

2021

Open Up!

Handbook on Women, Human Rights and Leadership in Zimbabwe

Strengthening Women's
Leadership Role in Shaping the
Human Rights Agenda



W/O 3/93
Campaigners for Human Rights

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May 2021



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Open up! Handbook on Women, Human Rights and Leadership in Zimbabwe

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Foreword

The Zimbabwe Human Rights Association (ZimRights) is proud to present the “Open Up! - Handbook on Women, Human Rights and Leadership in Zimbabwe”. For decades, reports, books and treaties have been published on women empowerment and gender equality but the action and transformation has been lacking on the ground. This handbook offers practical and honest insights into the current state of women’s participation in democratic spaces in Zimbabwe.

It explores the legal frameworks and the socio-economic dynamics that have a bearing on women’s participation in governance and development spheres. The handbook further offers a frank interrogation of the gaps and structural as well as cultural challenges to women’s rights. Users of this handbook will also benefit from the mapping of key actors that mainstream human rights in their programming with a particular focus on gender, women and girls’ rights as well as those that are not necessarily women’s organizations but focus on women-oriented human rights work.

The handbook is an effort by **ZimRights** to ensure not only the visibility of women but build their capacity to be able to articulate human rights issues from an informed perspective and as champions for human rights. ZimRights is Zimbabwe’s biggest grassroots movement of ordinary people who seek to influence the human rights discourse using bottom-up approaches and undertook this initiative in line with United Nations Security Council Resolution 1325 on women, peace and security. The Resolution is itself a recognition of the serious impact that violations of human rights have on women, and is an acknowledgement of the potential of women to contribute to advancing human rights.

ZimRights engaged the services of a seasoned practitioner in research, women empowerment, human rights and training whose values on women’s economic justice and human dignity are impeccable. It is undoubtable that this handbook will help build partnerships for strengthening the participation and leading of women in the human rights discourse. Further, we believe the handbook is a stepping stone towards the inclusion of women human rights defenders in leadership positions.



Acknowledgements

This handbook is a result of meticulous research and great teamwork of which ZimRights is greatly indebted to Ms Perlagia Kapuya, the lead consultant, whose vast knowledge and experience in research and women empowerment saw this handbook coming to life.

ZimRights also appreciates the efforts of its secretariat led by Mr Kenneth Magwada and Ms Rumbidzai Moyo from the Membership Department, for coordinating the logistical requirements in coming up with the handbook. Many thanks go to the National Director, Mr Dzikamai Bere and the National Programmes Coordinator, Leo Chamahwinya, for providing oversight and the quality control that ensured ZimRights' standards are maintained.

Last but not least, ZimRights extends its gratitude to its funding partners, the French Embassy to Zimbabwe, whose support made all this possible. We value them for their continued trust and belief in our vision and aspirations as an organisation.



Introduction

The Zimbabwe Constitution which is the primary source and basis of rights of all citizens, in its preamble clearly points to the tenets of equality and the fact that human rights are for all irrespective of sex or gender.

The principles, notions and doctrines of gender equality, equal participation in leadership, governance and human rights have long been accepted in both international and local statutes. The practice thereof is, however, yet to see fruition as women still lag behind with respect to claiming and being accorded their equal rights, human rights and equal opportunity to leadership. Women taking leadership and championing the human rights agenda, while having made some strides, can only be fully reached when women are accorded full participation and rights in matters of governance, socio-economic and access to justice. Several obstacles stand in the way of this happening. However, the struggle towards this has long begun and is creating opportunities for improved and sustained entrance by women organizations and women in the human rights agenda.

In the past, particularly in Zimbabwe, human rights had been conceptualized in a way that did not take account of women's lives and the fact that women routinely faced hindrances such as culture largely dominated by patriarchy, violence, discrimination and oppression. Consequently, women's experiences were, until relatively recently, not adequately addressed by the human rights framework. The work of activists, human rights mechanisms and States has been critical in ensuring that the human rights framework has grown and adjusted to capture the gender-specific dimensions of human rights violations in order to better protect and promote women. Therefore, effectively ensuring women's human rights requires a comprehensive understanding of the underlying societal structures and power relations that define and influence women's ability to enjoy their human rights. These power structures have an impact on all aspects of life, from law and politics, to economic and social policy, family and community life.

Another important aspect to note is that apart from the commonly known and obviously bad practices that hinder women's rights, there are some legacies and practices that appear to be progressive when in fact they reduce women's participation to being tokenistic at best. These include affirmative action provisions like the quota system which has been criticized as having unprogressive effects on the empowerment of women and their participation in democratic processes. In



fact, progressive advocates of women's rights have highlighted that the government should just implement the Constitution of Zimbabwe which provides in Sections 17 and 80, for gender balance in all organs of the state and government rather than trying to providing piecemeal for something that is Constitutionally provided for. Other structures like women's councils/ leagues in political parties have also been criticized as being used by men as tools for patriarchal gatekeeping and puppetry without possessing neither the power nor the authority to lead.

There are also some institutions that are supposedly meant for women but their design and outlook do not necessarily reflect nor advantage women in a way that is bold, unapologetic and effective. The Women's Microfinance Bank in Zimbabwe, for example, is chaired by a man. This scenario is also evident in the Ministry of Women's Affairs, Community and Small to Medium Enterprise (SME) Development where the majority of directors are men. It then creates a situation where it can be concluded that women's interests are not served effectively when the most important leadership positions in women's institutions are occupied by men. Such cases make it difficult to confirm the sincerity of the government as they reflect an unwillingness to afford women the opportunity to lead, preferring to confine them to mere 'beneficiaries'.

The above notwithstanding, a lot of work has been done still, and is continuing, to uplift women and enhance their rights by several organizations and activists. Notable organizations that worked hard to put women's rights issues at the forefront, post-independence include Women Action Group (WAG), Women and AIDS Support Network (WASN), Zimbabwe Women's Bureau (ZWB), Zimbabwe Women's Resource Centre and Network (ZWRCN) and Women of Zimbabwe Arise (WOZA). Individuals whose impeccable resolve saw Zimbabwe starting to pay attention to women's human rights issues include the late Mabel Moyo, Everjice Win, Thoko Matshe, Jenni Williams, Hope Chigudu, Teresa Mugadza, Janah Ncube, Isabella Matambanadzo, Priscilla Misihairabwi and the late Sr. Janice McLaughlin, among many others. The work done by these women continues, with renewed strength, new faces, new resolve and unwavering determination. It is against this backdrop that this handbook synthesizes this work by way of investigating and recording women organizations working in human rights and promoting women leadership in the same. It also records entities that might not be women organizations but are implementing commendable work in the human rights discourse at the same time streamlining gender, women and girls. This handbook not only outlines the leadership within the organisations, but also identifies the key issue being

advocated for and the geographical location of the organizations. Essentially, the handbook analyses the challenges, gaps and opportunities for improved women leadership in the human rights agenda while proffering recommendations towards the same. In doing so, the handbook follows broad themes including narrating the past efforts, current status, juxtaposing national and international work and statutes; and understanding different challenges ranging from structural, cultural to power relations influencing the current status.

