* **Mr. President;**
* **Your Excellences;**
* **Members of the Troika;**
* **Ladies and Gentlemen.**

Thank you Mr. President for giving us the floor to present our national report. We acknowledge your leadership of the Working Group.

It is my singular honour to present this statement on behalf of the Government of Zimbabwe on this occasion of the second cycle of the Universal Periodic Review (UPR). Allow me at the outset, to reiterate that the Government of Zimbabwe is committed to the protection, promotion and fulfilment of its human rights obligations. Zimbabwe is a proponent of the UPR process since its inception and we appreciate the purpose within which it is premised. In that light, we continue to interact with the Human Rights Council and to participate in this forum.

**Mr. President;**

In this regard, Zimbabwe hereby presents its national report on the progress made towards the implementation of the accepted 130 recommendations. Since the last review, a UPR National Steering Committee was established comprising of Government and other multi-stakeholder representatives. During the compilation of the National Report, input was drawn from stakeholders including: Civil Society Organisations; Community Based Organisations; Faith Based Organisations; Government Ministries; the Labour Market; the Private Sector; Traditional Leaders; Parliament; Independent Commissions and the UN Country Team. A National Plan of Action (NPA) was adopted to guide and inform the implementation of the recommendations, with the National Steering Committee monitoring the process.

**Mr. President;**

Further to the above developments, a Mid-Term Report was produced by the Government of Zimbabwe in order to update the Human Rights Council on the progress made in the implementation of the accepted recommendations.

**Mr. President;**

Zimbabwe is a landlocked country located in the Southern part of Africa where the effects of climate change in the region, especially the recent challenges caused by the El Nino phenomenon have also adversely affected the Government’s implementation of social and economic rights, leaving our population vulnerable to famine. The negative impact of the current drought is putting pressure on the Government to redirect resources from national social programmes towards feeding over eight hundred thousand vulnerable households. The continued imposition of economic sanctions by some Western countries has severely limited the fiscal space and economic growth. These sanctions have compounded the challenges faced by Government in its effort to mobilise resources for the provision of social services, including education and health services particularly in the rural areas. The absence of balance of payment support from the international financial institutions has forced Government to largely depend on resources mobilised from the domestic market.

**Mr. President;**

That notwithstanding, Government continues to put in place initiatives and policy parameters that ensure implementation of its social, economic and cultural rights obligations. In order to promote these fundamental rights, Government, among other initiatives launched the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (Zim-ASSET) in 2013, which is the Government’s major economic blue print that is aimed at achieving sustainable and equitable economic and social development, propelled by the judicious and optimum utilization of the country’s natural resources.

The Government has gone further to adopt the Monitoring and Evaluation Policy embedded in a Results Based Management matrix that makes our developmental efforts measurable. ZIM-Asset is implemented through a cluster system involving participation of line Ministries, the Private Sector, Civil Society and Development Partners. We are grateful that through several bilateral and multilateral arrangements the Government has been able to make good its domestic and international human rights obligations, especially on the socio-economic front.

**Mr. President;**

Furthermore, Government embarked on the Ease of Doing Business project which is being implemented in partnership with the World Bank. The object of the project is to improve Zimbabwe’s international ranking as a sound investment destination by implementing various business reforms.

To ensure food security in 2017 and beyond at both household and national level, Government, in partnership with the private sector embarked on a Special Maize Production programme targeting to put Four Hundred and Fifty Six Thousand, Seven Hundred and Thirty (456 730) hectares of maize, with the objective of producing Two Million Two Hundred and Eighty Three Thousand Six Hundred and Fifty (2 283 650) million metric tonnes against a national requirement of 1.5 million metric tonnes for human consumption.

To date, Government has mobilised resources amounting to US$294 million, of which US$190 million is being directed towards supporting One Hundred and Ten Thousand (110 000) hectares of irrigated maize crop and Three Hundred and Forty Thousand ((340 000) hectares of dry land maize crop production, with expectation to produce at least Five hundred and Fifty Thousand (550 000) tonnes of maize. The balance of US$54 million will be accessed by farmers through the banking sector.

