) measures taken to guarantee the independence of the Commission. Please also inform the Committee on efforts undertaken to introduce gender-sensitive budgeting and on the impact achieved by the Monitoring and Evaluation Framework. Please further report on the human, technical and financial resources allocated to the Zimbabwe Human Rights Commission and to its working group on gender and women's rights, and inform the Committee on the activities carried out by that working group during the reporting period.

#### **Civil society organizations and women human rights defenders**

5. Please provide information on measures taken to implement the State party's constitutional and legislative framework to promote the participation of women in civil society organizations (*ibid.*, para. 52), including to guarantee that civil society and women's rights organizations can operate in the absence of intimidation, harassment, threats, arbitrary detention, violence, ill-treatment or abuse. Please also provide information on measures taken to ensure the contribution of civil society organizations working on women's rights to the development of the current Transitional Stabilisation Programme and to decisions on the impact of financial constraints. Please further provide information on planned measures to guarantee the contribution of women and women's organizations towards the development of the national development plans for the periods 2012–2025 and 2026–2030.

#### **Temporary special measures**

6. Please provide information on temporary special measures implemented during the reporting period (*ibid.*, para. 150), such as outreach and support programmes based on time-bound targets, in line with article 4, paragraph 1 of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, in addition to the ones provided for in the 2014 Electoral Act, in order to accelerate the achievement of substantive equality between women and men in other areas of life or to overcome the multiple forms of discrimination to which specific groups of women are subject, including women heads of households, rural women, older women, refugee and asylum-seeking women and women with disabilities. Please also inform the Committee as to: (a) which time-bound targets are pursued through the quota provided for in the Electoral Act and whether that quota applies to seats or to electoral lists; (b) the resources allocated for its implementation; (c) measures taken to implement that quota at the 2018 general elections; (d) sanctions imposed for non-compliance, including financial sanctions; and (e) measures planned to promote women's participation in political and public life after 2023.

#### **Stereotypes and harmful practices**

7. Please inform the Committee on measures taken to implement provisions prohibiting the harmful practices identified in section 1 (i) of the Domestic Violence Act and to prohibit polygamy (CEDAW/C/ZWE/CO/2-5, para. 38 (b)), which currently remains legal under customary law. Please also report on: (a) the prevalence

of polygamy, early and/or forced marriages, bride price (*lobola*), virginity testing, female genital mutilation, pledging of women or girls for witchcraft, widow inheritance and witch hunting; (b) the number of cases reported and investigated and, where applicable, the punishments imposed; and (c) efforts undertaken to change those social and cultural patterns through the elimination of gender stereotypes, expanded access to education and gender sensitization. Please further provide information on measures taken to implement the revised National Gender Policy and the National Action Plan and Communication Strategy on ending child marriages; the resources allocated for their implementation; and the measures taken to prevent the arbitrary deprivation of liberty of women unaccompanied by men on the assumption of soliciting.

### **Gender-based violence against women**

8. Please clarify which forms of gender-based violence are classified as offenses and which as crimes, and inform the Committee on the efforts undertaken to review article 64 of the Criminal Law (Codification and Reform) Act to harmonize penalties imposed for the crime of rape of a girl child, in line with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19. Please also provide data, disaggregated by sex, ethnicity, age, province, rural or urban areas, nationality, disability and relationship between the victim and perpetrator, on all instances of gender-based violence against women and girls registered during the reporting period, including cases of sexual harassment, sexual and domestic violence, as well as on the outcomes of such cases. Please further report on the human, financial and technical resources allocated to victim-friendly units and the Anti-Domestic Violence Council, as well as for the establishment of one-stop-centres and community-based shelters throughout the territory of the State party. Please inform the Committee on existing gender-based violence referral pathways between the police and health, legal and psychological services, as well as on the state of integration of education on gender-based violence in the pre-service training of police, judicial personnel and nurses (CEDAW/C/ZWE/CO/2-5/Add.1, para. 7).

### **Trafficking and exploitation of prostitution**

9. Please inform the Committee on the human, technical and financial resources allocated to the implementation of the National Plan of Action on Trafficking in Persons, and on measures taken to provide survivors of trafficking with effective redress, rehabilitation, compensation and social integration schemes. Please also provide information on capacity-building of the judiciary, police officers, social workers and diplomatic personnel on trafficking, as well as on the newly adopted standard operating procedures for the provision of assistance to survivors. Please further provide data disaggregated by sex, ethnicity, age, province, rural or urban areas, nationality and disability, on: (a) the number of reported cases of trafficking; (b) the capacity of reception, holding and support centres for survivors of trafficking, (c) the services provided in these centres; and (d) the prosecutions and convictions of and sentences imposed on perpetrators of trafficking, on an annual basis.

