**MID-TERM PROGRESS REPORT ON THE IMPLEMENTATION OF THE UNIVERSAL PERIODIC REVIEW RECOMMENDATIONS ACCEPTED BY ZIMBABWE IN MARCH 2012**

**Submitted by the Government of the Republic of Zimbabwe, June 2014**

**Introduction and** **Background**

In February, 2011, the Government of Zimbabwe launched a consultative process on the Universal Periodic Review. This involved stakeholders that included the Independent Commissions, civil society organizations, business, labour, Parliament, the traditional leadership, the media and UN agencies. This process facilitated the drafting of the national report, which was considered by the Working Group of the Human Rights Council on the Universal Periodic Review in October of the same year. This was followed by the adoption of the report by the Human Rights Council in March, 2012. The Human Rights Council came up with 177 recommendations on various human rights Issues. Out of 177 recommendations Zimbabwe accepted 130.

A Universal Periodic Review Steering Committee, made up of Government and other stakeholder representatives, including Civil Society Organisations, Independent Commissions, Trade Unions as well as United Nations Country Team sitting in advisory capacity, was established to oversee and monitor the implementation of the National Plan of Action. Government and stakeholders identified sectoral actions for the implementation of the recommendations, which resulted in the adoption of a National Plan of Action, which forms the basis upon which the recommendations are being implemented.

Since the adoption of the National Plan of Action by stakeholders, Government has made considerable strides towards the implementation of the Universal Periodic Review recommendations. Major milestones include the holding of a referendum to adopt a new Constitution and the enactment of that Constitution, the successful holding of harmonised elections which brought to an end the Global Political Agreement and the Inclusive Government. A national process is currently underway to align the country’s laws with the provisions of the new Constitution. The new Constitution carries a comprehensive Declaration of Rights which largely domesticates the regional and international human rights treaties to which it is party.

Zimbabwe is pleased to present its mid-term progress report, which shows progress made to date in the implementation of the recommendations that it accepted, as summarised in the attached Schedule.

The Government of the Republic of Zimbabwe remains committed to implementing the recommendations, in consultation and collaboration with stakeholders. The Government is grateful for the financial and technical support that it has continued to receive from the United Nations Country Team in the Universal Periodic Review process.

SCHEDULE: Summary of Progress Made in the Implementation of the Universal Periodic Review Recommendations Accepted by Zimbabwe

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| **Recommendations** | **Planned Activities to Implement Recommendations** | **Progress Made in The Implementation of Recommendations** |
| **Ratification of human rights treaties**  Continue improving legal human rights framework by ratifying or acceding to core instruments to which Zimbabwe is not yet party and incorporate them into its national law | * Identify unratified core treaties so that line Ministries take steps to ratify and domesticate them | Government identified unratified treaties and ratified the following :   * UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children * Optional Protocols (on the Sale of Children, Child Prostitution and Child Pornography and on the Involvement of Children in Armed Conflict), to the Convention on the Rights of the Child * Convention on the Rights of Persons with Disabilities and its Optional Protocols   A ratification and domestication strategy was developed and once adopted by Cabinet it will provide further support to relevant Ministries.  51 Parliamentarians received training in 2013 from Civil Society Organisation (CSO) stakeholders on the ratification and domestication of the Convention against Torture. This is an important step to begin the process of ratification of this treaty.  ***Challenges***: Ratification has been delayed as a result of lack of a systematic way to ratify and domesticate these treaties  ***Way Forward***: Government will expedite ratification of outstanding treaties as well as domesticate them, guided by the ratification and domestication strategy. The Zimbabwe Human Rights Commission (ZHRC) has established a Thematic Working Group on International Agreements to assist the government in the ratification and domestication process. |
| **Domestication of human rights treaties**  Take concrete measures to align Zimbabwe’s domestic laws, including customary laws, with international human rights treaties that it is party to | * To analyse and review legislation with a view to bring it into conformity with international human rights standards * Amend the Constitution to remove discriminatory provisions in relation to women * Ensure harmonisation of legislation with protections guaranteed in the Constitution | Domestication of human rights treaties is underway. For example:   * + The new Constitution, adopted in May 2013, has a more comprehensive and justiciable Bill of Rights than the previous Constitution. It specifically recognises, for instance, the rights of women, children, the elderly and persons with disabilities. It also provides for economic, social and cultural rights   + The new Constitution has done away with provisions in the previous constitution that discriminated against women   + The President recently assented to the Trafficking in Persons Act [2014].   + A Bill is being drafted to domesticate the Optional Protocols to the Convention on the Rights of the Child   + Over 400 statutes are being reviewed in order to harmonise them with the new Constitution and there is a General Laws Amendment Bill under consideration.   + The NPA Act and the Electoral Amendment Bill have been passed by Parliament   ***Challenges***: The process of reviewing legislation will take time given that all pieces of legislation (over 400) should be reviewed and aligned to the Constitution. The consultation process will take time to complete.  ***Way Forward***: Government is prioritizing laws that need urgent attention, such as the electoral law, laws to operationalize new Independent Commissions and the National Prosecuting Authority (NPA Act). |
| **Creating/Strengthening Independent Institutions**  Continue to strengthen institutions, such as those for the media, human rights and anti-corruption  Take additional steps to ensure that the legislation establishing the Zimbabwe Human Rights Commission is fully compliant with the Paris Principles | * To give the Commissions the mandate to manage their resources and operations * To review and consolidate media laws * To set up and operationalise the Zimbabwe Human Rights Commission | The new Constitution provides for the following Independent Commissions: Zimbabwe Human Rights Commission (ZHRC), Zimbabwe Electoral Commission (ZEC), Zimbabwe Anti Corruption Commission (ZACC), Zimbabwe Gender Commission (ZGC), Zimbabwe Media Commission (ZMC) and National Peace and Reconciliation Commission (NPRC). The ZHRC, ZEC, ZACC, ZMC are operational.    The following progress has been made:   * Legislation is being drafted to operationalise the Independent Commissions created by the new Constitution. A call for applications has been made to fill vacancies in all the Commissions. * The Zimbabwe Human Rights Commission Act has been promulgated and the Commission operationalised. The secretariat of the Commission is now in place. The new Constitution provides for Independent Commissions to be allocated funds directly by Parliament and to manage their own resources.   ***Challenges***: Resource constraints still affect operationalisation of the Commissions, for example the ZMC.  ***Way Forward***: Efforts are underway to allocate more resources to Independent Commissions, for instance through increased budgetary allocations and mobilisation of resources from development partners and other stakeholders, including the private sector.  Enactment of enabling legislation to operationalise the NPRC and the ZGC |
