

A large, semi-transparent image of a smiling woman with dark hair, wearing a patterned dress, serves as the background for the upper half of the cover. The image is tinted with a reddish-orange hue.

# BEYOND INEQUALITIES

## 2005

Women  
in Zimbabwe

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in Zimbabwe

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ISBN 1-77910-029-9

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Citation: ZWRCN and SARDC WIDSAA, *Beyond Inequalities 2005: Women in Zimbabwe*, ZWRCN/SARDC, Harare, 2005.

Available in Book form in English and at SARDC website Virtual Library [www.sardc.net](http://www.sardc.net)

Cover Design  
Text Design  
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# BEYOND INEQUALITIES 2005

## Women in Zimbabwe

A profile of Women in Zimbabwe  
produced by the  
Zimbabwe Women's Resource Centre and Network (ZWRCN)  
and the  
Women In Development Southern Africa Awareness (WIDSAA) Programme  
of the  
Southern African Research and Documentation Centre (SARDC)

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WIDSAA is a southern African partnership initiative with national partners in member countries of the Southern African Development Community (SADC). Production of this profile was funded by the Southern Africa Regional Office of the Humanist Institute for Co-operation with Developing Countries (HIVOS).

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## PREFACE

*Beyond Inequalities*, a series of publications profiling the status of women in southern Africa, has played a significant role in contributing to knowledge on the role of men and women in development in the region, and the efforts being made at mainstreaming gender equality concerns at all levels. The first set of profiles, presenting the situation of men and women in 12 SADC countries, were published between 1998 and 2000. This new *Beyond Inequalities* series is an update on the status of women, in the context of the dynamic changes, new challenges, setbacks and opportunities that have occurred in the last few years, particularly since publication of the first series. The analysis of the status of women in SADC is located within some important frameworks, chief amongst them being the Beijing Declaration and Platform for Action (BDPFA), resulting from the United Nations Fourth World Conference on Women held in Beijing, China, and the 1997 SADC Declaration on Gender and Development, including the 1998 Addendum on the Prevention and Eradication of Violence Against Women and Children. The region has experienced rapid socio-economic and political shifts, and the focus is increasingly geared towards ensuring that the region accelerates efforts towards economic emancipation. Thus, key developments such as the New Partnership for Africa's Development (NEPAD), and the Millennium Development Goals (MDGs) in particular, identify new benchmarks and targets for governments to achieve in order to realise human development and, by extension, equality of opportunities and outcomes for all.

This is a significant time in southern Africa and beyond, in that it is the end of the decade for achieving women's full equality in line with the BDPFA. The milestones can be identified in the region's response to the challenges of policy, institutional and legislative developments. Twelve SADC member states now have gender/women's empowerment policies in place; Swaziland and Mozambique's policy development processes are at an advanced stage. All countries identified critical areas of concern from the BDPFA, and it is significant that a majority identified issues of women's health (later including HIV and AIDS), economic empowerment, and education as key areas for targeted action. In the political arena, there is a slow but upward trend of women occupying seats of power in SADC, particularly in politics, where representation in the legislatures rose from an average of 17 percent to almost 20 percent in the last five years and continues to rise toward SADC's 30 percent target. This target has been surpassed in some countries, notably South Africa where 43 percent of the cabinet are women.

There have been advances in legislation, particularly on issues of sexual and domestic violence, with some countries widening the definition of rape to include marital rape, and tightening remedies for survivors of domestic violence to include removal of the abuser from the home. All SADC countries have now ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and all have adopted, but few have ratified, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

Institutional structures such as gender/women's ministries, departments, units, and gender desks, were put in place or their mandates



### Zimbabwe Women's Resource Centre and Network

The Zimbabwe Women's Resource Centre and Network (ZWRCN) is a gender and development organisation involved in gathering, analysing, repackaging, and disseminating information on gender and development issues, especially those on gender, HIV and AIDS, and the economy. Established in 1990, the ZWRCN uses the information it gathers and findings for lobbying and advocacy targeted directly at policy makers, researchers, academics, and other interested parties in order to bring about short and long term policy change. Its programme focus is on gender, economic rights and HIV and AIDS, gender awareness training for organisations, and provision of materials concerning women's empowerment and development to rural libraries.

### SARDC

The Southern African Research and Documentation Centre (SARDC) is an independent regional information resource centre, which seeks to enhance the effectiveness of key development processes in the SADC region through the collection, production and dissemination of information, and enabling the capacity to generate and use information. SARDC has five main areas of focus, which are pursued by specialist departments for environment and water resources, gender, democracy and governance, regional economic development, and human development. SARDC has offices in Harare and Maputo and partners in all SADC member states. Founding Patron was the late Mwalimu Julius Nyerere.

expanded to take on the challenge of implementing the ambitious plans to achieve full equality between men and women, and in particular women's empowerment. The SADC Gender Unit, by virtue of the restructuring exercise of the institution, has also been integrated into the Department of Strategic Planning, Gender, and Policy Harmonisation to ensure that it continues to play a pivotal role in facilitating gender mainstreaming. Most of these structures, however, are inadequately resourced and skilled, and thus remain relatively weak and unable to implement gender policies and plans adequately; this has largely limited the effectiveness of post-Beijing plans and initiatives. Gender and/or women's empowerment groups continue to play a role in bridging this implementation divide, and are influential in the policy and programmatic arenas, although they face their own challenges. Whilst milestones have been achieved, there have been setbacks, and new issues have emerged.

Some of the greatest threats to human, and in particular women's development, are HIV and AIDS and other communicable diseases such as malaria and tuberculosis. There are an estimated 14 million HIV-infected people in the SADC region, representing approximately 37 percent of the global total; women and girls being the hardest hit as both the infected and affected. The pandemic has placed a heavy toll on women's labour through increased unpaid care work, as well as further compromising their sexuality rights by virtue of the imbalance of power intersecting with negative cultural beliefs and practices socially, and in intimate relationships. The current *Beyond Inequalities* series seeks to highlight some of these issues, and women's coping mechanisms, as well as government and other stakeholder responses.

Although there is now an acknowledgment that HIV and AIDS is a development challenge, the gender dimension and links to human rights remain a challenge. The SADC Declaration on HIV and AIDS adopted in July 2003, places a premium on increasing access to treatment and awareness, and, to some extent recognises gender as a key variable.

Resource allocation to address the multi-dimensional nature of the pandemic remains weak in most countries and very few countries in SADC are close to reaching the target of universal access to treatment, though some have targeted programmes for pregnant women to prevent parent-to-child transmission.

Poverty remains high, with 40 percent of the population in SADC living in extreme poverty. The SADC Executive Secretary recently observed that poverty reduction strategies employed by governments in the region are trailing behind in terms of meeting the benchmarks set by the MDGs to halve poverty by 2015. In fact, SADC economies have generally experienced slow growth in recent years, with few exceptions. The average growth rate of 3.23 percent in 2002 falls below half of the seven percent target growth rate set in the MDGs, if poverty and other development indicators are to be effectively addressed in the next few years.

A compromised economic outlook and high poverty hits the most vulnerable hardest, in this case women and children, with a corresponding negative impact on their ability to meet their most basic needs. Ten years after the Beijing Conference, poverty remains one of the biggest challenges in the region.

The *Beyond Inequalities* series has been updated based on the conviction (highlighted in the last series) that information is a strategic resource for socio-economic development. Information can catalyse development, and unless the players have access to reliable informa-

tion on the complexities and nature of gender relations and how they intersect with development, effective response and the process of positive change will remain slow, and ineffective. The profiles thus identify issues, challenges, limitations and opportunities for accelerating the pace to achieve gender equality in SADC, through identifying the roles of men and women and their relationship to economic, political and social resources to achieve the highest level of human development.

The series, including this update, was conceptualised and has been implemented by SARDC WIDSAA, in collaboration with partners at national level. WIDSAA aims to contribute to the improvement of the status of women in the SADC region, through awareness-building and collecting, documenting and disseminating relevant, timely, quality and current information to a range of strategic stakeholders. In particular, the information is targeted for policy makers, researchers, media, co-operating partners, development agencies, and the non-governmental sector.

To update this set of *Beyond Inequalities* profiles, a concept paper was developed and shared with partners in SADC countries for comments and critique. The concept paper outlined the rationale and methodology for approaching the updating exercise. This was followed by terms of reference for partner organisations to co-ordinate the research and writing of the profiles, which also included guidelines on style and presentation of the drafts by the researchers.

Each partner organisation identified a multi-disciplinary team of researchers to conduct the work on the profiles. This was coupled with a survey of the previous *Beyond Inequalities* series to determine the nature and extent of access and utilisation, in order to enrich the updating exercise and provide pointers towards a more effective dissemination strategy.

The drafts were reviewed by individuals and at annual partners meetings where the researchers presented their initial or working drafts to a group of 25-30 people for critique. This was preceded by a Gender Reference Group meeting to review the drafts and provide guidance on content, methodology and management of the updating exercise.

Partner organisations and researchers held validation workshops with national stakeholders, and some constituted working committees that provided input at various stages of development of the drafts. The methodology for production of the profiles was thus a participatory one, to ensure wide ownership and participation in the process of development and production.

The profiles are all similarly presented in four parts, preceded by an introduction. Part I gives a situational analysis, Part II provides information on achievements and constraints in the context of policies and programmes, and Part III discusses the way forward. Part IV provides references and a bibliography of materials used.

Many challenges lie ahead. Ten years of working on achieving gender equality after Beijing has produced mixed results, with a rollback of some gains made. This *Beyond Inequalities* series gives current insights and perspectives on achievements, gaps and the way forward, as well as areas where opportunities can be found for revitalising processes or finding new direction. The focus of the next decade is on delivery of policies and programmes, and the *Beyond Inequalities* series provides information on what has worked and what has not, and what can be strengthened or abandoned as gender activists in SADC shape an agenda for the future.

## WIDSAA

Women In Development Southern Africa Awareness (WIDSAA) is the gender programme of SARDC. The programme was established in 1994 to serve as a catalyst and information service to the SADC region's governments, parliaments, NGOs and agencies, the media and the public in the formulation of policy affecting women. WIDSAA's objective is that SADC women are empowered and advanced, and that all structures are engendered to facilitate gender equality and equity.

## HIVOS

The Humanist Institute for Co-operation with Developing Countries (HIVOS) is a Dutch non-governmental organisation, which operates on the basis of humanistic values. HIVOS aims to contribute towards a free, just, and sustainable world. The organisation is committed to the poor and marginalised and to organisations with similar interests in countries in the South, including Africa, central Asia and southeast Europe. Sustainable improvement of their situation is the ultimate benchmark for HIVOS work. An important cornerstone is strengthening of the position of women in society.



