



Comité Africain d'Experts sur les Droits et le Bien-être de l'Enfant
Comité Africano de Peritos os Direitos e Bem-Estar da Criança
لجنة الخبراء الإفريقية المعنية بحقوق الطفل ورعاها



**CONCLUDING OBSERVATIONS AND RECOMMENDATIONS BY THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD
(ACERWC) ON THE FIRST PERIODIC REPORT OF THE REPUBLIC OF ZIMBABWE
ON THE STATUS OF IMPLEMENTATION OF THE AFRICAN CHARTER ON THE
RIGHTS AND WELFARE OF THE CHILD**

July 2024

I. INTRODUCTION

1. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) extends its compliments to the Government of the Republic of Zimbabwe and wishes to acknowledge with thanks the receipt of the first periodic report on the status of implementation of the African Charter on the Rights and Welfare of the Child, which was submitted by the State Parties pursuant to Article 43. The Committee considered the first periodic report of Zimbabwe at its 43rd Ordinary Session held in Maseru, Kingdom of Lesotho, from April 15 to 25, 2024.
2. The Committee congratulates and appreciates the Government of the Republic of Zimbabwe for sending its Delegation headed by H.E. Hon. Ziyambi Ziyambi, Minister for Justice, Legal, and Parliamentary Affairs, and for its high-level inter-ministerial composition. The Committee had productive and constructive dialogue with the Delegation about the first periodic report which provided enabled the Committee to receive detailed and updated information on the report. After a careful consideration of the facts in the report and the information provided during the constructive dialogue, the Committee has developed and adopted the following concluding observations and recommendations, which, in the Committee's view, guide the better implementation of the provisions of the African Charter on the Rights and Welfare of the Child.

II. PROGRESS IN THE IMPLEMENTATION OF THE CHARTER

3. The Committee commends the State Party for the adoption of a legislative and policy framework for the promotion and protection of the rights and welfare of children, including:
 - a) The amendment of the Guardianship of Minors Act in 2022,
 - b) The adoption of the Marriage Act in 2022
 - c) Children's Amendment Act in 2023
 - d) Education Amendment Act, 2019
 - e) The Cybercrimes and Data Protection Act of 2021
 - f) The National Disability Policy of 2021
 - g) The National Development Strategy I (2021–2025)

III. AREAS OF CONCERN AND RECOMMENDATIONS

A. General Measures of Implementation

4. The Committee commends the various legislative and policy measures undertaken by the State Party to ensure the protection and promotion of children's rights. The Committee notes with appreciation the implementation of its recommendation on the adoption of the Children's Act Amendment. While noting these positive strides, the Committee notes with concern that some key child rights legislation remain unadopted despite its recommendations on the previous report and its follow-up mission in 2019 such as the Child Justice Bill and the National Child Rights Policy.

In this regard, the Committee reiterates its previous recommendation and strongly recommends that the State Party expedites the finalization pending child rights legislation including of the Child Justice Bill and the National Child Rights Policy.

5. The State Party's efforts in implementing the National Program of Action for Children/Child Care (NPAC) and establishing a unit within the Ministry of Public Service, Labour, and Social Welfare, led by a Deputy Director and supported by three Social Workers/Child Rights Officers, are commendable. In this regard, the Committee reiterates its recommendation for the State Party to consider establishing a separate ministry to address children's issues or increase the human and financial capacity of the unit to effectively coordinate with other ministries, agencies, and departments in matters relating to children.
6. The Committee commends the State Party for granting the Zimbabwe Human Rights Commission (ZHRC) the power to manage its budget allocated directly from the Treasury and operate independently in fulfilling its responsibilities. However, the Committee notes that the Human Rights Commission's reports are channelled through the executive branch, which may compromise the Commission's independence. Hence, the Committee recommends for the State Party to ensure that the ZHRC submits its reports directly to the Parliament rather than through the Executive to safeguard its independence. In addition, the Committee recommends the State Party to increase the Commission's budget and staff to allow it to expand to all ten provinces.
7. The Committee notes that as of April 20, 2022, the population of Zimbabwe stood at 15,178,979, with approximately 7,120,506 being children, as per the 2022 Population and Housing Census. The Committee acknowledges the increased budget allocation for various social services, however, notes with concern the lack of mechanisms to ensure child-friendly budgeting, an issue also highlighted during the Committee's follow-up mission to the State Party in 2019. Therefore, the Committee reiterates its recommendation that the State Party increases its budget allocation proportionate to the number of children in the population, ensuring the availability of essential social services such as healthcare, education, and protection from violence, as well as promoting the overall development and well-being of children in all provinces. The Committee also encourages the State Party to collaborate with other stakeholders to mobilize resources for children and to establish robust mechanisms to ensure that budget allocations are child friendly.
8. The Committee appreciates the Government of Zimbabwe for the improvements in statistical data included in the report. However, the Committee notes that there are still gaps in the disaggregation of statistical data in different categories and issues in the reports. Therefore, the Committee recommends the State Party to continue its efforts to strengthen its Central Statistical Office and to put in place comprehensive data collection mechanisms that include children with disabilities and other categories of children in vulnerable situations and a record-keeping system that will greatly assist the State in making informed decisions and enable the Committee to provide recommendations based on reliable data.

