

SADC GENDER PROTOCOL BAROMETER BASELINE STUDY
ZIMBABWE



Women coming from fetching water in Matobo village

womenwater_TD_120304

Photographer: Trevor Davies

By

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Table of Contents

List of acronyms	4
List of Tables	5
Acknowledgements.....	6
Chapter One: Introduction	
Executive Summary.....	7
Summary of key Findings	8
SADC Gender Protocol Score Card.....	10
Chapter Two: Constitutional and Legal rights	
Non-discrimination In the Constitution	17
The Removal of minority Status of Women.....	20
Disability.....	21
Access to Justice	21
Marriage and family laws Widows Rights.....	24
Chapter Three: Education and Training	
Enrolment and Retention	28
Gender-based Violence in Schools ,.....	31
Teenage Pregnancy.....	31
Challenging Stereotypes	32
Chapter Four : Women and The Economy	
Women in Economic Decision-making	36
Economic Empowerment	37
Women in Employment.....	40
Conditions of Employment	43
Financial Institutions	44
Chapter Five: Gender-based Violence	
Response and support	45

Integrated Approaches 49

Chapter Six: Health, HIV and AIDS

Sexual and reproductive Health 51

HIV and AIDS 55

Care Work 59

Glass Ceiling 62

Chapter Seven: Implementation and Conclusion

Implementation..... 68

Ratification 69

Conclusion..... 70

Bibliography..... 73

Annexure A. List of Collected Documents..... 74

Annexure A List of Conducted Interviews 75

LIST OF ACRONYMS

ART	Anti Retroviral Therapy
CDU	Curriculum Development Unit
DVA	Domestic Violence Act
GBV	Gender-based Violence
MOESC	Ministry of Education Sport and Culture
MOWAGCD	Ministry of Women Affairs gender and Community Development
NGO's	Non Governmental Organizations
OVC	Orphans and Vulnerable Children
PMTCT	Prevention of Mother to Child Transmission
SADC	Southern African Development Community
SEDCO	Small Enterprises Development Cooperation
SME	Small to Medium Enterprises
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Educational Fund
ZWLA	Zimbabwe Women Lawyers Association
ZWRCN	Zimbabwe Women's Resource Centre and Network

LIST of TABLES

- Table one: SADC Gender Protocol Score Card for Zimbabwe
- Table two: Analysis of gender equality clauses in the Constitution
- Table three: Remaining discriminatory legislation
- Table four: Access to justice
- Table five: Marriage and family laws; the boy and girl child
- Table six: Literacy Rates in Southern Africa
- Table seven: Women and men in cabinet
- Table eight: Women and men in the public service
- Table nine: Enhancing participation by women in public life
- Table ten: Access and enrolment in education sector / specify the year
- Table 11: Pass rates
- Table 12: Gender disaggregated data on school administration
- Table 13: Women and men in university faculties
- Table 14: Women and men in economic decision-making
- Table 15: Private sector and parastatal leadership
- Table 16: Women ownership of different land types
- Table 17: Women and men in employment
- Table 18: Employment levels of women and men across key occupations
- Table 19: Conditions of employment
- Table 20: Gender violence statistics
- Table 21: GBV response and support
- Table 22: Key sexual, reproductive and health indicators
- Table 23: Key Gender, HIV and AIDS indicators
- Table 24: National gender machinery and processes

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SADC Summit Alliance Meeting Speaker

Photo: Gender Links

SADC Summit6 Alliance Meeting Speaker 2

Executive Summary

In June 2009 the Southern Africa Protocol Alliance commissioned research in the Southern Africa Development Community (SADC) region that sought to map out the current state of governments with regards to various social, political and economic indicators in the SADC Protocol on Gender and Development. The project ran for a month the 1st to the 30th of June 2009.

The objectives of undertaking such a study were set out as follows:

- To collect baseline data on the key provisions of the SADC Protocol on Gender and Development.
- To use this accurate and updated baseline data to develop lobbying and advocacy tools, targeting national governments and regional bodies to deliver on the Protocol commitments.
- To use this research data to enable civil society to track the progress made by SADC Member states towards achieving the set targets in the SADC Protocol on Gender and Development.

To be able to achieve these objectives the following methodology was employed:

Literature Review - various documents and legislation were collected from the different stakeholders and then reviewed. In the context of constitutional and legal rights no gender audit of legislation exists.

In depth interviews - using the research guide to formulate interview questions, interviews were conducted with identified key informants, particularly in the relevant Government departments. The greatest challenge here was in scheduling interviews. In most instances permission had to be sought from heads of Ministries for information to be released or interviews to be granted. The malfunction of communications systems, such as telephones and emails, meant that follow up had to be undertaken in person. In most Government departments, internet and email facilities are virtually absent or inactive.

Location of the research - the research was carried out in Harare because, as the capital, most Government departments and organizations have their main offices here.

Challenges in Conducting Research

A great deal of bureaucracy was encountered by Government during the course of this research. There were instances where, after seeking authority, the author was directed to the relevant persons but the communication would have been lost and other instances where there were delays in granting of permission. In particular, efforts to collect data from the Ministry of Home Affairs were not successful because permission had not been granted by the end of the research period despite numerous follow up attempts.

Poor communication systems were also a major challenge as well as poor documentation in some Government departments, which meant some information was not documented or there was no central person who would be in possession of all the required information.

Summary of Key Findings

The status of women's rights in Zimbabwe – a nation that is in transition after years of economic downturn, political polarisation, isolation from the international community, humanitarian crises, such as food shortages and cholera, amongst others – is predictably in need of attention.

One of the greatest challenges in undertaking this research in Zimbabwe was getting accurate and recent statistical information on each of the areas being investigated, in both Government departments as well as in Non Governmental Organizations. Most key informants conceded that although Zimbabwe had made social and economic progress, at the time of compiling this report most of the gains had been eroded. Most of the informants reported that whatever statistical data they provided was outdated and clearly did not reflect the reality on the ground. This they attributed to the rapid transformation the country was undergoing as a result of the economic meltdown and issues such as inflation and migration, that has led to the collapse of many of the country's systems, service delivery mechanisms and productivity in agriculture, mining, manufacturing and other fields. It is obvious that there is need to enhance the country capacities in research through the channelling of more resources. As Zimbabwe moves into a period of transition, it is imperative that research is undertaken to create baselines against which the country's progress will be measured and invariably, this must take place in almost all sectors.

Within the context of constitutional and legal rights, Zimbabwe has made great strides in ensuring the equality of men and women before the law; and, in some instances, challenging cultural practices and customary law to promote gender equality. However, if the constitution is to be strengthened as a framework that adequately provides for women's rights, then it must rid itself of the existing claw backs inherent in it - particularly discrimination that is permitted in matters of personal law and customary law. Thus, as Zimbabwe undertakes its constitutional reform exercise, this may be the opportune time for this shortcoming to be addressed. Once this is addressed the remaining pieces of legislation that are still discriminatory will need to be repealed as these would be *ultra vires* the constitution at that juncture.

In the context of social and economic rights within education, health and other sectors Zimbabwe is beginning to make slow progress. Education and health services suffered serious setbacks as a result of hyper inflation, the "brain drain," and other factors. The gains that Zimbabwe had made (for instance being one of the countries in Africa with the highest literacy rates) continue to be eroded. At independence Zimbabwe's literacy rate was 63%. The Government in 1983 then embarked on a programme to promote literacy and by 1999 Zimbabwe's literacy rate was estimated at 97%, one of the highest on the continent and indeed education is one the sectors in which Zimbabwe had made tremendous progress. The Government has also put in place measures to mainstream gender into the curriculum as well as a policy that allowed for the retention of female students who fall

pregnant in school. However, there remains discrimination in the subject selection between men and women, and although primary and secondary school enrolment are nearly the same for males and females, as one moves up to A and tertiary level, female student numbers decline. Universities have introduced affirmative action to facilitate more women entering universities as one of the measures to address these anomalies.

Health indicators like maternal mortality have suffered serious setbacks coupled with the feminisation of the HIV pandemic. The Perinatal Report notes that many of the instances of maternal mortality can be avoided with effective mechanisms. Although Zimbabwe has witnessed a decline in the country's HIV prevalence rate (which presently stands at 15.6 %), regrettably women still present more of the population who live with the virus. There is need to address some issues that predispose women to HIV infection and make more use of the National Plan of Action for women and girls seeking to prevent new infections and alleviate the burden of care in the areas of HIV/AIDS on women and girls.

Women's participation in mainstream economic operations has been marginal as they tend to be overrepresented in the informal economic sector; thus, economic decision-making has been the predominant prerogative of men. Only 20% women are represented in high level positions of economic decision-making. Women need to participate more and be actively involved in the formulation and implementation of economic policies and programs in the country. With high rates of unemployment Zimbabwe needs to work towards integrating the informal sector into the mainstream economy. The law needs to create an enabling framework for women to own land and other productive resources. This would include repealing the claw backs in the Constitution to allow women to own communal land and remove collateral requirements that hamper women from accessing land. The Deeds Registries Act would also need to be repealed as it is discriminatory. In addition, the law on sexual harassment needs to be extended to apply to the public service as well.

Zimbabwe also passed legislation to address and prevent incidences of gender-based violence in 2007 with the passing of the Domestic Violence Act; but there are still gaps in its implementation that include information dissemination and strengthening support for victims. There is also a need for Government to provide more support to the implementation of plans to address gender-based violence as presently, development agencies and NGO's have predominantly lead efforts in this respect.

As Zimbabwe moves through its transition there is necessity to ensure that women's rights are mainstreamed into the reconstruction agenda so that progress is not only coherent but meaningful.

Table 1: SADC Gender Protocol Score Card for Zimbabwe

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENT
ARTICLES 4 – 11: CONSTITUTIONAL AND LEGAL RIGHTS		
✓ Endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices.	5	Although the constitution provides for non-discrimination on grounds of sex and gender, claw backs in matters of personal law and customary law negate the positive effect of the latter.
✓ Review, amend and or repeal all discriminatory laws.	5	There are still laws that require amendments particularly in matters of family law, such as guardianship laws and marriage laws that still discriminate against women
✓ Abolish the minority status of women.	6	This was abolished through the legal conferment of the age of majority but case law has held this not to apply in matters of customary law. (See Magaya v Magaya).
ARTICLES 12-13 : GOVERNANCE (REPRESENTATION AND PARTICIPATION)		
✓ Endeavour to ensure that 50 percent of decision-making positions in all public and private sectors are held by women including through the use of affirmative action measures.		
ARTICLE 14: EDUCATION AND TRAINING		
✓ Enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education in accordance with the Protocol on Education and Training and the Millennium Development Goals.	4	A basic right to education does exist which is neither free nor compulsory at any level. Without specific policy measures such as funding to address the gender constraints that limit women and girls

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENT
		access to education, retention is compromised.
✓ Adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence, amongst others.	7	The Curriculum Development Unit has put in place measures to mainstream gender in the curriculum and challenge stereotypes.
ARTICLES 15-19: PRODUCTIVE RESOURCES AND EMPLOYMENT, ECONOMIC EMPOWERMENT		
✓ Ensure equal participation by women and men in policy formulation and implementation of economic policies.	4	Women still do not have significant representation at the higher levels of economic planning and policy development.
✓ Conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women.	n/a	This needs to be undertaken in the future.
✓ Adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors.	4	Policies on small to medium enterprises do not remove the structural barriers that limit women's access to entrepreneurial opportunities.
✓ Review national trade and entrepreneurship policies, to make them gender responsive.	3	There is need to put in place clear policies. Most policies, where they exist, have not been reviewed.
✓ With regard to the affirmative action provisions of Article 5, introduce measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.	4	There is need to put in place measures that create opportunities for women such as affirmative action.
✓ Review all policies and laws that determine access to, control of, and benefit from, productive resources by women.	5	Women still have limited access to communal land, commercial land, and private land hold.
✓ Review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy.	9	Legislation is in place but structural inequalities still

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENT
		exist.
ARTICLES 20-25: GENDER-BASED VIOLENCE		
✓ Enact and enforce legislation prohibiting all forms of gender-based violence.	8	Most laws regulating gender-based violence are in place except for laws in relation to human trafficking.
✓ Ensure that laws on gender-based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault.	5	Whilst this is taking place, in practice the laws themselves do not specifically provide for this except in relation to cases of domestic violence and even then, refers only to medical treatment.
✓ Review and reform their criminal laws and procedures applicable to cases of sexual offences and gender-based violence.	7	There is need for the harmonization of the Domestic Violence Act and the Criminal Codification Act to remove the existing overlap.
✓ Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society.	4	Trafficking laws in existence are not comprehensive on intra and inter country trafficking.
✓ Enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment.	5	Legislation in place is only for the private sector; the public sector is not covered.
✓ Adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender-based violence by half by 2015.	5	Partnerships are in existence but with no regulatory framework. Efforts are underway to come up with a National Plan of action and a draft is in place.

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENT
ARTICLE 26: HEALTH		
✓ Adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care.	4	Legislation does not provide specifically for the right to health, although there are limited policies and programmes promoting this.
✓ Reduce the maternal mortality ratio by 75%.	4	Effective interventions can be put in place to treat complications and avoid deaths.
✓ Develop and implement policies and programmes to address the mental, sexual and reproductive health needs of women and men.	6	Policy is in place but there are challenges in the implementation.
✓ Ensure the provision of hygiene and sanitary facilities and nutritional needs of women, including women in prison.	4	
ARTICLE 27: HIV AND AIDS		
✓ Develop gender sensitive strategies to prevent new infections.	7	There is a Behavioural Change Strategy and a Plan of Action for women and girls that seek to address this.
✓ Ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.	6	Efforts are in place to address this but there is still an unmet need.
✓ Develop and implement policies and programmes to ensure the appropriate recognition of the work carried out by care givers, the majority of whom are women; the allocation of resources and psychological support for care-givers as well as promote the involvement of men in the care and support of People Living with HIV/AIDS.	6	Care work is recognised but little is being done by Government itself to alleviate the burden on women.
ARTICLE 28: PEACE BUILDING AND CONFLICT RESOLUTION		
✓ Put in place measures to ensure that women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes, in		

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENT
accordance with UN Council Resolution 1325 on Women, Peace and Security.		
ARTICLES 29 – 31: MEDIA, INFORMATION AND COMMUNICATION		
✓ Take measures to promote the equal representation of women in ownership of, and decision-making structures of the media, in accordance with Article 12.1 that provides for equal representation of women in decision-making positions by 2015.		

Country Context for Zimbabwe

The most recent history of Zimbabwe can be traced back to the entry of the Pioneer Column into the area inhabited by the local Shona and Ndebele people in 1890, under the leadership of Cecil John Rhodes, who was the head of the British South Africa Company that administered the colonies (ZWRCN, SARDC 1998). Women were visible and participated in the First Chimurenga, the war of liberation, which sought to remove the settlers from the land. Nationalist unrest led to the declaration of independence from Britain by the settlers who formed their own government in 1965 as a way of avoiding having to answer for the administration of the then Southern Rhodesia. This triggered the second Chimurenga, a protracted armed liberation struggle that led to black majority rule in 1980. This was done through an election won by the Zimbabwe African National Union Patriotic Front (ZANU PF) which had contested the Zimbabwe African People's Union (ZAPU). Women were very active as mobilisers, fighters and commanders. After independence, women continued to be recognised through legislation like the Legal Age of Majority Act which facilitated women to be majors in their own right and not require the guardianship of male relatives to have legal agency as had been the case before. The immediate post liberation war period was marked with a violent repression of dissent in the Matebeleland region, which was a stronghold of ZAPU, in what is now commonly referred to as the *Gukurahundi* massacres. This was the first experience of violent state engagement with the citizens.