**National Gender Policy**

Box 1

**Principles**

National Gender Policy is premised on the following principles:

- ♦ Elimination of gender discrimination through appropriate individual and collective strategies.
- ♦ A participatory approach that entails broad consultation and involvement of both women and men in all spheres of development.
- ♦ Acknowledgment of women and men as equal and important human resources for development anchored on the protection and respect of the rights of the individual.

**Vision**

A Zimbabwean society where there is economic, political, religious, and social equality and equity among women and men in all spheres of life and at all levels.

**Goals**

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

**Objectives**

- ♦ Mainstream gender issues into all sectors.
- ♦ Strengthen links between government, NGOs and the private sector in mainstreaming of gender in the respective sectors.
- ♦ Develop, maintain and provide gender-sensitive information and gender-disaggregated data.
- ♦ Promote equal and equitable access, control and ownership of resources.
- ♦ Promote equal advancement of women and men.

**Implementation**

**Co-ordinating body** The (then) Department of Gender in the Ministry of Youth Development, Gender and Employment Creation. A new Ministry of Gender, Women's Affairs and Community Development was announced in 2005.

**Other stakeholders**

Gender Focal Points (GFP) in all ministries

**SOURCE** Government of the Republic of Zimbabwe, *The National Gender Policy*, Gender Department in the Ministry of Youth Development, Gender and Employment Creation, Harare, 2004.

# CONTENTS

PREFACE	v
CONTENTS	ix
List of Tables, Figures and Boxes	xi
ACKNOWLEDGEMENTS	xii
ACRONYMS	xiii
ZIMBABWE DEVELOPMENT INDICATORS	xv
MAP of ZIMBABWE	xvi
<b>INTRODUCTION</b>	<b>1</b>
Objectives	1
Methodology	1
Outline of the profile	1
<b>PART I SITUATION ANALYSIS</b>	<b>3</b>
Ten steps forward...10 steps back	3
Gender sensitivity in society	4
Culture and socialisation	4
International instruments	5
<b>Economy</b>	<b>5</b>
Macroeconomic performance	6
Women's access to land	6
Unemployment	9
Influx of people from rural to urban areas	11
Access to credit for agriculture	11
Mining	12
<b>Health</b>	<b>13</b>
HIV and AIDS	14
Zimbabwe's response to HIV and AIDS	16
Access to treatment for women and girls	17
The burden of care	18
Reproductive health and sexual rights	19
<b>Education</b>	<b>20</b>
Disabled girls in schools	22
Pregnant girls in school	23
<b>Decision-Making</b>	<b>23</b>
Women in the civil service	28
<b>Media and Information</b>	<b>28</b>
Media challenges since 1998	30
Gender and Media Baseline Study - Zimbabwe	31
The people behind the news	32
Information and Communication Technologies (ICTs)	32
Gender and media activism	33
<b>Mechanisms</b>	<b>33</b>
Institutions	33
The women's movement	34
<b>Legal and policy reform</b>	<b>35</b>
Women's rights	36
Marriage laws	37
The judiciary	37
Sexual harassment	37
Sexual offences	38
Transmission of HIV	39

<b>Gender-based violence</b>	<b>39</b>
Trafficking of women and children	41
<b>Environment</b>	<b>42</b>
<b>PART II POLICIES AND PROGRAMMES</b>	<b>45</b>
Zimbabwe's approach to gender justice 10 years after Beijing	45
Current economic policies	46
Engendering the national budget	46
Institutional mechanism for the advancement of women	47
Research and data	49
<b>PART III THE WAY FORWARD</b>	<b>51</b>
Matching the rhetoric to the reality	51
Legal and policy reform	51
HIV and AIDS	52
Violence against women and girls	52
Women in decision-making	52
Institutional mechanisms	53
Research and data	53
Women's movement	53
<b>PART IV REFERENCES AND BIBLIOGRAPHY</b>	<b>55</b>
Endnotes	55
Bibliography	57
<b>APPENDIX</b>	
1 SADC Declaration on Gender and Development	58
2 List of National Partners and Contacts in SADC Member States	59
3 Names of people who attended the Validation Workshop and Provided Information to the Various Sections of Draft Beyond Inequalities 2005 Women in Zimbabwe	60

## List of Tables, Figures and Boxes

### Tables

1	Land Allocation Patterns by Gender per Province, 2003	8
2	Land Distribution Patterns prior to the Fast Track Land Reform, 30 June 2000	8
3	Land Distribution Patterns After the Fast Track Land Reform, 31 July 2003	8
4	Employment in the Farming Sector of Zimbabwe	9
5	Access to Credit Facilities by Gender 2000	12
6	Professional Establishment Status, Ministry of Health and Child Welfare, June 2004	14
7	HIV Prevalence Amongst the Adult Population in Zimbabwe	17
8	Enrolment at the University of Zimbabwe by Sex 1995-1999	21
9	Enrolment at the National University of Science and Technology by Sex 1995-2000	21
10	Representation of Female Candidates in the 2005 Parliamentary Elections	24
11	Male and Female Representation in Cabinet in 2005	25
12	Women in Political Decision-making during the 5 <sup>th</sup> Session of Parliament	27
13	Employment in Administrative Positions in the Civil Service, November 2001	28
14	Percentage of Women and Men who Read a Newspaper Weekly and Listen to the Radio Daily by Background Characteristics, Zimbabwe, 1999	29
15	Zimbabwe Broadcasting Corporation Personnel by Designation and Sex, 21 November 2001	32
16	Zimpapers Editorial Employees by Designation, 31 March 2002	32
17	Cases of Child Sexual Abuse dealt with by the GCN in, Chitungwiza, Hwange and Rusape	39

### Boxes

1	National Gender Policy	viii
2	Gender dimensions of agrarian change and reform programme	10-11
3	Network of Zimbabwean Positive Women	15
4	Impact of HIV and AIDS on women and girls on the development agenda	16
5	Issues to consider in addressing impact of HIV and AIDS on girls and women	16
6	Women's University in Africa	22
7	Assessment of women candidates' participation in the 2005 parliamentary elections	24-25
8	Why a Women Leadership and Governance Institute?	28
9	Good woman, bad woman syndrome	30
10	Zimbabwe GMBS findings	31
11	Internet with a difference – getting women hooked up	32
12	Radio listening clubs	33
13	We have reached a crossroads – Amy Tsanga	33
14	Professionalisation of the women's movement	34
15	Remedy to the duality of the law	35
16	Constitutional review	36
17	Promoting a gender-sensitive judiciary	37
18	Rise in incidence of rape	39
19	Sentencing patterns for sexual crimes	39
20	Girl Child Network addresses violence against girls	40
21	Millennium Development Goals	44

## ACKNOWLEDGEMENTS

SARDC WIDSAA would like to thank all of our national partners and members of the Gender Reference Group (GRG) for their active participation in a continuing process to provide accessible and current information on gender equality, and the challenges and opportunities in realising women's empowerment in southern Africa. We also want to thank readers and reviewers at national and regional levels, who gave constructive comments on the content and production of the profile. Names of partner organisations in each country are listed in Appendix 2.

We are grateful to the Humanist Institute for Co-operation with Developing Countries (HIVOS) for its financial contribution towards this project's realisation. Particular recognition goes to Corina Straatsma, the Director of the Southern Africa Regional Office of HIVOS for accepting to fund the proposal to produce national gender profiles under the *Beyond Inequalities* series. Special thanks go to the SARDC Executive Director, Phyllis Johnson, and the Deputy Director, Munetsi Madakufamba, who supported the process throughout. To our colleagues in other SARDC departments, Tafadzwa Ndoro, Clever Mafuta, Charles Hakata, Chipu Muvezwa, Dambudzo Jambwa, Suzanna Gemo and their staff who assisted in so many ways, we are grateful that you contributed to ensure that the job undertaken to produce this profile was well done.

Most of all, recognition goes to our partner organisation in Zimbabwe, Zimbabwe Women's Resource Centre and Network (ZWRCN) without them this enormous task would not have been accomplished. All those who have not been named, but were involved with the process in a way, at any time, are gratefully acknowledged.

**SARDC WIDSAA Team, Harare**

### ZWRCN

Zimbabwe Women's Resource Centre and Network (ZWRCN) worked on this profile with various members of the network, but particularly, Patricia Made and Nomasomi Mpofu conducted surveys and interviews to collect most of the information used in this publication. Patricia Made is an independent consultant and Nomasomi Mpofu is with the United Nations Development Programme (UNDP).

ZWRCN would like to extend special gratitude to the different organisations and individuals (listed in Appendix 3) that provided information for the desk study, and shared their time to comment on the draft manuscript. ZWRCN acknowledges staff in the Gender Department of the Ministry of Youth Development, Gender and Employment Creation for providing information on Zimbabwe's implementation of the Beijing Platform for Action.

Further acknowledgements go to the staff of ZWRCN who worked tirelessly and gave enormous support to the exercise. Particular mention goes to Isabella Matambanadzo, former Executive Director of ZWRCN, and Suzie Baird, former Programme Director, for the initial work done on updating the national gender profile.

**Nomthandazo Jones**  
ZWRCN Acting Director

March 2005



# ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
ARV	Anti Retroviral
BDPFA	Beijing Declaration and Platform for Action
BEAM	Basic Education Assistance Module
BPFA	Beijing Platform for Action
CC	Constitutional Commission
CCPR	Convention of Civil and Political Rights
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CSO	Central Statistics Office
DTR	Development Through Radio
ECOSOC	United Nations Economic and Social Council
EMA	Environmental Management Act
FAMWZ	Federation of African Media Women in Zimbabwe
FAMSA	Federation of African Media Women Southern Africa
FAWEZI	Forum of African Women Educationists of Zimbabwe
FPL	Food Poverty Line
GAD	Gender and Development
GCN	Girl Child Network
GDI	Gender Development Index
GDP	Gross Domestic Product
GEM	Gender Empowerment Measure
GEMZi	Gender and Media Zimbabwe
GFP	Gender Focal Points
GMBS	Gender and Media Baseline Study
GRG	Gender Reference Group
HDI	Human Development Index
HIVOS	Humanist Institute for Co-operation with and Developing Countries
HIV	Human Immunodeficiency Virus
ICPD	International Conference on Population and Development
ICTs	Information and Communication Technologies
ILO	International Labour Organisation
IWRM	Integrated Water Resources Management
MDC	Movement for Democratic Change
MDGs	Millennium Development Goals
MISA	Media Institute of Southern Africa
MMPZ	Media Monitoring Project of Zimbabwe
NAC	National AIDS Council
NATF	National AIDS Trust Fund
NCA	National Constitutional Assembly
NGO	Non Governmental Organisation
NZPW	Network of Zimbabwean Positive Women
OC	Officer Commanding
OI	Opportunistic Infection
PATAM	Pan African Treatment Access Movement
PLWHA	People Living With HIV and AIDS
PMTCT	Prevention of Mother to Child Transmission (of HIV)
POSA	Public Order and Security Act