9. The Committee commends the State Party for celebrating the Day of the African Child (DAC) and for regularly submitting a report to the Committee on the commemoration of the Day of the African Child. The Committee recommends that the State Party further strengthens its efforts and ensure that DAC events are effective in raising awareness about the Charter by allocating adequate resources and providing comprehensive coverage for the program. Additionally, the Committee encourages the State Party to use the DAC as an opportunity to assess the implementation of the Committee's recommendations.
10. The Committee while welcoming the submission of the current First Periodic Report, notes that the submission of the Report took a long time considering that the draft was finalised in 2019 as noted during the follow-up visit. In this regard, the Committee encourages the State Party to strengthen its reporting and follow-up mechanism and expedites the submission process to ensure that timely and updated reports are submitted to the Committee. The Committee also encourages the State Party to widely disseminate these recommendations and develop a roadmap for their implementation by engaging all relevant stakeholders.

B. DEFINITION OF A CHILD

11. The Committee commends Zimbabwe for aligning its child-related laws with the Constitution and the African Charter on the Rights and Welfare of the Child. The Committee also appreciates the Constitutional Court's ruling in *Dianna Eunice Kawenda v. Minister of Justice, Legal and Parliamentary Affairs, and others*, which contests the validity of the Criminal Code's provisions on the age of children in relation to sexual offenses against minors. Accordingly, the Committee recommends that the State Party finalize the harmonization of the definition of the child in the Criminal Law Code in line with the Constitution, the Charter and in line with the judgment.

C. GENERAL PRINCIPLES

Non-Discrimination

12. The Committee acknowledges the State Party's positive steps, such as amending the Education Act to ensure inclusion. However, the Committee notes concerns over implementation challenges that cause girls to drop out of school, such as child marriages and harmful cultural practices. Accordingly, the Committee encourages the State Party to persist with public awareness campaigns against all forms of discrimination against girls, establish monitoring and follow-up mechanisms, and hold perpetrators accountable through the justice system.
13. The Committee commends the State Party for initiatives such as launching the National Disability Policy, promoting rural solar electrification, and enhancing internet connectivity and e-learning. However, it notes with concern regional disparities, on access to services and internet, infrastructure accessibility issues, and insufficient

facilities for children with disabilities. Accordingly, the Committee recommends for allocating resources to address these gaps, ensuring effective policy implementation and monitoring, expanding services in all regions, providing well-trained specialized teachers, and establishing a specific disability fund for necessary equipment in learning and other service providing institutions.

Best Interests of the Child

14. The Committee commends the State Party for including the child's best interests in the constitution and other laws. In addition, efforts such as designating the High Court of Zimbabwe as the ultimate guardian of all children, implementing child-friendly budgeting in some provinces, and using Alternatives to Detention (ATDs) are acknowledged. However, the Committee notes with concern the insufficient staff to handle cases, inadequate funding, delays in the draft child justice bill, and lack of awareness of these principles in some public and private contexts. Therefore, the Committee recommends that the State Party fast track the adoption of the Child Justice Bill and to ensure that it contain the best interest of the Child as a governing principle. Moreover, the Committee recommends that the State Party applies the best interest principle in all child-related activities, increase awareness and undertake training in relevant institutions, incorporate the principle into curricula and conduct codes, and collaborate with CSOs, institutions, leaders, and development partners in undertaking sensitization efforts.