The involvement of Zimbabwe in the war in the DRC and the social upheavals of the mid 1990s, namely the granting of gratuities to disgruntled ex-combatants and the civil service strikes, marked the beginning of Zimbabwe's economic decline which exacerbated the voices of political discontent. This discontent was pivoted on a demand for a new constitution which coincided with the formation of a new political party, the Movement for Democratic Change (MDC), in 1999. A draft constitution was taken to a referendum in 2000 and the citizens rejected it based on allegations of misrepresentation of the people's wishes in what became known as the 'government draft'. This brought the second wave of state use of violence against citizens and the more open abductions and arrest of leaders of the voices of dissent. Repressive laws like Access to Information and Protection of Privacy Act (AIPPA) were promulgated. The hitherto dormant Public Order with the formation of a new political party, the Movement for Democratic Change (MDC), in 1999. A draft constitution was taken to a referendum in 2000 and the citizens rejected it based on allegations of

misrepresentation of the people's wishes in what became known as the 'government draft'. This brought the second wave of state use of violence against citizens and the more open abductions and arrest of leaders of the voices of dissent. Repressive laws like Access to Information and Protection of Privacy Act (AIPPA) were promulgated. The hitherto dormant Public Order and Security Act (POSA) was reactivated to grant police authority and clearance for any public event or meeting even when this was indoors.

A series of elections were held from 2000, culminating in the 2008 Harmonised General Elections. A statement from the then President of South Africa, Thabo Mbeki, in a letter dated 4 April 2007 to the two Movement for Democratic Change (MDC) leaders at the commencement of the mediation process mandated by the Southern Africa Development Community (SADC) after the atrocities perpetrated on opposition politicians and other human rights defenders on the 11th March 2007, marks the atmosphere of open elections:

"I am convinced that all Zimbabwean leaders and regional leaders have every intention to ensure that the 2008 elections are conducted in a manner that will make it impossible for any honest person in Zimbabwe to question the legitimacy of their outcomes."

Following this statement of intent, and emerging from the mediation process, there followed a series of whirlwind amendments to the Electoral Act, the Zimbabwe Electoral Commission Act, media laws (including the Access to Information and Protection of Privacy Act (AIPPA) and the Broadcasting Services Act), the Public Order and Security Act (POSA), as well as an 18th amendment to the Constitution of Zimbabwe.

"Looking back at the vociferous manner in which the political parties defended these amendments - and their manner of passage to the civil society and the public in general - one could be forgiven for thinking that major changes had been made for the better, and that Zimbabweans could now be assured that the general legal framework which was required to ensure a smooth and fair electoral process and to protect the outcome of the popular vote had been put in place" (Petras 2009).

Upon review of the March 2008 and June 2008 presidential elections, it becomes clear that the amendments made in attempts to strengthen the legal and electoral framework and processes were largely cosmetic.

"In essence, the composition and modus operandi of the Zimbabwe Electoral Commission (ZEC) did not change much. The pitfalls in the appointment procedure and mandate ensured that this body remained under the control of the executive, and could not assert its independence. The Registrar-General's office continued to involve itself in the electoral process without proper scrutiny and accountability. Members of the public service seconded to work for the ZEC as presiding and electoral officers were targeted for retribution after the counting of votes made it increasingly clear that the tally of votes would not be in favour of the incumbents" (Petras 2009).

The local Central Statistical office puts the population estimates of Zimbabwe at 13 million. Of this population, 75% live in the rural areas and of that rural based population 60%–75% are women, most of whom earn livelihoods from subsistence farming. There are 5 934 768 registered voters in Zimbabwe.

Zimbabwe is currently governed by a government constituted through the Global Political Agreement entered into by the 3 major political parties. Its immediate political task is to draw up a constitution and thereafter conduct elections to determine a substantive government.



Women in the Market Place, Zimbabwe
women at the market _zim

Photo: Gender Links

CONSTITUTIONAL AND LEGAL RIGHTS

Articles 4-11 Constitutional and Affirmative Action Provisions

The Protocol provides that by 2015, all countries shall endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices. State parties are to implement legislative and other measures that eliminate all practices which negatively affect the fundamental rights of women and men. They are also to introduce affirmative action measures

Non-discrimination in the Constitution

Like most other African countries Zimbabwe has a dual legal system where customary law operates alongside general law.¹ Zimbabwe's current Constitution was adopted as part of a peace settlement to mark the end of British colonial Rule in 1979. Since then several amendments have been effected to the Constitution and notably only two made reference to gender equality. The 14th amendment introduced gender as a ground for non-discrimination to Section 23 of the Constitution which is the non discriminatory clause. Later in 2005 Constitutional Amendment 17 added further grounds for non-discrimination to include sex, pregnancy and disability. This amendment also introduced an affirmative action clause.

However, the greatest pitfall in the Zimbabwean Constitution exists in the claw back clauses to be found in the non discriminatory clause, which still allows for discrimination in certain matters as outlined in Table two below. As Zimbabwe undergoes a process of constitutional review, Emilia Muchawa (Zimbabwe Women Lawyers Association Director), has indicated that in their demands for the reforms that women would like to see in the new Constitution they have included some of these issues; hence, Zimbabwean women hope that some of these flaws in the constitution will be addressed during the process.² Table two below provides an analysis of the key gender provision in the Zimbabwean Constitution.

Zimbabwean women selling pineapples

Photo: Gender Links

zim woman selling



¹ S89 of the Constitution provides that the general law of Zimbabwe shall be Roman Dutch law and also recognizes African customary law

² Zimbabwe is undergoing a Constitutional Reform Process following the signing of the Global Political Agreement. Article 6 of the Global Political Agreement provides the process to be followed in the drafting of a new Constitution on 15 September 2008 that created an Inclusive Government comprising of the three main political parties being the Movement for Democratic Change led by Morgan Tsvangirai and Arthur Mutambara, and ZANU Pf following a disputed election outcome. According to this a new Constitution should be in place by September 2010.

Table 2: Analysis of gender equality clauses in the Constitution

Provides for non-discrimination.	Yes	S23(1) Subject to the provisions of this section: a. no law shall make any provision that is discriminatory either of itself or in its effect and b. no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.
Provides for non-discrimination based on sex specifically.	Yes	S23(2) For the purposes of subsection (1), a law shall be regarded as making a provision that is discriminatory and a person shall be regarded as having been treated in a discriminatory manner if, as a result of that law or treatment, a. by being subjected to a condition , restriction or disability to which other persons of another such description are not made subject or b. by the according to persons of another such description of a privilege or advantage which is not accorded to persons of the first mentioned description and the imposition of that condition, restriction or disability or other than privilege or advantage is wholly or mainly attributable to the description by race, tribe, place of origin, political opinions, colour, creed, sex, gender marital status or physical disability are prejudice.
Provides for non-discrimination on the basis of sex and others e.g. marital status, pregnancy.	Yes	See above.
Provides for the promotion of gender equality.	No	
Has other provisions that relate to gender equality i.e. bodily integrity.	No	The Constitution provides for equal access to land in s23 (3)(a) as follows Notwithstanding subsection (3)(b) , in implementing any programme of land reform the Government shall treat men and women on an equal basis with respect to the allocation or distribution of land or any

		right or interest therein under that programme.
Has claw back clauses.		<p>Nothing contained in any law shall be held to be in contravention of subsection (1) (a) to the extent that the law in question relates to any of the following matters-</p> <ul style="list-style-type: none"> a. Matters of personal law b. The application of African customary law in any case involving Africans or an African and one or more persons who are not Africans where such persons have consented to the application of African customary law. c. Restrictions of entry into or employment in Zimbabwe or on the enjoyment of services provided out of public funds in the case of persons who are neither citizens of Zimbabwe nor regarded by virtue of a written law as permanently resident in Zimbabwe. d. Qualifications, not being specifically relating to race, tribe, place of origin, political opinions, colour, creed, sex, gender, marital status or physical disability, for service as a public officer or as a member of a disciplined force or for service with any public authority or any body corporate established directly by or under an Act of Parliament for a public purpose. e. The appropriation of public revenues or other public funds. f. The according to tribes people to the exclusion of other persons of rights or privileges to Communal Land. g. The Implementation of affirmative action programmes for the protection or advancement of persons or classes of persons who have been previously disadvantaged by unfair discrimination.
Addresses the issue of contradictions between the Constitution, provisions, laws and practices.	No	

Provide for affirmative action.	Yes	See s23 (3) (g)
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These clauses have in the past been used to negate the advancement of women's human rights particularly in matters of personal law.³ The challenge of the recognition of customary law is however, that it is fraught with practices that undermine women's human rights such as polygamy, pledging of girls, widow inheritance and early marriages, as examples.

Box 1: Practices that discriminate against women

In Zimbabwe where a woman is married she is not the legal guardian of her child. According to s3 of the Guardianship of Minors Act the father of children born in wedlock is the guardian of the children and exercises this duty in consultation with the mother. As a result of this provision married women who apply for passports for their children have had their applications refused on the grounds that they are not the guardians of the children and the Registrar General has demanded that the father be the one who personally appears before him and signs the forms on behalf of the child.

S23 (3) of the Constitution allows for discrimination in matters of personal law as well as in matters of African customary law. At customary law the father is deemed the guardian of a child born in wedlock and likewise in terms of general law (in this case the Roman Dutch law) the same rule applies. However, the Convention on the Elimination of All Forms of Discrimination against Women, the Protocol to the African Charter on Women's Rights and more recently the SADC Protocol, all call for joint guardianship of minors and Zimbabwe has ratified the two former treaties.

The Zimbabwe Women Lawyers Association (ZWLA) has instituted court proceedings challenging this practice in the case of Margaret Dongo v Registrar General and the case awaits judgment. In addition ZWLA also hopes to have a repeal of the discriminatory clauses of the Constitution through the Constitutional review process.

The Removal of the Minority Status of Women

Prior to independence, in Zimbabwe, African women were regarded as perpetual minors. Women's rights to majority status was conferred to Zimbabwean women by the enactment of the Legal Age of Majority Act (now s15 of the General Laws Amendment Act [Chapter 8:07]). The Act stipulates that the age of majority in Zimbabwe is 18 years. However, despite this provision discrimination against women still remains in other areas as highlighted below.

³ See for instance in the case of *Magaya v Magaya* 1999 (1) ZLR where the Court held that a daughter could not inherit intestate from the estate of her late father in terms of African customary law and in that case awarded the immovable property which was the subject of the dispute to a younger male heir.

Table 3: Remaining discriminatory legislation

Discriminatory legislation	Action being taken	Comments
S23 (3) of the Constitution	Constitutional Reform	Zimbabwe is currently going through a constitutional reform process and it is anticipated that this will be repealed during the exercise.
S4 of the Guardianship of Minors Act	Constitutional Challenge at the Supreme Court	Decision in the case of Dongo v Registrar General is pending.
The Customary Marriages Act allowing for polygamy , <i>lobola</i> and guardian's consent	Reform of the Marriage Laws	An initial effort was undertaken to harmonise the laws but was not concluded. Needs to be resuscitated.
The Marriages Act that sets different ages of consent for boys and girls	Reform of the Marriage Laws	
Citizenship Act prohibits dual citizenship and foreign spouses who must denounce citizenship	Constitutional reform to allow for dual citizenship	
The Matrimonial Causes Act that only applies to registered marriages for equitable devolution of matrimonial property at divorce	Reform of Marriage laws for the recognition of unregistered customary marriages	
S15 of the Deeds Registries Act [Chapter20:05] which requires married women to be assisted by their husbands when registering land title	Constitutional Reform	

Source: Year

Disability

Discrimination on the basis of disability is prohibited in terms of s23 of the Constitution. In addition, discrimination on the basis of disability is also prohibited in terms of the Disabled Persons Act [Chapter 17:01]. In s8 of the Act, the law prohibits the denial of disabled person's access to public premises, services and amenities; and in s9 there is a prohibition of discrimination of disabled persons in employment. The Act also provides for the establishment of the National Disability Board whose functions as set out in s5 and include the creation of equal opportunities for the disabled persons and to enable them to live independent lives, among other things.

Access to Justice

The right to access to justice is not provided for in the Constitution. The right to access justice is provided for in s7 of the Legal Aid Act [Chapter 7:16] and in terms of the Act legal aid shall be granted subject to eligibility criteria set out in s8 of the Act. The Act also provides for the creation of a National Legal Aid Directorate that will be mandated to provide legal aid assistance. In reality only one legal aid directorate has been established in the capital, Harare, and the responsibility to provide legal aid has been taken over by NGO's such as the Legal Resources Foundation, Zimbabwe Women Lawyers Association, Justice for Children Trust and Zimbabwe Lawyers for Human Rights. Table four below rates women's access to justice in Zimbabwe.



Women pounding maize for mealie meal, Zimbabwe

Photo: Trevor Davies

Women preparing meals_TD_280502

Table 4: Access to Justice

Access to justice provision	On a scale of 1-10 with 1 very low and 10 very high how would you score your country	Provide an explanation
Equality of treatment of women in judicial and quasi	6	In most cases where inequality exists the courts are bound by discriminatory legislation. However, in some cases their

judicial proceedings		judgments perpetuate gender stereotypes; for instance, in cases where they must exercise discretion, e.g. in sharing matrimonial property, they tend to value paid work more.
Equal contractual rights	10	The Legal Age of Majority Act now s15 of the General Laws Amendment Act [Chapter 8:07] conferred women contractual capacity.
The right to acquire and hold rights to property	5	At law the right exists but in reality this right is limited by gender inequalities that minimise women's access to resources such as collateral.
Encouraging women to exercise their legal capacity	8	Women are increasingly accessing the courts to try and enforce their rights.
Ensuring equality of women complainants in the criminal justice system	7	Again the courts here take a gender neutral approach (especially in cases involving abused children where the Victim Friendly Unit exists to provide witness protection).
Equal representation in the courts, including traditional courts	5	The Legal Aid Act which seeks to provide legal aid is couched in gender neutral terms and is not open to the differential needs of women. The legal aid mechanism is very limited and women cannot access representation in the courts due to lack of resources. In the majority of cases they are unrepresented.
Accessible and affordable legal services for women	3	The majority of women cannot afford legal fees charged by private practitioners. ⁴

Source: Year

Whilst the provision of free legal aid is one measure that can be used to facilitate women's access to justice, Emilia Muchawa, highlighted that there are other systemic impediments to justice such as the attitudes of court officials, the geographical location of the courts and the language used in the courts. She indicated that the ZWLA (Zimbabwe Women Lawyers Association) was in the process of lobbying for the creation of family law courts that would have less cumbersome procedures and have personnel who are trained on gender sensitivity.

⁴ The least experienced lawyers charge a rate of USD60 per hour, a charge that most women cannot afford.

Marriage and Family laws: Widows and Widowers , the Girl and the Boy Child

Zimbabwe has different types of marriage depending on whether they are solemnized in terms of general law or in terms of African customary law. The marriages confer different rights and duties to the parties of the marriage. The types of existing marriages are:

- i. Civil marriages contracted in terms of the Marriage Act [Chapter 5:11]
- ii Registered customary marriages in terms of the Customary Marriages Act [Chapter 5:07]
- iii. Unregistered customary law unions
- iv. Cohabitation

Of these marriage forms only the registered marriages have full recognition at law. The unregistered customary law unions are recognised for certain limited purposes such as in matters relating to children. Cohabitation is not a recognised form of marriage. However, there are still some gaps in the existing laws in the protection of women’s rights as outlined below.