PPTCT	Prevention of Parent to Child Transmission (of HIV)
RLC	Radio Listening Club
SADC	Southern African Development Community
SAPES	Southern Africa Political and Economic Series
SARDC	Southern African Research and Documentation Centre
STI	Sexually Transmitted Infection
TB	Tuberculosis
TCPL	Total Consumption Poverty Line
UN	United Nations
UNAIDS	United Nations AIDS Programme
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNESCO	United Nations Education, Scientific and Cultural Organisation
VAT	Value Added Tax
WAG	Women's Action Group
WASN	Women and AIDS Support Network
WEDO	Women's Environment and Development Organisation
WHO	World Health Organisation
WIDSAA	Women in Development Southern Africa Awareness
WIPSU	Women in Politics Support Unit
WUA	Women's University in Africa
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZBC	Zimbabwe Broadcasting Corporation
ZHDR	Zimbabwe Human Development Report
ZINWA	Zimbabwe National Water Authority
ZIYA	Zimbabwe Youth Alliance
ZNFP	Zimbabwe National Family Planning Council
ZPDP	Zimbabwe People's Democratic Party
ZWLA	Zimbabwe Women Lawyers Association
ZWRCN	Zimbabwe Women's Resource Centre and Network



## ZIMBABWE DEVELOPMENT INDICATORS

<b>Official Name</b>	Republic of Zimbabwe
<b>Capital City</b>	Harare
<b>Independence</b>	18 April 1980
<b>Head of State</b>	President Robert G. Mugabe
<b>Last Election held</b>	March 2005
<b>Ruling Party</b>	ZANU PF
<b>Legislature</b>	Parliament
<b>Languages</b>	English, Shona, Ndebele
<b>Land Area</b>	390,757sq km
<b>POPULATION</b>	
<b>Total</b>	11.6 million women 52 % men 48 %
<b>Population Growth Rate</b>	0.3% (2003)
<b>HEALTH</b>	
<b>Life Expectancy at Birth</b>	43 years (2003)
<b>Birth Rate</b>	30.05 births/1,000 population
<b>Death Rate</b>	23.3 deaths/1,000 population
<b>Total Fertility Rate</b>	3.6 children born/woman
<b>Infant Mortality Rate</b>	65/2000 live births (2000)
<b>Maternal Mortality Rate</b>	695/100,000 live births (2000)
<b>EDUCATION</b>	
<b>Adult literacy rate</b>	88 % (2000) women 84.3 % men 91.7 %
<b>ECONOMY</b>	
<b>Gross Domestic Product</b>	US\$ 22 billion
<b>Gross Domestic Product (per capita)</b>	US\$1,891(2000)
<b>Gross Domestic Product (composition by sector)</b>	
agriculture	24.7%
industry	15.5%
services	59.4 %
<b>Export</b>	US\$ 2.0 billion
<b>Import</b>	US\$ 2.32 billion
<b>Currency Zimbabwe Dollar (100cents)</b>	Z\$ 17,500 =US\$ 1 (mid-2005)

**Note** All statistics are for 2002 unless otherwise specified

**SOURCES** Zimbabwe Central Statistical Office, *Census report, 2002*  
Government of Zimbabwe, *Zimbabwe Millennium Development Goals, 2004 Progress Report*  
<http://www.sadc.int>  
<http://www.rbz.co.zw>



# INTRODUCTION

This profile, like the 1998 publication bearing the same name, continues to situate the analysis of the situation of Zimbabwean women in a gender analysis framework which does not look at women in isolation, but seeks to make visible the differences between the sexes due to class, race, ethnicity, age, disability and sexual orientation. But more than just “making visible” the gains and losses of women and girls in relation to men and boys, this new review also seeks to ground gender as a tool of analysis in the prevailing political ideological framework of Zimbabwe, which is a key determinant in the outcomes; be it significant and sustainable gender justice, or, patchy and inconsistent measures to achieve gender justice which are subject to the swings between various forms of liberalism and conservatism – of a gender analysis approach. This profile also reviews progress and retrogression in the status of women in Zimbabwe between 1998 and 2004.

## Objectives

The broader aim of this profile is to contribute to the improvement of the status and position of women in the SADC region. The specific objectives include:

- ♦ To review any progress and retrogression in the status of women in Zimbabwe between 1998 and 2004.
- ♦ To document data on women’s empowerment in Zimbabwe.
- ♦ To analyse the impact of various initiatives, programmes and policies aimed at improving the status of women in Zimbabwe.
- ♦ To raise awareness of current gender and women’s empowerment concerns and issues in Zimbabwe.
- ♦ To create dependable information resources on the status of women in Zimbabwe for all development sectors in the country.

## Methodology

The method of research for this review included research of secondary literature and primary interviews with women analysts within the academic, NGO and public sectors.

## Outline of the profile

**Part I** analyses the situation of women in Zimbabwe since the adoption of the Beijing Platform for Action (BPFA) in 1995. The following issues are also analysed from a gender perspective: the current economic policies of Zimbabwe; women’s participation in politics and decision-making; laws and legal reform; education and technology; Zimbabwe’s socio-cultural context; health and gender; media and gender.

**Part II** looks at the gendered impact of various policies and programmes which have been introduced in Zimbabwe from 1998 to 2004.

**Part III** contains recommendations on how the various gaps that have been identified within the profile can be addressed.

**Part IV** contains a reference of materials used in compiling the profile as well as a bibliography.





## PART I

## SITUATION ANALYSIS

**Ten steps forward...10 steps back**

Now, some 10 years after Zimbabwe joined other nations worldwide in making commitments to the Beijing Declaration and Platform for Action (BDPFA) to eradicate the legal, political, economic, social and cultural obstacles that contribute to sexism, Zimbabwean women continue to receive mixed messages.

The elevation in 2004 by the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) of Joice Mujuru to the position of the country's first female vice-president was historic and a giant step forward for the country, whose record on gender equality has not been a benchmark for others. ZANU-PF's further mandate to ensure that one-third of its candidates in the March 2005 parliamentary elections were women, also appeared a progressive step in the right direction.

Zimbabwe has a National Gender Policy, launched on International Women's Day in 2004, and several new legal amendments since 1997 that show government's recognition of the need for policies and laws that bring about social equality between the sexes.

A central question that remains however, is whether in putting in place these measures, the aim is to unpick slowly, as opposed to reigning in, the unequal gender power relations that are still underpinned by a deeply rooted system of patriarchal beliefs, norms and structures.

Although women are in business, politics and professions while girls are in schools, they are

not in levels proportionate to their numbers in the Zimbabwean population. According to the Zimbabwe Central Statistical Office Preliminary Report on the 2002 Census, the population of Zimbabwe as of August 2002 was 11,634,663. Of these, 5,631,426 were males and 6,003,237 were females. Women therefore constitute 52 percent of the population. The overall ratio was 94 males per 100 females.

Majority rule, as a political principle for changing the unequal and hierarchical power relations, the unequal access to and distribution of valuable resources, as well as for demanding common civility and respect of individual integrity among peoples, does not hold sway and is not applied when addressing the inequalities between the sexes. In other words, what is good for the "race" goose is not good for the "sex" gander. Zimbabwean women constitute 50 percent more than of a group, but continue to be denied many of the rights and entitlements of citizens.

A major reason for Zimbabwe's uneven approach to gender justice is still the ideological social welfare perspective that guides the country's outlook on sexism and the implementation of strategic instruments to eradicate it, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), among others.

This social equality of the sexes framework, which government, civil society and all sectors of the country have largely worked within since independ-

*“Every country  
has its own  
unique entry point  
to grapple with the  
gender inequalities...”*

ence, is subject to the vagaries of political commitment, as well as to the pendulum swings of nationalism, neo-liberalism and right-wing conservatism, all of which have left indelible marks on Zimbabwe in the last decade.

In such scenarios, a piecemeal approach to gender justice, which looks promising and leads to a sudden leapfrog of 10 steps to erase 10 years of baby steps, is adopted yielding gains, without substantial or sustainable change in the unequal gender power relations that perpetuate sexism.

Therefore, 10 years since the 1995 Beijing Platform for Action was adopted, and 25 years since Zimbabwe rid itself of one form of domination, the country has failed to locate gender justice in a political paradigm that seeks to fight sexism with the same vigour as racism and other forms of injustice.

As Dr Amy Shupikai Tsanga argues, “Every country has its own unique entry point in terms of how it will grapple with the gender inequalities that confront that particular country.”<sup>1</sup> With regard to Zimbabwe, Tsanga pointed out that the “liberation war could be an entry way because it was not just about political liberation or liberation from colonialism, but about how Zimbabwean people grapple with the concept of gender for the purposes of their own development.”

Dr Tsanga adds that the country has yet to understand that the struggle for women’s rights is not solely about social equality between women and men, but more fundamentally, should be fuelled by the same passion to end the ideology of domination that sparked and made just the liberation movement.

“We need to form a continuum historically from the liberation movement to see that these things

are inter-related. These things are not singular, once-off events. When we are talking about liberation, we are talking of liberation on all fronts, and that’s something that is a continuing struggle. People ought to realize that it doesn’t make sense to have fought against oppression, and at the same time not recognize how oppression in other spheres actually pulls you back and perpetuates the very same kind of inequalities.”<sup>2</sup>

### **Gender sensitivity in society**

Entrenched social and cultural norms that perpetuate the gender inequalities between the sexes continue to play a major force fuelling the spread of discrimination of women based on their sex, across all sectors of society.

While the Constitution provides that “every person in Zimbabwe” is entitled to fundamental rights regardless of race, tribe, place of origin, political opinions, colour, creed, or sex, this is far from the reality on the ground where women and girls are still denied access to many political, economic and social opportunities. The Constitution, in fact, still legalises discrimination against women through customary law and practices (see section on legal reform).

### **Culture and socialisation**

Illiteracy, economic dependency and prevailing social norms prevent women, rural women and girls in particular, from combating societal discrimination. Women still are vulnerable to entrenched customary practices, including the practice of pledging a young woman to marriage with a partner not of her choice; the custom of forcing a widow to marry her late husband’s brother; and the custom of offering a young girl as compensatory payment in interfamily disputes.

The HIV and AIDS pandemic has brought to the fore the deep-rooted gender inequalities and patterns of socialisation evidenced by the high rate of infection among women, compared to men. Also, Zimbabwe is one of the countries in southern Africa where girls and young women aged 15 to 24 make up 80 percent of those living with HIV and AIDS.

### International instruments

Article 1 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), defines discrimination against women as:

“any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women irrespective of their marital status, on a basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.<sup>3</sup>

Zimbabwe, as a member of the international and regional communities, has signed, ratified, and acceded to several declarations, conventions and protocols aimed at creating an enabling environment for the attainment of equity and equality between men and women. These include the following which all acknowledge women’s rights as fundamental human rights:

- ♦ CEDAW;
- ♦ the SADC Declaration on Gender and Development and its addendum on the Prevention of Violence Against Women and Children;
- ♦ the Universal Declaration of Human Rights;
- ♦ the Convention of Civil and Political Rights (CCPR), the Convention on Economic Social and Cultural Rights; and,

- ♦ the Convention on the Minimum Age for Marriage and Registration of Marriages.

