



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-first session

11–29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

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

**The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2015.**

*The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please provide information on the measures taken to incorporate the principles and provisions of the Convention in the domestic legal system.
2. Please clarify the measures taken to address the need for improved coordination, as noted by the Institutional Capacity Assessment of the Department of Social Welfare in 2010, in the implementation, monitoring and evaluation of the plans and policies on children's rights, as well as the role of the Ministry of Health and Child Care, which hosts the National Programme of Action for Children.
3. Please provide detailed information on the adoption and implementation of the Child Rights Policy as well as on human, financial and technical resources allocated. With reference to paragraph 18 of the report, mentioning that the lack of adequate resources remains one of the major challenges in the implementation of the Convention, please indicate the proportion of national and other budgets allocated to children, both directly and indirectly.
4. Please indicate the steps taken under articles 254–257 of the Constitution, at all levels of Government, to tackle corruption and prosecute government officials involved in acts of corruption.
5. With reference to articles 242–244 of the Constitution, on the Zimbabwe Human Rights Commission, please clarify the role and mandate of the Commission with regard to



independent monitoring, investigations and reporting of violations of children's rights, including of those in the most vulnerable situations throughout the country. Please also provide information on the establishment and work of the Human Rights Commission in practice.

6. Please indicate the steps taken towards establishing a centralized data collection system, disaggregated by age, sex, ethnicity, disability, geography and socioeconomic background.

7. Please elaborate further on the measures taken by the State party, as described in paragraphs 53–57 of the State party report, to ensure the effective dissemination of the Convention among the general public, community and religious leaders and children in particular. Given the prominent influence of churches in communities and that the State party has sought to create a partnership with churches to reach out to Zimbabweans on its campaign against child abuse, please indicate if any training has been provided on the Convention to all religious personnel whose work brings them in contact with children.

8. Please inform the Committee about the measures taken to address the discrimination and stigma faced by girls, children with disabilities, children with albinism and children of ethnic minorities, as well as by children who live with HIV/AIDS and in street situations.

9. Please explain the reasons for a sharp decrease in birth registration of children under the age of 5 to from 74 per cent in 2005–2006 to 49 per cent in 2010–2011, as reported by the Zimbabwe Demographic Health Survey, and provide updated information on the situation. Please also provide information on the measures taken by the State party to prevent statelessness and protect stateless children.

10. In the context of reports on the use of schools for political purposes and of numerous cases of harassment, expulsion and unlawful arrests and detention of teachers and students during the parliamentary and presidential elections and their aftermath, please indicate what concrete action has the Government taken to deter such incidents in the future and whether investigations have been conducted by the State party into these allegations.

11. With reference to paragraph 31 of the State party report, please provide updated information on the legislative measures taken to repeal all provisions that permit corporal punishment. Please also specify the current measures taken to raise awareness among the general public about the harmful impact of corporal punishment and alternative forms of discipline and to encourage reporting of corporal punishment, particularly in schools.

12. Please provide updated and detailed information on the measures taken to prevent and combat sexual abuse of children, including of children with disabilities, and to ensure the prosecution of perpetrators.

13. Please inform the Committee about the measures taken to combat child and forced marriage of girls. Please indicate whether an investigation has been conducted by the State party into the allegations of involvement of members of religious sects, such as apostolic churches, in harmful cultural practices, particularly early marriage, including of girls as young as 10 with older men for “spiritual guidance”. If so, please provide the Committee with the main findings of any such investigation. In particular, please provide detailed information on:

(a) The criminal charges brought against all those found responsible within these churches and against all those who facilitated early and forced marriages;

(b) The compensation and rehabilitation measures, including medical, psychological and social services, provided to the victims of child and forced marriage.

14. Please comment on the findings of the 2013 report of the Ministry of Health and Child Care that “most of the disability in children is due to preventable causes, such as

inaccessibility to full immunization, lack of comprehensive care, malnutrition and cultural practices, such as early marriages” and please indicate the measures taken to tackle such causes of disabilities in children.

15. Please clarify how the State party meets its obligations under article 24 of the Convention to ensure that health systems and services meet the specific sexual and reproductive health needs of adolescents, including family planning and safe abortion services, and whether adolescents can gain access to reproductive health services, information and counselling without parental consent.

16. In view of the disturbing public reports and information received by the Committee that apostolic churches, specifically the Johane Marange Apostolic Church, are barring children from seeking medical attention and regular health services, including immunization, resulting in deaths and high maternal mortality among adolescents, please indicate whether an investigation has been conducted into such allegations. If so, please provide the Committee with the main findings of any such investigation, particularly criminal charges brought against all those found responsible and the compensation and rehabilitation measures provided to the child victims and their families.