Table 5: Marriage and Family Law: the Boy and Girl Child

Provisions	Yes/ No	
Marriage		
Age of consent is 18 years	No	<ul style="list-style-type: none"> • The age of consent in Zimbabwe is 16years • The Criminal Law Codification and Reform Act and s70 criminalizes sexual relation with young persons under the age of 16 years • Section 3 (1)(l)(v) of the Domestic Violence Act [Chapter 5:16] prohibits child marriages • The Marriage Act Chapter (5:11) in s22 sets the age of consent at 18 years for boys and 16 for girls. In terms of s20 minors can marry with leave of the minor’s guardians consent and leave of the Minister • The Customary Marriages Act [Chapter 5:07] does not have a minimum age of consent stipulation
Consent of the parties	Yes in general law marriages but not in customary marriages	<ul style="list-style-type: none"> • In General Law marriages the free and full consent of the parties is required in terms of s22 of the Marriage Act • In s7 of the Customary Marriages Act the law provides that the parties consent is required, in s11 it criminalizes pledging of girls and in s15 prohibits the compelling of women to enter into marriage. However, in s4(2) of the Act, the woman’s guardian must be present to give his consent and must also confirm that bride price/ <i>lobola</i> has been paid in terms of s7 of the Act • In the Domestic Violence s3 (1) (l)(iii) (iv) and (vi) forced marriage, forced wife inheritance and pledging of girls to appease spirits are outlawed • S11 of the Customary Marriages Act also prohibits pledging of girls

Monogamy as preferred form of marriage	No	<ul style="list-style-type: none"> The Customary Marriages Act Allows for polygamy The Unregistered Customary Law Union is also potentially polygamous
Registration of Marriages	No	<ul style="list-style-type: none"> There is no compulsory registration of marriages although marriages contracted in terms of the Marriage Act and the Customary Marriages Act are automatically registered in terms of s31 and s8 respectively
The Right to retain maiden name	No	<ul style="list-style-type: none"> At law there is no legal requirement compelling women to change their names upon marriage but in practice the Registrar General compels married women to assume their husband's surnames when registering births or applying for a passport
The Right to retain nationality and to acquire the nationality of her husband	No	<ul style="list-style-type: none"> Zimbabwean law prohibits dual citizenship in terms of the s9 Citizenship of Zimbabwe Act [Chapter4:01]. In s15 of the Act married women are not protected from this prohibition In terms of Zimbabwean law foreign spouses do not have an automatic right to citizenship. They must apply for citizenship in the ordinary way.
Right to jointly safeguard children's interests a) Joint Guardianship b) Maintenance	No Yes	<ul style="list-style-type: none"> In terms of s3 of the Guardianship of Minors Act [Chapter 6:03] the father is the guardian of children born in wedlock and exercises this right in consultation with the mother S6(3) of the Maintenance Act [Chapter] stipulates that the parents of a child are primarily and jointly responsible for the maintenance of the child until the child attains age of legal majority or becomes self supporting
Custody	Yes	<ul style="list-style-type: none"> The law provides that in deliberating matters of custody, the best interests of the child shall be the paramount consideration in terms of s5 of the Customary Law and Local Courts Act [Chapter 7:05]
Right to equitable share of property after divorce	Yes for registered marriages	<ul style="list-style-type: none"> In terms of s7 of the Matrimonial Causes Act (Chapter 5:13) upon the dissolution of marriages the court shall apportion their matrimonial property. This Act applies to marriages solemnized under the Marriages Act, the Customary Marriages Act and the Customary Law unions - cohabitants are not protected by this law
Right to seek divorce by women	Yes	<ul style="list-style-type: none"> s4 & s5 of the Matrimonial Causes Act provides that the courts can grant a decree of divorce on grounds of irretrievable breakdown or on grounds of invariable mental illness and this can be at the instance of either party
Widows and Widowers		
Widows are not subjected to inhuman, humiliating or degrading treatment	No	<ul style="list-style-type: none"> There are no particular known prevalent practices that degrade widows, such as widow cleansing
The right of widows to marry a person of	Yes	<ul style="list-style-type: none"> s3 of the Domestic Violence Act outlaws forced wife inheritance

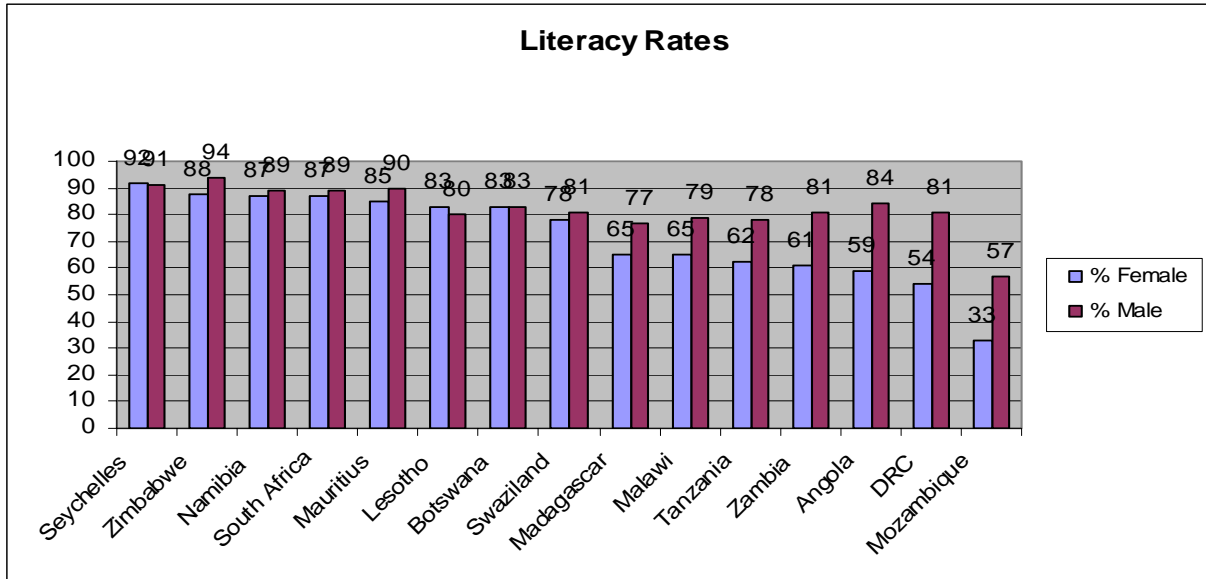
their choice		
The right of wives and daughters to inherit from their husband and father's estates	Yes	<ul style="list-style-type: none"> • s3 of the Deceased Estates Succession Act [Chapter 6:02] provides that the surviving spouse of a person married under general law primary benefits from the deceased's estate • s68 of the Administration of Estates Act [Chapter 6:01] provides that the surviving spouse and children are the primary beneficiaries to an estate of a deceased person married under customary law
Widows rights to become guardian and custodians of their children	Yes	<ul style="list-style-type: none"> • S4(2) of the Guardianship of Minors Act provides that where the father has not been appointed as sole guardian he cannot appoint a testamentary guardian to the exclusion of the mother of the child
Rights of elderly women	No	<ul style="list-style-type: none"> • The law does not provide for specific rights for elderly women in Zimbabwe
Widows shall be protected from all forms of violence and discrimination	No	<ul style="list-style-type: none"> • No special legislation exists for the protection of widows. The protection offered is that which applies to women and girls generally.
Girl and Boy Child		
Eliminating all forms of discrimination against the girl child	No	<ul style="list-style-type: none"> • No specific provisions apply to the rights of the girl child over those that apply to women generally.
Girls have the same rights as boys and are protected from harmful cultural practices	No	<ul style="list-style-type: none"> • The protection that girls have in relation to harmful cultural practices is that which is provided to women generally.
Girls are protected from all forms of economic exploitation, trafficking, violence and sexual abuse	Yes	<ul style="list-style-type: none"> • The Criminal Law Codification and Reform Act in s71 outlaws trafficking of young persons and the Domestic Violence Act also protects children in s2(b) by providing that they can be victims hence complainants in matters of domestic violence.
Girl children have access to information, education, services, facilities on sexual and reproductive health and rights	No	<ul style="list-style-type: none"> • No specific legislation exists on these provisions.

As Zimbabwe undertakes its Constitutional reform exercise it may be useful to ensure that protection of the rights of women and girls is strengthened through the protection of special groups of women such as the elderly, young women and widows.

EDUCATION AND TRAINING

Article 14: Education and Training *The Protocol provides that state parties shall enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education*

Graph 1: Literacy Rates in Southern Africa



Gender Links: Regional Barometer Report, 2009

As reflected in the graph above, Zimbabwe ranks 2nd in the SADC region with regards to literacy rates for females and first with rates for males.

Enrolment and Retention

As highlighted in the graph above, over the years Zimbabwe has come to be recognised as one of the countries in Africa with a highly literate population; the level of literacy is estimated at 97%.⁵ Regrettably the Zimbabwean Crisis has not spared the education sector as it has witnessed a serious “brain drain” with teachers fleeing the country into the Diaspora and consequently the quality of education has been compromised⁶. The right to education is not guaranteed in the Constitution but is enshrined in s4 of the Education Act [Chapter 25: 04] where it provides that every child shall have the right to education. In s5 of the Act it provides for compulsory primary education for every child of school going age, however, it makes it the duty of every parent to ensure that such child attends school, whereas the duty should fall on the State to provide compulsory free primary education. In a bid to achieve universal primary education, in the context of gender and other asymmetries in accessing education, the Ministry of Education Sport and Culture (MOESC) in partnership

⁵ This is in terms of the Census Report 2002

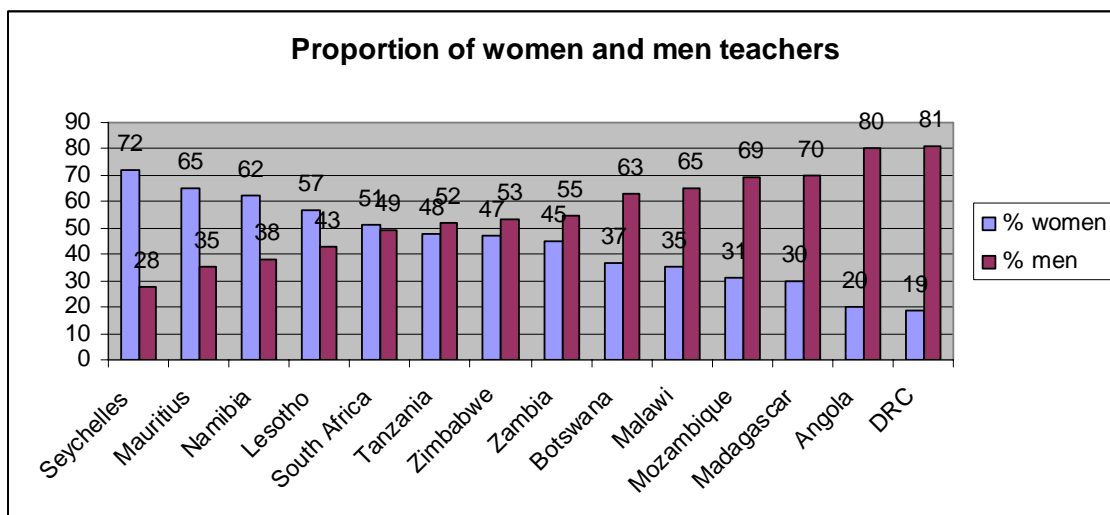
⁶ For instance in 2008 teachers were on strike for the greater period of the year, public examinations for Ordinary and Advanced Level were delayed in being administered and the results were also delayed in being released due to budgetary constraints.

with development agencies and other NGO's developed a National Strategic Plan for the Education of Girls, Orphans and other Vulnerable Children for the period 2005-2010. The Strategic Plan seeks to achieve universal primary education by 2010 and eliminate gender disparities in primary and secondary education through measures such as reducing the distance to schools, reducing sexual abuse in schools, mobilizing parents to address cultural and religious barriers to education, and reduce the incidence of child labour especially in farms. In reality, the economic meltdown has challenged the state of the country's education immensely; hence many of these targets will probably not be met. For instance in 2008 teachers were continuously on strike over poor remuneration, public examinations were delayed and some teacher's organizations, like the Progressive Teachers Union of Zimbabwe, called for the examinations to be cancelled and for the whole academic year to be disregarded.

The MOESC is yet to come up with an Education Policy. Efforts were made in the past but they did not reach fruition.

The graph below indicates the number of female and male teachers in the SADC region; Zimbabwe scores in the average range regarding numbers of women represented in the profession.

Graph 2: Proportion of women and men teachers



Source: Gender Links Regional Barometer Report, 2009

The Government of Zimbabwe had also established a fund to finance education for orphans and other vulnerable children through the Basic Education Assistance Module (BEAM) administered by the department of Social Welfare. However this became defunct due to lack of funds. The only existing funding is that which is being provided by development agencies such as UNICEF. In terms of tertiary education Matipano tertiary students receive a Government grant under the cadetship scheme that students can apply to upon being admitted. Tertiary students can also apply for scholarships for studies outside Zimbabwe from the Ministry of Higher Education.

In terms of affirmative action, Government has adopted a quota system where it admits female students with lower entry points and the quota is set at 30%. Matipano advises that in 2006 the Government gave a directive to the effect that all tertiary institutions should have 50-50 gender parity in enrolment especially in areas where it is easy to achieve this. However, she noted that there is inconsistency in its implementation with no support systems to complement this; hence, the degree of success and level of implementation differs from one institution to the other. One best practice is that she referred to was the Midlands State University where they have introduced bridging courses for female students in science fields. In addition they have also gone further to provide accommodation for women in the male dominated areas. In the final analysis the statistics enrolment dropout in the education sector is set out below.

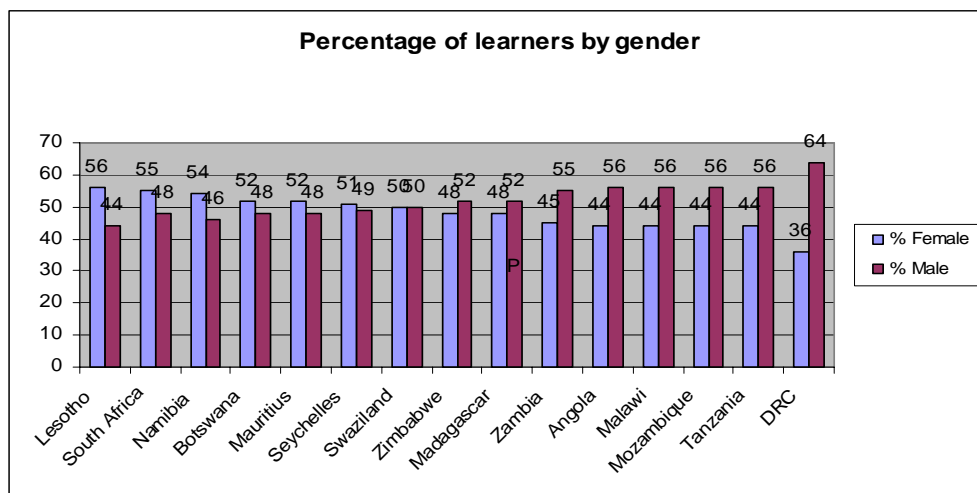
Table 7: Access and enrolment in education sector in 2006

Type of data	Boys/men	Girls /girls	Total	% women/girls	% men/boys
Literacy				96	97
Enrolment Net Intake rate					
Primary School				58.4	56.2
Secondary School				66.8	67.7
A Level				38.1	61.9
Tertiary level				Not available (statistics are for individual institutions)	
Vocational				Not available	
Dropout					
Primary school				8.6	9.2
Tertiary level					
Secondary school				10.22	6.77
Tertiary level				n/a	
Vocational				n/a	

Source: EMIS Report Year 2006 and Census report 2002 (Statistics only available in terms of percentages)

The dropout rate for females is much higher than that of males. Some of the reasons given for female dropout included *inter alia* the onset of adolescence itself, as this made girls more aware of themselves resulting in them losing their assertiveness. Idzayi Gweme (Education Officer Research and Evaluation and Girls Education, and Gender Focal person), noted that for some adolescent girls a simple thing like asking for a text book could prove a mammoth task. In some areas it was noted that there were no role models particularly in farming and remote areas. Stewart⁷, in a study of female dropout in secondary schools, noted that the lack of sanitary ware and sanitary facilities in schools made some girls initially miss a few days of school every month, and in time this would translate into longer periods leading eventually to dropout. In addition, Gweme, note that in some social circles including families, education of girls is not valued - as long as girls achieved basic literacy it is acceptable as they are socialised to believe that men are the ones who will need to work and take care of them. To address some of these challenges the MOESC has set up a Girls Empowerment Movement in schools, a move that seeks to increase girls' participation and improve their education outcomes. In addition, the MOESC is also providing leadership and HIV/AIDS and Life Skills camps for girls and boys. It seeks to empower girls on their rights, capacitate them with information on preventing HIV infection, and provide information on adolescence, child abuse and other issues. Also, the MOESC has incorporated HIV/AIDS and life skills training into the school curriculum. This is in the form of 30 minute lessons weekly in primary schools and an hour in secondary schools, but Gweme notes that in this respect the MOESC is still short on adequate literature on the subject matter. UNICEF and UNFPA are also providing training for teachers to equip them with knowledge on the subject. The graph below indicates the levels of girls in secondary education; Zimbabwe fares in the average range in comparison to other countries.