| **General Measures to Implement Human Rights**  Intensify efforts to implement national programmes that promote the rights of its people, including in the field of the rights of children and women as well as rights to education, to health, to adequate water and to sanitation, through enhancing the capacity of the Government and cooperation with relevant stakeholders, including civil society, media and international community  Undertake continued action, including legislation, to address the marginalisation of women, children and other vulnerable groups from socio-economic and political spheres and strengthen protection mechanisms against gender-based violence  Recognise the right to assembly of members of non-political groups  Prioritise efforts to implement domestic policies to give effect to the protection of human rights and the prevention of politically-motivated violence and intimidation  Take the necessary measures so that all allegations of human rights violations (including unlawful acts of harassment of human rights defenders, NGO workers and other members of civil society) are duly investigated and that the perpetrators are brought to justice and take steps to incorporate and enforce the United Nations Declaration on Human Rights Defenders  Consider making the declaration provided for in Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination | * To invest in the development and maintenance of water and sewer infrastructure * To develop and implement a national water policy * To prioritise relevant policies, implement them and monitor and evaluate * To ensure that expansion of residential areas include the development of onsite and offsite infrastructure * To assess and prosecute all gender-based violence cases with reasonable prospects of securing conviction * To strengthen the Victim Friendly System and the Anti-Domestic Violence Council * To review existing laws and policies to protect human rights * To resuscitate and draw up policies aimed at strengthening the prevention of politically motivated violence and unlawful acts of harassment * To examine the Declaration and to draw appropriate programmes for its incorporation and enforcement   . | A National Policy on Domestic Water Supply and Sanitation was launched in May 2013 to guide the Government in the provision of adequate water and sanitation .Work is already underway to assess the needs of urban areas and citing of boreholes in rural areas is in progress. Funds have also been secured to rehabilitate boreholes in 33 rural districts in five provinces while partial funding has been sourced for the refurbishment of sewer and water works in urban areas. In 2013 alone, 370 boreholes were drilled, 355 fitted and 295 commissioned. At the same time, water reticulation systems are being upgraded and expanded.  The Ministry of Local Government Public Works and National Housing launched a New National Housing Policy in July 2013, the policy mandates developers to put in place proper infrastructure in respect of water and sanitation as well as roads. It further mandates all developers to provide both on-site and offsite infrastructure. A five year housing delivery strategy is being crafted to operationalise the new policy. There is also a Land Developers’ Bill awaiting approval.  The Protocol on the Multi-Sectoral Management of Sexual Abuse and Violence in Zimbabwe is now in place. Victim Friendly System ensures among other things that cases are being prioritized in the courts. Prosecutors at regional level have been trained in the prosecution of gender based violence cases.  Laws are being reviewed in order to harmonise them with the new Constitution.  A review of the Public Order and Security Act with the view of aligning it with the Constitution and the Human rights standards is underway.  The new Constitution makes provision for a National Peace and Reconciliation Commission whose mandate includes ensuring post-conflict justice, healing and reconciliation and developing and implementing programmes to promote national healing, unity and cohesion in the country and the peaceful resolution of disputes. The Organ on National Healing, Reconciliation and Integration (ONHRI)’s work has been supported by civil society organisations. A voluntary code of conduct has been developed to regulate the conduct of parties. In the area of law enforcement, the police use their constitutional powers to prevent, investigate and cause the prosecution of political violence cases.  The new Constitution has provisions in its Declaration of Rights which to a large extent incorporate the provisions of the UN Declaration on Human Rights Defenders. For example, it provides for the freedom of association and assembly, freedom to demonstrate and to petition, freedom of conscience, freedom of expression and freedom of the media, etc. These rights are crucial to the work of human rights defenders and other civil society members in the light to their work. Furthermore, the State and all institutions and agencies of government at all levels are obligated by the Constitution to ensure the enjoyment of human rights by all persons within its jurisdiction. Government is committed to fulfilling its obligations.  ***Challenges***:  The capacity of infrastructure has not been expanded to cater for the increased population in urban areas  ***Way Forward***: Expansion of the infrastructure in urban areas to cater for the increasing population. Decentralisation of services to rural areas and development of new self-contained cities. |
| **Economic, Social and Cultural Rights (General)**  Consider how the riches of the country can best contribute to the enjoyment of and continue with measures for an enabling environment for economic, social and cultural rights, especially in the areas of education, health, social security and the care of the disabled, the implementation of MDGs and reducing poverty  Implement further policies to support food production, such as farm insurance, access to credit and the purchase of food by the Government to ensure a stable market for family farmers, and implement school meals programmes and link them to local food production  Unfair economic sanctions imposed should be lifted and international cooperation should be provided without any condition  Incorporate in the Zimbabwe’s Draft National Policy on Domestic Water Supply and Sanitation the principles of the human rights framework created by the Special Rapporteur on the human right to safe drinking water and sanitation | * Increase the number of schools and non-formal education centres * Increase Basic Education Assistance Module (BEAM) beneficiaries * Improve the pupil-text book ratio * Revise, print and distribute syllabi * Staff development of education personnel * Strengthen the National Library and Documentation Services in order to provide library services across the nation * Develop