Right to Life, Survival, and Development

15. The Committee commends the State Party for prioritizing food and nutrition security and adopting policies. While acknowledging efforts to reduce child stunting, the Committee notes challenges reported and observed during its follow-up mission to the State Party on the implementation of the previous recommendations, including child malnutrition, child mortality, limited access to drinking water, poverty, inadequate feeding practices, limited healthcare, poor sanitation, and climate-related food insecurity. Accordingly, the Committee reiterates its recommendation for the State Party to enhance efforts to reduce stunting and malnutrition, improve feeding practices, upgrade water supply, promote sanitation and hygiene, utilize climate-resilient agricultural techniques, and improve healthcare access and micronutrient supplementation. Additionally, the Committee encourages the State Party to strengthen policies to integrate these aspects and implement legal frameworks to ensure adequate nutrition, healthcare, and hygiene for children accompanying their mothers in detention facilities. Furthermore, the Committee encourages the State Party to prioritize resource allocation for food security, clean water access, and expanded healthcare for children.

16. Additionally, the Committee recommends establishing and maintaining collaborations with partner organizations, the private sector, and the community to address these challenges.

Child Participation

17. The Committee commends the State Party for establishing junior parliaments and councils and provides funding through the Zimbabwe Youth Council. However, the Committee notes concerns about the lack of active involvement of junior MPs and councillors in peri-urban and rural areas due to funding issues and lack of awareness. Accordingly, the Committee recommends a comprehensive policy to define the representation and roles of junior councils, improve communication, increase funding, and ensure that children's concerns are incorporated into government decision-making. In addition, the Committee recommends that the State Party targets rural and remote areas in its awareness raising and other programmatic interventions.
18. Furthermore, the Committee encourages the State Party to strengthen the good practices of Student Representative Councils (SRCs) in schools across the country, which allows students to have a say in matters such as education policies, welfare issues, and engage in extracurricular activities, which ensures children's participation in various Government structures and the decision-making processes.

D. Civil Rights and Freedoms

Name, Nationality, Identity, and Birth Registration

19. The Committee commends the Government of Zimbabwe for its efforts in decentralizing birth registration services, including the establishment of 10 provincial offices, 72 district offices, and 206 sub-offices in health centers, along with mobile centers and mass registration in 2023. However, the Committee notes that there are gaps in birth registration due to a lack of awareness, limited access to rural registration centers, fees for documents, transportation costs, inadequate resources in terms of budget, facilities, and staff, and discrimination against women, particularly single mothers.
20. The Committee recommends that the State Party adopts a comprehensive approach to increase public awareness, including community outreach activities. The Committee reiterates its recommendation from the follow-up mission to the State Party to improve the accessibility of birth registration by establishing a one-stop approach for birth registration and certification. This includes removing any hidden costs, eliminating financial obstacles through fee waivers and penalties, enhancing the accessibility of registration centers, and simplifying documentation requirements where feasible.
21. The Committee encourages the involvement of traditional and religious leaders in advocacy efforts concerning cultural practices that affect birth registrations, and the promotion of gender equality through registration.
22. The Committee notes Section 27 of the Births and Deaths Registration Act which provides for penalty for noncompliance with notification of birth, and in this regard recommends that such penalty should not be applicable on parents or caregivers in

line with the Charter and the Committee's General Comment on Article 6 of the Charter. The Committee, rather, recommends that the State Party implements other enforcements mechanism to encourage parent and caregivers through public education and awareness raising on timely birth registration. The Committee encourages the State Party to keep working towards harmonizing digital platforms for birth registrations, and to promote the digitization of hospital birth records as soon as possible after delivery.

23. The Committee compliments the recent High Court ruling in Tashu vs. the Registrar General (2021), which now allows fathers to register the birth of their children without the involvement of uncooperative mothers. Nevertheless, the Committee urges the State Party to harmonize the Births and Deaths Registration Act with the Constitution and the Charter to ensure effective implementation by the Civil Registry Department.
24. The Committee notes that while the Government has attempted to streamline the process, birth registration for children still necessitates the submission of death certificates for deceased mothers. However, the Committee emphasizes that this requirement should not hinder a child's birth registration. Furthermore, the Committee underscores the importance of ensuring that all children, regardless of their circumstances, have access to the registration process and that the State Party has a responsibility to assist children in identifying their biological mothers. Therefore, the Committee recommends for the State Party to remove the requirement for death certificates of mothers in the birth registration process.
25. The Committee encourages the State Party to refer to its General Comment on Article 6 of the Charter on the Right to Birth Registration, Name and Nationality for additional guidance on legal reforms, policy and strategy developments, and other measures to be undertaken.