**Mr. President;**

Since the previous review, Zimbabwe adopted a new Constitution in 2013 which was overwhelmingly approved through a referendum. The Constitution has been lauded for its substantive content that introduces salient foundational democratic elements and an expanded bill of rights, incorporating all generations of rights. These rights can only be meaningful to our people through implementation of legislative and administrative measures to actualize the Constitution.

In that vein, we embarked on a carefully crafted process of aligning the country’s legislation with the Constitution. The Government of Zimbabwe established the Inter-Ministerial Taskforce on Implementation of the Constitution that is spearheading the legislative alignment of laws. This process entails reforming and revising policies, legislation and general administrative practices in a manner that upholds the promotion and protection of human rights. We have so far aligned more than three quarters of the total pieces of legislation. We expect that by the end of our 5th Session of the 8th Parliament in 2017, all laws will have been aligned to the Constitution.

**Mr. President;**

The implementation of the Constitution for the realization of human rights has not been limited to alignment of legislation only. For instance, the establishment of the Constitutional Court in 2013 has seen more human rights cases being referred and heard by the Constitutional Court. The Courts have also adopted a strict human rights approach by applying international human rights law and leaning towards wide and liberal approaches which uphold human rights. The courts are interpreting and assigning meaning to specific constitutional provisions requiring implementation and human rights have received special attention. Recently, the Constitutional Court unequivocally ruled against child marriages on the basis of the Bill of Rights in our Constitution which sets the age of marriage at 18.

**Mr. President;**

Our Constitution obligates us to ensure that all international conventions, treaties and agreements which we are party to are incorporated into domestic law. In keeping with that obligation, we designed and approved a Ratification and Domestication Strategy which will accelerate our ratification and domestication processes. During the period under review, the Government of Zimbabwe has ratified the following human rights treaties:

* The United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol.
* The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children; which we have since domesticated and incorporated its provisions without change.
* The Optional Protocol to the UNCRC on the involvement of children in armed conflict; and
* The Optional Protocol to the UNCRC on the rights of the Child on the sale of children, child prostitution and child pornography.

Ratification of outstanding human rights treaties is still under consideration by Government.

Regarding Periodic State Party Reporting, a number of reports were presented on the following:

* UN Convention on the Elimination of all forms of Discrimination Against Women (2012);
* African Charter on the Rights and Welfare of the Child (2015);
* UN Convention on the Rights of the Child (2016).

**Mr. President;**

I am also pleased to highlight that the Government of Zimbabwe has also approved and prioritised programmes that are aimed at facilitating the promotion of public awareness of human rights. This has been achieved through strategic and innovative constitutional and human rights advocacy meetings countrywide. Government has also promoted public awareness through radio programmes and exhibitions at fairs across the country. This has largely enabled Government to increase its promotion of constitutional and human rights awareness in all the ten provinces of the country.

During the period under review, Government printed over one million copies of the Constitution which include the A4 version of the Constitution in English, pocket-sized abridged versions in eight languages including the Braille version, while work on the remaining versions is still on going. Ninety percent of these copies have been distributed. The Constitution can also be accessed on the Government website.

Allow me, Mr President, at this juncture to highlight some of the achievements attained in the implementation of the accepted recommendations. These have been fully addressed in the National Report but of note is the establishment of new Independent Commissions. Among other recommendations, we accepted to create and strengthen independent Commissions which play a very important role of promoting and protecting the human rights in our country. The most important milestone that the Government has achieved is the institutionalization of human rights promotion in the country through the establishment of the Zimbabwe Human Rights Commission (ZHRC). The Commission is now fully operational and Government remains committed to further strengthening it.

Government has fully operationalised other Independent Commissions such as the Zimbabwe Media Commission and Zimbabwe Gender Commission whilst the Zimbabwe Electoral Commission has been further strengthened. Government is in the process of fully operationalising the National Peace and Reconciliation Commission (NPRC) with Commissioners already appointed. The enabling legislation is currently before Parliament.

In conformity with international best practice and to ensure total independence, Government, through the Appropriation Act, conferred financial autonomy to these Commissions.

**Mr. President;**

The promotion of equal access to justice for all remains one of Government’s key priority areas. This resonates well with our Zim-ASSET philosophy. In light of this, Government has established nine more resident Magistrates’ Courts in six provinces of the country and construction of more courts is underway. In addition, legislation to designate all magistrates’ courts as small Claims Courts is before Parliament.