17. With reference to paragraph 50 of the State party report, please provide information to the Committee on the measures taken to reduce the high rate of child poverty in the State party, in particular the steps taken to address: (a) structural factors, such as employment opportunities; (b) pervasive shortages of basic food in rural and urban areas; and (c) the increasing rate of poverty among children living in urban areas and with respect to children in need of special protection, including children from indigenous communities, orphans, children affected by or living with HIV/AIDS and children in street situations.

18. Noting the general lack of access to potable water and sanitation in the State party, please provide detailed information on the legislative and other measures to protect children’s rights to water, sanitation and health, including in schools.

19. In view of the significant number of children dropping out of school, please indicate the measures taken to tackle the root causes, including child marriage, teenage pregnancies, poverty, high school fees and lack of schooling facilities.

20. In view of the reports indicating that some schools were used as bases by militia groups, including Zanu-PF youth militia, particularly in Masvingo province and other rural areas, please inform the Committee about the measures taken to deter the military use of schools and the mechanisms established to ensure that attacks on education are monitored and properly investigated.

21. Please provide updated information on the situation of children and their families who were displaced by the floods at the Tokwe-Mukorsi dam in Masvingo province in February 2014. In particular, please provide detailed information on redress, including compensation provided, the return of their land, and access to facilities such as schools, health care and recreation facilities for children.

22. Please provide updated information on the children directly and indirectly affected by the “Operation Murambatsvina,” launched by the State party in May 2005. Please also indicate the number of children displaced by the operation and the current situation of those children, including their whereabouts.

23. Please provide updated information on the measures taken by the State party to combat the high prevalence of child labour, including the worst forms of child labour. Please also provide information on inspections by government authorities of those industries known for employing children, especially the agriculture and mining sectors, and the outcomes of investigations related to violations of criminal laws on child labour. Please further provide updated information on the assistance provided by the State party to child

victims of economic exploitation, including compensation, education, vocational training, witness protection and counselling.

24. Please provide succinct information to the Committee on the progress made in the juvenile justice system, including: (a) the adoption of a comprehensive policy for juvenile justice; (b) the legislative guarantee of the right to legal aid for children and the allocation of resources for legal aid; (c) the independent monitoring of places where children are deprived of their liberty; and (d) the establishment of child-sensitive complaints mechanisms regarding ill-treatment and torture. Please also provide information on the measures taken to ensure in practice that children have access to alternative measures to deprivation of liberty.

25. Please provide information to the Committee on the progress made towards the effective implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, including the adoption of legislation on anti-child trafficking. Please also inform the Committee on the steps taken to prevent, suppress and punish child prostitution and whether the sale of children is criminalized.

## **Part II**

**In this section, the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## **Part III**

**Data, statistics and other information, if available**

1. Please provide updated statistical data (disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status) for the past three years on:

- (a) Cases of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to child victims and the follow-up provided, including prosecution of the perpetrators, and the sentences handed down, in the State party;
- (b) Investigations into cases of sexual violence and rape and on the outcome of trials, including information on the sentences handed down and on redress and compensation offered to the victims;
- (c) The number of girls who have become victims of female genital mutilation;
- (d) The number of children who have been married forcefully through apostolic churches;
- (e) The number of children who have died due to cholera;
- (f) The number of child and teenage pregnancies;

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- (g) The number of children engaged in child labour, both in the formal and the informal sectors, particularly including children working in mining and agriculture and as domestic workers;
- (h) The number of children living and/or working in the streets.
2. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment, covering the past three years, indicating the number of children:
- (a) Separated from their parents;
- (b) Whose parents have died from HIV/AIDS;
- (c) Living in child-headed households;
- (d) Placed in institutions;
- (e) Placed with foster families;
- (f) Adopted domestically or through intercountry adoptions.
3. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, covering the past three years, on the number of children with disabilities:
- (a) Having become victims of sexual abuse or exploitation;
- (b) Living with their families;
- (c) Abandoned by their families;
- (d) Living in institutions;
- (e) Attending regular primary schools;
- (f) Attending regular secondary schools;
- (g) Attending special schools;
- (h) Out of school;
- (i) Living and/or working in the streets.
4. Please provide data, disaggregated, inter alia, by age, sex, socioeconomic background, geographical location and ethnic origin, covering the past three years, on:
- (a) The enrolment and completion rates, in percentages, of the relevant age groups in pre-primary schools, in primary schools and in secondary schools;
- (b) The number and percentage of dropouts and repetitions;
- (c) The teacher-pupil ratio.
5. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data collected or have been affected by new developments.
6. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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