Importantly, this handbook, being the first of its kind, does not claim to include everyone and everything, however, it forms an important basis for documenting more women stories, create more avenues for engagement of the human rights framework to cater more for women and understand their needs, challenges and take advantage of opportunities to better their role in the human rights agenda. It is premised on the understanding that women are pivotal to a world that respects human rights mostly because they are more than half of humanity, but more because they are equal beings and can better protect the new world order characterized by flourishing human rights and dignity of all beings.







Towards women's leadership and participation in governance and human rights agenda

Women's role in the human rights agenda in Zimbabwe can best be described as scanty, top-down, tokenistic and one that could benefit from more concerted united effort. All this, but with huge promise as pockets of leadership and meaningful participation have been emerging, from cities and towns. The emerging pockets of leadership require structural, economic and social pillars of support for them to achieve success. The emergence and development of national civil society organizations, community-based organizations, sub-economic based support structures for women, socio and health-based platforms, women ministry and quota systems are a good sign of a shifting traction towards gender equality.

The adopted and different routes towards women emancipation have their critics outside and within the women's movement. For example, quota systems to uplift women in political leadership are criticized;

"Quotas for women have often been criticized for various reasons, e.g., if the women are chosen by political parties or leaders to serve political interests which may be contrary to ensuring equality or because quotas put too little emphasis on actual merits. Quotas for women need to be coupled with other measures to create an enabling environment for women to participate. Particularly, the positive impact of increasing women's representation in public and political life will not be felt if the women who gain access are not also empowered to actively participate in the discussions and exercise influence in decision-making."

However, not all are critical of the model as Hamandishe² states that;

1 UN Human Rights, 2014, *Women's Rights are Human Rights*, <https://www.ohchr.org/documents/events/whrd/womenrightsarehr.pdf> Accessed on 02 April 2021

2 Hamandishe A, 2018, *Rethinking Women's Participation in Zimbabwe's Elections*, <https://www.africaportal.org/features/rethinking-womens-political-participation-zimbabwes-elections/> Accessed on 06 April 2021



"In addition to having a legal framework that values gender equality and equity in politics, Zimbabwe is a signatory to many declarations aimed at increasing women's leadership and decision-making. Zimbabwe's new Constitution came into effect in 2013, and provides a quota of 60 seats set aside for women for proportional representation in Parliament, increasing the number of women in Parliament from 16% to 34%. This is a positive development which counterbalances the constituency-based electoral system viewed by some as highly competitive and not friendly to women who have ambitions to become parliamentarians."

Overall, though the above analyses seemingly give a balanced view, the broader civil society has dismissed the quota system as retrogressive.

The work of women/human rights activists has come a long way internationally and in Zimbabwe. The UN Human Rights Report of 2014 notes that; ³"The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the Declaration on Human Rights Defenders, recognizes the important role of human rights defenders, including that of women defenders, and outlines the rights of all human rights defenders and the obligations of States." This declaration acknowledges the role women are playing in uplifting and promoting their role in the human rights framework, albeit, with several challenges;

2.1 Zeroing in on gaps and structural and cultural challenges to women's rights

The world over, promotion, protection and participation of women in the human rights agenda has faced cultural and structural hinderances. The cultural and structural challenges are not unique nor are they the same, but pose similar challenges albeit with similar results of squashing the ascendance of women to equality. In Zimbabwe, culture dictates are largely patriarchal thus leaning more to the advantage of the males through gender roles. The gender roles tend to promote unpaid labor for women, restricting women to the household, squashing their right to voice up in issues directly affecting them including fundamental freedoms and sexual rights.

The UN human rights 2014 report notes that; ⁴“Violations of women’s sexual and reproductive health rights are often deeply ingrained in societal values pertaining to women’s sexuality. Patriarchal concepts of women’s roles within the family mean that women are often valued according to their ability to reproduce. Early marriage and pregnancy or repeated pregnancies spaced too closely together, often as the result of efforts to produce male offspring because of the preference for sons, have a devastating impact on women’s health with sometimes fatal consequences. Women are also often blamed for infertility, and ostracized and subjected to various human rights violations as a result.”

Conversations with women and girls in different communities across Zimbabwe in April 2021, also echoed the above and went further to give narrations of lived and observed experiences. Among the typical hinderances were; gender stereotyping, seemingly unbreakable but glass ceiling, discrimination on the basis of sex, violation of women’s rights when there is Gender Based Violence (GBV) and sexual violence and harassment.

Key Informants Interviews also revealed that; with regards resources allocation for women organizations- women organizations do not generally receive the amount of funding that men led organizations get. Additionally, it was noted that there is examination and critiquing of women leadership style vis-à-vis organizational effectiveness, something that men led organizations are not subjected to while at the same time women issues are deemed soft issues with negative preconceptions. Moreover, participation in political spaces is not safe and characterized by hate speech, sexual and physical violence.

Additionally, access to justice was identified as key to full participation in human rights agenda. Ensuring women’s access to justice requires that women enjoy their right to equality before the law, that procedures are in place to guarantee nondiscriminatory access to justice and that women have effective access to remedies when their rights have been violated. The law has been updated to reflect the need for justice for women. However, reality still prohibits women to fully enjoy access to statutes that protect them. The following are enactments meant to benefit and protect women from most of the above-mentioned challenges;⁵

4 UN Human Rights, 2014, *Women’s Rights are Human Rights*, <https://www.ohchr.org/documents/events/whrd/womenrightsarehr.pdf> Accessed on 02 April 2021

5 Machakanja P et al, 2016, *The Constitutional and Legal Frameworks for the Protection of Women Against Violence in Zimbabwe*, <http://zimlil.org/content/constitutional-and-legal-frameworks-protection-women-against-violence-zimbabwe> , Accessed 18 April 2021

**Domestic Violence Act [Chapter 5:16]**

This is an Act to make provision for the protection and relief of victims of domestic violence.