Zimbabwe also adopted the Dakar Platform for Action and Beijing Declaration in 1995, thereby acknowledging and committing to take strategic action to promote the human rights of women and eliminate all forms of discrimination.

However, these international agreements cannot protect Zimbabwean women in the manner that they are meant to because under Section 111B of the Constitution of Zimbabwe they “shall not form part of the law of Zimbabwe unless incorporated into the law” as Acts of Parliament.

### ECONOMY

Zimbabwe’s continued deteriorating economy since 1995 has increased the feminisation of poverty. The more recent period, 1998 to 2004, has been marked by accelerated deterioration in the socio-economic situation because of several factors.

According to the global Human Development Reports, Zimbabwe’s Human Development Index (HDI), which peaked at 0.629<sup>4</sup> in 1985, declined to 0.511 by 2000 and further down to 0.491 by 2002, moving Zimbabwe from the medium human development category in 1985 to the low human development category in 2002.<sup>5</sup>

All Zimbabwe Human Development Reports have shown that since 1998 to date, the Human Development Index for women is consistently lower than that for men. One reason for this scenario is the fact that issues of gender inequality go beyond empowerment to encompass issues of social justice, culture and discrimination. For this reason, it is important that adequate measures are taken to encourage the empowerment of

*International instruments do not form part of the national law unless incorporated as Acts of Parliament.*

*National Gender  
Policy identifies  
the economic sector  
as high priority*

women as well as to address those imbalances driven by customary practices at different levels of society from the political, social and economic spheres. The country's National Gender Policy pinpoints the economic sector, as well as the social sector, as high priorities, because of "the practical economic realities of Zimbabwe and hence the sectors' strategic importance to the country's national development."<sup>6</sup>

**Macroeconomic performance**

Zimbabwe experienced macroeconomic challenges arising from the inappropriate macroeconomic and structural policies, which have been worsened by the suspension of bilateral and multilateral aid programmes. The macroeconomic problems have caused the closure of many companies resulting in limited foreign currency generation, retrenchments, unemployment, general under-utilisation of those companies that remain operational, foreign exchange shortages, unsustainably high levels of inflation rates of over 600 percent by December 2003,<sup>7</sup> and the resultant increases in poverty levels.

Other manifestations of the worsening problems included erratic availability of basic foodstuffs and essential commodities, a build-up in external debt arrears and a decline in savings and investments.

The situation contributed to unprecedented levels of informalisation or "parallel" economic activities as the population tried to devise survival strategies. A large proportion of the structurally unemployed people estimated at over 50 percent of the population are earning a living from insecure informal sector activities such as cross-border trading which is conducted largely by women, mineral panning in

selected provinces, petty trading, and currency trading.<sup>8</sup>

While no formal study has been conducted to show the gender dimensions to the continued economic deterioration, there is not doubt that women suffer the most from the impacts of failed economic reforms.

The 1995 Poverty Assessment Study showed 57 percent of the Zimbabwean population as living below the Food Poverty Line (FPL) – an indicator of hunger or extreme poverty and, by 2002, this proportion was thought to have risen to 69 percent. The same study noted that for general poverty, the estimated proportion of the population below the Total Consumption Poverty Line (TCPL) was 74 percent in 1995 and by 2002 it had risen to 80 percent.<sup>9</sup> Given women's low political, economic and social status, they are the most vulnerable to a declining economic situation, and poverty is more common in the households headed by women.

The introduction of price controls in 2002 resulted in shortages of basic commodities in the formal sector and their availability on the parallel market at exorbitant prices, thus adversely affecting the poor, which comprises large numbers of women.

**Women's access to land**

Women play a key role in subsistence agriculture in Zimbabwe. Of the 52 percent population of women, 86 percent live in the rural areas where they depend on the land for the livelihoods of themselves and their families. They are the main providers of labour for farming (approximately 70 percent) and are the primary managers of homes in communal areas, given that many men are migrant workers in the cities or in other areas away from their homes.



Accordingly, Article 14 (g) of the CEDAW asserts that: "State parties shall take all appropriate measures to ensure that women have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in agrarian reform as well as in land resettlement schemes."<sup>10</sup>

There is no enabling legal framework to ensure equality in the redistribution of land. Colonial land tenure arrangements that discriminated against women have been perpetuated in the present day through the Communal Lands Act of 1982 and the Traditional Leaders Act of 2000. Under these laws, women in communal areas, where most rural Zimbabweans live, are still expected to depend on men for land, denying them tenure rights. Even though section 16 of the Zimbabwean Constitution stipulates that every citizen has an equal right to ownership of property, another constitutional provision, Section 23, has allowed for discrimination against women under customary law.

Given the fact that customary law places heavy emphasis on land rights being enjoyed by the head of the household who in the context of Zimbabwean customary law is generally considered a male, women's land rights are not adequately protected. The fact that women lack access to and control over land makes them unable to acquire credit or marketing facilities and excludes them from decision-making powers over agricultural production activities and benefits.

Although in 1998, the government adopted equity as a key principle in its land reform agenda, women have not been granted access to land rights in their own right and in proportion to their numbers.

The Fast Track Land Resettlement programme, started in July 2000, comprises two models, namely the Model A1 and the Model A2. The Model A1 is intended for the generality of landless people with a villagised and self-contained variant. Model A2 is a commercial settlement scheme comprising small, medium and large-scale commercial settlement.

In October 2000, the government stated that it would ensure a 20 percent quota for women to benefit from the fast track resettlement programme. Despite this, by August 2002 when the Fast Track Land Reform Programme was officially completed, the land quota for women had not been put into law and the number of women allocated land was low countrywide.

According to the 2003 Utete Land Report, female-headed households who benefited under Model A1 (peasant farmers) constituted only 18 percent of the total number of households, while female beneficiaries under the Model A2 (commercial farmers) constituted only 12 percent.<sup>11</sup> There is no legal or administrative framework in place to ensure gender equality in the distribution of resettlement land. It also should be noted that the policy documents and laws setting out the basis of the fast track programme make no mention of gender issues.

Zimbabwe's Women and Land Lobby Group (now called Women and Land in Zimbabwe) has criticized government policy on land reform, stating that: "Although females heading households can access land and be given permits in resettlement areas, their married counterparts still had to access land through their husbands and have no security of tenure should their husbands die; there are not many women who own land in small scale commercial areas as most

*Equity is a key principle in land reform, not yet fulfilled.*

**Land Allocation Patterns by Gender per Province, 2003****Table 1**

Province	Model A1				Model A2			
	No of Males	%	No of Females	%	No of Males	%	No of Females	%
Midlands	14 800	82	3 198	18	338	95	17	5
Masvingo	19 026	84	3 644	16	709	92	64	8
Mashonaland Central	12 986	88	1 770	12	1 469	87	215	13
Mash West	21 782	81	5 270	19	1 777	89	226	11
Mashonaland East	12 967	76	3 992	24	*	*	*	*
Matebeleland South	7 754	87	1 169	13	215	79	56	21
Matebeleland North	7 919	84	1 490	16	574	83	121	17
Manicaland	9 572	82	2 190	18	961	91	97	9
<b>TOTAL</b>	<b>106 986</b>	<b>82</b>	<b>22 723</b>	<b>18</b>	<b>6 043</b>	<b>88</b>	<b>796</b>	<b>12</b>

SOURCE Report of the Presidential Land Review Committee under the Chairmanship of Dr Charles M.B. Utete, August 2003, p40.

Key A1 Model (peasant farmers) A2 Model (commercial farmers)  
\*Figures not available

women are poor; the legal and policy framework has not incorporated inheritance rights pertaining to land for widows; the fact of women's lack of access and control over land leads to them being excluded from credit, marketing facilities, decision-making powers over agricultural production activities and benefits, negatively impacting on the productive capacity of women."<sup>12</sup>

In her presentation to the 2000 Women's Land Rights in Southern Africa Regional Conference, Lydia Zigomo Nyatsanza, highlights that the legal framework for women to access, and in particular to control land, is lacking and in fact non-existent. Zimbabwe's Constitution provides no guarantee for women to own land or acquire property rights. In the absence of such constitutional provisions, women's claims to resources are made even more difficult.

In 2003, the President appointed a Presidential Land Review Committee, chaired by Dr Charles Utete. The objectives of the Committee were to assess progress in the implementation of the Land Reform Programme as a whole and the extent to which policy objectives of the programme and the underlying principles as contained in the guiding documents were being achieved and implemented. The Committee also was mandated to recommend measures necessary to address any of its administrative and material shortcomings; to outline any ongoing challenges and constraints in the implementation of the programme in order to successfully address the more fundamental agrarian reform agenda; and to recommend policy interventions and other measures necessary for the undertaking of targeted crop and livestock production.

**Land Distribution Patterns Prior to the Fast Track Land Reform, 30 June 2000****Table 2**

Category	Area (million hectares) as at June 2000	% of Total Land Area
Large Scale Commercial	11.8	30
Small Scale Commercial	1.4	4
Communal Area	16.4	41
Resettlement Area	3.7	9
National Parks and Urban	6.0	15
State Land	0.3	1
<b>Total</b>	<b>39.6</b>	<b>100</b>

SOURCE Report of the Presidential Land Review Committee under the Chairmanship of Dr Charles M.B. Utete, August 2003, p41.

**Land Distribution Patterns After the Fast Track Land Reform, 31 July 2003****Table 3**

Category	Area (million hectares) as at June 2000	% of Total Land Area
A1	4.2	11
A2	2.2	6
Old Resettlement Area	3.7	9
Communal	16.4	41
Large Scale Commercial	2.6	6
Small Scale Commercial	1.4	4
National parks and Urban	6.0	15
State Land	0.3	1
* Other	2.8	7
<b>Total Land Area</b>	<b>39.6</b>	<b>100</b>

\* Other denotes land acquired for resettlement under Models A1 and A2 but not taken up by those allocated plots.  
SOURCE Report of the Presidential Land Review Committee under the Chairmanship of Dr Charles M.B. Utete August 2003, p41.

Unlike previous land commissions, the 2003 Committee made specific recommendations on the gender dimensions of the agrarian change and reform. The recommendations also addressed issues such as those of inheritance, which have proven to be particularly problematic in the past. What remains to be seen is whether these recommendations will be implemented.

One recommendation that has been implemented is that of the appointment of the National Land Board in December 2004, in terms of Section 6L of the Agricultural Land Settlement Act. However, the Board, which is responsible for considering and reporting upon all applications for leases of holdings, has only two female members out of eight. It also recommends appropriate criteria for land beneficiary selection, and for receiving and vetting applications for land leases and also has under its jurisdiction planning, management and review of settlement models and procedures, and issues relating to compensation.

