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**SUBMISSIONS BY ZIMBABWE WOMEN LAWYERS ASSOCIATION AND THE WOMEN’S COALITION OF ZIMBABWE .**

**LIST OF QUESTIONS FOR ZIMBABWE ON THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)**

**75th PRE - SESSION WORKING GROUP MEETING**

**JUNE 2019**

**Zimbabwe List of Issues and Questions in relation to 6th periodic report of Zimbabwe**

1. It is reported that Zimbabwe has not yet ratified the Optional Protocol to CEDAW and the Convention Against Torture and argues instead that existing legislation provides adequate safeguards. Is the State party in a position to revisit its submission on this and ensure full compliance with human rights norms?

**Article 1: Definition of Discrimination**

1. It is stated that Government is in the process of aligning all laws to the Constitution and that laws addressing gender and the rights of women have been prioritised. A lot of time has already lapsed from when the Constitution was adopted in 2013 to the present and little progress has been noted. Can the state party provide a timeframe for implementation of the alignment of laws process?
2. The State party indicates that the Zimbabwe constitution provides for grounds for non-discrimination, but the list excludes sexual orientation. Please indicate whether the State party is considering including this as an additional ground?

**Article 2: Legal and administrative measures to eliminate discrimination against women**

1. The State party reports that it has set up various institutions as part of the National Gender machinery i.e. the Ministry of Women Affairs and the Gender Please provide information on the current state of the human and financial resources allocated to each of these institutions and their areas of complementarity. What measures are government putting in place to ensure that adequate human, financial and technical resources are allocated to the national gender machinery to avoid an over reliance on donor support
2. In its previous concluding observations (CEDAW/C/ZWE/CO/2-5, para. 18), the Committee encouraged the state party to strengthen its impact assessment and ensure that its gender equality policies are properly monitored, evaluated and their implementation assessed. This state report para 14 indicates that it has set up Monitoring and Evaluation Framework. Please provide evidence on the implementation of the framework.
3. It is reported that government has set up the Zimbabwe Human Rights Commission. What safeguards exist to ensure the independence of the institution from attack/threats by the executive if the Commission issues an adverse report.
4. It is stated in para23 that government has established institutions to deal with politically motivated violence. What measures are being taken by government to ensure that there is no possibility of the recurrence of politically motivated violence against women in the form of assaults, rape and other human rights violations? What measures exist to ensure that State institutions can execute their mandates independently without threats/attacks/interference from government and can investigate, prosecute and mete justice in all cases of politically motivated violence against women?
5. The State report highlights that government has set up services for survivors of gender-based violence. Please provide information on the coverage of health, legal and psychosocial services and the one stop centres. What financial resources have been availed by government to provide this support? In its previous concluding observations (CEDAW/C/ZWE/CO/2-5, para. 24), the Committee encouraged the state party to provide more shelters particularly in rural and remote areas. What progress has been made in this regard?

**Article 4: Temporary Measures to accelerate defacto equality between women and men**

1. The State party report indicates that women are still under-represented in institutions and agencies of government i.e. judiciary, army, cabinet etc. This is despite s17 of the constitution enjoining the State to promote gender balance. Please provide information on the specific measures including specific targets being taken to promote women’s participation and representation in institutions and agencies of government.
2. It is stated that the percentage of women in the Parliament has increased although this still falls short of achieving gender balance. The report states that the State party has also implemented temporary special measures in terms of s124 (1) (b) of the Constitution. What measures is government putting in place to safeguard women’s representation in Parliament beyond 2023 when the existing temporary special measures expire?
3. It is noted that the cases of Gender based violence are on the increase. The report suggests that is to increased reporting by survivors. Is this conclusion based on empirical evidence through research data? Please provide evidence to support this assertion. Notably there is also an increase in the number of cases being withdrawn at the courts. What measures is government putting in place to address this?

**Article 5: Harmful cultural practices**

1. The state report in para 37 states that the Domestic Violence Act provides for elimination of harmful cultural practices against women. Beyond enacting legislation what measures has government put in place to curb harmful cultural practices? Please provide data on the prevalence of the stated practices and on the sanctions that have been imposed on perpetrators.
2. Please provide information on the coverage and resourcing of programmes by the State aimed at eliminating harmful cultural practices and the impact that such programmes have had in changing attitudes.
3. What has been the level of financial resourcing of the Anti - Domestic Violence Council set up in terms of the Domestic Violence Act.

**Article 6: Suppression of Trafficking in and exploitation of the prostitution of women**

1. It is reported that the state party has set a National Plan of Action against Trafficking. Please provide information on the number of women victims of trafficking who have been assisted by the system and the type of support they received.
2. In its previous concluding observations (CEDAW/C/ZWE/CO/2-5, para. 25), the Committee encouraged the state party to take measures to address the root causes of trafficking and prostitution including poverty in order to remove vulnerability of women and girls to sexual exploitation and trafficking. What progress has been realised in achieving this?
3. Are there any rehabilitative and reintergration programmes for victims of trafficking .