Graph 3: Percentage of girls and boys in secondary school



Source: Gender Links Regional Barometer Report, 2009

⁷ Stewart J.E.: P. Mutunga (ed) Life Skills, Sexual Maturation and Sanitation: What's (not) happening in our schools – An Exploratory Study from Kenya, WLC and Weaver Press Harare, 2004pp 306.

Table 8: Pass rates

	% boys/men	% girls/women
Primary Grade 7	31.1	35
Secondary	20.9	15.3
A Level	74.3	72.9
University	n/ a	
Vocational	n/a	

Source EMIS: 2006

Gender-based Violence in Schools

According to Gweme, The Ministry of Education has come up with a Statutory Instrument SI 1/2000 that seeks to regulate the conduct of teachers in relation to issues of gender-based violence in schools. According to this all intimate relationships with school children by teachers are regarded as improper associations. This is the case despite the fact that the child in question could be over the age of consent. Where allegations arise the teacher will face disciplinary action from the Ministry and, in addition, where the child in question is below the age of consent, the Ministry will also lodge a criminal offence. Once found guilty, a teacher may be discharged of his or her duties. However, she pointed out that one of the greatest challenges to this is with parents who consent to marriages between the teacher and their child - which results in the charges being dropped or not being pursued. Regrettably, she remarked that some parents agree to these settlements only for the teachers to process transfers and relocate to other areas or for them to abscond which poses difficulties in tracking and/or investigation.

Teenage pregnancy

The Ministry of Education's policy on teenage pregnancy provides that once a girl falls pregnant she can take time out of school to deliver and thereafter is allowed to re-enrol and continue with her studies.⁸ Gweme indicated that in the past the policy provided that in the case where the pregnancy was authored by a fellow male student both students would have been directed to dropout but this has changed. Gweme remarked that in reality most girls who dropout rarely seek re-enrolment and this has to do mostly with community attitudes. She noted that in the first instance parents are reluctant to send their children back to school and in some instances some school heads are reluctant to enrol students who are mothers. In addition, she noted that community attitudes towards such children often deterred them from re-enrolment.

In tertiary institutions in Zimbabwe the policy is that if a student falls pregnant they are allowed to deliver and continue with their studies. This is the case at all state institutions

⁸ This is terms of Policy Circular 35 of the Ministry of Education

and was extended to include even private institutions⁹. Presently the only exception where this rule is not being followed is within the Ministry of Health. The Ministry has issued a circular to the effect that female students who fall pregnant must drop out of school and reapply after two years; re-enrolment is made subject to the availability of placements.

Challenging stereotypes

The Protocol requires that by 2015 state parties adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence.



Rural child gets a bath in Zimbabwe
Zim Mother bathing child_TD_04

Photo: Trevor Davies

The Curriculum Development Unit (CDU) has over the years been trying to mainstream gender into the national curriculum. Mutembwe, Director Curriculum Development Ministry of Education, highlighted that the CDU has come up with guidelines on gender mainstreaming to ensure that all their writers produce gender sensitive materials. He also observed that women and girls mostly majored and excelled in arts and humanities as opposed to science and maths subjects. The CDU has initiated Science and Maths camps for girls after a realisation that girls were reluctant to take on these subjects. This he added

⁹ See the cases of *Wazara v Belvedere Teachers College* and *Mandizvidza v Morgenster*. In the latter case, the respondent, a religious institution, argued that it was against its religious morals to allow pregnant students within its institution.

then affected the number of women who ultimately take on science and maths subjects at tertiary level as is illustrated in Table 9 below. Mutembwe indicated that the CDU has also been challenging stereotypes in the curriculum, for instance in one woodwork textbook they are inserting an illustration of a girl using a saw. He indicated that the reason they are doing this is that although subject selection is not based on gender in reality that is what happens due to socialisation.

Table 9 shows the gender disaggregation on school administration which also reinforces stereotypes.

Table 9: Gender disaggregated data on school administration

Staff category	No women	No men	Total	% women	% men
Principals				n/a	
Teachers Primary				53.4	
Teachers Secondary				40.8	
School governing bodies				n/a	

Source: EMIS Year 2006

The table reflects that women constitute a significant portion of teachers in the education sector, particularly within primary and secondary schools. Gweme¹⁰ notes that there are a considerable number of women in the education sector but the challenge is that very few of them are to be found in the management structures. She highlighted that there are a few women who are school heads with even fewer women who have decision-making positions within the Ministry, but there was no compiled data on this.

Despite policies on affirmative action, the proportion of women at universities is still much lower than that of males, and even then, women are mostly found in the arts and humanities.

¹⁰ Education Officer Research and Evaluation and Girls Education, Gender Focal person



University of Zimbabwe students
UZstudents laughing_TD_070904

Photo: Trevor Davies

Table 10: Women and men in university faculties of all universities by Faculty by Sex 1999

Faculty	No women	No men	Total	% women	% men
Arts and Humanities	779	1273	2052	38	62
Agriculture	128	433	561	23	77
Commerce	746	1872	2618	28	72
Education	609	1116	1725	35	65
Engineering	104	1194	1298	8	92
Law	143	188	331	43	57
Medicine	430	890	1320	32	68
Science	431	1371	1802	23	76
Social Studies	700	1067	1767	40	60

Veterinary Science	32	109	141	23	77
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Source: Women and Men in Zimbabwe Year 2002

Table 11: Women and men in university faculties

Faculty	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		S. Africa		Swaziland		Tanzania		Zambia		Zimbabwe		
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	
%																															
Year			2006		2007		2008/9		2006/7		2009		2009		2007		2007						2007/8		2008		2008		1999*		
Arts & Humanities Social Sciences			64	36			69	31	42	58			78	22	40	60	65	35	n/a	n/a					44	56	40	60	38	62	
Science			28	72			26	74	33	67			59	41	23	77	39	61	n/a	n/a			27	73	30	70	35	65	76	24	
Economic Sciences			59	41			52	48	31	69							55	45	n/a	n/a			48	52	30	70			29	71	
Law							51	49	31	69	29	71	62	38	43	57	52	48	n/a	n/a					23	77	42	58	43	57	
Medicine/Health Sciences			55	45			58	42	31	69			59	41	49	51	77	23	n/a	n/a			56	44	33	67	34	66	33	67	

Source:

Whilst Zimbabwe has achieved much in the field of education the prevailing social and economic factors need to be urgently addressed to ensure that the gains the country had made are not reversed due to high costs of education, continued strikes by teachers over poor remuneration, and funding for orphans and other vulnerable children. There is also need to take more action to promote the acceleration of women into tertiary education and this could also include the adjustment of the age of consent to marriage which ultimately limits women's access to education and other opportunity.

WOMEN AND THE ECONOMY

Articles 14- 19

Women and men in economic decision-making

The Protocol provides that state parties shall, by 2015, ensure equal participation by women and men in policy formulation and implementation of economic policies.

Women's participation in the development of economic policies has been rather peripheral. Over the last few years the Zimbabwe Women's Resource Centre and Network in Partnership with the Ministry of Finance and the Ministry of Women Affairs Gender and Community Development have introduced the gender budgeting programme. To date it has provided training on gender budgeting; however, Arina Manyanya¹¹ notes that the programme has not yet begun paying off as it has not been applied in practical terms in the actual drawing up of budgets¹². She added that one of the other challenges in this respect is the fact that the people who have been trained on the gender budgeting initiative are not necessarily the high level management who are involved in decision-making thus limiting the impact that the initiative can have.

Table 12: Women and men in economic decision-making

	Name	MALE (TICK)	FEMALE (TICK)
Minister of Finance	Laxton Tendai Biti	X	
Deputy Minister of Finance	None		
Permanent secretary/DG	Willard Manungo	X	
Minister of Economic Planning	Elton Mangoma	X	
Deputy Minister of Economic Planning	S Undenge	X	
Permanent secretary/DG	Desire Sibanda	X	
Minister of Industry and Commerce	Welshman Ncube	X	
Deputy minister of trade and industry	Michael Bimha	X	
Permanent secretary/DG	Abigail Shonhiwa		X
Governor of the central or reserve bank	Gideon Gono	X	
Deputy governor of the reserve bank	Mr E. Mashiringwani Mr N Ncube Dr. C. Dhliwayo	X X	X
Regional	Prisilla		X

¹¹ Deputy Director- Gender Focal Person Ministry of Finance

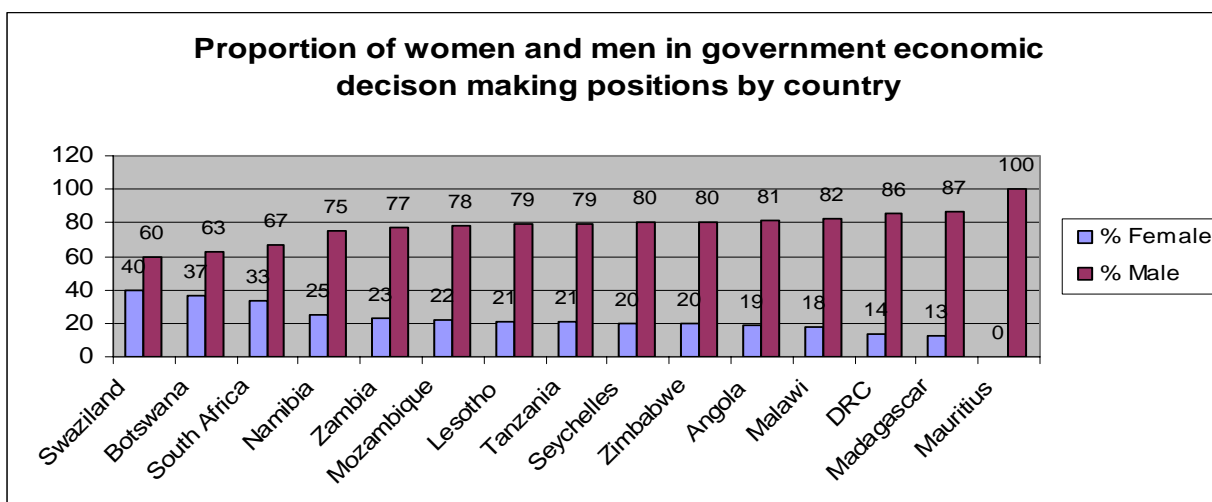
¹² For instance, in the 2009 budget did not necessarily use the gender budgeting model. but the Ministry of Finance indicated that in future they would try to implement this. The ZWRN has so far trained gender focal persons, Heads of Departments and policy makers on gender budgeting in the first phase of the programme. It has now decentralised the programme where it is training councillors in six districts as a pilot project.

	Name	MALE (TICK)	FEMALE (TICK)
Intergration and International Co-operation	Misihairambwi-Mushonga		
TOTAL		10	3
PERCENTAGE		76	23

Source: 2009

The graph below indicates that compared with other countries in the SADC region, Zimbabwe scores below average with women represented in government decision-making positions.

Graph 4: Proportion of women and men in government economic decision-making positions by country



Source: Gender Links Regional Barometer Report, 2009

Table 13: Private sector and parastatal leadership

	Women	Men	Total	% women	% men
Private sector					
Directors of Boards					
CEOs					
Parastatals					
Directors of boards					
CEOs					

Regrettably no agency compiles information for private sector and parastatal leadership.

Economic Empowerment

The Protocol provides that State Parties shall ensure gender responsive budgeting at the micro and macro levels including tracking; monitoring and evaluation.

The Short Term Economic Recovery Programme (STERP) acknowledges that most African economies marginalise women and that patriarchal and unsound market liberalisation policies have resulted in the feminisation of poverty¹³. It also acknowledges the informalisation of the economy which has propelled the feminisation of poverty. In Article 37 the Government pledges to demarginalise women through specific gender mainstreaming programmes. It also highlights that programmes that target women and vulnerable groups will receive resource mobilisation priority given the role that women play in community development. Though this has been stated, it remains to be seen how this translates into reality.



A woman fishes at the dam that used to supply the small scale sugar cane farms with water, Zimbabwe

Photo: Terry Pidsadny

Zim Economy_rural woman fishing at river_TB_270106

To promote economic empowerment, the Government of Zimbabwe created the Ministry of Small and Medium Enterprises (MSME) that provides support to micro, small and medium enterprises through the Small Enterprises Development Corporation (SEDCO). Priscilla Chipinduro (Gender Focal Person Ministry of Small to Medium Enterprises) observes that in most cases women have benefitted in provisions of the programme through small loans. The larger loans used to start up business draw fewer applications from women as this requires applicants to provide collateral and most women cannot raise this. In addition women often cannot draw up the requisite project proposals required for this type of funding due to lack of skills. Beauty Mugijima (President Zimbabwe Chamber of Informal Economy Association) notes that they have made efforts to engage the MSMES but the constraints that their members have include the cumbersome requirements that are in place for one to register as an SME; hence, she stated that most of their members are unregistered and are then continuously harassed by police officers who confiscate their goods. The MSME's had a Micro and Medium Enterprise Policy and Strategy Framework for the period 2002-2007. When this lapsed a new policy was drafted but it is yet to be adopted. The new policy seeks to relax some of the requirements for collateral fails to put in place a measure to ensure that women benefit from the funding that is provided to SEDCO. Chipinduro indicated that there has been a directive to the effect that 30% of SEDCO funds must benefit women, but since this policy directive was issued no funding has been available for disbursement to assess compliance. She also added that at the time there were no clear statistics that had been collected on the number of women owned enterprises that had benefitted through the SEDCO scheme, but they were looking to embarking on this exercise in the future.

¹³ The STERP was launched by the Finance Minister in March 2009 after the inception of the Inclusive Government as part of the reconstruction efforts



Woman pushes her granddaughter in wheel barrow as they go to wash wild Mopani worms, a business that she has ventured into, Zimbabwe 2004.

Photo: Trevor Davies

womanpushingchild
nwheelbarrow_TD_090704

Women and Ownership of Land

The SADC Protocol provides that by 2015 state parties shall review all policies and laws that determine access to, control of, and benefit from, productive resources by women.

Women's rights to own land in Zimbabwe is regulated by a myriad legislation that confer different rights to women in relation to the ownership of land. For instance, women cannot own communal land because according to the Constitution it shall not be held to be discriminatory in allocation of communal land to tribes' people over other people. The Traditional Leaders Act as read with the s8 Communal Lands Act gives traditional leaders the right to allocate communal land and to consider customary law in the allocation of land. As a result few women have been able to own communal land in their own right. In the same vein s15 of the Deeds Registries Act [Chapter 20:05] requires the husband of a married woman to be assisted by her husband in the execution of a deed when she seeks to obtain a title to freehold land. In reality most women have not been able to ensure ownership of this land due to collateral required by financial institutions for mortgages. S23 (3)(a) of the Constitution provides that women and men shall be treated equally in the allocation of land. This amendment was introduced as part of the 17th amendment to the Constitution well after the land reform programme had been undertaken. One of the criticisms that had been put forward was the requirement of collateral for applications for the large scale/A2 Commercial farms. The Utete Land Audit was the last comprehensive land audit undertaken but since then more farm land has been acquired and reallocated by Government and even then it focused on the allocation of farm land in terms of the Land Reform Programme. The programme is still operating and there has not been a recent audit of it. Women and Land in Zimbabwe indicated that they were in the process of compiling new data on land ownership but that would be focused on the Land Reform programme. Table 15 below provides an analysis of women's ownership rights in Zimbabwe which highlights the fact that women are still marginalised in terms of ownership of resources.