10. Please indicate whether the State party has carried out a study to investigate the scope, extent and root causes of the exploitation of women and girls in prostitution, and provide corresponding data. Please also indicate whether measures have been taken to reduce the demand for prostitution and to support women who wish to leave prostitution.

**Participation in political and public life**

11. Please provide updated information on the review of enabling legislation to implement section 17 (b) (ii) of the Constitution, on resources allocated for the implementation of the Women in Politics and Decision-Making Strategy, and on measures taken specifically to support women, including through the provision of financial support to women candidates. Please further provide data on the representation of women in the Senate and the House of Assembly after the 2018 general elections in ministerial positions, the judiciary, the army and the diplomatic service, as well as in urban councils, as chiefs and village heads and in other leadership positions at national, regional and local levels.

**Education**

12. Please provide data, disaggregated by sex, ethnicity, age, province, rural or urban areas, nationality and disability, on: (a) formal education at the primary and secondary levels; (b) school enrolment, completion, repetition, dropout and reintegration of school girls who become pregnant; and (c) the occupants of management and professorial positions in academic institutions. Please also inform the Committee on the current teacher-pupil ratio in urban and rural areas, on measures taken to roll out the revised curriculum for primary and secondary education to rural areas and to improve water and sanitation infrastructure in schools, including through the guarantee of its accessibility and the building of separate latrines for girls. Please further inform the Committee on the number and localization of: (a) child protection committees; (b) schools that are implementing the child-friendly schools concept; (c) teams of educational psychologists; (d) cases of sexual harassment and abuse referred to and treated by the above-mentioned teams; and (e) training provided to educational professionals on the guidance and counselling syllabus for learners and on sexual harassment and abuse, in line with general recommendation No. 36 (2017) on the rights of girls and women to education.

**Employment**

13. Please update the Committee on the status of the ongoing labour law reform, whereby a comprehensive provision on equal pay for work of equal value is to be provided (CEDAW/C/ZWE/6, para. 71), and indicate the measures taken to eliminate the horizontal and vertical segregation in the labour market in the public and private sectors (*ibid.*, tables 21 and 22). Please also inform the Committee on: (a) existing mechanisms to monitor the labour rights of women in the informal economy; (b) the number of labour inspections carried out in the formal and informal economies; (c) the outcomes of those inspections, including sanctions imposed for non-compliance with labour legislation; and (d) the mechanisms in place to monitor women's occupational health conditions, including on mining sites. Please further inform the Committee on the measures taken to promote women's engagement in formal employment (*ibid.*, para. 72), including through: (a) temporary special measures; (b) the sharing of responsibilities between men and women in the household and the family; and (c) the combating of sexual harassment in the workplace, including in domestic spaces and on mining sites.

**Health**

14. Please provide information on: (a) the causes of the slow progression with regards to maternal and neonatal mortality and morbidity and on consequent measures taken; (b) the results achieved through the National Adolescent and Youth Sexual and Reproductive Health Strategy II; and (c) plans to provide sexual and reproductive health services free of charge, including free of indirect service fees. Please also

provide data disaggregated by sex, ethnicity, age, province, rural and urban areas, nationality and disability on the reach and impact of the Life Skills, Sexuality, HIV and AIDS Education, the Youth-Friendly Corners, the Determined Resilient Empowered AIDS-free Mentored Safe Programme, as well as on the provision of free antiretroviral therapy. Please also inform the Committee on: (a) efforts undertaken to review the Termination of Pregnancy Act with a view to removing punitive provisions imposed on women who undergo abortion ([CEDAW/C/ZWE/CO/2-5](#), para. 34 (e)) and legalize abortion in cases of rape, incest, severe fetal impairment and risk to the health or life of the pregnant woman; (b) the availability and affordability of abortion and post-abortion services in health facilities of the primary, first, second and third referral levels in all provinces; and (c) data on abortion and post-abortion services provided in those facilities in the reporting period.