a National Culture Policy * Remove health user fees for mothers and children under the age of 5 years * Strengthen measures to assist persons with disabilities * Increased budget allocation for Assisted Medical Treatment Orders (AMTO) * Strengthen programmes to improve health care for the vulnerable * Strengthen programmes designed to accelerate progress on MDG 4 and 5 * Strengthen funding system * Ensure linkages between Government Ministries and Departments and with stakeholders   Implement school nutrition gardens   * Increase food security * Strengthen feeding schemes * Re-engage the West to remove sanctions * Engage the international community for cooperation * Review and amend the National Policy on Domestic Water Supply and Sanitation in line with international principles on safe drinking water and sanitation | Government has developed and adopted the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIMASSET) for the period October 2013 to December 2018, an economic blue print that is meant to achieve sustainable economic development propelled by the judicious utilisation of the country’s human and natural resources. ZIMASSET is built around four strategic clusters namely:   * food security and nutrition; * social services and poverty eradication; * infrastructure and utilities; and * value addition and beneficiation.   Government has registered new Schools from 2012. Early Childhood Development classes have been established in more than 95% of Primary schools. Government, through its own resources and with assistance from development partners, has increased funding for BEAM for the benefit of children from vulnerable families. Working with development partners, through the Education Development Fund (EDF), Government has managed to significantly improve the textbook-pupil ratio which is now 1:1. Staff development of education personnel at all levels is on-going. . A Non-Formal Education Policy which promotes alternative pathways to increase access to education is currently being developed.  In the area of health, Government has increased the budgetary allocation for Assisted Medical Treatment Orders (AMTO), which provides financial assistance to vulnerable groups to access health care. The National Action Plan II for Orphans and Vulnerable Children funding mechanism has also been providing assistance to vulnerable children to access, health care.  Efforts to strengthen measures to assist persons with disabilities are on-going. The new Constitution recognises the rights of people living with disabilities and Zimbabwe recently ratified the Convention on the Rights of Persons with Disabilities and its Protocol. The Disabled Persons Act is now being reviewed to bring it in line with the Constitution and to domesticate the Convention.  .  Government continues to strengthen linkages between Government Ministries and Departments, particularly through inter-ministerial committees and with stakeholders, for example through the Inter-Ministerial Committee on Human Rights and International Humanitarian Law (IMC), the Justice, Law and Order Sector (JLOS) programme and the UPR national process which provide a platform for Government to consult and cooperate with stakeholders.  Government continues to strengthen the school feeding programme  Efforts to re-engage the West to remove economic sanctions are on-going. Engagement of the international community and international financial institutions for cooperation is also on-going  Information on the National Policy on Domestic Water Supply and Sanitation has been discussed under the recommendation for the General Measures to Implement Human Rights  ***Challenges***: Resource constraints  ***Way Forward***: Government will take the following measures:   * Continue strengthening National Library and Documentation Services to enable marginalized communities to access information on human rights * Develop a National Culture Policy * Strengthening public-private partnerships and improving relations with development partners. |
| **Right to Health**  Continue efforts to reduce HIV/AIDS, malaria and tuberculosis with the assistance of WHO and to further reduce the mortality rate caused by the HIV/AIDS  Develop a financing mechanism for the health system that is designed to help the underprivileged | * Ensure that all health centres run by local authorities are fully functional * Facilitate relevant training of health personnel in health centres run by local government * Establish linkages to ensure increased access to health care systems * Prevent and control HIV and STI transmission * Archive universal access to malaria prevention and personal protection * Effectively prevent, control and manage multi-drug resistant TB * Improve the access to skilled attendance at delivery * Scale up high impact child survival interventions * Lobby for inclusion of health rights in Constitution * Establish public-private partnerships * Intensify preventive strategies * Implement the Health Policy * Continuation of AIDS Levy, conduct audit of AIDS Levy Fund and ensure appropriate use of funds * Support continuation free medical health care for pregnant women and children under five, at Government institutions * Enhance AMTO, for the benefit of other under privileged groups * Provision of free medical services for the elderly i.e. over 65 years of age in Government institutions | The new Constitution makes specific provision for the right to health care. The right includes the right of every person living with a chronic illness to have access to basic healthcare services for the illness and the requirement that no person may be refused emergency medical treatment in any health-care institution.  More health institutions have been created to ensure that the majority of the population is within a 10 kilometre radius of a health centre. This is the country’s set standard within the Primary Health Care Approach which was adopted when Zimbabwe signed the 2008 Ouagadougou Declaration on Primary Healthcare and Health Systems in Africa. Following this, priority has been placed on revitalising the health care delivery system to ensure an effective and efficient referral system and emergency services. Most primary care facilities are functional as they continue to benefit from both Government and donor resources.  The availability of vital medicines at institutions by the end of 2013 was 66.6%. With development partner support, which is targeted at the communities, 87.2% of primary health care facilities have at least 80% of selected essential medicines.  Government is scaling up Anti-Retroviral Therapy (ART) services to reduce morbidity and mortality due to HIV and AIDS through :   * making drugs available and accessible; * offering patients ARVs free of charge; * training primary counsellors in rapid HIV testing; * establishment of sites offering ART services; and * mobilising and empowering communities to support improved access to care and support.   The measures taken by Government to implement the right to adequate health and progress made include the following;   * 95.5% health facilities are functional to provide comprehensive health services, including basic and comprehensive emergency obstetric and neo-natal care * . All pregnant women receive free ante-natal and post-natal care in rural health centres. * 1 459 comprehensive HIV testing and counselling sites are in operation * 46% of children and 77% of adults in need of ART were receiving treatment as of December 2013. 93% of HIV positive pregnant women receive ART (2013) for PMTCT * All immunizations are administered free of charge to children under five years. * 377 408 babies received Pentavalent 3 and 379 499 babies had received measles vaccination by December 2013 * Deliveries at health facilities increased from 61.8% in 2012 to 75% in 2013. (20 mothers waiting homes have been completed countrywide and 25 sites are being worked on * 421 099 babies received BCG in 2013 and 37 011 babies received the same in January 2014 * there were 393 444 visits for the 4th antenatal care visit in 2013 and 33 878 visits were recorded for January 2014 * Government continues to provide free medical services to the elderly   ***Challenges***:  Resource constraints  ***Way Forward***: Increase Government funding in the Health Sector  Increase focus on the health needs of persons living with disabilities  The Government considers strong steps to be taken to link HIV exposed children to health services |