A proud woman farmer in Matobo washing vegetables from her fields

Photo: Trevor Davies

Matobo womanwithcrops_td_04

Table 14: Women ownership of different land types

Type of Land	% of women's ownership
Resettlement	17
Communal	47
Small holding A1	18 (as per the Utete report)
Commercial land A2	12

Source: Women and Men in Zimbabwe (2002)

Women and Men in Employment

Over the years Zimbabwe's level of unemployment has risen due to the effects of the economic meltdown that. In 1999 for instance the unemployment rate was 6%.¹⁴ This is when the latest comprehensive study was carried out on Labour statistics in Zimbabwe. Dzviti (Director Labour Administration, Ministry of Labour) indicated that at the time of the compilation of this report, the Ministry of Labour in collaboration with the Central Statistical

¹⁴ Labour Statistics Central Statistical Office, October 2004

Office was in the process of commissioning a fresh study. However, by the end of 2008 unemployment was estimated at approximately 94%; the economic meltdown in Zimbabwe resulted in masses of industries closing down. It is without doubt that the informal sector in Zimbabwe grew during the years of the Zimbabwe crisis and Chipinduro highlighted that even where people are employed they may also be engaged in other activities in the informal sector such as cross boarder trading, operating flea markets. Hence it is difficult to have accurate data on the actual size of the informal sector. She also indicated that not all informal traders are registered and it becomes difficult to access accurate data on the sector. Mugijima of the Zimbabwe Chamber of Informal Economy Association maintains that their membership is made of 2.3 million people who are employed as informal traders plying various trades. In addition, the Zimbabwean crisis resulted in Zimbabwe experiencing a serious “brain drain” as most professionals left the country into the Diaspora. Although everyone concedes that the existing statistics are outdated and do not reflect the present reality in Zimbabwe, they are the only existing comprehensive data available.¹⁵ Table 16 below shows the spread of women and men in the employment sector as of 1999 when the last survey was compiled.



MPCC Market in Zimbabwe

Photo: Gender Links

MPCC market place

¹⁵ For instance efforts were made to get statistics from the Zimbabwe Congress of Trade Unions but it too had no recent data.

Table 15: Women and men in employment

	No of women	No of men	Total	% women	% men
Employed				22	50.9
Unemployed				4.6	7.3
Self employed/Own account worker				57.9	28.6
Unpaid family worker				15.4	12.7

Source: (1999)

Table 16: Employment levels of women and men across key occupations

Sector	No of women	No of men	% women	% men
Agriculture, forestry and fishing			56,6	43.4
Mining and quarrying			6,7	93,3
Manufacturing			25,1	74,9
Electricity, gas, steam and air conditioning supply and water supply, sewerage, waste management and remediation activities			100	-
Construction			6.3	93.7
Transportation and storage			8.2	91.8
Accommodation and Food service activities				
Financial and insurance activities and real estate			17.1	82.1
Real estate activities				
Professional, scientific and technical activities				
Administrative and support service activities				
Public administration and defence; compulsory social security			24.4	75.6
Education			40.8	59.2
Human health and social work activities			42.3	57.7
Public Administration			24.4	75.6
Other service activities			66.3	33.7
Private Domestic			54.6	45.4
Total			48.9	51.1

Source: Labour Statistics CSO 2004

Dzviti¹⁶ highlighted that as a result of the differences in the industries where women and men are employed, in the end the differential wage gap is significant depending on the sector where one is employed. Regrettably he noted that most women are employed in the clothing sector whereas more men are employed in mining and manufacturing; the mining and manufacturing sectors pay more than the clothing industry. Issues such as remuneration are regulated in terms of the collective bargaining agreement per industry and thus Government does not have an overriding say in the matter.

¹⁶ Director Labour Administration, Ministry of Labour

Country indicators of wealth and income, 2002

Country	HDI rank	GDP per capita	Female income	Male income	Female as % male
Angola	161	2187	-	-	
Botswana	126	7184	5418	9025	60%
Comoros	137	1588	1136	2038	56%
Lesotho	132	2031	1223	2853	43%
Madagascar	-	-	-	-	-
Malawi	163	943	506	726	70%
Mauritius	67	10017	5332	14736	36%
Mozambique	170	854	705	1007	70%
Namibia	122	6431	2019	5068	40%
South Africa	107	9401	5888	13024	45%
Swaziland	125	4492	2557	6479	39%
Seychelles	47	12508	-	-	
Zambia	153	780	562	995	56%
Zimbabwe	128	2635	1946	3324	59%

As seen in the table to the left, women continue to earn far less than their male counterparts even though their workload tends to be far greater.

Source: UNDP Human Development Report, 2002: 150-1; 222-225

Conditions of Employment

Zimbabwe's labour force is divided into the public and private sector in terms of its regulation. Those in public service are subject to the Public Service Act under the Ministry of Public Service and the Public Service Commission. Those in the private sector are governed by the Labour Act with the Ministry of Labour as the regulatory body. The Labour Act has a greater period of maternity leave and also provides for the prohibition of sexual harassment. Dzviti indicated that sometime in 2003 there was an attempt to make the civil service report to the Ministry of Labour so as to have one regulatory labour body, but a constitutional challenge foiled this effort. Table 18 below outlines the conditions of service in both the public and private sector.

Table 17: Conditions of employment

Provision	Yes/No	Provisions
Maternity leave	Yes	S18 of the Labour Act provides for maternity leave of 98 days and s39 of the Public Service Regulations SI1/2000 provides for 90 days maternity leave
Paternity leave	No	
Sexual harassment	Yes	S8(g) of the Labour Act provides for the prohibition of sexual harassment as an unfair labour practice
Night work	No	
Same retirement age and benefits for women and men	No	The age of retirement in the private sector is provided for in the Collective Bargaining Agreements for each sector in the private sector. In the Public Sector the retirement is 60 years in terms of s17 of the Public Service Regulations

Source: Year

Financial Institutions

Due to prevailing conditions of hyperinflation of unprecedented levels, financial institutions have over the last few years not been availing credit facilities to companies or individuals. The introduction of the multiple currency system has eliminated the risk of hyperinflation, but measures to resuscitate this facility are outstanding.



Woman farmer
at work in
Zimbabwe

Photo: Trevor
Davies

Womanfarmer_td_01

GENDER-BASED VIOLENCE

Article 15-19

The Protocol aim to reduce current levels of gender-based violence by half by 2015

Response and support

The SADC Protocol provides that by 2015 state parties shall: Enact and enforce legislation prohibiting all forms of gender-based violence; Ensure that laws on gender-based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault; Review and reform their criminal laws and procedures applicable to cases of sexual offences and gender-based violence; Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society; Enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment.

Zimbabwe has a high incidence of gender-based violence with an estimate that one in every four women has experienced violence of a physical nature in her lifetime¹⁷. In addition, it is recorded that 60% of all murder cases going through the country's High Court are in relation to domestic violence. The Government of Zimbabwe enacted the Domestic Violence Act in 2007. In addition there are other laws to regulate gender-based violence such as the Criminal Law Codification Act and the Labour Act that outlaws sexual harassment. The Musasa Project recorded 1731 cases of women who approached its centres for psychosocial support in 2008 and it sheltered 133 women in the same year. Statistics from the Ministry of Home Affairs were not available on the prevalence of rape at the time of finalising this report.

Table 18: Gender violence statistics

No of reported rape cases in last year	
No of rape cases that get withdrawn	
% rape cases withdrawn	
Number of convictions	
% conviction rate	

Source: Ministry of Home Affairs

The Government of Zimbabwe in partnership with NGO's and development agencies has been responding to gender-based violence as outlined in Table 19 below:

¹⁷ Retrieved at <http://zimbabwe.unfpa.org/UNFPA%20in%20Zimbabwe.htm>, September 11th, 2009

Table 19: GBV response and support

Provisions	What is in place?	What needs to be put in place?
Laws/ policies		
Legislation prohibiting all forms of GBV.	The Domestic Violence Act [Chapter 5:16] prohibiting domestic violence, The Criminal Law Codification and Reform Act prohibiting sexual and physical violence, The Labour Act outlawing sexual harassment.	Specific laws on trafficking and torture are still needed.
Ensuring that all perpetrators of GBV are brought to book.	The Domestic Violence Act [Chapter 5:16], The Criminal Law Codification and Reform Act, The Labour Act.	The laws are there but implementation, particularly of the DVA, is still lagging since its introduction in 2007.
Comprehensive testing, treatment and care of survivors of sexual offences- emergency contraception.	Only the DVA s6 makes it a duty for the Police to assist victims to obtain treatment and shelter.	Legislation must provide clearly for free medical assistance to victims of gender-based violence.
Access to Post-Exposure Prophylaxis for survivors of GBV.	No legislation that provides for this although the Adult Rape Clinic and Family Support Trust provide these to victims of GBV.	Legislation that explicitly provides for PEP.
Prevention of sexually transmitted infections.	S70 of the Criminal Code criminalises wilful transmission of sexually transmitted infections and wilful transmission of HIV.	
Social and psychological rehabilitation of perpetrators of gender-based violence?	S11 (h) of the DVA provides that the courts can direct the perpetrator to undergo counselling.	Counselling centres are still limited and those existing are run by NGO's raising issues of sustainability. No order so far has been given to this effect.
Review of criminal laws and procedures on sexual offences and GBV to eliminate gender bias and ensure that justice	When the criminal code was formulated it eliminated some prejudices that existed in the common law such as the introduction of character evidence	

Provisions	What is in place?	What needs to be put in place?
and fairness are accorded to the survivor.	in rape cases.	
Human trafficking		
Specific legislation to prevent human trafficking.	This is not in place. Criminal Law Codification and Reform Act provides in s71 for the criminalisation of sexual crimes committed outside Zimbabwe.	A specific law on trafficking that responds to intra and inter trafficking and also targets other reasons for trafficking such as labour and body parts.
Mechanisms to eradicate national, regional and international networks.	Awareness campaigns including a campaign dubbed Red Light 2010 initiated by the Women and Law in Southern Africa that seeks to sensitise on human trafficking in anticipation of the World Cup in 2010 in South Africa, as well as efforts by the International Organisation for Migration (IOM).	
Harmonised data collection on trafficking	IOM has been collecting this.	
Capacity building, awareness raising and sensitisation campaigns on trafficking.	IOM has been running a campaign on trafficking. The Red Light District campaign also works with truck drivers as they are targets facilitating trafficking.	
Sexual harassment		
Adopt laws, policies, programmes that define and prohibit sexual harassment.	S8(g) of the Labour Act outlaws sexual harassment by making it an unfair labour practice.	Sexual harassment needs to be prohibited in the public sector.
Support services		
Cases on GBV to be heard in a gender sensitive environment.	The Victim Friendly Unit provides that cases of gender-based violence can be heard on camera in terms of s319B and of the Criminal Procedure and Evidence Act	In practice the court needs to be accessed more by adult women (without prejudice) as currently it is used mostly for child victims.

Provisions	What is in place?	What needs to be put in place?
	[Chapter 9:07].	
Special counselling services.	Only in the Domestic Violence Act where a magistrate can direct that the parties undergo counselling.	This facility is not yet institutionalised hence the courts cannot give such orders.
Dedicated and sensitive services provided by police units, health, social welfare.	The Police have set up a Victim Friendly Unit with specially trained Victim Friendly Officers, the DVA sets out special duties for the Police to assist victims of domestic violence.	
Accessible information on services available to survivors of gender-based violence.	This duty has been largely left to NGO's and mainly financed by development agencies. Government itself has committed limited resources to this.	
Accessible, affordable and specialized legal services including legal aid to survivors of gender-based violence.	Likewise this duty has been left to NGO's and although the Government operated a legal aid directorate, it caters for very few of the deserving beneficiaries.	
Specialised facilities, including support mechanisms, for survivors of GBV.	Psychosocial support is provided by the Musasa Project and Connect.	
Rehabilitation and reintegration facilities for survivors of GBV.		Need for more investment in this area.
Training of service providers		
Gender sensitisation training for all service providers engaged in the administration of justice, such as judicial officers, prosecutors, police, prison, welfare and	Training of the Judiciary through a partnership between the Ministry of Justice and ZWLA, Training of the Police through a partnership with Musasa Projects with both projects supported by UNFPA. The Musasa project has also been working with the training department to	Training must be extended to other service providers and Government should commit resources to this end as current efforts are donor supported and not sustainable.

Provisions	What is in place?	What needs to be put in place?
health officials?	incorporate issues into the curriculum. ZWLA has been training court personnel on gender sensitivity targeting clerks of court, prosecutors, and interpreters.	
Community sensitisation programmes for survivors of gender-based violence.	This has been largely the role of NGO's.	
Formal training programmes for service providers.	Police and judiciary have been receiving training.	

Source: Year

As part of sensitisation on gender-based violence Zimbabwe commemorates the 16 days of activism and International Women's Day, but these have largely remained women's events. For instance, for the 2009 International Women's Day, political parties jointly commemorated the day as part of a campaign to promote tolerance in a polarised society. The MOWAGCD in partnership with NGO's and UNFPA recently launched a campaign named *musha matare* aimed at disseminating information on gender-based violence. ZWLA also has a campaign called Together We Can that seeks to achieve collaboration to end gender-based violence. In terms of s16 of the Domestic Violence Act, the MWAGCD has appointed an Anti Domestic Violence Council whose duty it is to facilitate dissemination of information on the Domestic Violence Act, promote the provision of support services, and establish safe houses. The Council is now in place and it now remains to be seen what their work will translate to in reality.

Integrated Approaches

The SADC Protocol on Gender and Development calls on states to adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender-based violence by 2015.

- Does your country have a National Action Plan to End Gender Violence or strategy is available in your country to curb all forms of gender-based violence?
X No
- Has the National Action Plan been adopted?
X No

Caroline Matizha (Director Gender Ministry of Women Affairs Gender and Community Development) advises that the MOWGCD is in the process of developing a National Gender-based Violence Strategy and Work plan. At the time of compiling this report a draft strategy

was in place. The draft Strategy seeks to address four key areas: prevention, service provision, research documentation, and advocacy and coordination. The development of the Strategy is being spearheaded by the MOWAGCD in partnership with UNFPA.



Women Against Violence, Zimbabwe

Photo: Gender Links

HEALTH, HIV/AIDS

The Protocol provides for state parties to by 2015, adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care; reduce the maternal mortality ratio by 75% and ensure the provision of hygiene and sanitary facilities.

The right to health is not provided for specifically in the Constitution of the country. The status of the health institutions has been greatly affected by the lack of resources as the economic meltdown took its toll on the country and the medical profession suffered a tremendous “brain drain”. Ordinary citizens were also impoverished to such an extent that they could not afford to pay their own medical expenses.



Doctor counsels patient in Zimbabwe
HIVZIM

Photo: Gender Links

Sexual and Reproductive Health

The economic downturn in Zimbabwe has not spared the health sector. There has been a massive “brain drain” as health officials migrated to the Diaspora. The Maternal and Perinatal Mortality Study indicates that the Ministry of Health and Child Welfare conceded the majority of maternal and newborn deaths are avoidable and can be prevented with affordable interventions¹⁸. In addition although antenatal booking rates have remained high

¹⁸ See page viii of the Maternal and Perinatal Mortality Study

nationally, they are now lower than before and part of this is attributed to the high user fees. One of the key recommendations of the Study was that user fees needed to be reviewed urgently to remove this barrier for pregnant women. Of the reported cases of maternal mortality only 1.7% were attributed to abortion and this constituted 5 of the 364 notified cases. Nyandoro advised that whereas abortion in Zimbabwe is illegal they nevertheless provide post abortion care to all women and girls despite the circumstances leading to the abortion. She indicated that this is because their definition of reproductive health is broad (including physical, mental, and emotional) and in this way they have been able to facilitate post abortion care.