Freedom of Expression and Freedom of Association

26. While appreciating the State Party's inclusion of the right to freedom of expression, assembly, and association, however, the Committee is still concerned with reports regarding the harassment, intimidation, arrest, and even physical violence from state security forces on children who are active in criticism of Government actions or involved in human rights organizations.
27. The Committee encourages the State Party to ensure that children are given spaces and forums to express their opinions on national development processes, and children's issues, and to harmonize the Access to Information and Protection of Privacy Act (AIPPA) and the Public Order Security Act (POSA) acts in line with the Constitution so that the acts do not unduly limit the rights incorporated in the Constitution.
28. Furthermore, the Committee recommends that the State Party educates students and parents on digital literacy and how to use it responsibly, and to integrate modules or

topics on fundamental freedoms into school curricula to help students understand their rights and responsibilities.

Freedom of Thought, Conscience, and Religion

29. The Committee acknowledges Zimbabwe's Constitutional inclusion of freedom of thought, opinion, and religion and recognizes parents' role in children's religious and moral upbringing. However, the Committee notes that harmful traditional practices and customary notions in practice restrict the enjoyment of such freedoms by children in some of the districts. Therefore, the Committee recommends the State Party continues its awareness-raising programs and strengthen programs to monitor and follow the implementation of the existing legal frameworks.

Protection of Privacy, Protection against Abuse, and Torture

30. The Committee commends the State Party for including privacy rights in its Constitution, raising awareness about protecting children's privacy, and passing the Cybercrimes and Data Protection Act. However, the Committee notes concerns about cyberbullying and media violations that disclose sensitive details about children that may affect their future. Therefore, the Committee recommends the State Party strengthens enforcement of the legal framework, and closely monitoring media reporting, and ensuring accountability of media through punitive measures to address these issues.
31. The Committee appreciates Zimbabwe's legal framework and judicial decisions against corporal punishment and torture. The Committee commends the judicial rulings, *S v. Chokuramba* 2014 [HH 718/14], which have outlawed corporal punishment. Despite this ruling, the Committee, notes that that corporal punishment is still practiced in various settings, including schools and families and made a similar observation during its follow-up visit. Therefore, the Committee reiterates its previous recommendations and strongly recommends the State Party to abolish all forms of corporal punishment in families, schools, day-care centers, and correctional institutions; investigate and prosecute perpetrators; closely monitor and inspect schools, day-cares, care facilities, among others; and sensitize families and communities about the negative impacts of corporal punishment as well as introduce various modes of positive discipline in schools and at home.
32. The Committee also notes concerns about ongoing torture by police and security personnel. Therefore, the Committee recommends the State Party expands capacity-building trainings and awareness-raising efforts for its personnel at different levels, prosecute perpetrators, and complete the harmonization of the Criminal Law (Codification and Reform) Act and the Criminal Procedure and Evidence Act.
33. The Committee compliments Zimbabwe for creating the Victim Friendly Unit (VFU) and Victim Friendly Courts. However, the Committee notes that the Victim Friendly Unit (VFU) and Victim Friendly Courts (VFC) struggle with limited resources,

inadequate training, lack of awareness, poor accessibility, insufficient coordination, cultural barriers, complex legal procedures, and inadequate follow-up services, all of which hinder their ability to effectively support and provide justice for child victims. In this regard, the Committee encourages the State Party to provide training to VFU officers on child rights based investigations, improves coordination with social services and healthcare departments, and allocates resources to expand and enhance victim-friendly courts, including specialized training for legal professionals on child-sensitive justice.

