

UN CRC	Ratification Date	Care-Related Concluding Observations
	11 Sep 1990	CRC/C/ZWE/CO/2 7 March 2016
		http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZWE%2fCO%2f2⟪=en
		IV. Main areas of concern and recommendations
		A. General measures of implementation (arts. 4, 42 and 44 (6))
		Dissemination, awareness-raising and training  22. The Committee welcomes the dissemination of the Convention among the general public, parliamentarians, government officials, community and religious leaders and through the school curriculum. However, it notes with concern the lack of knowledge about the Convention and its practical application among relevant professionals dealing with children's issues.
		23. The Committee reiterates that systematic information and awareness-raising campaigns should be launched to create a deeper understanding of the Convention and respect for and protection of children's rights (para. 26). The Committee recommends that the State party:
		(b) Undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children in both rural and urban areas, in particular law enforcement officials, teachers, health personnel, social workers, staff of child-care institutions, as well as religious and traditional leaders.
		B. General principles (arts. 2, 3, 6 and 12)
		Non-discrimination



26. While welcoming the inclusive non-discrimination provision in the Constitution, the Committee is concerned that national legislation remains inconsistent with the nondiscrimination provisions of the Convention. It reiterates its concern (para. 12) about high levels of discrimination against certain groups of children, including children with disabilities, children in street situations, children living in rural areas, children born out of wedlock, orphans, children living in foster care, lesbian, gay, bisexual, transgender and intersex children and children affected or infected by HIV/AIDS. The Committee is seriously concerned about the situation of girls, in particular adolescent girls, who suffer marginalization and gender stereotyping, which compromise their educational opportunities, and who are more vulnerable to sexual violence, abuse and HIV/AIDS.

27. The Committee reiterates its previous recommendation (para. 22) and urges the State party to harmonize its legislation with article 2 of the Convention, and to ensure the full implementation of all legal provisions. The Committee recommends that the State party carry out comprehensive public-education campaigns to prevent and combat all forms of discrimination, including gender stereotyping, in line with the recommendations of the Committee on the Elimination of Discrimination Against Women (see CEDAW/C/ZWE/CO/2-5, para. 22).

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

#### Sexual exploitation and abuse

- 44. The Committee notes the legislative and policy measures taken by the State party to prevent and combat sexual exploitation and abuse of children, to ensure the prosecution of perpetrators and to support victims. Nonetheless, the Committee expresses serious concern regarding:
- (a) The prevalence of sexual exploitation and abuse against girls, orphans, children with disabilities, child migrants and children living in poverty;

...

45. The Committee urges the State party to take the measures necessary to ensure that all children who are vulnerable to or at risk of any form of sexual exploitation and abuse are provided with all necessary assistance and protection. In particular, the Committee recommends that the State party:



- (a) Ensure that victims of sexual exploitation and abuse have access to childprotection centres throughout the country and that the centres are staffed with professionals trained in child protection and handling child victims of abuse;
- (b) Establish accessible, confidential and child-friendly mechanisms, procedures and guidelines to ensure the effective and mandatory reporting of cases of sexual abuse and exploitation of children and, to that end, continue to work with community police and the gender and children's desks in a joint effort;
- (c) Provide adequate resources to the Interministerial Task Force on Gender-based Violence and the Protocol on the Multisectoral Management of Sexual Abuse and Violence in Zimbabwe, as well as to the justice system, to ensure the documentation and prompt and effective investigation of sexual exploitation and sexual abuse of children and the prosecution of perpetrators;
- (d) Conduct awareness-raising programmes, in particular for children, parents and caregivers, to combat the stigmatization of victims of sexual exploitation and sexual abuse, including incest, and promote knowledge of reporting channels for such violations;
- (e) Ensure the development of programmes and policies for the prevention, recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the World Congresses against the Commercial Sexual Exploitation of Children.

# F. Family environment and alternative care (arts. 5, 9-11, 18 (1-2), 20-21, 25 and 27 (4))

# **Family environment**

48. The Committee is concerned about the high number of child- and grandparentheaded households in the State party and notes that one fifth of children below the age of 18 years do not have either parent alive. The Committee is further concerned about the existence of discriminatory legislation that regulates the guardianship of children based on a distinction between children born within and outside marriage and the sex of the child, and that children born outside marriage have limited contact with their father.