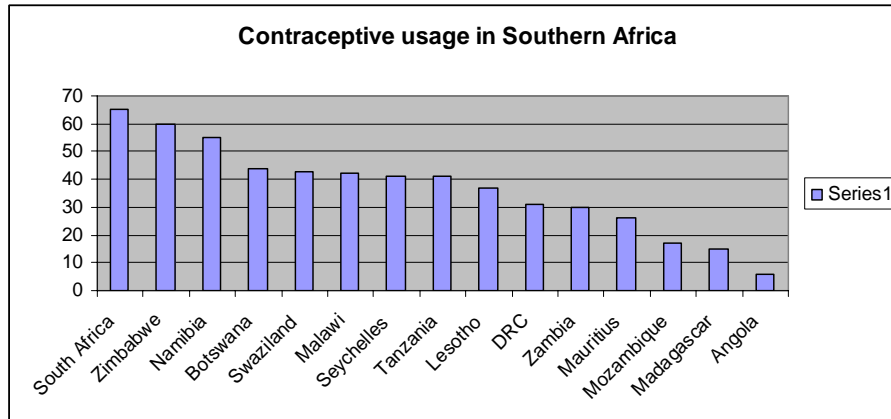
Table 20: Key sexual, reproductive and health indicators

Indicator	Country statistic/policy	Comment
Current maternal mortality rate (Lifetime Chance of Death from Maternal Causes 1 in how many?)	725 per 100 000 live births (95% CI648-810)	The majority of deaths are due to HIV and AIDS, however only 34% of women were tested for HIV. The other four leading causes of death are haemorrhage, hypertension/eclampsia, sepsis and obstructed labour. While effective interventions can treat these complications, challenges remain with women who are members of the Apostolic sect ¹⁹ .
% Births attended by Skilled Personnel	69%	The risk of maternal death increased significantly by delivering outside institutions, operative delivery by non skilled attendants and if a woman belonged to the Apostolic Faith sect.
% of Delivery by skilled attendants rural	52%	This is because of the inaccessible geographical location of health institutions and consequent transport problems.
% Contraceptive use among sexually active women 20-24		
% Contraceptive use among married women	60%	The most widely used form of contraception is the pill. See table 21 below – Zimbabwe fares well compared to the region
No of deaths annually as a result of illegal abortions	1.7% of notified maternal deaths	
Country policy on abortion	Prohibited	
Total Coverage of sanitation facilities		
Urban coverage		
Rural Coverage		

¹⁹ The Apostolic sect is an African indigenous religion that believes in non scientific methods of treatment of illnesses hence they believe that health problems can only be addressed through prayer. Incidentally the women also enjoy very low levels of literacy.

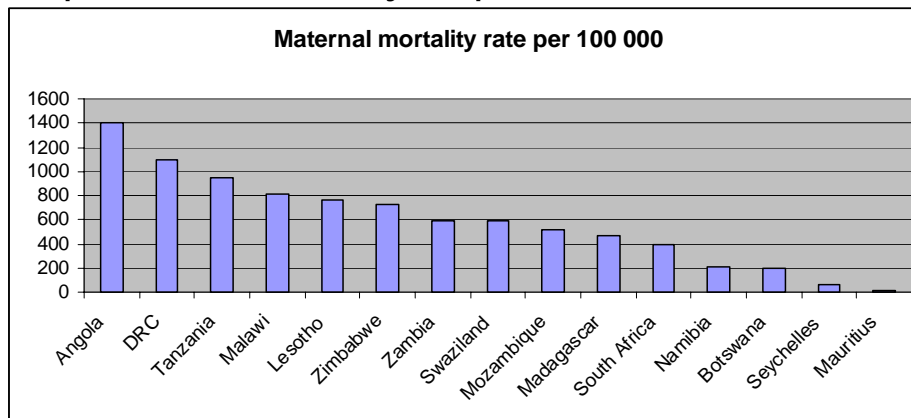
The following graphs support Table 20: when compared to the region, Zimbabwe ranks 2nd with regards to contraceptive use; 6th with regards to MMR and 10th with regards to sanitation coverage in the country.

Graph 5: Contraceptive Usage in Southern Africa



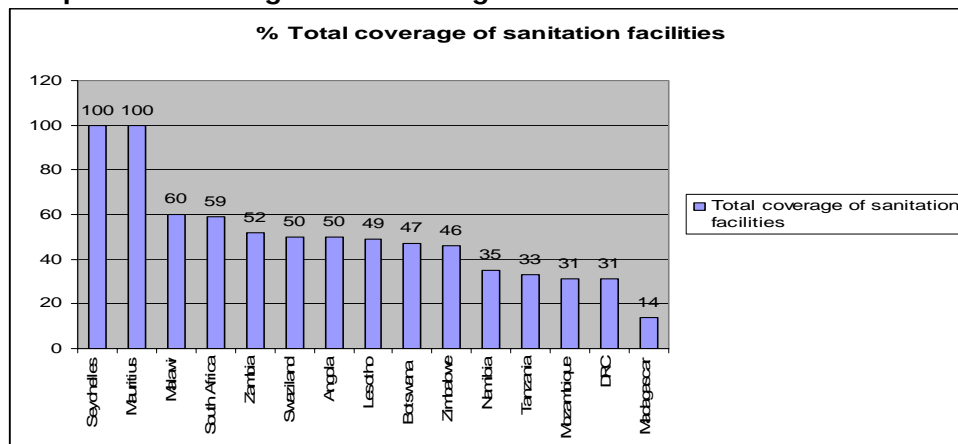
Source: Gender Links Regional Barometer Report, 2009

Graph 6: Maternal mortality rate per 100 000



Source: Gender Links Regional Barometer Report, 2009

Graph 7: Percentage total coverage of sanitation facilities



Source: Gender Links Regional Barometer Report, 2009

The Zimbabwe National Family Planning Council reports that it is working to promote the use of the female condom and other female controlled devices through education and distribution of the female condom. Awareness programmes on the female condom are being undertaken at clinics, at community level and through peer educators. Nyandoro highlighted that since abortion is illegal in Zimbabwe there are no accurate statistics on the number of unsafe abortions, but what does exist are statistics on women and girls who have been given post abortion care at medical centres whether it is legal or illegal abortion. The criminalisation of abortion is in terms of s3 of the Termination of Pregnancy Act [Chapter 15:10] as read with s60 of the Criminal Law Codification and Reform Act. The only exceptions where a pregnancy can be terminated are set out in s4 of the Termination of Pregnancy Act as follows:

- a. Where the continuation of the pregnancy endangers the life of the woman so concerned or so constitutes a serious threat of permanent impairment of her physical health that the termination of the pregnancy is necessary to ensure her life or physical health
- b. Where there is a serious risk that the child to be born will suffer a physical or mental defect of such a nature that he will permanently be seriously handicapped or
- c. Where there is a reasonable possibility that the foetus is conceived as a result of unlawful intercourse.

No comprehensive public debate has been carried out on the subject, but judging from prevailing public perspectives there would probably not be a major departure from the current status quo.



Zimbabwean woman

Photo: Gender Links

zimbabwe women

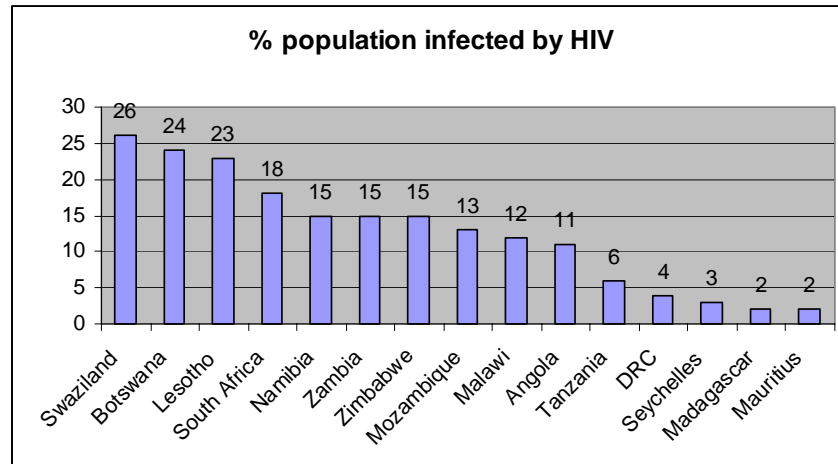
HIV and AIDS

Prevention

The Protocol requires that by 2015 state parties shall develop gender sensitive strategies to prevent new infections, taking account of the unequal status of women, and in particular the vulnerability of the girl child as well as harmful practices and biological factors that result in women constituting the majority of those infected and affected by HIV and AIDS.

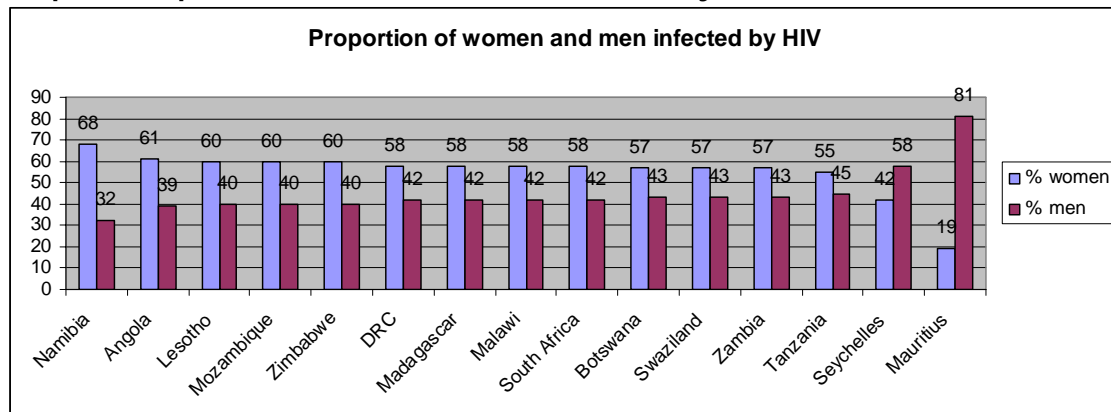
As with most countries in Southern Africa, Zimbabwe has been grappling with the high prevalence of HIV and AIDS. The HIV pandemic began in the early 1980's with the first confirmed diagnosis in 1985. Early HIV screening by the Blood Transfusion Service indicated a prevalence of between 2-3% by the mid 1980's. By 1998 the national prevalence was estimated at between 25-30%. Zimbabwe has witnessed a reduction in the prevalence rate to 15.4% by the end of 2007. The graphs below highlight Zimbabwe's position compared to other countries in the SADC region regarding HIV infection and rates of infection between women and men.

Graph 8: Percentage population infected by HIV



Source: Gender Links Regional Barometer Report, 2009

Graph 9: Proportion of women and men infected by HIV



Source: Gender Links Regional Barometer Report, 2009

In responding to the HIV/AIDS pandemic Zimbabwe crafted an HIV policy in 1999 that recognised HIV as a serious public health, social and economic problem. Later that year, Government enacted the National Aids Council of Zimbabwe Act [Chapter 15:14] which had the following mandates:

- To mobilise and manage resources in support of a national response to HIV and AIDS
- To enhance capacity of the various sectors of the community to respond to the HIV epidemic and to co-ordinate their responses
- To do all things necessary or appropriate to combat HIV and AIDS and reduce the effects of the disease.

The enactment of this Act also provided for the setting up of the National AIDS Trust Fund. The project areas of the Trust Fund are prevention, care, mitigation and research. The Trust Fund raises its income by collecting 3% of income tax which is referred to as the AIDS levy. The AIDS Levy was rated as a regional best practice in SADC. Freeman Dube (National Aids Council Research and Documentation Co-ordinator) indicated that in 2006 the AIDS Levy disbursement policy was adopted and it stipulates that 50% of the AIDS levy would go towards procurement of drugs. The Trust Fund is administered by the National AIDS Council. The Council operates as a national coordinating structure and has decentralised its reach to ward level.

Initially Zimbabwe had an HIV Policy as well as a Strategic Plan that was to guide the implementation of the Policy for the period 1999- 2004. A review of these documents was undertaken and a new Zimbabwe National HIV and AIDS Strategic Plan was adopted for the period 2006-2010 that combines the policy and the strategic plan in one document. The Plan underscores the need to integrate gender into the national HIV response, to ensure all prevention and advocacy strategies and programmes are gender sensitive in order to reduce vulnerability and risk.

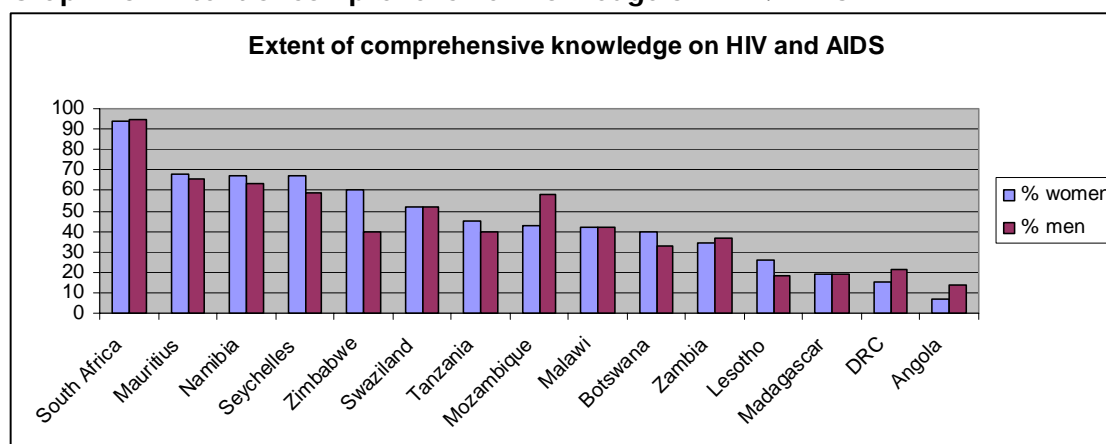
A National Plan of Action (NPA) for Women and Girls and HIV and AIDS was adopted as well as a National Behavioural Change Strategy for the Prevention of Sexual Transmission of HIV and AIDS 2006-2010. The NPA for Women and Girls aims at empowering women and girls in order to enhance their ability to protect themselves from HIV infection and to mitigate the impact of HIV and AIDS. It seeks *inter alia* to:

- reduce women's vulnerability through increasing access to information
- ensure access to treatment, care and support for women living with HIV and AIDS
- reduce the burden of care on women and girls
- reduction in HIV infections through reduction in the incidence of gender-based violence
- close the gender gap in the completion of secondary education between boys and girls

- strengthen women's capacity to exercise their rights to inheritance, property and livelihood in order to reduce their vulnerability
- strengthen responses of institutions in HIV programming, management, implement and monitoring and evaluation
- increased advocacy in the fight against HIV and AIDS

The National Behavioural Change Strategy is a multisectoral framework to reduce transmission of HIV by promoting responsible practices. The Strategy identifies other behaviours that are not only discriminatory but also increase women's vulnerability to HIV such as widow inheritance, polygamy, and intra-vaginal practices. The graph below indicates that compared to other countries in the region, Zimbabweans are in the above average range with regards to comprehensive knowledge of HIV/AIDS.