E. Family Environment and Alternative Care

34. While appreciating the State Party's efforts to engage childcare workers and volunteers and Children's Amendment Bill on the appointment of temporary legal guardians, the Committee notes challenges such as delays in finalizing the National Parenting Manuals and the Alternative Care Policy. The Committee encourages the State Party to prioritize finalizing the National Parenting Manuals and the Alternative Care Policy, and undertake review of its laws and policies on alternative care to ensure compliance with the Charter and the UN Guidelines on Alternative Care. Additionally, the State Party is encouraged to ratify the Hague Convention on Inter-Country Adoption.
35. The Committee acknowledges the State Party's efforts in establishing Government and private childcare facilities, but notes that they are insufficient for the demand and that there is lac of After Care Policies and transitional programs to deinstitutionalize children. Therefore, the Committee recommends expanding these facilities, establishing more facilities in all regions, improving the infrastructure of the existing facilities, allocating increased resources, training staff, and adopting child protection policies. Additionally, the Committee advises prioritizing community-based and family-based care, such as foster and kinship care, to provide nurturing environments and preserve cultural connections. The Committee also recommends that the State Party establishes and strengthens deinstitutionalization efforts including through adopting After Care Policies, leaving-care programs to ensure that children do not permanently stay residential care facilities.
36. Moreover, the Committee notes challenges in coordinating with local councils for effective child placement and oversight, insufficient capacity within the social service workforce, and limited resources and funding in the provision of alternative care for children. Accordingly, the Committee encourages the State Party to work closely with local councils by establishing effective coordination and communication mechanisms that are networked up to towns and rural districts to ensure the effective placement of children and enhance oversight of alternative care services. Moreover, the Committee recommends the State Party to enhance the capacity of the social service workforce to increase quality of alternative care provision. The Committee also recommends that the State Party undertakes sensitization to encourage foster care, kinship care, and domestic adoption to ensure the provision of family environment for children. The

State Party is encouraged to enhance its collaboration with partners and the private sector to mobilise resource for its alternative care programs through sensitization.

37. While acknowledging the State Party's efforts to reunite children in street situations with their families and relocate them to their homes, the Committee notes that some children continue are still on the streets. The Committee encourages the State Party to further enhance its family tracing and reunification efforts. Additionally, it suggests raising awareness and implementing further policy measures to address the root causes that drive children to the streets, support economically disadvantaged families, withdraw and rehabilitate children from street situations, and facilitate their reintegration and reunification whenever possible.

F. Health and Welfare

38. The Committee commends the State Party for the progress in reducing child and maternal mortality and improving health worker capacity. However, challenges remain due to inadequate healthcare funding and staff shortages. Accordingly, the Committee recommends that the State Party continuously and progressively increases the health sector budget; train health care workers, and raising awareness about blood donation to improve maternal and child health.
39. The Committee, while appreciating the State Party's efforts to address nutritional challenges, expresses concern about the prevalence of malnutrition, which has been attributed to insufficient funding and economic difficulties, as observed during the follow-up mission. Consequently, the Committee reiterates its recommendation for the State Party to consider increasing funding for nutrition interventions, enhancing social security programs to support families with children, and raising awareness about providing nutritional foods from easily accessible sources. The Committee also encourages the State Party to strengthen partnerships with collaborating organizations and engage a wide range of stakeholders, including religious institutions, to promote awareness about child vaccination and provide capacity-building support for healthcare staff.
40. The Committee note challenges in promoting and implementing accessible and effective reproductive health services in the State Party including inadequate healthcare infrastructure, limited access to services, and a lack of comprehensive sexuality education. Additionally, significant barriers to supporting children living with HIV/AIDS persist, such as insufficient resources for treatment and support, pervasive stigma and discrimination, and gaps in both healthcare and social services. Accordingly, the Committee recommends that the State Party enhance its efforts by promoting and implementing education on sexual and reproductive health services, expanding support for children living with HIV/AIDS, and increasing awareness creation programs.

G. Education, Leisure, and Cultural Activities

41. The Committee commends the State Party for developing the Basic Education Assistance Module (BEAM) and running school feeding programs. However, it is concerned about issues like sending children home for unpaid fees, rising school dropouts due to teen pregnancies, inability to access education due to lack of birth certificates, disparities in educational quality and resources between urban and rural areas and lack of sufficient recreational areas for children to play. The Committee, therefore, recommends the following;

- i. The Committee recommends that the State Party, as a Partner State for Global Partnership for Education, upholds its commitment to allocate up to 20% its public expenditure on education, thereby increase budget for BEAM funds to ensure access to schools in all regions, increase quality of education, and undertake teachers training.
- ii. The Committee encourages the State Party to increase its investment in early childhood education and allocate 10% of its education budget to early childhood education in line with the Tashkent Declaration.
- iii. The Committee encourages the State Party to implement the National Disability Policy and ensure that children with disabilities have access to inclusive education. More specifically, the Committee recommends that the State Party renovates school infrastructures and public recreation centers to ensure accessibility by children with disabilities, guarantee the availability of resources like brails, and provide teachers with special education training.
- iv. The Committee recommends that the State Party undertakes measures to reduce school dropouts by crafting robust programs to address teenage pregnancy by upscaling child friendly sexual and reproductive health services for children; strengthen and expand school feeding programs to all regions and remove various fees and indirect costs at primary schools by extending the BEAM program to include learning materials, uniforms, and stationery.
- v. The Committee encourages the State Party to expand and reserve a safe recreational space. It also recommends the State Party to provide support to local governments for the construction of recreational facilities within communities.

