

ZIMBABWE

CEDAW A/53/38/Rev.1 (1998)

120. The Committee considered the initial report of Zimbabwe (CEDAW/C/ZWE/1) at its 366th, 367th and 372nd meetings on 22 and 27 January 1998 (see CEDAW/C/SR.366, 367 and 372).

121. The representative of Zimbabwe expressed her Government's commitment to the full implementation of the Convention and the achievement of gender equality. Much progress has been made in that area, including the establishment of the National Machinery for the Advancement of Women and the Inter-Ministerial Committee on Human Rights. A national programme of action and vision 2020 has also been formulated, relevant legal provisions enacted and gender focal points appointed in all Ministries. Despite this, prevailing negative attitudes towards women and discriminatory customary laws and practices continue to contribute to the slow pace in advancing the status of women.

122. Non-governmental organizations and research organizations specializing in gender and development issues had been consulted during the preparation of the report and were also active in promoting gender equality.

123. The representative noted that the constitution had been amended in 1997 and now explicitly prohibits discrimination based on gender and that other legal instruments, including the Sex Discrimination Removal Act, also prohibit discrimination based on sex.

124. The Ministry of Community Development and Women's Affairs was established as the National Machinery for the Advancement of Women in 1981. Although the Ministry has since been dissolved, the National Machinery continues and gender focal points have been appointed in all Ministries.

125. The representative notes that an Inter-Ministerial Committee on Human Rights, which advises Government on human rights issues, has been established, and violations of human rights, including those relating to gender, can be investigated by the ombudsperson.

126. Court procedures to improve the experience of victims, including provisions to allow for the taking of evidence in a separate room have been introduced. Violence against women remains a serious problem and gender-sensitivity training has been introduced for police and judicial officers.

127. Affirmative action measures, in particular in the areas of education, employment and political participation and decision-making, have been introduced, but sex role stereotypes continue to affect the attitudes of many Zimbabweans. In that regard, the Government has begun a programme to review school textbooks and is developing a curriculum on human rights to be taught at the primary and secondary levels.

128. The representative indicated that HIV/AIDS is a serious problem in Zimbabwe and that the pandemic has increased the burden on women. Rural women generally remain very disadvantaged compared with their urban counterparts.

129. The representative concluded by noting that the National Machinery for the Advancement of Women has drawn up a list of statutes that do not comply with the Convention. In addition, the Convention has been translated into two major local languages and disseminated widely in simplified form.

Concluding comments of the Committee

Introduction

130. The Committee congratulates the Government for ratifying the Convention without reservations. It welcomes the State party's initial report, which is comprehensive and frank in its analysis of obstacles to the implementation of the Convention. The Committee is also pleased to note that the report has been prepared in consultation with non-governmental organizations. Additional information provided by the oral presentation is also appreciated. The Committee welcomes the high-level delegation, which included the Minister of National Affairs, Employment Creation and Cooperatives.

Positive aspects

131. The Committee expresses its appreciation to the Government for its strong commitment to advancing the status of women and commends it for establishing the National Machinery for the Advancement of Women after independence, as well as for assigning a gender focal point in each Ministry.

132. The Committee notes with satisfaction that the constitution has been amended to prohibit any act of discrimination on the basis of sex.

133. The Committee commends the Government for translating the Convention into local languages in order to encourage its wider dissemination.

134. The Committee commends the Government of Zimbabwe for undertaking a number of initiatives, including the development of a National Gender Policy, to implement the Beijing Platform for Action.

135. The Committee notes with satisfaction the establishment of the Inter-Ministerial Committee on Human Rights and the strengthening of the office of the ombudsperson, which can now investigate the police and security forces. These developments enhance the recognition of human rights and the enjoyment of these rights by women.

136. The Committee commends the Government for putting in place clear and relevant national policies for women, which are consistent with international agreements, particularly the Convention on the Elimination of All Forms of Discrimination against Women.

137. The Committee welcomes the introduction of gender-sensitive training for police officers and the establishment of “victim-friendly courts”.

138. The Committee also commends the implementation of affirmative action measures with respect to education, employment and political participation, in particular in the rural councils.

Factors and difficulties affecting the implementation of the Convention

139. The Committee notes with great concern that, although the national laws guaranteed the equal status of women, the continued existence of an adherence to customary laws perpetuated discrimination against women, particularly in the context of the family. The Committee notes with dissatisfaction that prevailing traditional and socio-cultural attitudes towards women contribute to the perpetuation of negative images of women, which impedes their emancipation.

140. The Committee notes with concern the negative impact of the structural adjustment programmes, especially in the areas of education, health and employment.

Principal areas of concern

141. The Committee expresses concern that discriminatory traditional practices, such as lobola, polygamy and female genital mutilation, are still accepted. Although the constitution criminalizes any act of discrimination on the ground of sex and, furthermore, the practice of lobola has been made illegal, tradition and customary law still ensure continued discrimination.