- 49. The Committee recommends that the State party:
  - (a) Strengthen the financial support and community structures to grandparent- and child-headed households to assist them in meeting needs related to nutrition, shelter and access to essential



# Country Care Review: Zimbabwe

services, with particular attention to meeting the needs of families in rural areas and farming communities;

- (b) Ensure that mothers and fathers equally share the legal responsibility for their children, in accordance with article 18 (1) of the Convention;
- (c) Take the necessary measures to align laws with the non-discriminatory provisions of the Constitution so as to give equal rights and responsibilities to parents for the guardianship and custody of their child, whether the child is born within or outside marriage, and remove any preference given to a parent prior to specific consideration of the best interests of the child; (d) Ensure that children of unmarried parents can have contact with their fathers when it is in the best interests of the child.

# Children deprived of a family environment

50. Noting the rising number of children in residential care, including for economic reasons, and the low number of family-based placements of children, the Committee is concerned about the insufficient human and financial resourcing of existing residential care facilities. It notes the inadequacy of disaggregated data collected on children living in institutions, in foster care or in street situations.

- 51. The Committee draws the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex) and recommends that the State party:
  - (a) Support and facilitate family-based care for children wherever possible, including for children in single-parent families, and further develop the system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;
  - (b) Ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;
  - (c) Ensure the training of all professionals, including social workers, police, education and health officers in contact with children, on child protection laws;
  - (d) Ensure adherence to the National Residential Care Standards set for institutions and undertake periodic reviews of the placement of children in foster care and institutions to monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;



Country Care Review: Zimbabwe

(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services in order to facilitate the rehabilitation and social
reintegration of children residing in them to the greatest extent possible.
Adoption
52. The Committee is concerned about the overly restrictive interpretation of the rules of adoption and the
negative views of adoption within the society, which may have an impact on domestic and international adoption rates.
53. The Committee recalls its previous recommendation (para. 29) and recommends that the State party:  (a) Ensure that children are not deprived of the chance to be adopted through an overly restrictive interpretation of the rules of adoption;
<ul><li>(b) Conduct awareness-raising of the process of adoption to counter the prevailing negative views;</li><li>(c) Consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.</li></ul>
Children in prison with their mothers
54. The Committee is seriously concerned about reports of a serious lack of nutrition and poor sanitary
conditions for infants and children sharing prison cells with their mothers who are awaiting trial or serving sentences for committing various offences.
55. The Committee recommends that the State party:
(a) Take effective and urgent measures to ensure that living conditions for children in prison with their mothers, including access to health and early childhood development services, are adequate for the child's physical, mental, moral and social development, in accordance with article 27 of the Convention;
(b) Seek alternative measures to institutional confinement for pregnant women and mothers with small children, wherever possible;
(c) Ensure that the principle of the best interests of the child is carefully and independently considered by competent child professionals prior to and during their stay with their detained mothers.



G. Disability, basic health and welfare (arts	. 6	, 18	(3),	23-24,	26-27	(1-3)	and 33	3)

#### **HIV/AIDS**

62. While noting the development of strategies for dealing with the AIDS pandemic, the Committee is concerned about:

•••

- (b) The high number of children being orphaned by HIV and AIDS;
- 63. In the light of its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, the Committee recommends that the State party:
  - (a) Sustain the measures in place to prevent mother-to-child transmission of HIV/AIDS, enforce the "no-user fee" policy nationwide for HIV and maternal and child health services, improve follow-up treatment for HIV/AIDS-infected mothers and their infants to ensure early diagnosis and early initiation of treatment, including in rural areas, inter alia, through implementation of the WHO guidelines on prevention of mother-to-child transmission of HIV, antiretroviral therapy and feeding infants and young children, 2 and create a centralized database for mothers and children undergoing antiretroviral therapy so that they can access services in all service delivery points in the State party;
  - (b) Improve access to quality, age-appropriate HIV/AIDS, sexual and reproductive health services;
  - (c) Seek technical assistance from the Joint United Nations Programme on HIV/AIDS and UNICEF.

# Standard of living

64. The Committee is deeply concerned at the persistent widespread poverty and inadequate basic services, including the lack of a comprehensive social security system, that prevent an increasing number of children in both urban and rural areas, including orphans and children affected or infected by HIV/AIDS, from enjoying their right to an adequate standard of living, in accordance with article 27 of the Convention.