| **Right to Education**  Invest in education to provide education for all, continue free access to education, notably for girls and vulnerable children, reprioritise resources to increase the budget for basic education, including the provision of additional tuition assistance to orphans and vulnerable children and continue to invest heavily in education at all levels  Request necessary technical assistance in the education sector, particularly when it comes to teaching tools and technological and scientific material | * Increase budget allocation for education, including the Basic Education Assistance Module (BEAM) * Strengthen scholarships for vulnerable children * Monitor the level of tuition fees * Implement programmes focusing on the girl child and vulnerable groups * Form partnerships and learn from institutions and schools with teaching tools and technological and scientific materials * Increase education budget with support from development partners * Continue supply of textbooks and computers to all schools | Government continues to increase the budget allocation for education. Government has continued efforts to raise more funds for BEAM by approaching development partners and other stakeholders. It continues to monitor and control tuition fees so that they remain affordable to the majority of learners. Government is also implementing programmes focusing specifically on the girl child and vulnerable groups. Government continues to supply textbooks, computers and learning equipment to all schools. Government has put in place a policy that no child shall be suspended from school for failure by the Guardians to pay school fees.  Government has initiated public-private partnerships to provide technological and scientific materials for schools.  In 2013 all secondary schools received science kits to promote the teaching of science subjects.  ***Challenges***: Resource constraints and skills flight. Inadequate infrastructure.  ***Way forward:*** intensify resource mobilization efforts |
| **Women’s Rights**  Elaborate and implement where gaps exist, legislative and administrative measures to outlaw discrimination against women, intensify efforts to promote the status of women and prevent marginalization and exclusion of women from the economic, social and political spheres of society and strengthen the representation of women in decision-making process, including efforts to reach the quotas established by SADC  Put in place and adequately fund mechanisms for the collection and analysis of disaggregated data on maternal mortality and morbidity and domestic violence in order to better understand prevailing trends and assess the effectiveness of measures in place and consolidate the mechanisms to protect women against all forms of violence | * Review constitutional provisions which are discriminatory through the current constitution making process * Review and implement the National Gender Policy * Implement the Broad Based Women Economic Empowerment Framework * Include economic and social rights in the new Constitution * Establish of the constitutional quotas for women in decision-making * Strengthen the Women’s Development Fund * Strengthen the gender-based violence information system * Implement the national strategy for development of statistics * Enhance the capacity of law enforcement agents to enforce the Domestic Violence Act * Expand and strengthen victim friendly system * Enhance the capacity of the Anti-Domestic Violence Council | Zimbabwe adopted a new Constitution which is progressive in terms of advancing women’s rights. Unlike the previous Constitution, the new Constitution specifically provides for the rights of women and gender equality. The Constitution now absolutely prohibits discrimination against women, unlike the previous Constitution which allowed exceptions especially with regard to the application of customary law. Furthermore, the Constitution provides for the establishment of a Gender Commission whose functions will include monitoring issues concerning gender equality with a view to ensuring gender equality as provided in the Constitution and investigating possible violations of rights relating to gender.  The new Constitution provides for a reserved quota for women in the National Assembly and proportional representation in the Senate. As a result, Zimbabwe has witnessed an increase in representation of women in Parliament as they make up 32% in the National Assembly and 48% of Senate, which constitutes a total 34% of the current Parliament. The Constitution further calls upon government to ensure full gender balance and to take measures to promote the full participation of women in all spheres on the basis of equality with men. This includes equal representation in all institutions, agencies of government, commissions and other elective bodies at all levels.  The National Gender Policy has been reviewed and aligned to international and regional human rights instruments, which include CEDAW, SADC Protocol on Gender and Development and UPR recommendations. The Broad Based Women Economic Empowerment Framework is being implemented and has resulted in a marginal increase in women’s participation in economic sectors such as agriculture and mining. The Women’s Development Fund is still in place  Research on family laws has been carried out and a position paper has been developed.  A gender-based violence information system was set up.  The capacity development programmes for law enforcement agents to enforce the Domestic Violence Act are ongoing. For instance, Victim Friendly Unit officers have been receiving training on gender based violence. Out of the 950 officers, 617 officers have so far received training and the remaining 333 officers are also targeted for training.  A Secretariat for the Anti-Domestic Violence Council has been set up. Furthermore, Cabinet has recently directed that an Inter-Ministerial Committee on Gender-based Violence be established to carry out thorough investigations into the causes of rape of minors and elderly women.  ***Challenges***: Resource constraints have also greatly hampered the effective participation of women in economic sectors.  Most district offices have no internet connectivity and this has hampered the strengthening of the gender-based violence information system  ***Way Forward***: Government will take the following measures:   * Implementation of the gender provisions in the new Constitution and in other relevant legislation and policies * Engage development partners to finance the implementation of the National Gender Policy and monitor its implementation across all sectors * Allocate adequate resources to the Women’s Development Fund and the Anti-Domestic Violence Council * Continue building capacity of law enforcement agents in policing gender-based violence as well as ensure more targeted training for all relevant legislation |
