



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the second periodic report of Zimbabwe\*

1. The State party is invited to submit in writing the information requested below (preferably not exceeding 10,700 words) by 31 October 2024.

#### A. General information

2. Please provide information on the progress made in reviewing and harmonizing domestic legislation with the Covenant. Please also provide information on the number of cases in which the Covenant has been invoked before and/or applied by domestic courts and examples of such cases. Please further provide information on the training provided for judges, lawyers and law enforcement officials on the provisions of the Covenant and their justiciability. In addition, please provide information on how the legislature was involved in the implementation of and follow-up to the previous concluding observations<sup>1</sup> and in the development of the second periodic report.<sup>2</sup>

3. Please provide information on the mandate of the Human Rights Commission and whether it covers economic, social and cultural rights. Please also provide information on measures taken to ensure that sufficient human and financial resources are allocated to the Commission to enable it to carry out its mandate effectively and independently, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

4. Please provide information on measures taken to ensure that section 22A of the Criminal Law (Codification and Reform) Act is not used to criminalize the work of human rights defenders and civil society organizations. Please also provide information on the measures taken by the State party to address recurrent reports of intimidation and reprisals against human rights defenders, including those working to promote economic, social and cultural rights, political activists and journalists. Please further provide information on the number of cases investigated, the number of prosecutions and convictions and the penalties imposed on the perpetrators.

5. Please provide information on the legislative and policy framework in place to ensure that business entities operating in, domiciled in and/or owned by the State party exercise human rights due diligence throughout their operations and are held accountable for violations of the rights covered under the Covenant. Please also provide information on the State party's progress in developing and adopting a national action plan on business and human rights to implement the Guiding Principles on Business and Human Rights. Please further provide information on cases brought by persons or groups affected by business operations and on the remedies provided to them.

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\* Adopted by the pre-sessional working group at its seventy-third session (16–20 October 2023).

<sup>1</sup> E/C.12/1/Add.12.

<sup>2</sup> E/C.12/ZWE/2.



6. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures, and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, in particular for marginalized and disadvantaged individuals and groups;

(b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights;

(c) Measures taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;

(d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured.

## **B. Issues relating to the general provisions of the Covenant (arts. 1–5)**

### **Maximum available resources (art. 2 (1))**

7. Please provide updated information on the evolution of the following, covering the past 10 years:

(a) The proportion of the population living below the nationally defined poverty line;

(b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;

(c) The economy, in particular through the annual variations of gross domestic product (GDP), GDP per capita and the level of public debt in proportion to GDP;

(d) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;

(e) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education;

(f) The proportion of the public budget allocated to defence;

(g) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

### **Corruption (art. 2 (1))**

8. Please provide information on measures taken to prevent and combat corruption in the public sector. Please also provide information on the cases filed with anti-corruption bodies, in particular those brought against high-level officials, including the number of cases filed, investigated and prosecuted, the sentences handed down to those involved and the

remedies provided to the victims. Please further provide information on legislative or other measures taken to ensure the protection of whistle-blowers. In this regard, the Committee also looks forward to reading the information that the State party will provide to the Human Rights Committee in response to its list of issues prior to reporting.<sup>3</sup>

#### **Non-discrimination (art. 2 (2))**

9. Please provide information on the measures taken by the State party to repeal all legal and regulatory provisions that discriminate against or have discriminatory effects on lesbian, gay, bisexual, transgender and intersex persons with regard to the enjoyment of economic, social and cultural rights. Please also provide information on measures taken, and their impact, to protect those persons from discrimination, including in the workplace, and to eliminate barriers to the realization of their economic, social and cultural rights, in particular with regard to their access to employment, education, health-care services and social security.

10. Please provide information on specific measures taken to prevent and address discrimination against persons with disabilities, in particular women and children, in the enjoyment of economic, social and cultural rights. In particular, please indicate the steps taken to ensure their access to employment, education and health-care services, including sexual and reproductive health services, and to enhance the accessibility of public facilities and services. Please provide information, including relevant statistics, on the preliminary outcomes of the National Disability Policy adopted in 2021. Please also provide information on strategies adopted to raise awareness about the rights of persons with disabilities and address stereotypes about and prejudices towards them.