Furthermore, in order to enhance access to justice and to implement our obligation to provide legal representation to the indigent in terms of the Constitution, Government has decentralised the legal aid programme.

**Mr. President;**

The National Report before you highlights the achievements in respect of the following social and economic rights:

* Right to shelter;
* Right to education;
* Right to health; and
* Right to land.

Suffice it to say that the Constitution adequately provides for all these rights, may I reiterate that Government is fully committed to ensure the fulfilment of these rights.

**Mr. President;**

A number of member States have raised advance questions and specific issues. We would like to thank Member States for raising these issues and allow me to take this opportunity to respond.

**In respect of the concerns raised by Belgium, regarding early and forced marriages as well as steps taken by Government to eliminate this practice;**

 I would like to state that the Constitution of Zimbabwe sets eighteen years as the age of marriage. This position was confirmed by the Constitutional Court of Zimbabwe as already alluded to in the national report. Following this landmark ruling on child marriages, Government is harmonising and aligning all marriage laws to the Constitution. The proposed marriage law will, among other things, prohibit early and forced marriages. Government has been prosecuting all perpetrators who commit sexual offences against minors and the proposed legislative framework will seek to criminalise early and forced marriages.

**Mr President,**

**On the issue of increasing the registration of children in order to obtain official birth certificates raised by Mexico;** As is indicated in our national report, Government has opened 206 birth registration sub offices in the districts in all the country’s provinces inclusive of all health institutions. In addition, schools also assist pupils to obtain birth certificates.

**Mr President,**

**In respect of the question from Mexico on measures that have been taken to secure access to food and education for all children, including children with disabilities, children in street situations, orphans and children living in rural areas:** The Government has established drop-in centres in 5 major towns where food is distributed for children living in the streets. Government has also set aside food for orphans, children in need of food in rural areas and child headed families. Community Childcare Workers (CCWs) assist the Government in distributing food and identifying orphans and children who are in need of education and other basic needs. Children with disabilities are given priority in receiving food. They are also allocated 10% of the government’s educational assistance facility under the Basic Education Assistance Module (BEAM). Government has also embarked on the Home Grown school feeding programme for children in primary and secondary schools which is being rolled out in phases starting with infant learners.

**Mr President;**

**With regard to the question asked by Slovenia on what way the government is tackling the ever increasing prevalence of HIV among the population with the majority of new infections occurring among girls aged between 15-24 as well as the role the newly established national aids trust fund is playing in the area of prevention;**

Zimbabwe is among one of the few highly burdened countries which have demonstrated progress in decreasing HIV prevalence. Currently, the prevalence rate for HIV as of 2015 is around 13%. Government will undertake an antenatal care survey which will give new data on prevalence of HIV in 2017.

Government has in place an Elimination of Mother to Child Transmission Strategy (EMTCT) for 2014 – 2018, which is in line with the Zimbabwe National HIV and AIDS Strategic Plan 2014-2018. The EMTCT strategy is also aligned to the targets as set out in ZIMASSET. The strategy aims to reach out to pregnant and lactating women with special emphasis on adolescent girls and young women.

Government is making services accessible in all rural health facilities free of charge. Lifelong treatment is given to all HIV positive pregnant and lactating women, with enhanced adherence among girls aged between 15 – 24 years. Again, Government has committed to implement the 90, 90, 90, initiative which speaks to identifying 90% of people living with HIV by 2020, and 90% of those who are on treatment and 90% of those on treatment who are virally suppressed. For children Government has committed a 95, 95, 95 % by 2018 because of the fast track which will come with the new Global Framework on HIV prevention, care and treatment.

It is worth noting that Zimbabwe is the current chair of the African Global Framework. Government will soon be launching and domesticating the Global Framework to HIV Prevention, Care and Treatment.

The National AIDS Trust Fund is being channelled towards prevention, community engagement and multi-sectoral approach to care and treatment.