| **Children’s Rights**  Continue the work according to the National Action Plan II to focus on the situation of orphans and vulnerable children to ensure their access to health care and education and to look into the matter of orphans caught up in the battle for property within the Anglican Church    Create a system to collect updated and disaggregated data on the situation of the rights of the child | * Provide safety nets for affected vulnerable groups * Mobilise community assistance and intervention * Engage in community mediation * Implement the National Strategy for the Development of National Statistics * Develop a national housing and social amenities data bank * Strengthen national statistics system | The new Constitution makes specific provision for the rights of children. It also makes provision for socio-economic rights which include the rights to health care and education. The right to education includes a basic State-funded education which ensures that learners from disadvantaged backgrounds are catered for through BEAM. The draft National Child Rights Policy is awaiting approval by Cabinet. This will give a full mandate to the National Programme of Action for Children (NPAC). The Coordinating Office for Children’s Rights and Welfare will have a centralised database working closely with the Zimbabwe National Statistics Agency.  Government is making efforts to ensure that health care is accessible to all, particularly the indigent, through the following measures:   * The Assisted Medical Treatment Order which caters for children under the age of 5, the elderly above 65 and other vulnerable persons * Pooled funding (Health Transition Funding (HTF)) which addresses access to health services mainly by pregnant women and children under the age of 5 * A Results Based Financing (RBF) Programme funded by both the World Bank and the Government is underway. It addresses the same issues as the HTF, and does away with user fees at Primary Care Level   Disputes within the Anglican Church have been resolved and the children’s welfare issues are now catered for.  Alignment of Family and Guardianship Laws pertaining to children is in progress.  ***Challenges***:  The number of orphans and vulnerable children has outweighed the intervention strategies in the National Action Plan II  Capacity constraints within the data collection system  ***Way Forward***:  Strengthen the National Action Plan II to cater for orphans and vulnerable children |
| **Land Rights**  Continue to take steps to ensure that land is made productive | * Implement the Agriculture Policy Framework * Monitor appropriate utilisation of available land * Consider collateral and bankable lease agreements * Strengthen financial and extension services * Empower the District Lands Committees and Sub-District Local Government Structures * Revise operational procedures in line with Medium Term Plan | Government has started implementing the Agriculture and Mechanisation Policy. The proposal to make land lease agreements which are bankable and can be used as collateral by farmers in order to secure agricultural loans from financial institutions is being considered by Government. It is also working to re-capitalise a State-owned agricultural financial institution, the Agricultural Development Bank, which provides agricultural loans to farmers. Government is monitoring the use of agricultural land and has plans to institute an audit on land use to ensure that land is being used productively.  The Medium Term Plan (MTP) was developed on the basis of transforming the economy, reducing poverty, creating jobs, maintaining macro-economic stability and the restoration of the economy’s capacity to produce goods and services competitively. The MTP has since been replaced by ZIMASSET.  ***Challenges:*** Resource constraints  ***Way forward:*** Effective resource mobilization  Carry out land use audits. |
| **Prohibition of Torture**  Clearly criminalise torture and exert utmost efforts towards preventing all forms of torture and inhuman or degrading treatment while ensuring full accountability of perpetrators as well as redress and rehabilitation to victims | * To clearly criminalise torture and ensure investigation of allegations of torture and accountability | The new Constitution provides for an absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment. The effect of this, inter alia, is the removal of corporal punishment as a sentence or punishment. The relevant laws are being reviewed with a view to aligning them with the Constitution.  ***Challenges***: Lack of resources to support education and training of Parliamentarians and other stakeholders  ***Way Forward***:   * To expedite the ratification and domestication of the Convention against Torture. * Continue to review the laws and align them with provisions of the new Constitution * More awareness education and training for parliamentarians; members of the public and judicial officials * Investigate allegations of torture and accountability |
| **Prison Conditions**  Adopt necessary measures to improve conditions in prisons and other places of detention and to set up an independent mechanism to monitor places of detention | Capacitating committee set up to undertake study of prison conditions   * Providing adequate resources to the Zimbabwe Prisons and Correctional Services * Strengthening partnerships with development partners to improve conditions in the prisons      * Providing training in human rights for prison officers * Ensuring that inspections of prisons and police holding cells are conducted on a regular basis | The committee which was set up to undertake a study of prison conditions has completed its study and its findings and recommendations have been referred to Cabinet for consideration, adoption and implementation.  Government has opened its doors to development partners, civil society organisations, faith-based organisations, the private sector and individuals to partner with it to improve prison conditions and police cells. Many police holding cells are being refurbished following the establishment of a committee to study the conditions of prison and police holding cells.    Government has increased its budgetary allocation to the Zimbabwe Prisons and Correctional Services. It is also promoting self-sufficiency at prisons e.g. through, among others, increased food production at prison farms.  Measures are being undertaken to decongest prisons. These include the increased imposition of non-custodial sentences such as community service, pre-trial diversion, granting occasional amnesties to certain categories of serving prisoners and increasing open prisons. Civil society representatives are part of the steering committee which is overseeing the implementation of the Pre-Trial Diversion Programme.  While Government’s position is that children of serving mothers should not accompany their mothers to prisons under any circumstances, however, there are certain situations when this is unavoidable. In the best interests of the child, Government has gazetted a dietary scale for children of serving mothers to provide better nutrition.  Training for prison officers is on-going. Some training in human rights has been conducted for prison officers in partnership with civil society. A training manual on human rights has been developed.  Prison visits by members of the Judicial Service Commission such as magistrates and judges are on-going. Some civil society partners, such as the Legal Resources Foundation, also undertake prison visits and interview inmates and where possible assist with bail applications to avoid lengthy remands.  The ZHRC developed a Monitoring tool and has started familiarisation tours of the prisons in the country.  ZHRC is also conducting a national baseline survey on the human rights situation (that includes prisons).  ***Challenges***: Budgetary constraints.  ***Way Forward***: Government will continue improving prison conditions and establishing more open prisons. The public-private partnerships will also be strengthened.  Training on human rights to prisons and correctional services officers  Regular coordinated multi-stakeholder prison monitoring and inspection visits |