**Marriage Act [Chapter 5:11]**

The Act provides for laws relating to solemnization of civil marriages. Section 20 provides for the circumstances under which a minor may marry and section 21 states that the marriage of a minor without consent is voidable.

**Termination of Pregnancy Act [Chapter 15:10]**

The Act provides for laws relating to abortion and defines circumstances in which a pregnancy may be terminated.

**Criminal Law (Codification and Reform) Act [Chapter 9:23]**

Section 70 of the Criminal Law (Codification and Reform) Act provides that any person, who has sexual intercourse with a person below the age of 16 years with or without their consent shall be charged with rape or aggravated indecent assault or indecent assault.

**Children's Act [Chapter 5:06]**

The Children's Act was enacted to provide for the general welfare of children. Among other issues, the Act provides for the protection of children from physical and mental violence, neglect, injury, abuse and maltreatment, in line with the requirements of the Charter. The Children's Act is currently under review and a Draft Bill is in place.

**Married Persons Property Act [Chapter 5:12]**

The marriage regime in Zimbabwe is currently that of out of community of property, except for marriages entered into before the 1 January 1929.

**Deceased Estates Succession Act [Chapter 6:02] and Administration of Estates Act [Chapter 6:01]**

Inheritance of immovable property falls under either customary law as governed by the Administration of Estates Act as amended or general law as governed by the Deceased Estates Succession Act. Section 3A of the Deceased

Estates Succession Act states as follows: “The surviving spouse of every person who dies wholly or partially intestate shall be entitled to receive from the free residue of the estate, the house or other domestic premises in which the surviving spouse as the case maybe lived immediately before the person’s death.”



Guardianship of Minors Act [Chapter 5:08]

This Act covers custody and access in addition to guardianship. It covers parental rights and responsibilities in respect of these issues. Section 3 of the Act effectively provides that the father of children born in wedlock is their guardian. This offends against the equality provision in the Constitution as well as international human rights which require that men and women have equal rights and responsibilities over their children.



Deceased Persons Family Maintenance Act [Chapter 6:03]

The Deceased Persons Family Maintenance Act provides some protection for the needs of the family of the deceased who may be disadvantaged by the laws on intestate and testate succession. It applies to the estates of all people regardless of their type of marriage.



Maintenance Act [Chapter 5:09]

The Maintenance Act provides for the making of orders for maintenance of dependent persons and for the enforcement of those orders.

2.2 Are there opportunities towards women leadership in the human rights agenda?

The Zimbabwean scenario shows promising opportunities for women to flourish as equals in leading the human rights agenda and sustaining it. The following are brief explanations of the opportunities emanating from; the 2013 Constitution of Zimbabwe, the Gender Commission, the Zimbabwe Human Rights Commission, the Ministry of Women Affairs, Civil Society, Community based women organizing and a thriving international human rights framework largely adopted and ratified in Zimbabwe. Women leading and seeking to lead the human rights agenda would find it worthwhile to explore these opportunities;

2.2.1 The Constitution of Zimbabwe

The Constitution of Zimbabwe adopted in 2013 offers several avenues for women empowerment and gender equality in Zimbabwe. An expanded bill of rights in Chapter 4 of the constitution not only details the rights of women, but also gives all expanded rights based on equality. Section 17 on the objectives of the constitution envisages a Zimbabwe where men and women are equal. Section 80 focuses on the rights of women and highlights the provision for equal opportunities, in political, social and economic activities while Section 85 buttresses the enforcement of fundamental human rights and freedoms by the courts, and granting of appropriate relief and compensation where one's rights have been infringed

2.2.2 The Gender Commission

The Zimbabwe Gender Commission was established in terms of Section 245 of the Constitution of Zimbabwe and is operationalized through the Zimbabwe Gender Commission (ZGC) Act (Chapter 10:31).⁶

The constant resurgence of gender related issues reflecting a glaring need for the establishment of an independent institution to specifically look into gender issues birthed the Commission, as one of the Chapter 12 Independent Commissions. The Commission's objectives are set out in Section 233 of the constitution, notably; to support and entrench human rights and democracy; to promote constitutionalism and ensure that injustices are remedied, to name a few of them.

The specific mandate of the Commission is derived from Section 246 of the Constitution whose provisions are listed, among others, as ; to monitor issues concerning gender equality and to ensure gender equality as provided for in the Constitution; to investigate possible violations of rights relating to gender equality; to conduct research into issues relating to gender and social justice and to recommend changes to laws and practices which lead to discrimination based on gender; to recommend affirmative action programmes to achieve gender equality and to secure appropriate redress where rights relating to gender have been violated.

The main gender issues that the Commission has had to deal with

6 www.zgc.co.zw Accessed on 23 April 2021

include Child marriage, which is a violation of children's rights, affecting girls disproportionately and impeding their full enjoyment of human rights as enshrined in the Constitution of Zimbabwe as 34 percent of girls are reported to be getting married before the age of 18.

The ZGC also ensures that women's rights are protected and in doing makes use of the various Protocols, Charters and Treaties that Zimbabwe is signatory to in conjunction with the laws provided for by the Zimbabwe Constitution. Of note is the Africa Charter on Human and Peoples' Rights on the Rights of Women in Africa (Protocol or African Women's Rights Protocol), which Zimbabwe ratified in 2008.

In accordance with Article 2 of the Protocol, the Government of Zimbabwe must enact and effectively implement appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination particularly those harmful practices, which endanger the health and general well being of women. The Protocol defines harmful practices as "all behavior, attitudes and or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.⁷ Article 2 therefore places an obligation on the state to comply with the Protocol and it is the Commission's duty to ensure that it does.

The ZGC has several documents available on its website for reference to the work that the Commission has done and is doing⁸. These documents include Annual Reports, Strategic Plan Framework, Investigations and Complaints handling manual and articles related to women's rights violations that the Commission has attended to, among other literature.

The fact that Zimbabwe still lags behind despite some milestones having been reached, with regards women's participation in human rights and leadership means the ZGC still has a lot of work to do and so does all other bodies charged with ensuring the equitable inclusion of women in all spheres. There is need for government to adequately resource the Commission to effectively carry out its functions and decentralize to all provinces (through the National Budget and other

7 www.zgc.co.zw Accessed on 23 April 2021

8 *Ibid*

national development strategies)

2.2.3 The Zimbabwe Human Rights Commission (ZHRC)

The Zimbabwe Human Rights Commission (ZHRC) is another independent arm of the state established to ensure observance of human rights for all, investigation of human rights abuses and prosecuting against perpetrators. The Constitution of Zimbabwe empowers the ZRCH to fulfill its mandate as stated in Zimbabwe Human Rights Commission Act, Chapter 10 (30).