**Mr. President;**

**On the question raised by Belgium regarding the concrete measures the Government of Zimbabwe is taking to increase access to sexual and reproductive health services for women and unmarried adolescents as recommended by the Committee on the Elimination of Discrimination of Women and the Committee on the rights of the child;**

Government is committed to ensuring that sexual reproductive health services to women and unmarried adolescents is accessible. Currently Government is reviewing the Medical Services Act, making deliberate efforts to make sexual reproductive health services and commodities available to adolescents and women. Government is also progressively establishing Youth Friendly Corners in health facilities where there is provision of services such as; Optimisation of HIV prevention activities, HIV testing and treatment of those found positive, Sexually Transmitted Infections prevention and treatment, and counselling and information on voluntary male circumcision.

**Mr. President;**

**On the question raised by Slovenia regarding how the Government is addressing a very high child abuse rate and the difficulties the victim face in accessing child friendly services;**

Zimbabwe has a sufficient legal and structural framework which protects children from sexual abuse. The Victim Friendly System is fully operational and has been decentralised as indicated in our national report.

**Mr President,**

**Concerns over completely abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights were raised by Switzerland, Czechia and Belgium**;

The 2013 Constitution provides for the enactment of a law to impose the death penalty only on males aged between 21 and 70 years who are convicted of aggravated murder contrary to the previous Constitution which had a wider range of offences under which upon conviction, one could be sentenced to death irrespective of gender. Zimbabwe notes that it accepted various recommendations during the previous review to ratify the Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty. During the consultative process of the drafting of our Constitution, the majority of our people were in favour of the retention of the death penalty. As such, Government could not ignore the wishes of the people who exercised their democratic right, hence the delay in the ratification of the above mentioned Optional Protocol. Notwithstanding that, we are undertaking nationwide public awareness campaigns on the effects of the death penalty.

**Mr. President,**

**Regarding the question on the steps taken by Government to ratify and domesticate the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment and the International Convention for the Protection of all Persons against Enforced Disappearances raised by Germany, Sweden, Czechia, Netherlands and, The United Kingdom of Great Britain and Northern Ireland;**

Whilst the Government is still considering the ratification of the Convention Against Torture, it is important to mention that most of the content in the Convention has been incorporated in our Constitution and domestic laws.

**Mr President,**

**Spain has asked Zimbabwe to clarify the disappearance of Itai Dzamara;**

In response, we wish to state that isolated cases of disappearances have been reported previously. This is of major concern to Government. Whenever such reports are brought to the attention of law enforcement agents, thorough investigations are carried out. In this particular case, Government is investigating all the leads to establish the whereabouts of our citizen and in this regard Government is working with the family of the missing person and Zimbabwe Lawyers for Human Rights.

**Mr. President,**

**We acknowledge the question by Switzerland on whether Government will propose legislation to Parliament that will guarantee the independence of the National Peace and Reconciliation Commission and provide it with necessary powers and resources to effectively discharge its constitutional mandate ;** I wish to state that, the National Peace and Reconciliation Bill which will operationalize the National Peace and Reconciliation Commission is set to be tabled before Parliament during the current session.

All Independent Commissions are now being funded directly from Treasury as opposed to receiving their funds through line Ministries. This indeed has strengthened the independence of the Commissions and is in line with our Constitution and international best practice.

**Mr. President;**

**The United Kingdom of Great Britain and Northern Ireland has raised concerns regarding the independence and effectiveness of constitutional commissions, the Anti- Corruption Commission, Zimbabwe Electoral Commission and National Peace and Reconciliation Commission, given that in some cases the Office of the President has assumed administration of commissions and the Human Rights Commission remains underfunded;**

The Constitution guarantees the independence of Constitutional Commissions. This is achieved through the deliberate strengthening and full operationalisation of these institutions. Furthermore, the Constitution permits Vice Presidents to administer Acts of Parliament upon assignment by the President.

A stringent and transparent process of removing Commissioners from office, similar to that prescribed for the removal of judges, guarantees their tenure of office.

**Mr President,**

**In respect of the question raised by the United States of America regarding how the Government will address the Zimbabwe Electoral Commission’s (ZEC) lack of funds and independence in order to ensure that citizens are allowed free and equal participation in the upcoming elections;**

ZEC is independent and Government does not interfere with its operations. Government is supporting ZEC to discharge its mandate. Since the last review, a total amount of one hundred and eighty-five million, nine hundred and thirteen thousand, five hundred and forty nine United States Dollars (USD $185 913 549) was extended to ZEC. This is despite our current economic challenges.