| **Trafficking in Persons**  Continue efforts to combat trafficking in persons and consider the possibility to accede to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children | * Enactment of enabling legislation * Information dissemination and awareness campaigns * Creating linkages (inter-ministerial and regional coordination and cooperation) | The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children was ratified in 2012. The Trafficking in Persons Act is now in place.  Government is conducting anti-trafficking awareness campaigns in partnership with stakeholders, particularly the International Organisation for Migration (IOM). At the regional level the Zimbabwe Republic Police is involved in the anti-trafficking activities of the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) while at the international level it cooperates on anti-trafficking efforts through Interpol. |
| **Administration of Justice**  Take all appropriate legal and administrative measures to bring justice for the people, in particular for vulnerable groups living in remote and rural areas, and to adopt necessary measures to enhance the courts’ competence and functioning as far as the administration of justice is concerned, including the training of the staff in courts in the area of human rights | * Decentralisation of Legal Aid and the establishment of new courts in rural areas. In the interim frequency of circuit courts will be increased * Instituting and implementing a pre-trial diversion programme Strengthening the provision of psychosocial support * Strengthening the capacity of Victim Friendly System * Revitalising probation centres * To train presiding officers in primary and local courts to understand the interests of the vulnerable groups * To train judicial officers in human rights | The new Constitution guarantees the independence of the judiciary and provides for principles guiding the judiciary. The Judicial Service Commission (JSC) now has an independent fund and runs its own budget and the new Constitution has introduced more transparency in the appointment system to the judiciary.  Government has also decentralized the Legal Aid Directorate (LAD) and has opened new offices in 3 provinces, in its endeavour to assist indigent individuals, to access legal services. New courts have also been established in other centres in order to bring the courts closer to the people. For instance, 6 new courthouses have been opened and a further 30 will be built around the country between 2014 and 2016.  A pre-trial diversion programme was launched in May 2013 and is being implemented in 4 provinces. This programme marks the first step in the treatment of juveniles and young offenders who commit non-serious offences. The focus is to remove young offenders from the criminal justice system before prosecution.  Training on human rights has been conducted in collaboration with partners. All 208 Magistrates in post have undergone training on the Protocol on the Multi-Sectoral Management of Sexual Abuse and Violence, while 102 judicial personnel have participated in custom designed skills and knowledge development training. In addition, 115 clerks of court underwent training to understand the interests of the vulnerable groups of society.  The Constitutional Court has been set up and is now operational.  ***Challenges***: Resource constraints  ***Way forward:*** Greater coordination amongst all stakeholders and mobilization of resources to improve the justice delivery system. |
| **Rule of Law**  Continue efforts to strengthen the rule of law | * Continuous training of law enforcement agents on the rule of law and awareness campaigns for those protected by the law | Training of law enforcement agents on the rule of law is on-going. The Zimbabwe Republic Police (ZRP) has trained 6618 police officers from 13 out of 19 ZRP administrative provinces on human rights since January 2014.  From 2012 to date, a total of 590 Officers of the Zimbabwe Prisons and Correctional Services have been trained on human rights including on administration of justice and the rule of law across the country. Of the 590 trained, 398 Officers were specifically trained on administration of justice.  ***Challenges***: Budgetary constraints  ***Way Forward:*** Effective mobilization of funds  Continuous awareness campaigns for members of the public as the ZRP re-launch their Service Charter  Continuous training of law enforcement agencies on human rights issues |
| **Birth Certificates**  Undertake a review with a view to ensuring a coordinated system with respect to the provision of birth certificates | * To strengthen the mobile registration system | Government has established 70 new birth registration units at health centres throughout the country in an effort to decentralise birth registration. It also continues to rely on mobile registration.  ***Challenges***: Mobile birth registration is expensive and government is unable to consistently provide the service. Furthermore, while birth registration has been decentralised, due to cultural considerations (such as naming of the newly born child immediately to facilitate registration before the mother has been discharged from the health centre) many mothers of newly born children are not taking advantage of the service to immediately acquire birth certificates for their children.  ***Way Forward***: Government will conduct public awareness campaigns to encourage mothers and family members to take advantage of the services of birth registration units at health centres and acquire birth certificates soon after the birth of their children. The campaigns will include providing members of the public with information on the registration requirements. |
| **Sovereignty and Self-determination**  Continue facing the attempts of external interference in the country’s internal affairs and continue exercising fully its sovereignty and right to self-determination | * Efforts to continue | Zimbabwe has a new Constitution in place which entrenches its self-determination and sovereignty. It has recently launched an economic blue-print, the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIMASSET) in order to revive the economy. Whose focus areas are food security and nutrition, social services and poverty eradication, infrastructure and utilities, and value addition and beneficiation. One of the key objectives of ZIMASSET is that the country must be able to get more benefit from its natural resources, which in turn should contribute to socio-economic development and poverty alleviation.  ***Challenges***: The continued imposition of economic sanctions by some Western countries.  ***Way Forward***: The Government will continue to engage, interact and cooperate with the international community |