2.2.4 The Ministry of Women Affairs

The government of Zimbabwe has an established Ministry of Women Affairs, Community and Small Medium Enterprises (SME) Development charged with ensuring women empowerment and promotion. The Ministry is also charged with ensuring the reduction of gender disparities in the education and training sector. This means the ministry has the responsibility of ensuring that women are trained in leadership, economic development and relevant thematic areas as articulated in the Ministry's Strategic Plan or the National Development Strategy 1. The Ministry has gender focal persons in all line ministries, departments and agencies at district and ward levels who are instrumental in driving local efforts at ensuring gender equality and the protection of women's rights by mainstreaming gender in all policies, programs and projects in their various sectors. The Ministry of Women Affairs derives this mandate from the various human rights legal instruments which it adheres to.

2.2.5 A growing women civil society community

There is a growing and robust women's movement in Zimbabwe that is non-governmental and largely independent. This movement is represented both at national, provincial, district and ward levels. At the national level, key organizations that are working on women rights issues and the development of leadership capacity include Women in Politics Support Unit (WIPSU), whose main objective is to increase women's participation in policy and decision making. WIPSU also develops women's leadership skills and spearheads campaigns to advocate for female representation across all government bodies. Another key organization is the Women and Law Southern Africa (WLSA), which seeks to advance the socio-economic, political, legal and human rights of women and children by conducting research

and lobbying for legal reforms and policy changes on laws, practices and policies that discriminate and disadvantage women and children. The Female Students Network (FESN) also has a national reach in empowering female students to challenge the multiple forms of discrimination and exclusion in tertiary educational institutions. WELEAD is another organization that focuses on human rights and leadership development focusing on young people, working mainly in tertiary institutions. A young and vibrant human rights defender, Namatai Kwekweza, who has been on the forefront of advocacy for the upholding and protection of the Zimbabwe Constitution, founded the organization. Women's Academy for Leadership and Political Excellence (WALPE) is also a key organization that identifies and nurtures women aspiring to run for public office through leadership capacity building training, intergenerational mentorship and coaching.

Another key organization focusing on women's empowerment is Action for Women in Development and Enterprise (Act4Women), whose mandate is to advocate for economic justice of women with the realization that there is an important nexus between women's leadership development and participation in democratic processes and economic empowerment. The organization though targeting women across all divides, has a special focus on women in farming communities and other marginalized areas.

Deaf Zimbabwe Trust, is another key organization for women participation in human rights and leadership discourse. The organization focuses on women with disabilities and advocates for the inclusion of deaf and other persons with disabilities at all levels in the economic, social and political spheres of life. A women's rights organization working mainly in Bulawayo and selected districts in the Matabeleland North and South provinces, the Women's Institute for Leadership Development (WILD) has been very instrumental in the development of leadership amongst young women and championing socio-economic and political rights of women in the southern region of the country. Importantly, it is worth mentioning that the Women's Coalition of Zimbabwe (WCoZ), a collective body of women's rights organizations and activists that mobilizes women for collective activism on issues affecting women and girls in Zimbabwe as another key organization in human rights and leadership development of

women bringing the critical mass needed for effective advocacy⁹. The formation of WCoZ needs to be located in the historical context relating to the shrinking space for women's voice to be heard during the review of the National Constitution in 1999 , under the National Constitutional Assembly(NCA)¹⁰. Since then, WCoZ has evolved to become the reference point for collective lobbying and advocacy on key women's rights issues ,including the enactment of the Domestic Violence Act(DVA) in 2006. The WCoZ continues to champion women's rights through its decentralized structures at provincial level through its through regional chapters.

The above is certainly not an exhaustive account of the growing women civil society movement but provides an insight into some of the key organizations working on various human rights issues affecting women and girls. A more comprehensive list of women human rights organization is included in the directory which is found at the end of this handbook.

2.2.6 Community organizing and leadership by grassroots women

At community level, women are taking charge of their empowerment drive towards achieving social and economic justice through women led community-based organizations. The Women's Coalition of Zimbabwe (WCoZ) has also made strides in this regard by identifying and empowering community organizers who are useful point persons in each of the provinces through leadership and advocacy training workshops.

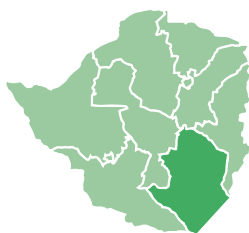
Below is a table containing information about these community players disaggregated by province :

⁹ <https://www.wcoz.org/>

¹⁰ <https://www.sipri.org/research/conflicts-and-peace/africa-security-and-governance-project/mapping-studies/zimbabwe>

- KEY:
-  Key Women organizations with a national/ regional reach active in the communities
 -  Key Community Based Women Organizations
 -  Key Individuals in human rights and community organizing
 -  Women Human Rights Issues prevalent in the province

Masvingo



**ICOD Zimbabwe – focusing on women with disabilities
WCoZ, WLSA, WAG, Musasa project, ZWLA, Adult Rape Clinic**



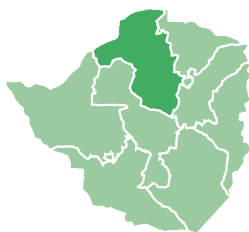
Entrance Takaidza, Joyce Mhungu



Prevalent Issues:

- Sexual and Reproductive Health Rights - SGBV, GBV
- Right to public health
- Economic disempowerment leading to abuse
- Harassment of women by state security – women are being beaten and also having their wares confiscated
- Political Violence - there is no recourse even when women report, there are a lot of unresolved cases of political violence against women
- Social

Mashonaland West



**Tony Waite Apostolic Women Empowerment Trust (AWET)
Pamuhacha**



WCoZ, WIPSU, Musasa Project, YETT, CYED, ZCIEA



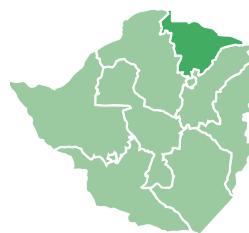
Monica Muchenje, Kay Ncube, Patience Chiwofa



Prevalent Issues:

- Child Marriages - high figures of women dropping out of school
- Access to health - maternal health
- Co-existence with wild animals especially in Kariba and the wild animals harming and killing people

Mashonaland Central



**Institute for Young Women Development (IYWD),
ROOTS, Ree Inspiration for Girl Child Empowerment,
Wadzanai Community Development Trust**