A new Ministry of Lands, Land Reform and Resettlement, separate from the Ministry of Agriculture and Rural Development, was created in 2004 within the Office of the President and Cabinet to deal with land issues.

Women have not benefited significantly from the fast track resettlement programme. The allocation made to women is less than 20 percent for both Model A1 and A2, which is below the 40 percent recommended by the review committee. However, the lack of infrastructure such as schools and markets in the resettled areas is likely to affect women more seriously than men.

Since women are the principal subsistence farmers, they are less likely to have access to casu-

al cash-paid work and are more responsible for child care.

The Committee also produced separate provincial profiles depicting allocations to women by district, showing the levels were below 20 percent.

There remains a variety of legal issues requiring resolution in respect of:

- ♦ the acquisition procedures;
- ♦ the allocation of land to beneficiaries especially under the A2 Model;
- ♦ the assessment of the value of improvements; and,
- ♦ ownership and access to moveable assets on the farms.

The government machinery for administering these matters is taxed to the limit. To promote meaningful investment and development by the new farmers, there is need for permits and leases under the A1 and A2 model schemes. This needs to be complemented with the provision of resources for livestock development, crop inputs, contract farming, dairy development and irrigation. Full productive use of the land allocated to many of the new farmers has been hampered by lack of access to the means of production; and women, face added constraints in accessing such resources given existing barriers that they ordinarily face and the need for collateral.

### Unemployment

Prior to the land reform about 320,000 people (farmworkers) were employed by 4,500 white commercial farmers. (See Table 4). Fifty percent of permanent female

**Employment in the Farming Sector of Zimbabwe** Table 4

Year	Permanent employees		Casual employees		Total employees	
	Male	Female	Male	Female	Male	Female
1998	155 519	15 972	71 025	81 773	226 594	97 745
1999	152 788	16 460	69 050	84 373	221 838	100 852

SOURCE: CSO, 2000; Ministry of Public Service, Labour and Social Welfare, 2001.

## Gender dimensions of agrarian change and reform programme

Box 2

### Short term

Land leases should be registered in the name of the husband and wife.

A quota of at least 40 percent of the land allocations should be made to women, especially in A1 areas where elderly women take care of sick, orphaned and indigent people, often without adequate resources. Women's significant participation in all farming systems should be consolidated through a quota of 40 percent of funding reserved for women and other new farmers, for credit and other purposes.

In cases of widowhood, the surviving spouse(s) would have the first option to take over the lease provided that they can work the land productively. The lease should also take account of the situation of multiple wives where applicable.

Upon dissolution of a marital union, the spouse who leaves the farm should be fairly compensated. This measure will encourage commitment to the land.

Public infrastructure investment and development in the new farming areas should be rationalised so that women, men and children can live together, share workloads and concentrate investment in one household.

The development of farm technology that can be used by elderly women, men and children should be prioritised in view of the high mortality of young and middle-aged men and women in rural households.

Farmer training should be community based in order to endow new farmers, particularly women with children, with farming skills without prejudicing farm operations at their inception. This helps to mitigate farmer absenteeism from the land.

The certification of farm worker skills is critical to allow new farmers access to a skills database.

Tillage services should be provided especially to the child and women farmers and the elderly, to facilitate land use in A1 areas.

There is need for the re-orientation of existing and new extension workers to ensure they are appreciative of and sensitive to gender, age and other needs of the new farmers.

Zimbabwe should implement the ILO convention that forbids child labour.

### Medium and long term

Marital legislation such as the Customary Marriages Act Chapter 5:07 and the Marriage Act Chapter 5:11 should be reviewed with respect to the needs of women in rural Zimbabwe. Where there are multiple wives, legislation should stipulate formulae for appropriate compensation in the event of a marital dissolution, while safeguarding productivity and continued operation of the farm.

The custodians of customary law must develop formulae to enable women to access land through inheritance and other means. A quota of 40 percent is a starting point to ensure that women's participation in agriculture is sustained.

New courses on small ruminants and registration of livestock in individual household members' names are necessary to safeguard the property rights of men, women and children in specific households.

Extension courses should be developed to suit the needs of different management regimes on farms, e.g. male-dominated, female-managed or employee-managed. It is essential to devise training that recognises the lead person in any farm enterprise and equips them to meet the challenges of farming in newly settled areas.

Rural centres need to be developed to provide housing, water, electricity and other services in order to stabilise rural labour in general. Labour itinerancy prevents its efficient utilisation by new and old farmers. This would benefit women and children who are usually contract or seasonal workers on the farms.

Existing family and marriage legislation such as the Marriages Act, Chapter 5:11 and the Customary Marriages Act Chapter 5:07, the Deceased Estates Succession Act, the Administration of Estates Act and its amendment Act, and the Deceased Person's Family Maintenance Act need to be reviewed in view of the influx of large numbers of black farmers into commercial farming.

Monitoring of land use has to be efficient and effective so that under-utilised land is put back into circulation. Thus, the proposed National Land Board should be fully representative, incorporating the interests of all stakeholders, particularly women.

New farm practices that accommodate traditional gender requirements should be harnessed to encourage women and men's participation in agriculture. Specialised crop and animal husbandry training focusing on men and women's preferences in all farming systems should be mounted both on and off farms to stimulate productivity.

Irrigation schemes should be designed and run in such a way that at least 40 percent of women hold land benefiting from such a facility, especially where they have responsibility for children and other older or indigent people.

The issue of child-headed households arises in communal areas. It is likely to become an issue on A1 and A2 farms. Currently, family legislation provides that minors are placed under the guardianship of related adults. Given that the capacity of minors to farm productively on A1 and A2 farms is limited, farmers should be encouraged to write wills and organise their operations in ways that protect their progeny and dependents. In this regard, the interests of children should be safeguarded.

A special programme should be organised in tertiary institutions to encourage young women studying agriculture, wildlife and other related subjects, to choose farming as their preferred occupation. Supportive financing, marketing and other infrastructure must accompany this programme to make it attractive to young women.

SOURCE: Report of the Presidential Land Review Committee chaired by Dr Charles M.B. Utete, August 2003, p163.

workers and 60 percent of seasonal female workers lost their jobs compared to 30 and 33 percent of permanent and seasonal male workers respectively. This is evidence that female farmworkers suffered a greater loss of employment than their male counterparts.

### **Influx of people from rural to urban areas**

The loss of employment resulted in the loss of housing on the resettled farms and attempts by farmworkers to retain their homes in some cases sparked disputes with the new settlers. A higher proportion of female workers than male workers have left the farms upon loss of employment. Informal settlements or squatter camps have mushroomed to provide settlements and sometimes land to the displaced workers. Most of the workers are migrant workers and descendants of migrant workers, often originating from neighbouring countries, and have no communal homes, land or jobs to fall back on.

Women constitute a vulnerable group within the farmworkers

as they are often employed as non-permanent workers. As such, they have little job security. In 1999, the commercial farming sector had 152,788 permanent male workers, which makes 90.3 percent of the sector, and 16,460 permanent female workers, which makes 9.7 percent of the labour force.

Female employees are concentrated in casual work especially in the horticulture sector. The rights of female farmworkers are often ignored because they are considered to be part of male-headed households, even though this is not always the case. Nationally, women head one in three households and 19 percent of worker households. Table 4 elaborates on the position of women and men employment in the farming sector.

### **Access to credit for agriculture**

Government is moving towards a market-based economy that will see Agribank, an agricultural finance institution, assume greater responsibility for financial lending to the sector. The new market-based system will lead to



government's gradual departure from previous arrangements whereby it lent directly to farmers through Agribank. The new system will result in new farmers failing to access funds, because loans would be inaccessible without collateral. Such a situation would adversely affect women much more than men as they constitute the majority of the population without collateral.

As part of post-resettlement support, the government has made an effort to support the agricultural sector, especially in areas of input schemes, training and irrigation and a commitment that there will be pre-planting prices for wheat, sorghum and cotton.

According to the 2003 national budget, a total amount of ZW\$12.5 billion was set aside for inputs, which is 31 percent of the total allocation to this sector, an increase from ZW\$8.5 billion allocated to this area initially.

About ZW\$1.5 billion (four percent of the total allocation) was set aside for field trials and training while ZW\$4 billion (10 percent) was set aside for agriculture research and farm training. Dams and boreholes received ZW\$10 billion (25 percent).

However, it appears that government provision of loans for input purchases and training has generally been directed towards those who own land and large growers. The proof of land ownership has to be produced before being given any inputs. With most women being left out in the land reform programme, most of them will remain peasant farmers with no title deeds to the fields they farm. They can get assistance through headmen in their areas, but this takes time and delays their farming processes, resulting in low produce.

Women farmers who need tillage support for instance, are usually asked to produce their spouses' identity cards before they can be considered for this support. Women with husbands in the urban areas will have to wait until they can get their spouses' identity cards. Widows, single and divorced women are likely to face even more problems.

Every woman farmer should have equal access to this support through fair and equal treatment. The support should be given to all women who need it with or without owning land legally.

Table 5 illustrates the gender dimension of access to credit within the agricultural sector.

**Access to Credit Facilities Table 5 by Gender 2000**

Number	% Male	% Female
Accessed facilities	68.2	16.7
Did not access facilities	31.7	83.3

SOURCE Women and Land Lobby Group 2000. Report on the situational analysis of women and land reform, 2000.

### Mining

The small- and medium-scale mining sectors contribute significantly to Zimbabwe's mineral output. The sector's contribution to GDP, including that of women, is however not computed. But the country's National Gender Policy states that women's participation as "big players" in this sector is low, because of occupational segregation and the costly capital equipment required which few can afford.<sup>13</sup>

Financial and material support for the small-scale mining sector is made available largely through the Mining Industry



Fund, which provides loans for accessing plant and equipment. Women's access to the fund as to other sources of credit for productive activities is limited. But women have started initiatives to make inroads into the sector.

The Zimbabwe Women in Mining Trust, established in 1993, enables support to be extended to women so that they can become mining entrepreneurs. This was achieved through the provision of skills, tools and entry points for influencing policies within the sector to be more gender-sensitive.

Women in the sector face a range of constraints, particularly capital resources. The policy on environment has not been supportive of women miners, while structures established to advance the participation of women in mining have generally been weak and largely ineffective.<sup>14</sup>

Artisan mining provides women with employment and income-generating opportunities, although the exact numbers involved are not known. The small-scale mining sector continues to grow due to a combination of factors, which include high unemployment and poverty levels, and the persistent droughts, which have driven large numbers of Zimbabweans to seek alternative productive engagements in the small-scale mining sector.

## HEALTH

Women's access to health services in Zimbabwe has worsened during the reporting period since the last gender profile was produced. Access to health is one of the basic human rights, and is an indicator of a country's overall national development. Women's equal access to health care is guaranteed by Article 12 of CEDAW, which calls for all meas-

ures to eliminate discrimination against women in the health sector, as well as guarantee reproductive and sexual health services for women.