 **Mr. President;**

**Concerning the question submitted by Czechia, Mexico and Belgium pertaining to the legislative measures that have been adopted to guarantee all women the right to inherit or acquire land and other property;**

Prior to 2011, we already had in place a law to cater for the rights of women to inherit or acquire land and other property. This was a major departure from the previous colonial laws that rendered our women perpetual minors. The law provides for the rights of wives and daughters to inherit from their deceased husbands and fathers. Furthermore, the Constitution calls upon Government to ensure full gender balance and to take measures to promote the full participation of women in all spheres, including land on the basis of equality with men. In light of the above constitutional provision women can now acquire land in their own right and it is now mandatory policy that registration of land for spouses be done jointly.

In addition, the law provides for the acquisition of property by women in similar circumstances to those afforded to their male counter parts.

**Mr. President,**

**Regarding the steps taken to combat gender based violence and ensure that the rights pertaining to women in the 2013 Constitution are transposed into legislation as raised by Sweden;**

I wish to state that in line with the Constitution the Gender Commission was set up and operationalised through an Act of Parliament. Its mandate includes the monitoring of issues concerning gender equality and the investigation of cases of violations of rights relating to gender. Government is engendering the re-alignment of laws to provide for equal representation in all elective and non-elective boards including Government institutions. May I also highlight that prior the enactment of the 2013 Constitution, Zimbabwe already had in place a legal framework to combat domestic violence.

**Mr. President;**

**Concerns were raised by the United States of America, over the alleged reports that food meant for Zimbabweans most affected by the El Nino-induced drought is being distributed on partisan grounds as well as the steps being taken to guarantee that the distribution of food and other aid is not being conducted in a discriminatory fashion:**

Firstly, I wish to reiterate that it is not Government policy to distribute food on partisan lines. Government has adopted a zero tolerance policy towards the politicization of food aid and has put in place stringent punitive measures against such malpractices.

To ensure transparency and fairness in the selection of beneficiaries Government assigned civil servants to distribute food.

**Mr. President;**

**I will address concerns raised by Switzerland regarding overcrowding and poor conditions in prisons as well as the measures the Government will undertake to address these issues including, improvements in case management, the administration of justice and consideration of alternative sentencing**;

It must be noted that, whenever the prison population exceeds the holding capacity, various interventions are implemented including the transfer of inmates from closed prisons to spacious farm prisons. These measures are complimented by Clemency Orders which are periodically issued by the President.

In line with its constitutional mandate to align legislation with the constitution, Government is finalising a new Prisons and Correctional Service Bill, with provisions that are aimed at reducing congestion, improving prison conditions in line with international standards among other pertinent issues. Other measures include creation of community correctional centres as well as increasing the number of open correctional facilities. The imposition of non-custodial sentences such as community service is another measure aimed at addressing overcrowding within prisons. Government with the assistance of some development partners has put in place measures to improve the water supply situation in prisons.

**Mr. President;**

**The Netherlands, Sweden, Switzerland, and The United Kingdom of Great Britain and Northern Island have among other salient issues, asked about what measures the Government is taking to ensure that the laws on freedom of expression, opinion and the media, right to peaceful assembly and freedom of association, and free and fair electoral process are promptly aligned to the Constitution and effectively implemented;**

As part of its strategy to expedite the alignment of laws to the Constitution, Government established the Inter Ministerial Taskforce on Legislative Alignment (IMT) tasked with the responsibility of coordinating the alignment process of all laws including those on freedom of expression and opinion of the media, right to peaceful assembly and freedom of association.

This alignment process is still ongoing and to date **257 out of 396 Acts of Parliament** have been aligned to the Constitution.

Government prioritized the alignment of laws that affect fundamental human rights and freedoms by prioritizing crucial pieces of legislation which impact upon the enjoyment of human rights, including freedom of expression, opinion and the media. The General Laws Amendment Act in particular has amended Part IV of the Electoral Act in order to give the Zimbabwe Electoral Commission (ZEC) the responsibility for registering voters, compiling voters’ rolls and registers and ensuring the proper custody and maintenance of the rolls. ZEC has since assumed these roles and has adopted a polling station based biometric voter registration system.