WCoZ, WIPSU, Tag a Life International (TaLI), Rozaria Memorial Trust



Mandi Piyasi, Yvonne Magutakuona

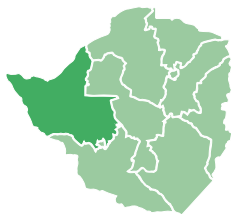


Prevalent Issues:

- Political Violence and Victimization of women
- GBV
- Poor Service Delivery - having a negative impact on women's livelihoods and well-being
- Child marriages

- KEY:
-  Key Women organizations with a national/ regional reach active in the communities
 -  Key Community Based Women Organizations
 -  Key Individuals in human rights and community organizing
 -  Women Human Rights Issues prevalent in the province

Matebeleland North



Voice of the Voiceless - Multiple Therapy

Working women and key populations,

Hope for Zimbabwe

Focusing on children's rights,

Widows in Development,

Basilizwi,

Ntengwe for Community Development,

Channels of Hope



WILD, WCoZ



Nomsa Ncube, Cathrine Madondo, Natalie Mbewe



Prevalent Issues:

- Sexual exploitation especially by the Chinese working on different projects in the province
- GBV
- Child Marriages

Matebeleland South



Women for Community Development



WILD, WCoZ, WALPE, Act4Women



Lydia Sibanda, Linda Mpofu, Zanele Nyathi



Prevalent Issues:

- Service delivery related issues-right to clean water and other public health essentials.
- Right to Education

Chitungwiza



Shamwari YeMwanasikana,

Girl Child Network,

Girls and Women Empowerment Trust (GWEN)



WIPSU, WALPE



Roselina Mudzerengi, Josephine Mahachuwi, Alice Kuvheya

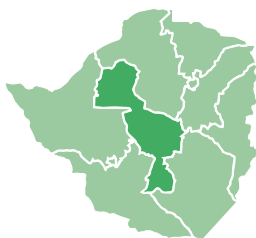


Prevalent Issues:

- Girl Child Labor
- Access to Education is limited
- Limited access to Justice
- Inadequate Public Health Rights- Clean water, Environment
- Inadequate sanitary ware for girls
- Harassment by law enforcement officers
- SRHR

- KEY:
-  Key Women organizations with a national/ regional reach active in the communities
 -  Key Community Based Women Organizations
 -  Key Individuals in human rights and community organizing
 -  Women Human Rights Issues prevalent in the province

Midlands



**Hands of Hope,
Ebenezer Entrepreneurship Trust,
YWCA**



**WCoZ,
Musasa Project**



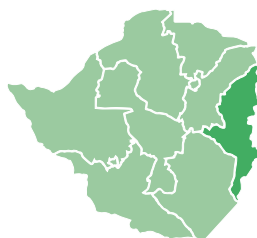
Locardia Mavhudzi, Vimbai Nhutsve, Priscilla Mashinge



Prevalent Issues:

- Sexual violence in mining areas especially in Zvishavane, Shurugwi, Kwekwe and Mberengwa.
- The murder of women is also rampant in the mining areas
- Unequal opportunities to resources – women do not have the necessary machinery to do effective mining

Manicaland



**Chitsanza Development Association (CHIDA),
CODET, Zivanai Trust
WLSA, WCoZ, Act4Women, Musasa, WALPE**



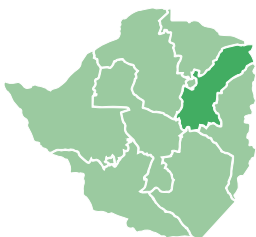
Selina Marewangepo, Mildred Muzanechita



Prevalent Issues

- Limited Access to health services
- GBV
- Early Child Marriages – falling victim mainly to artisanal miners in places like Penhalonga

Mashonaland East



**Wadzanai Rozaria Memorial Trust
WLSA, WAG, WCoZ, Zimbabwe Women's Bureau,
Act4Women**



Anesu Chirewa, Lizzy Gonye, Mpinkelelo Mazwi

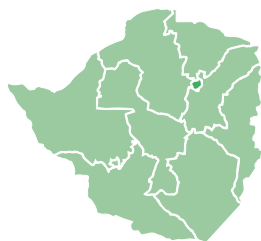


Prevalent Issues:

- SRH rights violations especially rape
- Teenage Pregnancies
- Politically motivated violence- especially during food distribution where women are the majority who collect the food parcels

- KEY:
-  Key Women organizations with a national/ regional reach active in the communities
 -  Key Community Based Women Organizations
 -  Key Individuals in human rights and community organizing
 -  Women Human Rights Issues prevalent in the province

Harare



**WCoZ,
YWCA,
WIPSU,
Act4Women,
WLSA,
ZWLA,
WALPE,
Musasa,
ZWRCN**



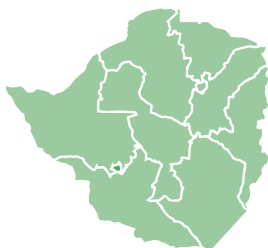
Namatai Kwekweza, Charity Mandishona



Prevalent Issues:

- Political Violence
- Public Health Rights violations
- SRHR violations
- Socio-economic injustices
- Harrassement by security agents

Bulawayo



**WILD,
WCoZ,
Act4Women,
ZWLA,
Emthonjeni Women's Forum,
Inkanyezi**



Nomuhle Nyoni, Nomuhle Nyoni



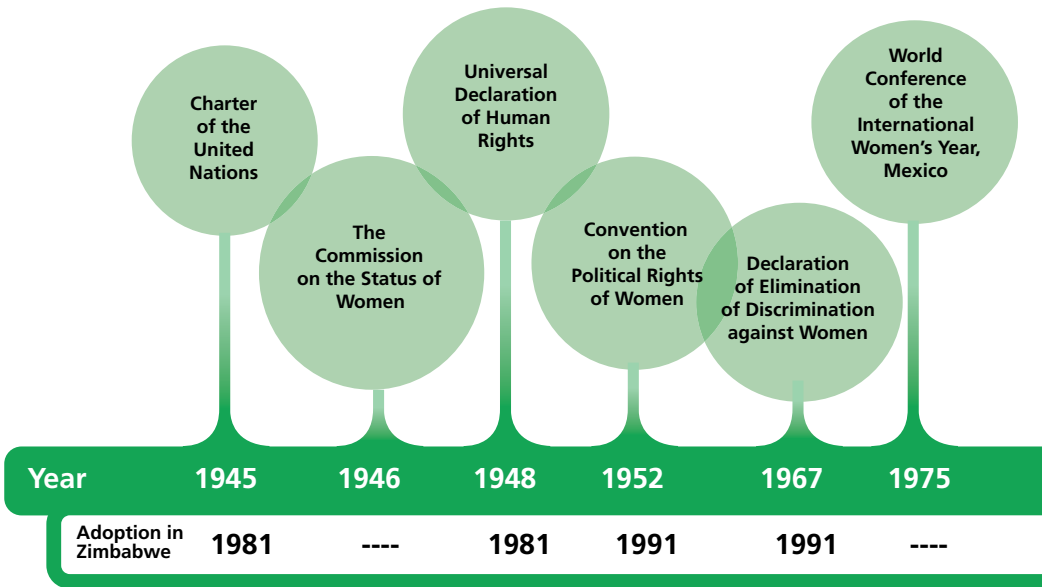
Prevalent Issues:

- Service delivery related violations
- SRHR violations
- Difficulty in accessing documents – the effects of which have disproportionate implications disadvantaging women
- Early Child Pregnancies
- Intimidation and Harassment by police

Interviews with women in the provinces listed above made bare the nexus between economic empowerment and participation in leadership and ability to claim rights. Economic independence was highlighted across organizations and provinces as key in empowering women to take up opportunities to lead and the lack of economic independence cited as an enabling factor that fuels human rights violations against women and their inability to seek recourse.

It was also mentioned that there is disproportionate ability to interact socially, with men being more able to go to bars and sports events where they can campaign and garner support for leadership whilst women are confined to their homes because of gender roles.

The shortages of water amongst other social amenities limits women’s capacity to engage in governance and development processes since they are expected by society to ensure that the needs of their families and households are catered for. These shortages are also evident in general hospitals and local health centres where women’s access to maternal health is compromised, thereby putting them at risk. The number of women dying whilst giving birth is a testimony to the poor service delivery.



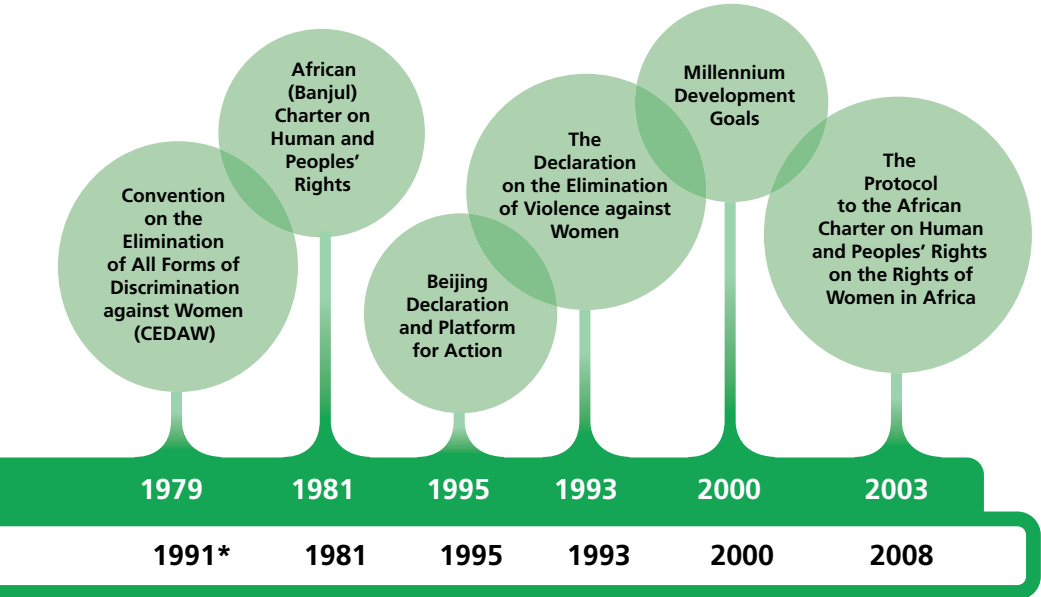
Timeline of development of international human rights-based approaches to women’s rights

It was also noted that women sometimes fail to take up leadership position especially in cases where specific leadership positions require specific qualifications. This necessitates the need for government institution and non-state institutions to prioritize affordable and gendered leadership programs that women can benefit from.

Gate keeping by older women was also highlighted as a deterrent for new entrance in the human rights discourse and in leadership. This closes opportunities for young women to participate. Hence, the need to create inter-generational dialogue between the older generation and the new generation to ensure that knowledge and skills transfer as well as ongoing learning from both sides leads to tolerance and mutual respect in a bid to rebuild a society.

2.2.7 An international outlook to human rights

International statutes and treaties are part of the Zimbabwean law. Section 3b of the Zimbabwean constitution states that any international convention, treaty or agreement acceded to, concluded or executed by or under the authority of the President with foreign states or organizations (a) is subject to approval by parliament (b) shall



*Ratified 1997

not form part of our law by or under an act of parliament (Zimbabwean Constitution). This means that Zimbabwe is not bound by international human rights law unless the law is legislated by Parliament of Zimbabwe into the local statutes of Zimbabwe. That's what makes Zimbabwe's approach to international human rights law dualistic¹¹. Zimbabweans therefore cannot enjoy internationally acclaimed human rights before they are ratified by parliament. For example, Zimbabwe signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) convention in 1991 but it was only ratified in 1997.

There exists wide-ranging conventions and declarations especially under the United Nations. "Since the founding of the United Nations, equality between men and women has been among the most fundamental guarantees of human rights. Adopted in 1945, the Charter of the United Nations sets out as one of its goals "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, [and] in the equal rights of men and women". Furthermore, Article 1 of the Charter stipulates that one of the purposes of the United Nations is to promote respect for human rights and fundamental freedoms "without distinction as to race, sex, language or religion". This prohibition of discrimination based on sex is repeated in its Articles 13 (mandate of the General Assembly) and 55 (promotion of universal human rights).¹²

"In 1967, United Nations Member States adopted the Declaration on the Elimination of Discrimination against Women, which states that discrimination against women is an offence against human dignity and calls on States to "abolish existing laws, customs, regulations and practices which are discriminatory against women, and to establish adequate legal protection for equal rights of men and women". It was followed by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-1979) is a key international treaty addressing gender-based discrimination and providing specific protections for women's rights. It sets out an international bill of rights for women and girls and defines what obligations states have to make sure women can enjoy those rights.