Graph 10: Extent of comprehensive knowledge on HIV/AIDS



Source: Gender Links Regional Barometer Report, 2009

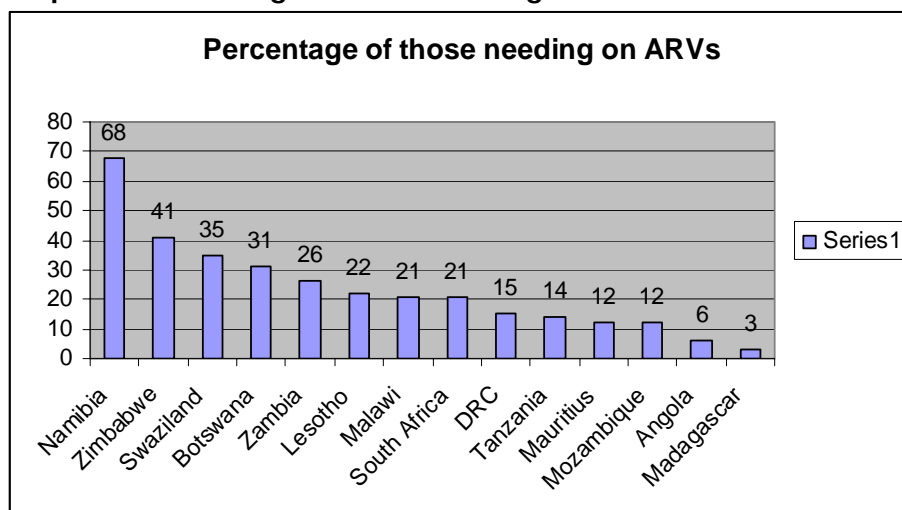
In addition, Zimbabwe has a National Plan of Action for Orphans and Other Vulnerable Children. This seeks to ensure that OVCs access basic services such as birth certificates, increased access to food and health services, provision of education, and the reduction of the number of children who grow up outside family environments. This comes against a realisation that there are an estimated 761 000 OVCs?²⁰

In 2003 the Government of Zimbabwe declared HIV a national disaster. Zimbabwe is still lagging behind in ensuring universal access to treatment and women are the majority of the population accessing treatment. Dube²¹ attributes this to the fact that women are socialised to visit health facilities whereas, to the contrary, men are socialised to be strong, brave and hence are less likely to visit health institutions. The graph below indicates the number of the population that is in need of ARVs in the region – unfortunately, Zimbabwe ranks in second place. Table 22 below highlights some of the key gender and HIV indicators for Zimbabwe.

²⁰ This is terms of the National Plan of Action on Orphans and the vulnerable Children

²¹ National Aids Council Research and Documentation Co-ordinator

Graph 11: Percentage of those needing ARVs



Source: Gender Links Regional Barometer Report, 2009

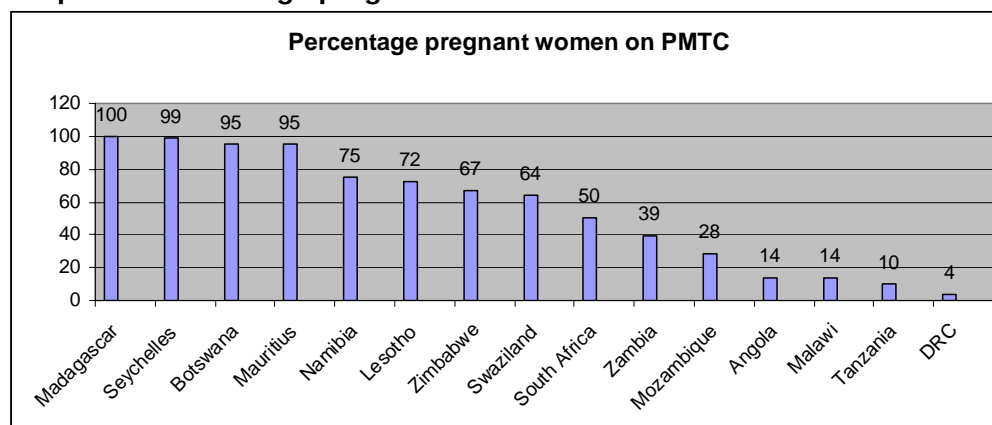
Table 22: Key Gender, HIV and AIDS Indicators

	% women	% men
Extent of comprehensive knowledge on HIV and AIDS	44.2	46.9
HIV infection	60	40
Voluntary Counselling and Testing	25.8	18.6
On ARV treatment		
HIV positive pregnant women receiving PMTCT	67	

Source:

In addition Zimbabwe has a Prevention of Mother to Child (PMTCT) transmission programme and UNAIDS 2007 estimated that 29% of HIV positive women were on Anti Retroviral Therapy (ART). The Ministry of Health and Child Welfare report that 41% of people living with HIV are currently on ART, which leaves an unmet need of 59%. This means that Government needs to commit more resources to this sector. With regards to PMTCT, Zimbabwe ranks in the average range compared to the region in meeting the needs of mothers and their babies.

Graph 12: Percentage pregnant women on PMTCT



Source: Gender Links Regional Barometer Report, 2009

Care Work

During 15 May – 15 June 2009, GEMSA conducted a policy audit of care work in Zimbabwe aimed at evaluating current and future provisions for caregivers in the country, identifying policy gaps, and providing recommendations on how stakeholders can strengthen the care work programme. Ultimately, the findings from this report will contribute to a model home-based care policy for the Southern African Development Community (SADC) region. It will build on recent government and international commitments to improving the lives of caregivers. These include the SADC Protocol on Gender and Development, which is designed to ensure gender equality in every sphere of life. Article 27 (c) stipulates:

“State parties shall by 2015: Develop and implement policies and programmes to ensure appropriate recognition of the work carried out by care givers, the majority of whom are women, allocation of resources and psychological support for care-givers as well as promote the involvement of men in the care and support of People Living with HIV and AIDS.”

To accurately reflect on conditions in the country, GEMSA held two focus group meetings and a series of interviews. Researchers identified participants through desktop research and discussions with organisations involved in care work. The first meeting brought together 4 community home-based care organisations. GEMSA conducted another separate interview with one of the longest established palliative care organisations in Zimbabwe: Mashambanzou Care Trust. The second focus group drew 5 civil society organisations involved in gender and HIV and AIDS: the Zimbabwe AIDS Network (ZAN), PADARE (Men's Forum), CAFOD, Christian AID, and the Jesuit AIDS Project. Finally, GEMSA held two interviews with the Community Home Based Care co-ordinator with the National AIDS Council, and with the national co-ordinator of the Meaningful Involvement of People Living with HIV and AIDS (MIPA). Through these meetings and desktop review, GEMSA retrieved key research, policies, guidelines and commentary on care work in Zimbabwe.

Research revealed that the MoHCW together with NAC are in the process of reviewing *The CHBC Policy for the Republic of Zimbabwe* (2001) and the *Zimbabwe National HIV and AIDS Strategic Plan* (ZNASP) 2006-2010. At the same time, the MoHCW and NAC have come up with new *National Guidelines on Community and Home Based Care for HIV and Other Chronic Conditions*. Also, the *National Review of Community Home Based Care and Access to Treatment Services in Zimbabwe* was commissioned in 2006 to review CHBC and AIDS treatment service issues. In addition, a national policy for care of the caregivers is currently being developed.

These strategic policy documents compliment other already existing policy provisions: *Curriculum Guidelines for the Training of Community Home Based Care (CHBC) Volunteers* (1997), *Discharge Planning Guidelines for the Chronically Ill/Terminally Ill Patients* (1998, 2001), *National AIDS Policy* (1999), *National Community Home Based Care Standards* (2004), *Guidelines on Dietary Management for PLWHAA* (2005) and *Guidelines for Antiretroviral Therapy in Zimbabwe* (2003).

The new guidelines on CHBC are important in rendering a sound operational course of action in HIV and AIDS programme implementation as well as standardising the guiding principles in CHBC. But these guidelines still fall short of taking an authoritative position on issues such as, for example, remuneration, defining volunteers in the context of care work and labour laws, the number of hours that a volunteer can work in a day, or how many days in a week they should work etc.

The guidelines are expected to surpass *National Community Home Based Care Standards* by providing a more standardised planning, implementation, monitoring and evaluation approach of CHBC services in Zimbabwe. At the same time, they give some consideration for individuals, families and communities that not only play an essential role in providing care to the chronically ill, but who are vital partners in safeguarding the sustainability of CHBC.

The table below summarises the issues, findings and recommendations on home-based care in Zimbabwe.

ISSUE	POLICIES	OPPORTUNITIES	RECOMMENDATION
Remuneration	<p>The <i>CHBC Policy for the Republic of Zimbabwe</i> (2001) fails to decisively address the issue of caregiver remuneration.</p> <p>The <i>National Guidelines on Community and Home Based Care for HIV and Other Chronic Conditions</i> recommend communities to mobilise funds for caregiver costs.</p> <p>The <i>National Community Home-based Care Handbook For Implementers</i> endorses non-monetary care remuneration, defining voluntarism as unpaid charity work.</p>	<p>The absence of a standardised care package indicates a missed opportunity in alleviating the burden of care in Zimbabwe.</p> <p>Proper implementation of the guidelines will succeed in assuring a uniform approach to CHBC in Zimbabwe and help raise the profile and recognition of caregivers in Zimbabwe.</p> <p>Implementation might at least guarantee a national uniform approach to the issue of incentives.</p>	<ul style="list-style-type: none"> • Vigilant use of the AIDS Levy could advance remuneration. • Need to call for CHBC international aid, possibly as a humanitarian act in response to the Zimbabwean situation. • Voices of volunteers and caregivers need to be amplified, possibly through an independent umbrella CHBC body to present and push for their own needs and a more significant definition of their role in CHBC. • Need for consultation with the Ministry of Labour to remove the obscure and ambiguous connotations attached to volunteerism in care work.
Logistic and material support	<p>The <i>National Review of Community Home Based Care and Access to Treatment Services in Zimbabwe</i> recommends incentives to include uniforms, bicycles, food packs, monetary allowances, free medical treatment, support for income generating projects, raincoats, umbrellas, part time employment in hospitals, and funeral assistance.</p>	<p>If incorporated into policy these practical components of logistic and material support would engender a sense of identity among caregivers, team spirit, improve mobility and generally empower caregivers.</p>	<ul style="list-style-type: none"> • Incentives need to be practically standardised in order to establish cohesion among CHBC initiatives. • CHBC kits are crucial for quality service delivery, as well as for the protection of the health and safety of the carers. The kits should be continuously replenished. • MoHCW, NAC and other partners in CHBC should explore fundraising means to meet cost of logistic and material needs of caregivers.
Training/ professional recognition	<p>The new CHBC guidelines espouse for training on basic care using adult learning techniques and utilising a standardised training procedure. Also noted is</p>	<p>Training is critical in ensuring quality and cost effective care service delivery, as well as sustainability.</p>	<ul style="list-style-type: none"> • Training needs to adhere to the curriculum guidelines for CHBC to bridge gaps in variations of training and refresher courses. • Look into possibilities of incorporating issues of access to treatment, nutrition and orphan

	the need for prevention education in terms of accidental exposure such as pricking and TB/HIV infection.		care into CHBC training packages.
Psychosocial support	The new CHBC guidelines recognise that caregivers need appropriate psychosocial support to prevent stress and burn out.	Implementation will ensure CHBC sustainability through healthy caregivers.	<ul style="list-style-type: none"> • Devise periodical motivation packages e.g. respite breaks/holiday plans for caregivers. • Need to put in place provision for ongoing counselling service for caregivers.
Gender Equality	The <i>National Review of CHBC and Access to Treatment</i> reports low male involvement in CHBC programming.	If implemented, the policy will help to lessen the burden of care on women and the elderly.	<ul style="list-style-type: none"> • CHBC programmes need to devise strategies for improving male involvement. • Young people also need to be targeted for CHBC training.



Zimbabwe Deputy Minister of Gender and Women's Affairs at 'Gender and Advertising in Southern Africa' launch, July 2007, Harare.

Photo: Robert Michel

SUMMARY OF KEY QUANTITATIVE FINDINGS FOR ZIMBABWEAN MEDIA HOUSES

CATEGORY	% ZIMBABWE		% REGION	
	Female	Male	Female	Male
Percentage of employees by sex	13	87	41	59
OCCUPATIONAL LEVELS				
Non-permanent	7	93	36	64
Semi-skilled	45	55	55	45
Unskilled	16	84	29	71
Skilled technical	18	82	45	55
Professionally qualified	30	70	31	69
Senior management	10	90	28	72
Top management	12	88	23	77
Board of directors	17	63	28	72
CONDITIONS OF EMPLOYMENT				
Freelance	22	78	43	57
Part-time	5	95	23	77
Full-time, fixed term contract	50	50	37	63
Full-time open-ended contract	18	82	42	58
DEPARTMENTS				
<i>Percentage of women and men in:</i>				
Finance & administration	25	75	54	46
Editorial	17	83	42	58
Advertising/Marketing	40	60	57	43
Human resources	58	42	44	56
Production	33	67	30	70
Technical/IT	0	100	16	84
Design	50	50	31	69
Printing & distribution	0	100	24	76
BEATS				
Gender equality	100	0	71	29
Gender violence	100	0	71	29
Religion	100	0	52	48
<i>Top three beats covered by men</i>				
Human rights	0	100	42	58

Sustainable development & environment	0	100	33	67
Sports	8	Tanzania	24	Region
POLICIES		92		16
Existence of a sexual harassment policy		25		28
Need a gender policy or to improve one		75		68

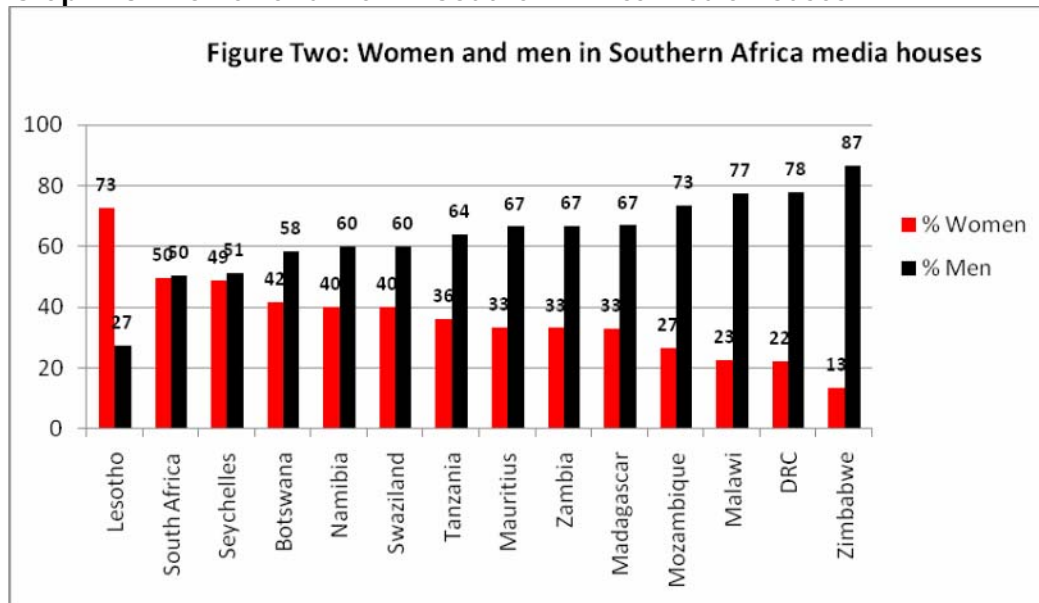
This audit of women and men in the Zimbabwean media houses is part of the *Glass Ceilings: Women and Men in Southern African Media* survey conducted by Gender Links (GL). The findings will be used in a global study being carried out by the International Media Women’s Foundation (IMWF), through the Gender and Media Diversity Centre (GMDC).

This centre is a partnership between media development organisations and training and higher-learning institutions, to “collect and connect” knowledge, and collaborate to advance gender equality and diversity in the media across the globe. The GMDC has also facilitated partnerships for the fourth Global Media Monitoring Project (GMMP), and second Southern African Gender and Media Baseline Study (GMBS) being conducted in 2009/2010.

The study took place in the context of the August 2008 Southern African Development Community (SADC) Protocol on Gender and Development that urges the media and all decision-making bodies in the region to achieve gender parity by 2015.