| **Global Political Agreement**  Implement fully the GPA, including those articles relating to the security of persons and prevention of violence, freedom of expression and freedom of assembly and association, and supporting COPAC in the constitution-making process | * Raise awareness of the Constitution * Promote the concept of constitutionalism | The Global Political Agreement ended in July 2013 following the holding of harmonised elections and the election of a new Government. However, during the tenure of the Inclusive Government the constitution-making process was completed and a referendum held to adopt a new Constitution, which was followed by the holding of elections. Section 7 of the Constitution emphasises the supremacy of the Constitution and obligates the State to promote public awareness of its provisions through, inter alia, translation into official languages and wide dissemination, mainstreaming it into the school curricular as well as in the training of civil servants, security services, and encouraging all stakeholders to publicise it. |
| **National Healing and Reconciliation**  Pursue relentlessly the implementation of the national priorities, initiatives and commitments relating to the national process of healing and reconciliation as well as ensure the Organ on National Healing, Reconciliation and Integration is able to fully implement its mandate to promote national healing based on tolerance and respect among different communities | * Conduct national awareness campaigns on peace building * Enhance capacity of peace builders at community level * Strengthen linkages among stakeholders * Facilitate the development of a voluntary political parties’ code of conduct | The new Constitution provides for the establishment of a National Peace and Reconciliation Commission, whose main functions include, ensuring post-conflict justice, healing and reconciliation, and developing as well as implementing programmes to promote national healing, unity, and cohesion in the country and the peaceful resolution of disputes. Measures to operationalise the National Peace and Reconciliation Commission are underway.  Awareness campaigns on peace building are on-going. The campaigns are also covering issues pertaining to conflict prevention, management, resolution and transformation. Civil society stakeholders have also been involved in national healing efforts. Some partners have been working with traditional leaders on their role in peace building and supporting the work of the Organ on National Healing, Reconciliation and Integration, which will be replaced by the NPRC  A voluntary code of conduct for political parties is in place and it was utilised during the harmonised elections in 2013.  ***Challenges***: Resource constraints  ***Way Forward***: Government will continue to strengthen linkages with stakeholders in efforts to promote national healing and reconciliation. It will hasten efforts to enact legislation to operationalise the National Peace and Reconciliation Commission. |
| **Elections**  Take immediate steps to fully implement the commitment to bringing about reforms to ensure that the electoral process and the legislative framework are in line with international standards and in particular to address concerns with regard the independence of the Zimbabwe Electoral Commission and the accuracy of the current voters’ roll, and to take all measures necessary to ensure that the forthcoming elections are peaceful, free and fair  Investigate all credible allegations related with the Presidential elections in 2008, particularly in the areas of torture, arbitrary detentions and enforced disappearances | * Conduct legislative reform * Enact legislation in line with international standards * Conduct investigations into allegations * Prosecute suspected offenders * Continue investigating and prosecuting cases of politically related violence * Raise awareness against political violence * Enhance investigative capacities of relevant agencies e.g. through training | A referendum to adopt the new Constitution was successfully held in March 2013 and it was followed by harmonised elections in July 2013. The elections were endorsed by a number of observer missions which included the African Union, SADC and the Constitutional Court. The Constitutional Court further ruled that the elections were free and fair.  The new Constitution has provisions on elections which are in line with international standards. For example, the Constitution stipulates principles of the electoral system which include requirements, that elections must be peaceful, free and fair and free from violence and other malpractices. Regarding the actual conduct of elections, the Constitution requires the Zimbabwe Electoral Commission to ensure that whatever voting method is used, must be simple, accurate, verifiable, secure and transparent. The Electoral Amendment Bill has passed through Parliament.  ***Challenges***: Financial constraints |
| **Media**  Make improvements to ensure the freedom of expression, including for the mass media, and undertake greater efforts to ensure a more pluralist media environment | * Upgrade broadcasting infrastructure * Migration from analogue to digital in line with SADC requirements * Licence national commercial radio stations * Licence regional commercial radio stations * Establish community radio stations | The new Constitution makes broader the provision for freedom of expression, which includes freedom of the media. Broadcasting and other electronic media of communication may be freely established, subject only to licensing procedures that are necessary to regulate the airwaves and other forms of signal distribution.  Upgrade of broadcasting infrastructure is on-going. Implementation of the digitalisation programme is underway with a view to shifting from analogue to digital in line with SADC requirements. Other developments in the media include the licensing of national and regional commercial radio stations and the establishment of community radio stations.  .   * The registration of more media houses is an on-going process. Since March 2012, 86 media houses have been registered whilst 128 publications have also been registered. * The liberalisation of the airwaves is underway. Besides the public broadcaster, Zimbabwe now has two licensed national commercial radio stations that is StarFM and ZiFM. The Broadcasting Authority of Zimbabwe is processing 21 applications for regional commercial radio stations. Standardisation of the journalism curriculum has been achieved through the Zimbabwe Council for Higher Education.   With respect to review and consolidation of media laws, the new Constitution recognises freedom of expression and freedom of the media as well as access to information under the Declaration of Rights. Government has instituted an inquiry into the information and media sector with the establishment of the Information and Media Panel of Inquiry (IMPI) whose report is expected by the end of July 2014. The findings and recommendations of IMPI will inform the legislative processes.  ***Challenges***: Resource constraints.  ***Way Forward***:  Continued upgrading of broadcasting infrastructure and digitalisation |