The African Union, which Zimbabwe is a member of, adopted the African

11 Mude T, 2014, *The History of International Human Rights Law in Zimbabwe*, *Journal of social welfare and Human Rights*, Volume 2, No.1 http://jswhr.com/journals/jswhr/Vol_2_No_1_March_2014/5.pdf Accessed on 12 April 2021

12 UN Human Rights, 2014, *Women's Rights are Human Rights*, <https://www.ohchr.org/documents/events/whrd/womenrightsarehr.pdf> Accessed on 02 April 2021

(Banjul) Charter on Human and Peoples' Rights in 1981 by the Organization of African Unity. Its article 2 prohibits discrimination on any grounds, including sex, in the enjoyment of the rights guaranteed by the Charter. Article 18 specifically mentions the obligation of African States to "ensure the elimination of every discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions". The Charter's Protocol on the Rights of Women in Africa (Maputo Protocol) was adopted in 2003." Furthermore, Zimbabwe was part of Fourth World Conference on Women in September 1995, the Beijing Declaration and Platform for Action which focused on 12 areas concerning the implementation of women's human rights.

Zimbabwe was also party to the Millennium Development Goals (MDGs) in 2000 and subsequently the Sustainable Development Goals (SDGs), where their attainment is proving to be a challenge owing to economic meltdown and poor governance. These goals have special objectives on women empowerment and human rights. However, ¹³"By their very nature, international and regional human rights standards require implementation at the national level. They require States parties to take necessary measures of a legislative, administrative or policy nature, and to provide appropriate remedies in case of violations, so as to ensure enjoyment of the established rights and freedoms."

13 Goonesekere S, *A Rights-Based Approach to Realizing Gender Equality*, <https://www.un.org/womenwatch/daw/news/rights.htm>. Accessed on 04 April 2021

Women Leadership in Action

Stories of women leading human rights action are an important part of this handbook, not only as a way to motivate other women, that they too can do it, but also to serve as a reminder that women as champions of human rights internationally, nationally and at community level, achieve great things! Here are a few of the stories in pictures;

Shoot Me Instead!

Catholic Nun Sister Ann Rose Nu Tawng kneels in front of armed police officers, pleading with them not to shoot at unarmed civilians during street protests in Myanmar in February 2021.



Please Allow us to do our work of saving lives!

A senior Doctor and Head of Paediatrics department, Dr. Azza Mashumba, broke down in tears before Health Minister Obadiah Moyo in March 2019. She was not weeping over the poor remuneration that Zimbabwean doctors receive, but rather over the lack of basics needed to look after babies admitted at Parirenyatwa Group of Hospitals.



Pay UP!

Spouses and Widows of Hwange Colliery Company Limited (HCCL) workers set up camp for several months outside HCCL offices demanding salaries, after the company had not paid its workers for years. They never relented until HCCL honored their demands. They won the back pay – plus entrepreneurship training for themselves!



What Taboo?!

Women Artisanal Miners in Gweshe in Chiweshe, having been forbidden to go close to their mining shafts, because it was taboo for women to be close to the shafts (because they menstruate), mobilized each other to remove their mining equipment until the mine owners relented and allowed them to man their own shafts. The idea was that men would do the work and share the proceeds with the women. Women did not want to be shortchanged hence the protest!



Critical Pillars for Women's Empowerment in the Human Rights Sector

4.1 Human Rights Education System

Human rights education should be included in the national education curricula to help improve and inculcate the culture from a young age. When young women and man grow up knowing that they are equal, can play similar roles and should not use masculinity to be violent against each other among other rights, there are increased chances of building on the human rights agenda which includes more women in leadership.

Institutions of higher learning should also prioritize human rights and leadership development for women. This should be amplified/reflected in institutions that are meant primarily for women, for example, the Women's University in Africa.

4.2 Access to Justice for Women

There is need to build on this critical pillar as it strengthens enjoyment of rights. Knowledge and constitutional granting of rights without ability to institute and get remedies when violated become meaningless. It is therefore critical to enhance women's access to justice that is local, effective and rapid.

4.3 Support Systems for Emerging Human Rights Defenders

A support network and system for emerging human rights defenders will lead to growth and effectiveness as the solidarity cushions against negative connotations and state brutality. This involves mentorship of young women human rights defenders and providing safe spaces for them. Robust Solidarity



Mechanisms should be instituted including social safety nets, and legal aid and representation.

4.4 Socio-economic rights prioritization

Women's rights while similar to all, are more inclined to socio-economic matters including basic human rights provided for in the constitution such as right to education, work, water, sanitation, shelter, food and health. Most organization working with women are in one or more of these thematic issues but their issues and work are not promoted in the broader human rights agenda leading to limited funding, support and prioritization. The socio-economic rights pillar should therefore be recognized and promoted among the broader rights.

Recommendations:

Key Messages from Women for use in programming for ZimRights on women, human rights and leadership.

The recommendations proffered by this handbook are neither whole nor comprehensive but attempt to feed into a fluid discourse that is gaining traction. They provide insight and seek to address the challenges and tap into the opportunities arising from the struggle for women leadership in the human rights agenda in Zimbabwe with an eye for alignment with the international framework.

5.1 Recommendations for the broader Civil Society

i. **Towards achievement of triple P (Protect, Promote and Participate)**

ZimRights and women organizations must advocate for full implementation of Zimbabwe statutes that protect, promote and encourage participation of women in human rights.