#### **Equal rights of men and women (art. 3)**

11. Please provide information on measures in place to address gender stereotypes that hinder the equal participation of women in political, economic, social and cultural life. Please also provide information on the results achieved by the Gender Task Force mentioned in the State party report<sup>4</sup> and on any other measures taken to increase women's representation in political affairs and decision-making positions in both the public and the private sectors.

### **C. Issues relating to the specific provisions of the Covenant (arts. 6–15)**

#### **Right to work (art. 6)**

12. Please provide information on the outcomes of the National Employment Policy Framework mentioned in the State party report.<sup>5</sup> In this regard, please also provide information on specific measures taken to create decent employment opportunities, in particular for women and young people. Please further provide updated statistics for the past five years on unemployment and underemployment rates, disaggregated by age, sex, ethnicity, disability, educational level, socioeconomic status and area of residence (urban or rural).

#### **Right to just and favourable conditions of work (art. 7)**

13. Please provide information on:

(a) Steps taken to strengthen the labour inspection system, including to provide training for labour inspectors and allocate financial and human resources for labour inspection;

(b) Labour inspections carried out during the reporting period, including relevant annual statistical data, information on the main areas of violations of labour legislation identified through inspections and the measures taken to address them;

<sup>3</sup> CCPR/C/ZWE/QPR/2, para. 4.

<sup>4</sup> E/C.12/ZWE/2, para. 66.

<sup>5</sup> Ibid., para. 48.

(c) Minimum wages established in the State party, including their coverage and amounts, and measures taken to ensure that they provide a decent standard of living for workers and their families;

(d) Framework legislation and policies on occupational health and safety, the incidence of occupational accidents and diseases during the reporting period and the measures taken to prevent them;

(e) Progress made in the implementation of the national strategy to facilitate the transition from the informal to the formal economy in Zimbabwe;

(f) Steps taken, including under the national gender policies, to address the structural causes of the gender pay gap, including occupational gender segregation in the labour market and the low remuneration for positions predominantly occupied by women;

(g) Measures taken to ensure that the principle of equal pay for work of equal value is applied in the State party, as foreseen in section 5 (2a) of the Labour Act, as amended by the Labour Amendment Act, 2023.

### **Trade union rights (art. 8)**

14. Please provide information on the measures taken, and their outcomes, to bring the legal framework on trade union rights into line with article 8 of the Covenant, including regarding the rights to join or form trade unions and the right to strike. Please also provide information on specific measures taken to adequately protect workers against acts of anti-union discrimination in respect of their employment.

### **Right to social security (art. 9)**

15. Please provide updated information on the social security system, including both contributory and non-contributory programmes, in particular with regard to the public spending allocated to, eligibility for and the coverage and level of benefits of each programme. Please provide information on measures taken to achieve universal social security coverage, including for workers engaged in the informal economy and domestic workers, and the progress achieved.

### **Protection of the family and children (art. 10)**

16. Please provide information on measures taken, and their impact, to implement the commitments made under the High-Level Political Compact on Ending Gender-Based Violence and Harmful Practices in Zimbabwe 2021–2030 and the resources allocated to that end.

17. Please provide information on the implementation of the provisions of the Marriages Act concerning the prohibition of child marriage, to which reference is made in the State party report.<sup>6</sup> Please also provide information on the extent of child marriage in the State party, disaggregated by age, sex, socioeconomic status and area of residence (urban/rural), including on the number of investigations and prosecutions carried out in that regard since the entry into force of the Act. Please further provide information on measures taken to raise awareness of the harmful consequences of child marriage and the impact of such measures.

18. Please provide statistics on the incidence of child labour in the State party, disaggregated by age, sex, area of residence (urban/rural) and sector. Please also provide information on the progress made towards the eradication of child labour, including the worst forms thereof. Please further provide up-to-date information on the number of labour inspections relating to child labour carried out during the past five years, the number of children removed from child labour situations and reintegrated into their families and the number of employers and individuals sanctioned for engaging in child labour and the worst forms thereof.