H. Special Protection Measures for Children in Vulnerable Situations ***Children with Disabilities***

42. The Committee commends the State Party for enactment of legislation on building standards, integrating special education programs, providing recreational opportunities, and introducing the 2021 National Disability Policy. It also acknowledges the provision of social protection measures for children with disabilities, such as grants, drought relief, medical treatment, and assistive devices. However, the Committee notes concerns with inaccessibility to public transport and the physical environment for children with disabilities, limited awareness and funding for the implementation of the National Disability Policy, and complex processes in the procurement of assistive devices in the Government procurement system. Accordingly,

- i. The Committee recommends that the State Party undertakes immediate action to address these concerns and to make sure that public transport and the physical environment are accessible for children with disabilities by implementing measures such as ramps, elevators, and designated parking spaces.
- ii. The Committee recommends that the State Party allocates sufficient funding and awareness raising about the National Disability Policy to ensure its effective implementation through conducting campaigns, providing training programs, and establishing partnerships with civil society organizations dedicated to the rights of children with disabilities. Furthermore, the Committee recommends simplifying processes in the procurement of assistive devices within the government procurement system for children with disabilities.
- iii. The Committee recommends that the State Party develops a database with detailed statistics on children with disabilities and data on various disability categories to guide informed decision-making and actions.
- iv. The Committee appreciates the effort of the State Party for its support, as explained in the constructive dialogue during the consideration of the State Party Report about children with albinism and strongly encourages the Government to strengthen its efforts to increase the availability of sunscreen lotions and other necessary medicines and assistance for children with albinism.

Refugee Children

43. The Committee appreciates Zimbabwe's collaboration with the UNHCR, the establishment of refugee camps, and efforts in early childhood development for refugee children. However, it notes with concern the overcrowding, inadequate healthcare, limited access to clean water and sanitation, and food shortages in the Tongogara Refugee Camp. Accordingly, the Committee recommends the State Party continue strengthening partnerships to improve conditions of living for refugee children, ensure the right to birth registration, identity and nationality of the children therein, and ensure that refugee children do not become stateless.

Children in Conflict with the Law

44. The Committee acknowledges the efforts of the State Party in implementing the Prisons and Correctional Service Act, which includes provisions for separating child offenders from adult offenders and establishing five training institutions for children in conflict with the law as rehabilitation services. However, the Committee expresses concerns regarding the delays in enacting the Child Justice Bill, which aims to raise the age of criminal responsibility from 7 to 12 years, and the practice of detaining children in the same remand prison as older inmates in some prison centers, despite the legal prohibition of such actions. Accordingly, the Committee recommends the

State Party to expedite the adoption of the Child Justice Bill at a soonest possible time, expand juvenile rehabilitation centers in all regions and ensure that no child is detained with adults, and undertake measures of diversion and alternative sentencing for children to avoid detention as much as possible. The Committee also recommends that rehabilitation services are provided for children in conflict with the law and that primary and secondary education in juvenile rehabilitation centers.

Children of imprisoned Mothers and Care Givers

45. The Committee commends the State Party for setting up a female prison to protect the rights of children visiting their incarcerated mothers and for collaborative efforts in maintaining a database, referring children for family tracing and alternative care, and deploying Child Protection Officers to address their needs. However, the Committee notes concerns about gaps in the implementation of laws, which results in some children accompanying their mothers being held in prison centers for over two years. Accordingly, the Committee recommends for the State Party to establish strong monitoring and follow-up mechanisms for implementing these laws and to ensure that children do not overstay in prisons with their mothers by providing kinship and other forms of appropriate alternative care. The Committee also encourages the State Party to implement a non-custodial sentence on mothers in as much as possible, and when detention becomes mandatory ensure that children staying with their mothers are not subject to imprisonment. The Committee reiterates that children of imprisoned mothers should not be kept in prisons, rather separate facilities for mothers and their accompanying children should be provided where children have access to health, nutrition, education, and recreation facilities among others.