| **Diamond Mining**  Take concrete steps to comply fully with the minimum standards of the Kimberly Process and create stronger mechanisms to ensure greater revenue transparency from diamond mining | * Continue adherence to the minimum Kimberly process requirements   + Strengthen mechanisms i.e. registration, production accountability, monitoring | Government has continued to meet the minimum requirements of the Kimberley Process Certification Scheme (KPCS). This has been achieved through implementation of laws and regulations that govern the diamond industry.  In terms of strengthening monitoring mechanisms and internal controls, all diamond mining operations and downstream activities are registered with the Government through the Ministry of Mines and Mining Development (Ministry). Diamond mining companies and players in the diamond sector are subject to reporting obligations to the Ministry. Mining companies are required to declare their production and submit monthly returns to the Ministry, as per statute.  ***Challenges***: Despite adherence to the minimum standards, Zimbabwe still faces hurdles in selling her diamonds on the international markets.  ***Way Forward***: Zimbabwe will continue to engage the Kimberly Process and relevant international processes in order to obtain maximum value for her diamonds. Government will also continue to take measures that ensure that transparency and accountability in the diamond mining sector. |
| **Financial, Technical and other Co-operation Assistance**  Seek international assistance to fund programmes and capacity building initiatives in promotion and protection of human rights and continue maintaining close cooperation and coordination with the UNCT in the implementation of ZUNDAF 2012-2015  Work with the international community, including WHO and the Global Fund, to fight diseases through securing relevant expertise | * Request for financial assistance and technical support from the international community * Implement ZUNDAF 2012-2015 * Strengthen linkages with the UNCT * Allocate more funding to fight diseases and maximise local expertise * Continue current efforts with WHO and the Global Fund to fight diseases * Appeal to international community and potential partners for financial, technical and material support * Request financial assistance to help retain trained medical personnel * Continue to encourage specialisation of medical personnel * Continue affiliations with regional and international medical institutions | Government has been receiving financial and technical support from the UNCT under the Zimbabwe United Nations Development Assistance Framework (ZUNDAF). Government, in partnership with UNCT is currently implementing ZUNDAF 2012-2015. Steps are already being taken to develop the assistance programme for the next cycle.  The UNCT, through the UNDP has been providing further financial and technical support in the area of the promotion and protection of Human Rights. Further cooperation by the UNDP has focused on the capacity development for the Inter-Ministerial Committee on Human Rights and International Humanitarian Law, the Justice, Law and Order Sector and UPR processes.  Zimbabwe has been receiving financial and technical support from development partners and Government has continued to make efforts to mobilise more support.  ***Challenges***:  ***Way Forward***: Government will seek to establish public-private partnerships and continue making efforts to mobilise resources for the implementation of UPR Recommendations Government will continue to re-engage the technical partners to provide direct support to Government programmes. |
| **Co-operation with Human Rights Mechanisms**  Cooperate further with the Special Procedures and with all the human rights mechanisms and issue a standing invitation to all UN Special Procedures mandate holders  Collaborate with the treaty bodies by submitting regularly state party reports and seek technical assistance from the OHCHR, other relevant UN agencies and funds in this regard | * Prioritise invitations to Special Procedures mandate holders * Prepare reports * Timely submission of reports * Presentation of reports and follow up | In 2012 Zimbabwe invited the UN High Commissioner for Human Rights who came to the country to assess the human rights situation. In 2013 the African Committee of Experts on the Rights and Welfare of the Child was in the country, where it held an induction workshop for its new members and held consultations with Government and civil society on the implementation of children’s rights in the country  Zimbabwe has made some progress in the area of state party reporting. Reports on the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights have been drafted. The report on the Convention on the Rights of the Child has been submitted to the UN and Zimbabwe is yet to be advised when the report will be considered. At regional level, the reports on the African Charter on the Rights and Welfare of the Child and the African Charter on Human and People’s Rights have been drafted and are awaiting submission to the African Union.  ***Challenges***: Resource and time constraints continue to present challenges for Zimbabwe to clear its reporting backlog.  There is no full time body responsible for compiling State Party Reports  ***Way Forward***: Government continues to coordinate and consult with other stakeholders on an on-going basis to fulfil obligations  . Zimbabwe will continue inviting the Special Procedures and other human rights mechanisms at mutually suitable and convenient times. |
| **Co-operation with Civil Society Organisations and other Stakeholders**  Cooperate closely with local human rights organisations in the follow up to the UPR and implementation of the recommendations | Continue to engage stakeholders | Government has held consultative meetings with CSO’s, Independent Commissions and other stakeholders where a National Plan of Action has been developed in support of the recommendations. The UPR Steering Committee comprising representatives from Government and stakeholders was set up to oversee and monitor the implementation of the National Plan of Action.  ***Challenges***: While there is scope for cooperation between Government and human rights organisations, and there has been some cooperation, not all stakeholders have been forthcoming.  .  ***Way Forward***: Coordination and consultation with other stakeholders needs to continue and to be stepped up. Government will ensure that there is continuous collaboration and engagement on matters that affect its relationship with CSOs and other stakeholders  . |

**Conclusion**

The Government of Zimbabwe is committed to the implementation of the UPR recommendations it has accepted. Government will continue to work closely with stakeholders and development partners to ensure the realization of human rights for the people of Zimbabwe.

**LIST OF ORGANISATIONS THAT WERE CONSULTED AND PARTICIPATED IN THE UPR PROCESS FOR THE PREPARATION OF THE REPORT**

1. Law Society of Zimbabwe
2. United Nations Development Programme
3. International Labour Organisation
4. Justice for Children Trust
5. Zimbabwe Catholic Bishops Conference
6. Zimbabwe Human Rights Commission
7. UNAIDS
8. Zimbabwe Lawyers for Human Rights
9. Media Institute of Southern Africa – Zimbabwe
10. Legal Resources Foundation
11. United Nations High Commissioner for Refugees
12. National Association for Non-Governmental Organisations
13. Organ on National Healing, Reconciliation and Integration
14. Members of Parliament
15. Zimbabwe Anti-Corruption Commission
16. Zimbabwe Human Rights NGO Forum
17. Centre for Peace Initiative in Africa
18. Zimbabwe Congress of Trade Unions
19. Zimbabwe Media Commission
20. Women’s Coalition of Zimbabwe
21. New Ziana
22. Zimbabwe Women Lawyers’ Association
23. Zimbabwe Aids Network
24. Action Aid Zimbabwe
25. Zimbabwe National Council for the Welfare of Children
26. National Council of Disabled Persons of Zimbabwe
27. Catholic Commission for Justice and Peace in Zimbabwe
28. Zimbabwe Electoral Commission
29. Zimpapers