The right to health care is increasingly regarded as pivotal in human rights law, and refers to the State's duty, within the limits of available resources, to ensure the conditions necessary for the health of individuals and populations. It encompasses the right to medical services as well as the right to prevention, health care, protective environments, all services, housing and social welfare.<sup>15</sup>

Zimbabwe's public health sector, however, is in decline and has been unable to meet the demands of a growing impoverished population whose only hope of accessible and affordable healthcare is from the State. The introduction of cost recovery measures has contributed to large numbers of people being without basic healthcare, as have the shortages of staff due to the brain drain because of poor conditions of service and the impact of HIV and AIDS on the sector, and the shortages of hospitals, clinics and medicines.

A 2002 study conducted by the World Health Organisation (WHO) revealed a critical reduction in professional and skilled human resources for a number of job categories in the health sector, as many sought opportunities outside the country. Although the health budget has increased in nominal terms over the past five years, in real terms it has decreased due to hyperinflation. This has made it difficult to procure essential drugs and equipment, and to retain qualified personnel. The problems have been compounded by the withdrawal of development assistance. Donor financing for the health sector declined from 13 percent

**Professional Establishment Status, Ministry of Health and Child Welfare, June 2004**

**Table 6**

Cadre	Establishment	In Post	Vacant
Doctors (all)	1 530	678	852
Nurses (all)	11 578	7 575	4 003
Rehabilitation (all senior and principal)	168	71	97
Rehabilitation Technicians	232	210	22
Environmental Health Technicians	1 477	707	770
Pharmacists	132	29	103
Pharmacy Technicians	185	72	113
Environmental Health Officers	122	46	76
Administrators	64	46	18
Medical Lab Technicians	385	250	135
Nurse Aides	2 454	2 406	48
Mortuary Attendants	155	67	88
Student Nurses	5 303	5 298	5

SOURCE: Ministry of Health and Child Welfare, 2004

of the total national health expenditure in 1999 to just one percent in 2003.

The country's constitution does not have any provisions that accord healthcare an enforceable human rights status and which would allow the State to accord healthcare sufficient priority and urgency in the allocation of resources. The right to life in the constitution has been confined in its interpretation and formulation to the civil and political human rights arena.<sup>16</sup>

The majority of Zimbabweans now struggle with access to healthcare. This has had a negative impact on many of the health gains the country made soon after independence and during the first 10 to 15 years. Female life expectancy, for example, is said to have dropped from about 62 in 1992 to 57 in 1997, while that of males declined from 58 to 53. The difference in the female and male life expectancy is linked to differential exposure to health and living conditions, and as in most African countries, the life expectancy in Zimbabwe is higher for women than for men.<sup>17</sup> By 2001, life expectancy for both women and men dropped even more dramatically.<sup>18</sup> The lower life expectancy of

both women and men is attributed to the HIV and AIDS pandemic.

Zimbabwe's highly skewed income distribution is also mirrored in the healthcare sector with the poor receiving less and less preventive, curative and palliative care due to their inability to afford the services where they do exist. The country now ranks among those where the gap in terms of child mortality between the bottom 20 percent of the population and the top 20 percent has increased, impacting negatively on Zimbabwe's ability to reach the Millennium Development Goal (MDG) targets by 2015.<sup>19</sup>

Women bear the heaviest burden of the inequalities in the health sector. Although they are visible as caregivers and clients in the maternal and reproductive health sector, including the HIV and AIDS pandemic, they tend to neglect their individual health needs outside their roles as mothers and wives.<sup>20</sup> According to *Women and Men in Zimbabwe* produced by the Central Statistics Office in 2002, the leading causes of death among women, based on the 1995 Mortality Report, were other diseases of the upper respiratory tract, AIDS-related illnesses, and intestinal infections.

As stated earlier, AIDS has destroyed many of the gains in Zimbabwe's health sector and the pandemic is now taking its toll on a weakened system that is unable to cope. This review, therefore, focuses on the gender dimensions of HIV and AIDS in Zimbabwe where it is estimated that one in every four adults may be infected with the virus.<sup>21</sup> (See Table 7)

### **HIV and AIDS**

According to the 2003 Zimbabwe Human Development Report, by the end of 2001 the adult prevalence of 33.7 percent translated

into two million adults living with HIV and AIDS. Of these, the report says, 1.2 million or 60 percent are women. The Zimbabwe Young Adult Survey (2001-2002) shows that young women aged 15-24 are three to six times more likely to be infected than young men.

Women and girls are unable to ensure that they practice safer sex because of the unequal power relations between women and men. The unequal status of women and men in society limits their choices keeping them poor and vulnerable to sex for survival that puts them at risk of HIV infection.

A clear link between gender inequalities and the spread of HIV has been established and recognised worldwide. And in countries such as Zimbabwe, where these inequalities are greater, the HIV prevalence among women is high. Culturally defined gender inequalities and stereotypes, coupled with gendered economic factors, are important drivers of the epidemic in Zimbabwe. This includes factors such as the dualisation of homes, widow inheritance, and polygamy, both official and unofficial, as multiple partnerships increase risks of infection.<sup>22</sup>

Once infected, women and girls face even greater discrimination and stigma. The health care workers discriminate against women who are HIV positive. They are often subjected to non-consensual testing in antenatal clinics as well as having their confidentiality breached. Disclosure of one's status to the family remains problematic due to the stigma associated with HIV. Disclosure<sup>23</sup> can result in rejection and violence.

HIV prevention efforts frequently do not take into account gender inequalities that shape people's behaviours and limit their choices. For example, the "Abstain, be faithful, or use con-

doms" prevention campaign is a highly gender-insensitive message since the majority of women have no choice over their sex lives.<sup>24</sup> Cultural factors and economic realities influence the choices women are forced to make. Multiple partner relationships underscored by gifts can be a key survival strategy for many poor women. Sex is used as a commodity in exchange for goods, services, food, accommodation, money, often with older men. Transactional sex reflects men's superior economic position and access to resources, as well as the cultural values placed on men having multiple sexual partners. There is need to address the interplay between gender and socio-economic inequality.

Several initiatives were developed to respond to the impact of the AIDS epidemic on women and girls. The Global Coalition of Women and AIDS and the UN Secretary General's Task Force on Women, Girls and HIV and AIDS are examples. The Coalition is a movement of people, networks and organisations supported by activists, leaders, governments, and it seeks to highlight the effects of HIV and AIDS on women and girls and to stimulate effective action to reduce that impact. Its focus is on preventing new infections among women and girls, promoting equal access to care and treatment, accelerating microbicide research, protecting women's property and inheritance rights and reducing violence against women.

In addition to the above, the Secretary General set up the Task Force on Women and Girls in Southern Africa to galvanise action. The Secretary General's report on the Task Force on Women and Girls in southern Africa identifies six key issues which if addressed would change

### Network of Zimbabwean Positive Women

Box 3

"Back in the 1980s my husband used to sleep around. Things went sour and we were always fighting. In 1998, my health began to deteriorate. That is when I was diagnosed as HIV positive. I was shattered. I thought I was going to die and leave my children.

"But when I came out of hospital, a friend encouraged me to join a support group. The Network of Zimbabwean Positive Women taught us about gender violence and how to recognise abuse. All the time I was married I did not know that I was being abused. I was able to ask for a piece of land from the chief, after I separated from my husband.

"I am now teaching many women about gender violence. I would not want to see other women go through the difficulties that I went through because of ignorance. If I had known that even though I was married I had my own rights, I would not have ended up being HIV positive."

SOURCE Nyaradzo Makambanga, quoted in the United Nations Development Fund for Women (UNIFEM) Annual Report 2003/2004.

### Impact of HIV and AIDS on women and girls on the development agenda Box 4

Speaking at the opening ceremony of the XV International Conference held in Bangkok from 11 to 16 July 2004, under the theme "Access for All", Kofi Annan, the UN Secretary General, said, "Over the past few years, we have seen a terrifying pattern emerge; all over the world women are increasingly bearing the brunt of the epidemic."

He urged that empowering women and girls must be a top priority if the fight against HIV and AIDS is to be won. This could be achieved through ensuring that girls are educated, have opportunities, productive jobs, inheritance rights for women are safeguarded, as well as access to practical means to protect themselves.

The ABC approach – Abstain, Be faithful, Use Condoms – is not a sufficient means of protection for women and adolescent girls.

Abstinence is meaningless for women who are coerced into sex. Faithfulness offers little protection to women whose partners have several partners or were infected before marriage, and condoms require the cooperation of men.

Socio-economic empowerment of women is therefore a critical strategy.

**SOURCE** Excerpt from Kofi Annan, UN Secretary General's speech to the XV International conference on HIV and AIDS, Bangkok, 2004.

the direction of the epidemic and they are highlighted in Box 5.

### Zimbabwe's response to HIV and AIDS

In December 1999 the Government of Zimbabwe launched the National HIV and AIDS Policy.<sup>25</sup> This policy directed that the pandemic should be addressed through a multi-sectoral development approach, co-ordinated by a National AIDS Council (NAC), in recognition of the fact that HIV and AIDS were no longer health issues. All sectors, organisations and communities were invited to participate actively in the fight against HIV and AIDS utilising their comparative advantages.

The NAC established structures at provincial, district and community levels. These are the Provincial AIDS Action Committees (10, one in each province), District AIDS Action Committees (58 rural and 26 urban) and Ward AIDS Action committees. The composition of these AIDS action committees is also multi-sectoral. Their roles include provision of policy direction to interventions at the relevant level, to mobilise multi-sectoral participation in the fight against HIV and AIDS, and to monitor and evaluate the response to HIV and AIDS at the relevant level.

The national policy also made provision for the establishment of

### Issues to consider in addressing the impact of HIV and AIDS on girls and women Box 5

**Prevention among girls and young women** Prevention strategies must be developed to empower women to protect themselves against the epidemic throughout their life cycle.

**Girls education** The epidemic affects school enrolment levels for girls as they drop out to take care of the sick and younger siblings or because they are unable to pay school fees due to parental death and poverty. There is need to monitor enrolment patterns in schools for girls and adopt strategies that will not only keep girls in school but keep them safe while there and ensure that they leave with knowledge and skills to protect themselves against HIV infection.

**Violence against women and girls** With the high prevalence of gender-based violence increasing the risk of HIV infection, there is need to enact and enforce legislation to respond. Men must also become outspoken partners against such violence.

**Property and inheritance rights of women and girls** Women married under customary law, and their children, are often dispossessed upon the death of their male partners. Increased education, training and awareness-raising on women's property rights throughout society, including women and girls themselves and the law enforcement agencies, is of critical importance.

**Women and girls as caregivers** The burden of caring for the HIV infected and affected is disproportionately borne by women and girls with limited external support. This impacts negatively on the ability of women and girls to engage in productive or income-generating activities. Strengthening support for home-based care and promoting the greater involvement of men in care activities should be given priority.