Economic Exploitation and Child Labour

46. The Committee acknowledges and commends Zimbabwe's efforts in strengthening its legal framework to combat child labor, as well as its increased monitoring and awareness campaigns, including the 2023 Labour Amendment Act. However, the Committee notes issues regarding the prevalence of child labor, particularly in rural areas and the midlands. Accordingly, the Committee encourages the State Party to enhance inspection and monitoring activities including in informal and rural areas, ensure the effective implementation of current legal frameworks, increase awareness, collaborate with regional and international organizations such as the ILO, and investigate and prosecute perpetrators of child labour.

47. The Committee commends Zimbabwe's efforts to strengthen household economies through support for micro, small, and medium-sized enterprises (MSMEs), cash transfer programs, livelihood projects, and social protection initiatives aimed at addressing the root causes of child labour. However, it notes challenges such as difficulties in expanding economic and social welfare programs, limited effectiveness of cash transfers and livelihood projects, coordination issues, and resource constraints, which hinder the full implementation and effectiveness of these initiatives. Accordingly, the Committee recommends for the State Party to further expand its

economic initiatives that benefit families and create employment opportunities to caregivers, increase resource allocation, strengthen collaboration with partner organizations, and enhance social welfare programs to protect children more effectively from hazardous labour.

Sexual Exploitation and Abuse

48. The Committee commends the State Party for criminalizing sexual acts against children. However, the Committee notes concerns about child abuse, particularly due to poverty and harmful traditional and religious practices. Therefore, the Committee recommends that the State Party monitor the implementation of the legal frameworks, investigate, and prosecute perpetrators, and provide psychosocial support for survivors. The Committee also encourages the State Party to undertake measures of prevention through sensitization and awareness raising, peer to peer education, and engagement of community based, religious and traditional leaders. Moreover, the State Party is encouraged to strengthen the reporting and referral mechanisms by ensuring that one stop centres are available in all regions where children report and access medical, psychosocial and legal support.

Harmful Practices

49. The Committee commends the judicial ruling in the case of Mudzuru and Tsopodzi v. Minister of Justice, Legal and Parliamentary Affairs [CCZ12/15] which outlawed child marriage and the adoption of the Harmonized Marriages Act, which outlaws child marriages and sets the marital consent age at 18; for establishing the Gender Commission and Anti-Domestic Violence Council; and for progress on ending child marriages. However, the Committee notes that child marriage is still practiced. Moreover, there are reports on the existence of other harmful traditional practices such as such as Komba in Chiredzi, where children are trained to handle marriages for sexual satisfaction; Bondwe, where one man can have sexual relations with his wife's sisters regardless of age; and virginity testing in some cultures. Accordingly, the Committee recommends that the State Party increases its effort to enforce the law through prosecution of perpetrators; awareness creation campaigns with local leaders, CSOs, and religious leaders; utilising community-based mechanisms for prevention and reporting; and enhance the capacity of law enforcement.

Responsibility of the Child

50. The Committee commends the Government of Zimbabwe for integrating child rights and responsibilities into the guidance and counselling syllabus, promoting Unhu/Ubuntu, and introducing parenting programs, family clubs, and awareness campaigns through various media platforms to educate parents about their rights and responsibilities. However, the Committee notes that there is limited reach and inconsistent implementation of child rights education, and cultural resistance. In this regard, the Committee encourages the State Party to enhance awareness on children's responsibilities in line with the Charter, to work on children's right to

education as a means to raise responsible children, empower children to be able to deliver their responsibilities to their families and country, and ensure that the responsibilities of the child are not implemented in a way they violate children's rights on areas of child begging, child labour, and corporal punishment among others.

IV. CONCLUSION

51. The ACERWC applauds the steps the Republic of Zimbabwe has taken to implement the Committee's previous concluding observations and recommendations on the State's initial report and the provisions of the Charter.
52. The Committee recommends that these recommendations are widely disseminated among all relevant Government ministries and stakeholders at all levels and used to inform the development of laws, policies, action plans, and strategies. In addition, the Committee intends to conduct a follow-up mission with the cooperation of the Government of Zimbabwe to assess the implementation of these recommendations after two years. Furthermore, the Committee invites the State Party to submit its second periodic report by July 2027 in consultation with CSOs, children, UN agencies, the private sector, and other stakeholders, in accordance with Article 43 of the African Children's Charter.
53. The African Committee of Experts on the Rights and Welfare of the Child takes this opportunity to renew to the Republic of Zimbabwe the assurances of its highest consideration.