# 65. The Committee urges the State party to:

(a) Take all measures necessary to address child poverty and vulnerability through, inter alia, providing family support services and social protection to disadvantaged families, including



targeted programmes for families that are particularly vulnerable to poverty, implemented at the community level;

- (b) Pay particular attention to the rights and needs of children when implementing its poverty reduction strategy and all other programmes intended to improve the standard of living in the State party, in particular with regard to health, nutrition, education and housing;
- (c) Seek technical assistance from, among others, UNDP and UNICEF.
- I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d) and 38-40)

#### Children in situations of migration

70. The Committee is concerned that the prolonged socioeconomic crisis in the State party has led to the migration of children to neighbouring countries, either with parents or unaccompanied, in search of employment or relatives. It is particularly concerned about the exposure of children to a number of risks along the migration routes, including sexual and physical abuse and exploitation, malnutrition and attacks by wild animals.

71. The Committee recommends that the State party implement comprehensive measures to address the root causes of economic migration. It further recommends that the State party take measures to mitigate the effects of migration on the welfare of affected children, including through the provision of support at the local level, the training of caregivers and improved social and psychological support to affected children deprived of a family environment. The State party is encouraged to enter into bilateral agreements with neighbouring States for adequate protection of migrant children in their countries of destination.

# Sale, trafficking and abduction

74. The Committee welcomes the enactment of the Trafficking in Persons Act (2014) and the creation of the Interministerial Task Force on Human Trafficking. However, the Committee notes with concern persistent reports of trafficking of children in the State party in the context of the high rate of migration of unaccompanied children. The Committee expresses its concern at the insufficient programmes for the physical and psychological recovery and social and family reintegration of child victims of trafficking, and commercial sexual exploitation, including for prostitution and pornography.



Country Report CRC/C/ZWE/2
increasing efforts to improve and expand access to education for both girls and boys, particularly for children in vulnerable situations;  (g) Accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
the outcome documents adopted at the World Congresses against Commercial Sexual Exploitation of Children;  (f) Address the root causes of trafficking, child labour and sexual exploitation, for example by
sexual exploitation, particularly in rural areas, border areas and areas of poverty;  (e) Ensure the protection of and support services for children who have been victims of trafficking and commercial sexual exploitation, including the provision of shelters, a formal determination of the best interests of the child and their rehabilitation and social integration, in accordance with
trafficking in and commercial sexual exploitation of children, including through the allocation of sufficient human and financial resources and by establishing more rigorous border controls;  (b) Ensure that adequate measures are taken to hold perpetrators of child sale, trafficking and commercial exploitation accountable for their offences;  (c) Expand efforts to provide specialized training on combating trafficking in and commercial sexual exploitation of children to the judiciary, prosecutors, the police, in particular the gender and children's desks, law-enforcement officials, social workers and other relevant professionals, throughout the State party;  (d) Strengthen awareness-raising programmes, including campaigns, on trafficking and commercial
75. The Committee recalls the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ZWE/CO/2-5, para. 26) on combating trafficking and the exploitation of prostitution. As particularly regards the situation of children, it further recommends that the State party:  (a) Ensure the effective enforcement of relevant legislation, policies and programmes to combat



		http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fZWE%2 f2⟪=en
OPSC to CRC	Accession Date 14 Feb 2012	Care-Related Concluding Observations
OPAC to CRC	Ratification Date 22 May 2013	Care-Related Concluding Observations
ICCPR	Accession Date 13 May 1991	Care-Related Concluding Observations
ICESCR	Accession Date 13 May 1991	Care-Related Concluding Observations
CEDAW	Accession Date 13 May 1991	Care-Related Concluding Observations
CRPD	Accession Date 23 Sep 2013	Care-Related Concluding Observations
UPR	Date of Consideration 10 Oct 2011	Link to Page  http://www.ohchr.org/EN/HRBodies/UPR/Pages/ZWSession12.aspx
	10 000 2011	ILLEP.// WWW.OHCHLOUG/ EN/ INDOULES/ OPN/ Pages/ ZWSession 12. aspx



Hague Intercountry	Ratification	Link to Country Profile
Adoption	Date	
	N/A	

# **Acronyms and Abbreviations:**

CEDAW Convention on the Elimination of All Forms of Discrimination against Women CRC Convention on the Rights of the Child/Committee on the Rights of the Child

CRPD Convention on the Rights of Persons with Disabilities ICCRP International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

OPSC to CRC Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UN United Nations

UPR Universal Periodic Review