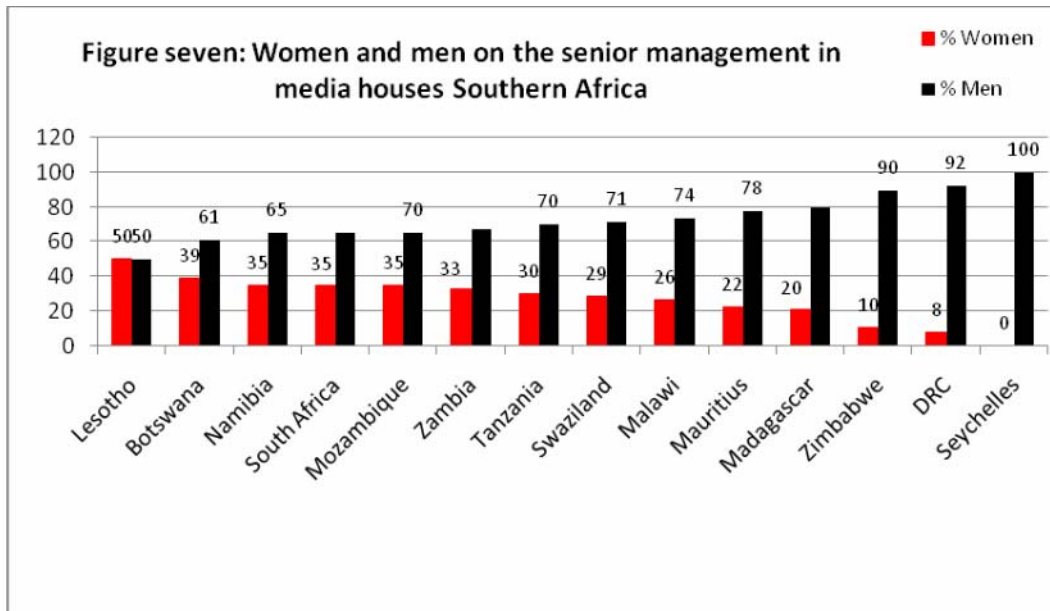
In the graphs below, Zimbabwe ranks poorly compared to other countries in the SADC region with regards to women represented in media houses (actually ranked in last place), women in senior management positions in media houses and women sources in media.

Graph 13: Women and men in Southern Africa media houses



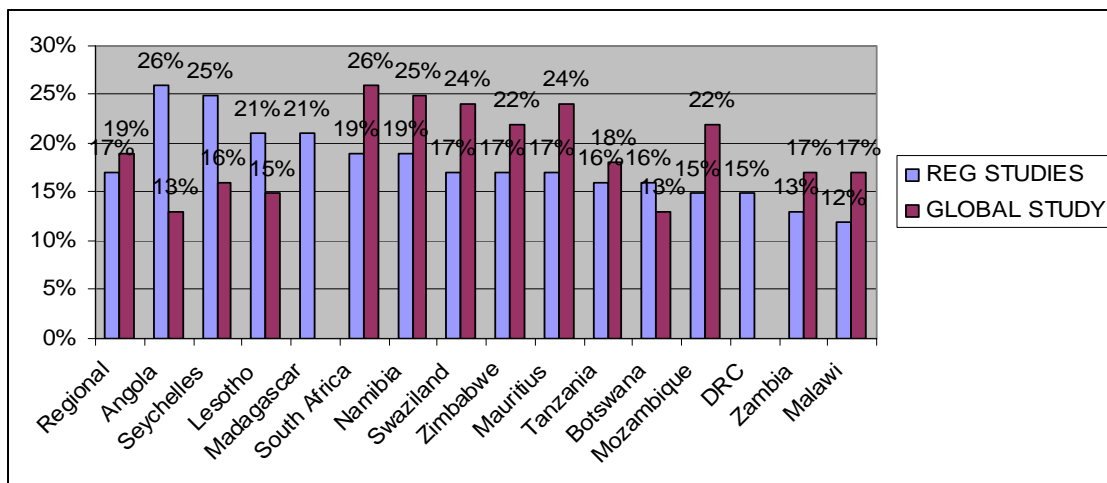
Source: Gender Links Regional Barometer Report, 2009

Graph 14: Women and men in senior management in media houses Southern Africa



Source: Gender Links Regional Barometer Report, 2009

Graph 15: Women sources in all countries, regional and global studies



Source: Gender Links Regional Barometer Report, 2009

Gender and Media Baseline Study

The key findings of the research can be summarised as follows:

- Women's views and voices are grossly under-represented in the media:** If unknown sources are excluded, women constituted 15 percent of news sources in the media monitored in the study. This figure is lower than the global figure of 18 percent in the GMMP, and regional average of 17 percent in the GMBS. Women constitute 52 percent of the population in Zimbabwe.

- ***Best and worst performers:*** The Daily News (private) and The Sunday Mail (state) had the highest proportion of women sources (18 percent) and The Independent (a private weekly) the lowest proportion of women sources (7 percent).
- ***But there are no significant differences between private and public (state-controlled or national) media:*** The findings show that there is no significant difference in the performance of state-controlled and private media with regard to giving women a voice proportionate to their numbers in the population. This underscores the fact that there is still a long way to go with regard to awareness raising and training of the media on gender in Zimbabwe.
- ***White men are accessed more than black women:*** Despite representing 0.05 percent of the population, white men are accessed more by all media in Zimbabwe than black women who constitute 52 percent of the population.
- ***Older women are virtually invisible:*** To the extent that Zimbabwean women's voices are accessed, they are likely to be in the 1-19 and 20-34 years age bracket in both the print and electronic media.
- ***Women in the media still carry their private identity more than men:*** In Zimbabwe, women (4 percent) are more likely to be identified as a wife, daughter or mother than a man (1 percent) is likely to be identified as a husband, son or father. The regional average for women is 11 percent, compared to two percent for men.
- ***Women in certain occupational categories are virtually silent:*** The only occupational categories in which female views dominated were as beauty contestants and homemakers. Male voices predominated even in agriculture, where women perform most of the work.
- ***Women politicians are not heard relative to their strength in parliament:*** Women constitute 11 percent of the members of parliament and 16 percent of the government ministers in Zimbabwe. Yet women constituted only five percent of the sources in the politician category. Countries that have the highest representation of women in parliament - South Africa, Mozambique and Tanzania - also had some of the lowest proportions of women politicians being accessed as news sources. South Africa, for example, has 31 percent women in parliament and a similar proportion in cabinet. Yet women constituted only 8 percent of the South African politicians quoted in the media monitored.
- ***Gender equality is hardly considered newsworthy:*** Sports (23 percent), and economics and politics (28 percent) dominated the news. Gender specific news items accounted for a mere two percent of the total, and gender violence accounted for only one percent of the topics covered by the Zimbabwean media during the monitoring period.

- ***The only topic on which women's voices outnumber men's is on gender equality:*** Women's voices predominated only in the gender equality topic code (49 percent women compared to 43 percent men). There were more male (56 percent) than female (32 percent) voices even in the topic code on gender violence.
- ***Men's voices dominate in all the hard news categories:*** Women constituted less than ten percent of news sources in the economics, politics and sport categories.
- ***Women have made major strides in radio in Zimbabwe:*** Of all the categories of media practitioners, women radio reporters, who constituted 49 percent of this category, have come closest to achieving gender parity with men.
- ***But they are under-represented in all other categories - especially the print media:*** Men outnumber women in all other categories of media practitioners. Unlike the region, where women are best represented in the TV presenter category (45 percent) women in Zimbabwe only constituted 32 percent of presenters and 36 percent of the television journalists. They constituted only 16 percent of the print journalists - considerably lower than the regional average of 22 percent.
- ***Both men and women in the electronic media have to be young!*** In the region overall, women and men electronic media practitioners are concentrated in the 20-34 year bracket and women's representation declines dramatically in the 34 to 45 year bracket compared to their male counterparts. In Zimbabwe, male and female electronic media practitioners are heavily concentrated in the 20-34 years age bracket.
- ***Women are least well represented in the print media:*** Women constituted only 16 percent of those who wrote news stories, compared to 22 percent in the region. They are also under-represented in the critical images/cartoons and opinion and commentary categories.
- ***Women media practitioners do not predominate in many hard news beats:*** With the exception of crime, labour and education, where women media practitioners outnumbered men, Zimbabwean women media practitioners, like their counterparts in the region, are noticeably absent from the hard news beats such as sports (8 percent), and human rights (0 percent). They outnumbered men in the gender equality beat. The only other beats that came close to achieving gender parity were children and gender violence.
- ***But the growing number of men writing and producing stories on gender issues is an important trend:*** The fact that there are a number of male journalists writing and producing stories on gender equality and gender violence is a positive sign and should be built on through training.

- ***There are still cases of blatant sexist reporting in the media:*** The qualitative reporting yielded examples of blatant sexist reporting that portrays women as objects and temptresses.
- ***But increasingly the challenge is one of subtle stereotypes that are conveyed in a variety of ways:*** These include the relative weight given to male and female sources, and stories that perpetuate the traditional roles of women and men.
- ***The majority of stories suffer from “gender blindness”:*** Other than the “sins of commission” the main finding of the qualitative research is that stories suffer from the “sins of omission” - story opportunities that are lost through failing to explore the gender dimensions of every day situations.
- ***But examples of gender aware reporting gathered as part of the qualitative analysis show that transformation is possible:*** The qualitative analysis also yielded “best practice” examples of gender perspectives being integrated into every day news, yielding more balanced, more interesting and ultimately more professional stories.

IMPLEMENTATION

Article 32 Implementation

Zimbabwe's national machinery for gender is housed in the Ministry of Women Affairs Gender and Community Development. Previously women's and gender issues were located as a department in another parent Ministry. Zimbabwe now has a separate Women's Ministry²².

Zimbabwe has a gender policy that was adopted in 2004. Its main goals include:

- To mainstream gender in all aspects of the development process.
- To eliminate all negative economic social and political policies, cultural and religious practices that impede equality and equity of the sexes.
- To ensure sustainable equality and equity and empowerment of women and men in Zimbabwe in all spheres of life.

In 2008 the Ministry of Women Affairs launched a National Gender Policy Implementation Strategy and Work Plan for the period 2008-2012. The Implementation strategy has five main strategic components:

- Capacity building
- Advocacy and lobbying
- Harmonisation and coordination
- Accountability and responsibility
- Research, monitoring and evaluation

The Implementation Strategy also sets the institutional mechanisms for the Implementation of the gender policy through the creation of structures that decentralise implementation to reach provincial, district and even ward and village levels. It also provides the creation of Gender Focal Persons in each Ministry, The High Level Inter Ministerial Committee on Gender and the Gender Directorate within the Ministry of Women Affairs.²³

Constitutional amendment 19 to the Zimbabwean Constitution provides for the establishment of a Human Rights Commission. It is anticipated that the Human Rights Commission will have a Gender Unit that will also strengthen the country's national gender machinery.

Table 23: National gender machinery and processes

Component	Yes /No	Comments
National Gender Policy	Yes	
Gender ministry	Yes	Ministry of Women Affairs gender and Community Development

²²Previously the Gender Department was housed in the Ministry of Youth, Gender and Employment Creation

²³ See The National Gender Policy Strategy and Work Plan Institutional Mechanism pg18 of the National Gender Policy Implementation Strategy and Work Plan.

Gender focal points in all line departments	Yes	High level Inter-Ministerial Committee on Gender chaired by MOWGCD
Gender structure in parliament	Yes	Women's Parliamentary Caucus
Active collaboration with civil society	Yes	UN Gender Thematic Group co-chaired by MOWAGCD
Plan for domestication/popularisation of the Protocol?	Yes	Currently initiating
National action plans with measurable time frames	Yes	National Gender Policy Implementation Strategy and Work Plan
Analysis of baseline data against a which a report will have to be submitted in 2010		
Preparedness for first report next year		

Ratification Process

Caroline Matizha (Director Gender Ministry of Women Affairs Gender and Community Development) advises that the MWAGCD was in the process of drafting the memorandum proposing the SADC Protocol be ratified by Government and justifying the objectives for doing this. This memorandum will be submitted first to the cabinet Committee on Legislation then to the full Cabinet before being introduced into Parliament for debate. After passing through Parliament the Government will lodge the ratification papers with SADC. The greatest challenge that remains is the fact that the Constitutional Reform process has overtaken and overridden all the other existing agendas.



Zimbabwean locals

Photo: Gender Links

zim pix

Conclusion

As a country in transition, Zimbabwe needs to mainstream gender in all sectors of its reconstruction agenda if real and meaningful development and progress is to be realised. Whilst progress has been made in some areas there are instances where the country needs to apply more effort; for instance, although there is legislation on the removal of the minority status of women in the Constitution, the continued existence of the claw back clauses serves to nullify this. There is need to ensure more funding is available for the education of girls as well as encouraging girls to enter nonconventional fields and challenge stereotypes. Whilst women are engaging in economic activities, this is mostly in the informal sector which is very insecure particularly in the context of HIV and AIDS. There is need for the formal recognition of the informal sector and integration thereof. In addition, women need to be included in participating more meaningfully in economic decision-making. Funding should also be made available to women entrepreneurs and remove legislative barriers that exclude women from accessing land. As regards gender-based violence, the Government needs to ensure that it puts in place laws to curb trafficking of women and girls particularly as the 2010 Soccer World Cup approaches. There is also a need to commit more resources to provide support services to survivors of gender-based violence and disseminate information on the issue on a larger scale. In the field of health, Zimbabwe needs to put in measures to reduce maternal mortality as well as review its abortion laws to allow for safe abortion. Whilst Zimbabwe has been able to realise a reduction in the HIV prevalence rates, there is need to scale up efforts of universal access to Anti Retroviral Therapy.

Finally, Zimbabwe needs to take more active steps to ratify the SADC Gender Protocol as well as disseminate information about this instrument and ensure that it is used as the basis of lobbying efforts for a new and more progressive constitution for the country.

Women fetch water from an open well in Zimbabwe.

Photo: Trevor Davies

Womenfetchwater_TD_070904



ANNEX A: LIST OF DOCUMENTS ACCESSED AND SUBMITTED

Document	Accessed and reviewed	Copy of document
Country Constitution	x	X
Model legislation on any article		
Gender Policy	x	X
HIV and AIDS Policy	x	X
Trade Policies	n/a	
Entrepreneur Policies	n/a	X
Procurement Policies	n/a	
Health Policies	x	X
Labour Policies	n/a	
Education Policies	n/a	
Economic Policy	n/a	
Micro finance policy/ charter	n/a	
Land Policy		
Skills Development Policy		
Trafficking law / policy	n/a	
UN documentation		
All legislation – GBV, AA,	x	
Election related data – reports on election results, voter registration lists, amongst others.		

ANNEX B: LIST OF INTERVIEWS

Name	Designation	E Mail	Cell phone	Land line	Fax
Caroline Matizha	Director Gender Ministry of Women Affairs Gender and Community Development		011878550		
Freeman Dube	National Aids Council Research and Documentation Co-ordinator	fdube@nac.org.zw		791243	
Dzviti P.Z.	Director Labour Administration Ministry of Labour			253584	
Idzayi Gweme	Education Officer Research and Evaluation and Girls Education, Gender Focal person			734051	
Arina Manyanya	Deputy Director- Gender Focal Person Ministry of Finance				
Mutembwe	Director Curriculum development Ministry of Education				
Mugijima Beauty	President Zimbabwe Chamber of Informal Economy Association	beauty.mugijima@gmail.com		055 22883	
Matipano				732098	
Muchawa Emilia	Executive Director Zimbabwe Women Lawyers Association	emilia@zwla.co.zw		708491	
Chipinduro Priscilla	Gender Focal Person Ministry of Small to Medium Enterprises			731002	

Bibliography

Central statistical Office Census Report

Central statistical Office Education Statistics Report November 2001

Central statistical Office Labour Statistics, October 2004

Central statistical Office Women and men I Zimbabwe, December 2002

Zimbabwe Women's Resource Centre and Network, An analysis of Zimbabwe National Policies, Programs on HIV/AIDS /STI's

Manicaland HIV/ STD prevention Project, Mathematical modelling tools in response to the HIV pandemic in Zimbabwe

Stewart J.E.: P. Mutunga (ed) Life Skills, Sexual Maturation and Sanitation: What's (not) happening in our schools – An Exploratory Study from Kenya, WLC and Weaver Press Harare, 2004 pp 306.

United Nations general Assembly on HIV and AIDS Follow up on the Commitment to HIV Jan2006-December 2007

Sixty percent of murder cases are relation to Domestic Violence, newzimbabwe.com 1/05/2009

Zimbabwe Demographic Health Survey 2006