### **Economic empowerment**

15. Please provide data, disaggregated by sex, ethnicity, age, province, rural and urban areas, nationality and disability, on the beneficiaries of the Women Empowerment Fund ([CEDAW/C/ZWE/6](#), para. 114); the Micro-Finance Bank (*ibid.*, para. 117); the Small-to-Medium Enterprises Development Cooperation (*ibid.*, para. 112); the Horticulture Facility, Gold Mobilization Facility, Export Facility, Business Linkage Facility and Cross Border Facility (*ibid.*, para. 113); the Harmonized Social Cash Transfers (*ibid.*, para. 43); and on the amounts and nature of the support provided and on the outcomes of the support granted. Please also inform the Committee on measures taken to promote women's engagement: (a) in the mining sector, including through capacity-building and the provision of necessary equipment; (b) as owners of companies; and (c) as directors of cooperatives, and report on the root causes of the marked differences between men and women in the ownership of enterprises (*ibid.*, table 27). Please further report on the access of women, and especially of rural women, to bank accounts and credit, and on efforts undertaken to assist them in this area.

### **Social benefits and social life**

16. Please update the Committee on the development of a policy for affordable social security for small to medium-sized enterprises and cooperatives (*ibid.*, para. 72) and on how that reform, as well as any other measures taken during the reporting period, would guarantee access of women in the informal sector, including domestic workers, older women, women engaged in artisanal mining and in unpaid care work, to social security and other benefits, such as maternity benefits ([CEDAW/C/ZWE/CO/2-5](#), para. 32 (b)). Please also report on the participation of women and girls in sports, their access to sports facilities and leadership in sporting bodies, and measures taken to prevent and sanction any discrimination against them with regard to funding opportunities in sports teams.

### **Gender and climate change**

17. Please provide information on the measures taken to address the disproportionate impact of climate change on women and girls ([CEDAW/C/ZWE/6](#), para. 145), in particular rural women and girls, and to provide redress, in line with general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please also provide information on financial resources allocated for the implementation of those measures. Please further indicate the measures taken to ensure the equal participation of women at all levels of decision-making with regard to policy development on disaster risk reduction, as well as to climate change adaptation and mitigation, in the light of the recent impact of Cyclone Idai.

**Rural women**

18. Please provide information on the assessment made of disparities between women and men in agriculture (ibid., tables 27–34), on national frameworks on gender in agriculture developed, and on measures taken: (a) to promote women’s ownership and inheritance of land, livestock and other agricultural inputs, including for women divorcing from polygamous marriages; (b) to enhance women’s access to local agricultural markets, including through their support in the access to packaging, storage and marketing and through measures to overcome transactional fees; (c) to monitor the pricing of agricultural produce; and (d) to increase the human, technical and financial resources allocated to the Zimbabwe Land Commission. Please also provide information on the women’s quota in the administration and allocation of land (ibid., para. 123), on mechanisms in place and resources allocated for its implementation, on results achieved, and on the percentage of women among the beneficiaries of the 99-year leases of agricultural lands. Please further provide information on the measures taken specifically to promote the access of rural women to clean water, health, education and sanitation services, and on the outcomes of those measures.

**Women with disabilities**

19. Please provide information on the access of women and girls with disabilities, in particular those living in rural areas, to education, employment, health, justice, social security and economic empowerment, as well as on the accessibility (architectural and in communications) of services provided in those sectors. Please also inform the Committee on measures taken to combat stigma and discrimination, as well as trafficking, sexual and labour exploitation of and gender-based violence against women and girls with disabilities.

**Lesbian, bisexual, transgender women and intersex persons**

20. Please inform the Committee on measures taken to eliminate hate speech, stigma and discrimination against lesbian, bisexual and transgender women and intersex persons in education, health and employment. Please also provide information on measures taken to prevent the hiding and infanticide of intersex persons and to guarantee their access to national identity documents. Please further provide updated information on the type of medical treatments provided to young intersex women and girls in State hospitals and clarify whether their free, prior and informed consent is ensured.

**Women in detention**

21. Please report on measures taken to bring the conditions of detention in places of deprivation of liberty in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Please also inform the Committee on efforts undertaken to reduce the numbers of women in detention.

**Equality in marriage and in family life**

22. Please provide updated information on the ongoing amendments of marriage laws (ibid., paras. 61 and 138), and inform the Committee as to how they will contribute to the development of a unified family code (CEDAW/C/ZWE/CO/2-5, para. 38 (c)) and the guarantee of equal rights for all married women before the law. Please also inform the Committee as to how those amendments will ensure women’s equal rights to land, inheritance and property, including monetary and non-monetary

marital property during marriage and upon divorce (*ibid.*, paras. 38 (a) and (c)). Please further report on the availability of specialized family courts in all provinces of the State party.

**Optional Protocol to the Convention and amendment to article 20 (1) of the Convention**

23. Please provide the Committee with a timeline for the State party's accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and for the acceptance of the amendment to article 20 (1) of the Convention.

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