ii. **Creating sustainability in the human rights framework**

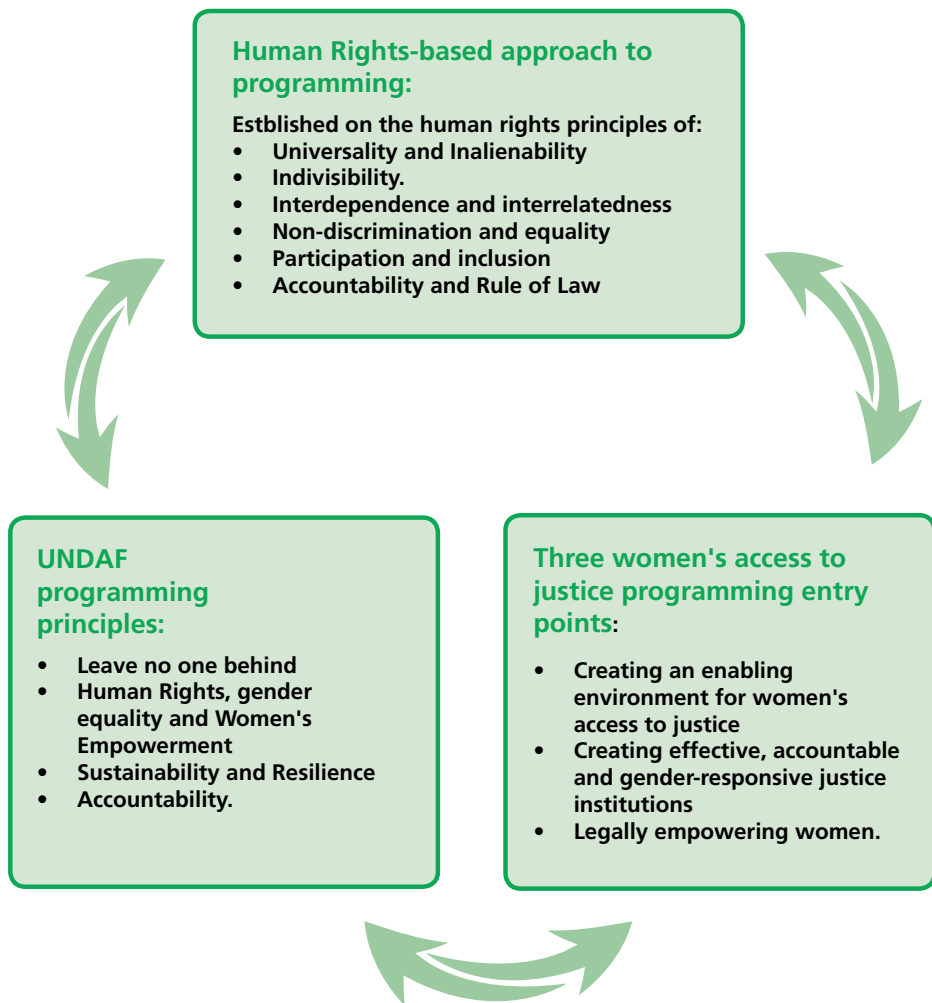
There must be sustainability in human rights work characterized by increased civic education on human rights, improved education curricula encompassing human rights in the work place committees.

iii. **Localizing human rights (Patriarchy proof human rights)**

There are several community-based organizations working on different rights of women. It is posited that the more grounded the organizations are, the better the chances of addressing patriarchy challenges as solutions to this are local and not imposed. Patriarchy resists pressure that seems foreign.

iv. **Access to justice for women: Key to women leadership**

Adopting theory and practice-based on the four UNDAF programming principles and three programming entry points, both informed by the human rights-based approach to programming is also recommended. See the illustration below:



5.2 Recommendations for ZimRights

v. **Charity begins at home - ZimRights leadership in the Human rights Agenda**

ZimRights should also engender all its structures from Governance structures, staff and membership by ensuring that a gender sensitive ratio of women to men in leadership is achieved. This will have a ripple effect on other CSOs working in the area of human rights and purport to streamline issues of gender and equality.

vi. **Women rights are Human rights**

Recognize and appreciate that women's rights are human rights as this will ensure rights-based approach to gender equality. Initiatives such as #Women'sRightsAreHumanRights Campaign will be key in ensuring that women's concerns are mainstreamed in the human rights framework.

vii. **Facilitating gender sensitive policy dialogues with relevant state institutions that promote human rights (ZHRG, ZGC)**

ZIMRIGHTS is encouraged to organize community led sensitization processes on the human rights framework and the role of Chapter 12 institutions in fulfilling these rights, in collaboration with the ZHRG and ZGC as well as the Judiciary Services Commissions. This is key for the ZIMRIGHTS membership to appreciate the processes that are undertaken in the administration of justice at all levels as well as identifying the reporting mechanisms when human rights violations take place. This is key in building trust between state actors and non-state actors towards strengthening relationship in pursuit of gender justice.

viii. **Knowledge and Skills Share**

Enhancing knowledge and skills share in women's human rights framework in collaboration with likeminded tertiary institutions and research centres where ZIMRIGHTS members engage with universities that provide knowledge and skills in human rights work and the Women's Law Research Centre, just to mention a few. This will ensure that the knowledge gap among the young and the old is addressed, as well as developing innovative and collaborative approaches in promoting a culture of human rights in society.

ix. **Build alliances with Women organizations and co-create programmes.**

ZimRights should form consortiums with key women organizations in provinces and at community levels to work together on programs of common interest in the women, human rights and leadership discourse. This would entail facilitating the participation of ZIMRIGHTS women members in the Universal Peer Review (UPR) processes or CEDAW shadow reporting processes where ZIMRIGHTS forms alliances with ZWLA, ZELA and WLSA to ensure that women's and girls' voices would have been adequately captured in the non-state actors report before presentation at the United Nations or ACHPR processes in Geneva and Banjul respectively

x. **Document and build on women human rights leadership success stories**

There is need to look back and narrate and record milestones that have been achieved thus far in Zimbabwe, their history and strategies so that women can be encouraged to do more and fight on with renewed strength against the evidence that, Women Can Do it!

xi. **Supporting community human rights agenda**

ZimRights should lead in the creation of a National Action Plan (NAP) on women's rights, human rights and women's participation in leadership. The NAP should have buy-in from all stakeholders- Government, Community Based Organizations (CBOs), Churches, Civil Society, and Traditional Leaders etc.

Additionally, there should be strengthened voice and agency to be able to collectively hold duty bearers to account – there is evidence that collective advocacy and work bears results. The milestones that the women's movement has reached so far is a result of collective effort

5.3 Crosscutting Recommendations

xii. **Protecting women during pandemic restrictions**

- When there are pandemics and emergencies such as the COVID-19, tropical storms, cyclones, hurricanes and drought,
- Identify the different needs, capacities and priorities of women, girls including women with disabilities through inclusive consultation
- Ensure dissemination of accessible information on preparedness and response
- Develop targeted women's economic empowerment strategies to mitigate the short- and long-term impact of emergencies on the rights of women
- Put in place the necessary actions to protect women and girls from all forms of GBV, including domestic violence and sexual exploitation and abuse

xiii. **Relating with the international human rights framework**

Zimbabwe is signatory to most significant international human rights treaties particularly those promoting and protecting women rights. Advocacy for implementation and respect of the international statutes must be heightened. Zimbabwe should also draw lessons from other countries in the region and internationally, where countries have made a lot of progress in the equality discourse.



The Directory of Women in Human Rights in Zimbabwe



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Campaigners for Human Rights



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