**Access to care and treatment** The healthcare system in Zimbabwe is under stress. Access to treatment and AIDS-related care and treatment for women and girls is further hampered by their lower economic and social status, and the gendered nature of stigma and discrimination. The healthcare system including care and treatment must be strengthened and made more accessible to women and girls.

**SOURCE** Zimbabwe Country Report of the UN Secretary General's Task Force on Women Girls and HIV and AIDS in Southern Africa. UNAIDS and the Global Coalition on Women and AIDS, 2004.



the National AIDS Trust Fund (NATF). The public has high expectations of the NATF, whose resources have so far not been distributed according to the burden. Also, the fund does not address the needs of women adequately, according to the Zimbabwe Women's Resource Centre and Network (ZWRCN), which has done a gender analysis of the NATF.

The NAC Board comprises of the permanent secretary for Health and Child Welfare, a representative from the Traditional Medical Practitioners Council, the Law Society of Zimbabwe, and seven to ten members representing healthcare providers, women, youth, religious groups, people living with HIV and AIDS (PLWHA), commerce and industry, information media and trade unions. The Executive Director of NAC is secretary to the Board.<sup>26</sup>

The country's 2003 Human Development Report argues that HIV in Zimbabwe is benchmarked against a historical context of widespread socio-economic vulnerability of the population over many decades. Socio-economic vulnerability is defined as a process in which people are subjected to economic and social re-engineering in such a manner that they are left with little or no options of pursuing sustainable socio-economic survival strategies. This leads people to engage in risky sexual behaviour or otherwise, irrespective of their level of awareness concerning the possible negative consequences of taking such risks. The report argues that mounting an effective multi-sectoral developmental response to the epidemic remains the greatest challenge.

The impact of HIV and AIDS is being felt in the loss of farming skills, the disintegration of rural livelihoods, declining agricultur-

al development efforts, declines in productive capacities to work the land, and shrinking household incomes.

**HIV Prevalence Amongst the Adult Population in Zimbabwe**

**Table 7**

Total number of people living with HIV and AIDS at the end of 2003	1 820 000
No. of adults aged 15-49 living with HIV and AIDS at the end of 2003	1 540 000
No. of women aged 15-49 living with HIV and AIDS at the end of 2003	870 000
No. of children 10-14 living with HIV and AIDS at the end of 2003	165 000
No. of AIDS deaths among adults and children in 2003	171 000
Adult (15-49) HIV prevalence in percent	24.6
No. of children orphaned by AIDS in 2003	761 000

SOURCE Zimbabwe National HIV and AIDS Estimates 2003, p 23.

### Access to treatment for women and girls

Since 2002, Zimbabwe has made significant strides in the implementation of the Prevention of Parent to Child Transmission (PPTCT) of HIV. The term PPTCT acknowledges the fact that fathers also contribute to HIV infection in children. According to the Ministry of Health and Child Welfare, over 90 percent of infections in infants and children result from parent to child transmission.

The PPTCT programme was launched in February 2001. This was in response to the fact that a German-based pharmaceutical company had in 2000 begun supplying Nevirapine for free to selected developing countries, including Zimbabwe, for a five-year period.

A national survey of HIV prevalence among women attending antenatal clinics in 2001 revealed that 29.5 percent of the women were HIV positive. Without any intervention, about a third of these HIV positive women would pass the virus to their babies. This would translate to approximately 60,000 babies in Zimbabwe acquiring the virus from their parents annually. The Ministry estimates that by 2010, Zimbabwe's infant and under-five



mortality will rise by 138 percent and 109 percent respectively.<sup>27</sup>

In May 2002, the Women and AIDS Support Network (WASN) launched a campaign under the theme, "Access to Nevirapine, Everywhere, Now!" and went to the extent of threatening to take the government to court for failure to begin systematically supplying the drug to HIV-positive, pregnant women.

Government began to accelerate the rollout of the PPTCT programme, and by the end of 2002, the PPTCT programme had been integrated into 69 routine health-delivery centres.

In a situation of limited access to Anti-Retroviral drugs (ARVs), proposals have been made that those in the PPTCT prevention programmes should be the first to benefit from the existing and future ARV and other treatment programmes.<sup>28</sup> This recommendation is made in light of the increasing number of orphans having lost both parents from AIDS-related illnesses.

The challenges emanating from the PPTCT programme relate to the treatment of mothers who participate in the programme, and the involvement of their partners particularly in a resource-constrained environment.

The discourse and strategies to deal with HIV and AIDS have shifted from prevention through condom distribution, general awareness, information, education and communication strategies to include issues of access to treatment through antiretroviral therapy, traditional immune-boosting plants such as *morenga*, and access to proper nutrition. Focus now includes treatment of opportunistic infections and dealing with symptoms of severe illness, while providing good nutrition.<sup>29</sup> In Zimbabwe, it is estimated that 176, 000 people are in

need of treatment. This is the target set for the WHO's 3x5 Initiative (3 million people on treatment by the year 2005).

The absence of treatment literacy and inadequate dissemination of available literature, especially on traditional treatment and the role of nutrition in all treatments, is a stumbling block for people living with HIV or AIDS to assess and adhere to the treatment regimes. People need to know where to access treatment options, requirements for use and side effects, as well as prospects for sustainability of treatment.

As part of the ARV roll-out programme, a network of Opportunistic Infection (OI) clinics has been established. These focus on the treatment of opportunistic infections, including tuberculosis (TB), Kaposi's sarcoma, thrush, and meningitis, as well as sexually transmitted infections (STIs). The successful treatment of AIDS-related illnesses and ARVs requires that patients are literate about the various treatment options available especially appropriate nutrition, and then ability to sustain the appropriate treatment options.

### **The burden of care**

The declining quality of health-care provision in the formal health sector is forcing many, particularly those suffering from AIDS-related illnesses, to seek care at home and from the traditional health sector. The "modern" health delivery system is under stress with 70 percent of hospital bed occupancy taken by patients with AIDS-related illnesses. In response to this development, the government developed and launched guidelines for home-based care.

But the majority of those providing this care are unskilled and unpaid women and girls. These women and girls are pushed into a

greater cycle of poverty, because their care responsibilities leave little time for engaging in other productive activities. The ZWRCN with support from UNIFEM has undertaken studies on the burden of unpaid care work, which reveal that most of the care and reproductive work undertaken by women and girls remains unpaid and unaccounted for in the national economics. This is an area where there is little involvement of men.

At the policy level, there is need for a shift in national and local budget-making processes to take into consideration the impacts of HIV and AIDS budget comparisons in line with allocations made to the social sectors where the impact is most felt at individual and community levels. In addition, more financial support is required for research.

National budget approaches and frameworks also have not adequately addressed issues related to the epidemic. There is need for more provisions within the budget for accessible social safety nets for vulnerable groups. So far, the declaration of HIV and AIDS in Zimbabwe has not been matched with a corresponding realignment of national budgeting. Also, the gender and economic dimensions of HIV and AIDS require additional research to produce data for advocacy around prevention, treatment and care strategies that do not further marginalize or burden women and girls.

### **Reproductive health and sexual rights**

Zimbabwe is a signatory to both the 1994 Declaration of the International Conference on Population and Development (ICPD) and the 1995 Declaration and Platform for Action of the United Nations Fourth World Conference on Women held in Beijing. Both conferences outline

the principles of reproductive health and sexual rights, which are intrinsic to any discourse on the gender dimensions of HIV and AIDS.

Culturally, it is still considered taboo to talk about the sexual and reproductive health rights of women and girls. These rights as set out in the ICPD and Beijing documents include the right of all women and men, irrespective of their HIV status to:

- ♦ decide freely and responsibly on all aspects of their sexuality.
- ♦ expect and demand equality, full consent, mutual respect and shared responsibility in sexual relationships;
- ♦ decide freely and responsibly whether to have children, and if so, their number, spacing and timing, and to have the information, education and the means to do so;
- ♦ be free of discrimination, coercion or violence in their sexual lives and in all sexual and reproductive decisions; and
- ♦ protect and promote their sexual and reproductive health, and attain the highest standards of sexual and reproductive health.<sup>30</sup>

The human rights violations against women and girls emanate from any society's control over their bodies and sexuality. Reproductive and sexual rights assume that individuals have the capacity to make decisions about their lives, which is not the case for the majority of women and girls in Zimbabwe, as elsewhere worldwide. This greatly affects their ability to have control over their own reproductive health, and ultimately control over their lives as evidenced by the number of women and girls who die from unwanted or early pregnancies, unsafe abortions, and who are infected with HIV.

The HIV and AIDS pandemic must be addressed within, not

separate from, the context of the sexual and reproductive health problems people have faced for years such as unwanted pregnancy, sexually transmitted infections, infertility, among other problems which when addressed, would also help to reduce HIV transmission risks.<sup>31</sup>

Zimbabwe's legal framework does not guarantee women and girls' reproductive and sexual rights, thus limiting their control of sexuality and reproductive rights. The Termination of Pregnancy Act, for example, provides for abortion in limited situations and emphasises the medical practitioner's opinion at the expense of the woman's right to terminate her pregnancy. Abortion, therefore, is not approached from the perspective of a woman's right to control her reproductive health but rather from a narrower, moral perspective of confining abortion to life and death situations as determined by a medical practitioner.<sup>32</sup> According to the Zimbabwe National Family Planning Council (ZNFPCC) an estimated 60,000 to 70,000 unsafe abortions are performed every year.<sup>33</sup>

Reproductive and sexual rights overall are not explicitly stated in the Constitution, and this silence is translated into other policies such as the national HIV and AIDS policy and the Public Health Act. A major deficiency in these laws and policies too is the avoidance of commitment and guidelines on the dissemination of information on contraception to adolescents, who comprise 36 percent of the population, and who are reported to be sexually active in early adolescence,<sup>34</sup> with an average age of 14 years.

Adolescents' knowledge of their sexual and reproductive health is limited and the contro-

versy around sex education in schools has further marginalised this youth in the face of religious, moral and conservative attitudes which preach only abstinence for this vulnerable group.

Advocacy around reproductive health and sexual rights must become central to Zimbabwe's approach to tackling HIV and AIDS. By guaranteeing these rights, the country can begin to break through the patriarchal notion of "control" of women and girls, which entrenches sexism. Sexism compromises the health and lives of women and girls, and continues to negate all of Zimbabwe's pronouncements towards gender equality and development for all.

## EDUCATION

Poverty, HIV and AIDS, and the immigration of skills pose serious threats to the gains made in education, especially the significant strides Zimbabwe has made in very nearly achieving gender parity in primary school enrolments.

According to the government's report to the 2004 Sub-Regional Review in Lusaka on the implementation of the African and Beijing Platforms for Action, the net primary school enrolment ratio in 1994 was 81.8 percent for males and 82 percent for females. By 2000, this had risen to 96 percent for males and 90 percent for females. The country's goal is to achieve gender parity by 2015.