19. Please provide information on measures taken, and their impact, to ensure access to birth registration and identity documents. Please also provide information on steps taken to

<sup>6</sup> Ibid., para. 117.

ensure that the absence of birth registration and identity documents does not prevent individuals from exercising their economic, social and cultural rights, including with regard to access to social security benefits, health-care services and education.

### **Right to an adequate standard of living (art. 11)**

20. Please provide information on the results of the policies mentioned by the State party in its report, including the National Water Policy and the Food and Nutrition Policy, in ensuring access to adequate food, water and sanitation in the State party. In this regard, please also provide detailed information on the provision of food assistance during the ongoing food insecurity emergency and on the social protection programmes in place for the most disadvantaged and marginalized groups and individuals. Please further provide information on measures taken, and their impact, to reduce the country's dependence on food importation and on efforts made to diversify agricultural production. Please provide information on efforts made to ensure sustainable water resource management in Harare, in particular in view of the progressive degradation of wetlands and the resulting decline in groundwater resources.

21. Please provide further information on the design, implementation and results, in particular in rural areas, of the strategies and programmes aimed at reducing poverty that are mentioned in the State party report.<sup>7</sup> In particular, please indicate how the needs of the most marginalized and disadvantaged groups are reflected in those programmes and what resources have been made available for their implementation.

22. Please provide information on the measures taken to address prison overcrowding, improve prison living conditions, provide adequate food, water and sanitation and ensure the availability of quality health-care services in prisons.

23. In the light of the information provided in the State party report,<sup>8</sup> please provide information on the results of the land audit carried out by the Zimbabwe Land Committee.

### **Right to physical and mental health (art. 12)**

24. Please provide information on the preliminary outcomes of the National Health Strategy 2021–2025, including relevant statistics. Please also provide information on specific measures taken to ensure the availability and accessibility of quality health care throughout the State party, including the allocation of adequate financial and human resources, the provision of adequate medical equipment and infrastructure and the availability of essential medicines at public health-care facilities.

25. Please provide information on:

(a) Measures taken by the State party to prevent the spread of HIV and eliminate new HIV infections among children and to ensure the availability and accessibility of antiretroviral therapy;

(b) Measures taken, and their impact, to ensure that sex workers can access health-care services and information without discrimination;

(c) Measures taken to review the legislative and policy framework on drugs and to ensure that persons who use drugs can access tailored health-care services and quality harm reduction services, as foreseen in the Zimbabwe National Drug Master Plan 2020–2025.

26. Please provide information on:

(a) Measures taken to ensure the availability, accessibility and quality of sexual and reproductive health services and information, including the availability of affordable, safe and effective contraceptive methods and emergency contraception, and to review age restrictions on access to sexual and reproductive health services;

<sup>7</sup> Ibid., paras. 186 and 187.

<sup>8</sup> Ibid., para. 153.

(b) Steps taken, and their results, to prevent adolescent pregnancies, including sexual and reproductive health awareness campaigns and educational programmes aimed at adolescents;

(c) Progress made in ensuring access to safe and legal abortion and post-abortion care for all women and girls, including through the review of abortion laws.

**Right to education (arts. 13 and 14)**

27. Please provide updated statistical data, disaggregated by sex, disability, ethnicity, economic status and area of residence (urban/rural), on enrolment, completion and dropout rates at the primary and secondary levels of education during the reporting period. Please also provide data disaggregated by sex, disability, ethnicity, economic status and area of residence (urban/rural) on enrolment rates at the pre-primary level. Please further provide information on measures taken, and their outcomes, to prevent children from dropping out of school and to encourage their enrolment in school, in particular in rural areas and among girls who are married or pregnant or have become parents.

28. Please provide information on measures taken, and their outcomes, to improve the quality of education, including the availability of qualified teachers, and to improve school infrastructure, in particular in rural areas. Please also provide information on measures taken to ensure that primary and secondary education is free of charge, without hidden costs, and accessible to all children. Please further provide information on efforts aimed at expanding access to free education to include upper-secondary education.

**Cultural rights (art. 15)**

29. Please provide information on steps taken to increase investment in information and communications technology in education and to provide digital connectivity, in particular for students belonging to marginalized and disadvantaged groups.

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