142. The Committee notes with concern that much of the violence against women, especially in society and in the domestic sphere, is not recognized by law. Violence against women is a serious violation of women’s human rights. In addition, there is not enough support provided by the Government to help victims of violence, such as rehabilitation programmes and temporary shelters.

143. The Committee expresses concern that the Ministry of National Affairs, Employment Creation and Cooperation, as the National Machinery for the Advancement of Women, has no real power or responsibility to initiate and implement policy measures to eliminate discrimination against women.

144. While the Committee agrees with the effectiveness of having gender focal points in all Ministries, the Committee is concerned about the absence of a functional central coordinating body with a regular budget.

145. The Committee is concerned at the low level of women’s participation at the decision-making level.

146. The Committee notes with dissatisfaction that prostitutes are criminalized by law while their clients go unpunished. The Committee notes with concern that poor women, migrant women and women from other marginalized sectors are particularly vulnerable and often turn to prostitution as a means of survival. The Committee notes with concern the absence of data and programmes for women in prostitution, suggesting that the Government has not adequately addressed article 6 of the Convention.

147. The Committee is deeply concerned about the effect of the HIV/AIDS pandemic and the very high rate of infection among young women, who comprise 84 per cent of those infected in the 15 to 19 year age group and 55 per cent of the 20 to 29 year age group. The Committee notes that this is of particular concern given the risks of transmission to infants through childbirth and breast-feeding.

148. The Committee is also concerned about reports relating to the refusal of some health-care providers to give family planning services to sexually active adolescents, despite there being no legal restrictions in this regard.

149. The Committee expresses concern that women in rural areas often suffer more as a result of prevailing negative attitudes and discriminatory traditional practices. Furthermore, women in rural areas often work longer hours than any other group.

150. The Committee is concerned at the lack of support systems to enable pregnant teenagers to continue their schooling. The Committee also notes with dissatisfaction that there are no detailed statistics available on teenage pregnancy.

Suggestions and recommendations

151. The Committee urges the Government to take a more proactive role by introducing concrete measures to abolish all discriminatory customs and practices.

152. The Committee urges the Government to review the functions of the National Machinery with a view to providing it with the authority and financial resources to initiate and implement policy programmes to eliminate discrimination against women. The National Machinery should also act as a coordinating body for all the gender focal points of the ministries. A public awareness-raising campaign for gender equality should be organized by the National Machinery targeting both women and men. A campaign to promote positive images of women should also be organized, involving the mass media.

153. The Committee suggests that gender-sensitive training should be extended to all sectors, including health-care workers.

154. The Committee further recommends that the President and Government Ministers be briefed regularly on the progress in implementation of the Convention and the Beijing Platform for Action. It recommends that measures be taken to ensure that the President and the Ministers are accountable for gender-mainstreaming within their respective departments.

155. The Committee recommends the adoption of temporary special measures of affirmative action to promote the status of women in all spheres of society.

156. The Committee suggests that the Government extend the function of the office of the ombudsperson to allow it to address complaints about gender discrimination in the private sphere and the private sector.

157. The Committee recommends the codification of family and customary laws, incorporating only those customary laws and practices that promote gender equality and the empowerment of women.

158. The Committee strongly recommends that the Government adequately address article 6 of the Convention by putting in place socio-economic programmes that will assist women living by prostitution. The Committee urges the Government to document systematically the prevalence of prostitution so as to enable it to develop assistance programmes in this regard.

159. Noting that illegal abortion is cited by the Government as a major cause of death for women in Zimbabwe, the Committee recommends that the Government reappraise the law on abortion with a view to its liberalization and decriminalization.

160. The Committee urges the Government to increase its efforts to combat the HIV/AIDS pandemic and to ensure that appropriate sexual and reproductive health information, education and services are provided to all women and, in particular, to adolescents.

161. The Committee suggests that the Government provide sex education and practical family planning to both youth and adults.

162. The Committee requested more detailed data and adequate information on all forms of violence against women, prostitution, and trafficking in women in the next report.

163. The Committee requests detailed data and adequate information on teenage pregnancy and the ability of young mothers to continue their education in the next report.

164. The Committee encourages the Government of Zimbabwe to continue its efforts to implement the Beijing Platform for Action. It also recommends the establishment of a functional central coordinating body with a regular budget to accelerate implementation of Government gender policies and programmes.

165. The Committee requests the Government to utilize the Committee's general recommendations in order to plan measures to advance the status of women and to implement the measures more effectively.

166. The Committee requests the wide dissemination in Zimbabwe of the present concluding comments in order to make the people of Zimbabwe, and particularly its government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and the Platform for Action.