**Article 7: Elimination of Discrimination against women in political and public life**

1. The state reports in para 52 that there exist measures to promote women’s participation in civil society, political parties, trade unions and other organisations. Please provide evidence of practical measures has the State put in place including targets to ensure that this is being pursued.
2. The state reports supporting political parties through the Political Parties Finance Act. What measures has the state party taken to ensure that women candidates to elections including opposition candidates have access to adequate resources to fund election campaigns and benefit from this and any other resources? Beyond finances what other measures is the state party taking to address challenges of female challenges of stereotypes, name calling and other forms of abuse as was witnessed in the July 2018 elections?
3. Is there equality ,as provided for in the Constitution , in the appointment of women into decision making positions such as governance boards ,cabinet and any such appointments in. If not ,what needs to be done to ensure there is equality?

**Article 8**

1. The state party report shows that the number of women serving as ambassadors, or those deployed in peace keeping missions remains lower than that of men. What measures have been put in place to address this?

**Article 10: Right to education**

1. Please provide information on the extent to which of girls who fall pregnant are re-enrolled into formal education institutions. What measures have been undertaken to challenge negative societal attitudes that are against re-enrolment girls who drop out?
2. The state report mentions girls dropping out of school because of early marriages. Please provide statistics on the extent and magnitude of the problem. What measures have been taken to hold to account perpetrators of such abuse?
3. Please provide statistics on the coverage of primary and secondary schools in the country. What measures are being taken to ensure safety and security of the girl child in rural and marginalised areas where distances to school are still far?
4. The state party reports that the number of girls enrolled under STEM remains lower than that of boys. What steps has government taken to actively encourage increased enrolment of girls in the STEM programme and eliminate traditional stereotypes and structural barriers that might deter girls’ enrolment in this area?
5. Please provide information of the prevalence of cases of sexual abuse and sexual harassment in schools including actions that have been taken against perpetrators.
6. What measures have been put in place to ensure implementation of section 8 of the Constitution that relates to ensuring the Constitution is part of the school curriculum.

**Article 11: Elimination of discrimination against women in the field of employment**

1. The state party reports that it has adopted measures of transitioning from the informal to the formal economy (see para 72). Please provide an indication of the practical steps that will be made to achieve this including the indicative timeframes and targets.
2. It is stated that there is an increase in participation in the labour market by women para 73. However, women’s participation is concentrated in certain sectors especially whilst it is nominal in some sectors. What steps is the state party taking to ensure that women are represented equally in all sectors of the labour market.
3. Is there a national policy on sexual harassment to address the gendered nature of violence within the public sphere.

**Article 12: Right to Health**

1. The State report shows in para 84 that the rate of maternal mortality is increasing. This is despite the increase in the number of births attended by skilled birth attendants Please provide information on the strategies and programmes in place to deal with the increased levels of maternal mortality. What percentage of the maternal deaths is a result of illegal abortions?
2. Please provide information on the prevalence rate of HIV and STI’s amongst women and girls in the country. What measures is the state party taking to address root causes of women and girls’ vulnerability to HIV and STI infection?
3. It is reported that government is providing Visual Inspection Acetic Acid programme for Cervical Cancer. What is the existing coverage and reach of the programme particularly in rural and marginalised areas?
4. The State party indicates that it is reviewing the law on abortion to remove punitive measures. Please provide an indicative timeframe when this will be done. Please also provide information on the measures the State has put in place to do away with procedural challenges in exercising the right to termination of pregnancy in accordance with the law as was witnessed in the Mapingure case?
5. Has the state paid the damages awarded by court to the survivor in the Mapingure case?

**Article 13:**

1. It is indicated that only 20% women own only 20% of the available gold mining claims. What measures have been put in place to increase women’s access to mining claims?
2. Please provide information on the number of women who have benefitted from the Command Agriculture programme , Command livestock and all other command programmes.

**Article 14: Rural Women**

1. It is stated that the law now provides for rights of wives and daughters to inherit from their deceased husbands or fathers in terms of Statutory Instrument 53 of 2014 Agricultural Settlement (Permit, terms and conditions). What steps have been taken to ensure that women in resettled areas are aware of the new law and can benefit from it in the event of death or divorce?
2. Is the statutory Instrument being applied in court cases to ensure land is inherited or shared upon divorce.
3. The State reports in para 122 shows the majority of women still do not own land or any other assets such as big livestock. What measures have been put in place to improve women’s access to and ownership of land and livestock? The state report refers to a state land audit being carried to ascertain patterns of land allocation including women’s quota. Please provide a time frame when this will be completed. What are the targets for women’s quotas in land allocation?

**Article 15: Equality before the law**

1. It is indicated that legal aid services for indigent persons have been decentralised to all ten provinces. What measures are in place to ensure to further decentralise these services and ensure accessibility o by women in remote and marginalised rural areas?

**Article 16: Marriage and family relations.**

1. The state report indicates that three types of marriage regimes exist in the country. What safeguards exist to ensure that women in the different types of marriages are accorded equal rights at law?
2. Are there any specialised family law courts in all the provinces.

**Women with Disabilities**

What measures has the State party taken to implement General recommendation 18 that enjoins states to put in place measures ensure to deal with women with disabilities including measures to ensure that they have equal access to education and employment, health services and social security and to ensure that they can participate in all areas of social and cultural life .