Registration is commencing in 2017 and biometric voters roll will be used during the 2018 harmonized elections.

**Mr President,**

**Questions were raised by Sweden, Norway, Czechia and the Netherlands on proposed steps taken to maintain and improve freedom of expression, including social media, media freedoms, and to ensure a more pluralistic media environment as well as issuing broadcasting licenses for private broadcasters and community radios:**

Government is committed to an all-inclusive development agenda for the entire information and media sector in the country. This agenda entails a thorough review of all legislation governing the media industry in the country.

As earlier alluded to these laws, just like many others, are set to be reviewed under the on-going national process of re-aligning all laws to the Constitution. Suffice to mention that the criminal defamation law is no longer part of our laws as it was struck down by the Constitutional Court. Broadcasting licences for private broadcasters and commercial radios were issued and are operational. Community radios licences will be issued licences after the digitalisation of broadcasting services.

**Mr President,**

**Norway raised a very pertinent question pertaining to what steps the Government is taking to ensure that free and private exchange of information on social media platforms like WhatsApp is not unreasonably limited;** the Government is currently reforming the Interception of Communications laws including the enactment of new laws such as the Computer and Cybercrimes Bill and the Data Protection Bill so as to prevent unauthorised collection, processing and transmission of personal data, and interception of individuals’ communications. In order to strike a balance between the State’s role of crime prevention, maintenance of law and order and the individuals’ rights to information and freedom of expression, the laws will require any interference with communications to be subjected to judicial authorisation in line with international best practice.

**Mr President,**

**Concerning the question raised by the United States of America and The United Kingdom of Great Britain and Northern Ireland, on measures the Government of Zimbabwe intends to take to ensure that the Constitutional right to freedom of assembly, and free association, is respected in future, and the measures to rollback such restrictions.**

Government fully acknowledges its obligation to promote, protect and fulfill the rights to freedom of expression, association and assembly. However, these rights are not absolute and must be exercised peacefully and with due respect to the rights of others, as provided for in the Constitution. Hence, Government will continue to ensure that such rights are enjoyed by all without causing any harm or prejudice to other people.

**Mr President,**

**In respect of the question raised by The United Kingdom of Great Britain and Northern Ireland regarding when the Government of Zimbabwe will ensure that its police force enforces court orders protecting the constitutional rights of citizens to shelter, as per section 71 of the Zimbabwean Constitution;**

I wish to clarify that in terms of our law, it is not the duty of the police to enforce civil court orders. This is the preserve of the Sheriff of the High Court, his deputy and assistants including the Messenger of Court. However, the Sheriff may enrol the assistance of the police when hindered from carrying out his/her duties which ordinarily relate to the enforcement of court orders. Essentially, therefore the Police are called upon to ensure the maintenance of law and order.

**Mr. President;**

**On concerns raised by Germany, Norway and Czechia over increasing reports of human rights abuses by security forces against political and civil rights activists, including reports of abduction, arrest, torture, assault, harassment and the denial of urgent medical attention as well as the request for measures in place by government to ensure it upholds the rights enshrined in its Constitution and holds security forces accountable for politically-motivated violence;**

Government’s position is thatno one is above the law. Whenever a report is made, investigations are carried out and no one is spared from prosecution including members of the security forces. Victims of such acts can also institute civil litigation against the perpetrators. Our courts have a significant number of cases involving the security forces.

Further, the Government is in the process of crafting a law that will provide an independent complaints’ mechanism against members of the security forces in terms of the Constitution. The Act will provide an effective and independent mechanism for receiving complaints from members of the public, their investigation and the provision of remedies for any harm caused by members of the security forces.

**Mr President,**

**In respect of the recommendation to issue a standing invitation to the special procedures and responding positively to the outstanding requests of special rapporteurs, raised by Belgium and Czechia:** Zimbabwe is committed to working with the special procedures. Regarding outstanding requests by certain special rapporteurs to visit Zimbabwe, each request will be considered according to its merits.

**Mr. President;**

I stop here for now and I give back the floor to you to allow for the interactive dialogue with member States.

**I THANK YOU, MR. PRESIDENT**