In its campaign advertisements for the 2005 elections, the ruling ZANU-PF's advert on Educating Your Girl Child showed that the primary school enrolment of girls in 2004 stood at 1,213,089 compared to 1,186,581 for boys. Secondary school enrolments for the same year were 394,514 girls and 431,880 boys.<sup>35</sup>

In a move to strengthen basic education assistance, the govern-



ment introduced a Basic Education Assistance Module (BEAM) as part of the Social Safety Net to support school and examination fees for disadvantaged children in primary and secondary schools. The guidelines provide that 50 percent of children supported at secondary school level should be girls.

In the current economic environment, there is need to review the provisions under BEAM to include the payment of levies and for material resources such as books and uniforms as these also can be contributory factors to the dropout rate of poor children, especially girls, from school.

The right to education is not reflected in Zimbabwe's Constitution, which legal analysts argue is fundamentally weak on social and economic rights. Section 15 of the Education Act provides for compulsory education at primary school level only.<sup>36</sup>

However, 2015 may reflect a rollback scenario if measures are not taken to address the growing problems of service delivery, the quality of education, shortage of human and material resources and the dropout rate of pupils due to the HIV and AIDS pandemic, among other strategic problems in the education sector.

Also while the levels of girls in primary and secondary schooling continues to rise (secondary school enrolment was 42 percent males and 40 percent females in 2000 with the completion rate at 82 percent and 73 percent respectively), the enrolment of women in the country's five main universities is estimated at 32 percent.<sup>37</sup>

The National University of Science and Technology began operating in 1991 and saw an increase in enrolment figures from 1,268 in 1995 to 2,046 in 2000 (an increase of 60 percent). The proportion of females to total enrolment, however, remained

low at 19 percent. A possible explanation could be the low numbers of women entering fields of science and technology.

Changing ratios towards parity however do not reflect lowering standards or quality, or discriminatory factors that are still embedded in the system. The lower enrolment of girls at secondary level, for example, also can be attributed to discriminatory cultural practices combined with harsh economic realities, which lead parents to choose to sacrifice the education of girls in favour of boys when choices have to be made. The opportunity costs to parents such as the loss of girls' labour and the limited opportunities for girls to enter the formal economy after schooling, also contribute to girls leaving school, according to the United Nations Children's Fund (UNICEF), which works with government and other partners on the African Girls' Education Initiative.

In addition, there are still ministerial directives and policies that permit the expulsion of pregnant girls from schools,<sup>38</sup> while the sexual harassment and sexual abuse of girls in schools by male headmasters, teachers and their

**Enrolment at the University of Zimbabwe by Sex, 1995-1999** Table 8

	1995	1996	1997	1998	1999
<b>Male</b>	-	7 881	7 629	5 908	6 640
<b>Female</b>	-	3 497	3 574	2 881	2 942
<b>Total</b>	10 606	11 378	11 203	8 789	9 582

SOURCE CSO Education Statistics report, November 2001/ Ministry of Higher Education and Technology.

**Enrolment at National University of Science and Technology by Sex 1995-2000** Table 9

	1995	1996	1997	1998	1999	2000
<b>Male</b>	1 106	1 212	1 212	796	1 787	1 719
<b>Female</b>	162	147	147	112	340	327
<b>Total</b>	1 268	1 359	1 359	908	2 127	2 046

SOURCE CSO Education Statistics report November 2001/ Ministry of Higher Education and Technology.

## Women's University in Africa

## Box 6

A unique institution, the Women's University in Africa (WUA), which promotes gender equality and equal opportunities for women in tertiary education, was launched in Harare, in 2002. The vision that culminated in the establishment of this university is that of two distinguished women, Dr Hope Sadza<sup>40</sup> and Dr Fay Chung.<sup>41</sup> The university caters largely for women, including those who, for a variety of reasons, were not able to access tertiary education.

"I took an early retirement to realise my dream to start the Women's University with my co-founder, Fay Chung," said Dr. Hope Sadza, veteran educationist and co-founder of the university.

The Women's University offers courses for mature women from the ages of 25 to 60, who missed out on school, either because of lack of finance or because they got married and were engaged in rearing families.

"We offer women a 'second opportunity' as we call it, to go back to school away from the ordinary university where a woman would feel like she is attending with her own child," Dr. Sadza said.

The Women's University is "user friendly" because women can attend in the evenings, on weekends and during holidays, and does not interfere much with family concerns.

There is ample opportunity to network with other like-minded women. The vision of empowering women is critical to their lives and that of their families, especially children.

Before the university opened, research was done to establish the most critical areas and came up with four main fields.

♦ **Agriculture** Women are the tillers of the land, yet because of lack of education in that field, they remain poor.

♦ **Reproductive health** Women are not in control of their reproductive health so there needs to be some formal training so they can fill the gap between the nurse and the doctor.

♦ **Gender story** Women should be taught at an early stage the technicalities of gender issues and the sociological connotations.

♦ **Management** This aims at empowering women who have become stuck in middle management by virtue of being female. This is a popular course. The aim is for women to rise above diploma level and get to the highest level, which is degree level.

**SOURCE** Excerpt from Munyaradzi Wasosa's article, Women of substance, Sadza making dreams come true for women, in *The Independent*, 16 July 2004. <http://www.theindependent.co.zw/news/2004/July/Friday16/973.html>

male peers also contribute to the dropout of more girls from secondary schools.

Education as a basic right is no longer available to some children. In 2002, primary schools in urban areas introduced school fees and charges for uniforms. In rural schools government still bears the cost of education, but dropout rates remain high. The government, contributes very little to the cost of early childhood education, which is a foundation for many.

It is estimated that the land reform programme has created 346 satellite schools in the former commercial farming areas. The environment in these schools is not conducive to learning as they lack infrastructure in the form of water

and sanitation, furniture, and frequently operate with unqualified teachers and few textbooks.

Hunger and the inability to pay school fees keep many children away from school, especially orphans and other vulnerable children. The introduction of school feeding programmes has helped to keep many children in school and has become a feature of both rural and urban schools.

While the education sector continues to receive a large share of the national budget, the resources are spent largely on overheads and salaries, as opposed to initiatives, strategies, policy implementation, material resources, and other resources that improve the quality of education and make the school environment non-discriminatory and safe for girls. In the 2003 financial year for example, the two education ministries accounted for 25 percent of the national budget, but 94 percent of this allocation was budgeted for salaries and other overheads.<sup>39</sup>

UNICEF and the Forum of African Women Educationists of Zimbabwe (FAWEZI), among other partners, continue to advocate for gender-sensitive policy in education, and to hold seminars, undertake training and research on gender-sensitive teaching practices, curricula, materials and programmes to maximise learning and to increase the retention of girls in primary and secondary schools.

### Disabled girls in schools

While commendable efforts are being made in the whole region to reduce illiteracy among girls and women, not much has been done to cater for the disabled girls. Even though statistics on the total number of disabled children could not be obtained, more disabled girls are found in the home since they do not necessarily enrol in schools,





and the same applies for disabled boys. In Zimbabwe, many children with special educational needs begin their school careers later than their peers. This is due to the late identification of development problems/impairment or parents' ignorance of educational opportunities for disabled children.

The disabled girl-child needs special attention as she is in a more difficult situation than able-bodied girls. She suffers two kinds of discrimination – the one she shares with all other girls because of her sex and discrimination because of disability. There have been many reports of disabled girls being sexually abused, making them vulnerable to sexually transmitted diseases and HIV and AIDS.

### **Pregnant girls in school**

Zimbabweans received with mixed feelings the Ministry of Education, Sports and Culture's Policy Circular number 35 of 2001, which allows pregnant pupils to go back to school after delivery. Some parents are of the opinion that allowing the girls back to school after delivery could have a bad influence on other girls. The policy has been in place since 2001 and there are a lot of gaps in its implementation.

There is therefore need for sensitisation on the policy and the benefits it has, not only to girls but also to society as a whole. The policy on pregnant girls in schools is a step toward addressing the gender gaps in education in line with the Beijing Platform of Action that stresses the need to address inequalities and inadequacies in, and unequal access to, education and training, and persistent discrimination against and violation of the rights of the girl child.

### **DECISION-MAKING**

At the beginning of 2004, the farthest idea from the public per-

ception was a woman as the country's vice-president. In fact, given the low representation of women in political decision-making, and the prevailing sexism throughout all structures due to strongly ingrained patriarchal attitudes and values, a woman as vice-president could be tantamount to being a delusion of grandeur.

Yet, by the end of December 2004, Joyce Mujuru had been elected second vice-president and second secretary of the ruling ZANU-PF party. And in his closing remarks to the Fourth ZANU-PF National People's Congress, reported in *The Herald* newspaper, President Robert Mugabe tilted the stakes possibly higher by asking the Women's League: "But do you want her to remain in that position? When you choose a vice-president, you don't want her to remain in that position forever, do you?"

Debates on the significance of a woman vice-president and the ruling party's one-third quota for women to stand as parliamentary candidates in the 2005 elections, have been plentiful. Central questions raised in the discourse around this event have been whether this is a political tactic or a genuine reflection of the party's commitment to begin to consistently and systematically address the fundamentals of eradicating sexism and achieving gender justice.

The Movement for Democratic Change (MDC) also commits itself in its manifesto to "a minimum of 50 percent of all public sector positions being occupied by women." In the section of its manifesto entitled "Women and Youth," the MDC says: "the marginalisation of women in Zimbabwe and the failure to afford them equal rights is a scar on our society."<sup>42</sup>





**Representation of Female Candidates in the 2005 Parliamentary Elections** Table 10

Representation	Female parliamentary candidates	Successful female candidates
MDC	18	6
ZANU-PF	30	14
ZANU	8	0
Independent	2	0
<b>Total</b>	<b>58</b>	<b>20</b>

SOURCE Compiled by SARDC WIDSAA, 2005.

But the results of the March parliamentary 2005 elections show that the conservatism against gender equality among voters remains deeply rooted.

Zimbabwe signed the 1997 SADC Declaration on Gender and Development, which called for 30 percent women in decision-making positions by 2005. But the track record of government, civil society and private sector has been far from the promotion of equality.

The representation of women in the parliament, for example, is illustrative of the see saw that gender equality has been on since independence in 1980. In the first two parliaments after independence, women constituted fewer than 10 percent of the MPs. The third parliament (1990-1995) saw female representation increase to 14 percent, but this fell to 11 percent in the parliament of 2000-2005.

### Assessment of women candidates' participation in the 2005 parliamentary elections

Box 7

#### *Distribution of women candidates per political party*

There were 58 women candidates out of 272, translating to 21.3 percent.

- ♦ ZANU PF had 30 women out of 120 candidates (25 percent).
- ♦ MDC had 17 women out of 120 candidates (11.3 percent).
- ♦ All the 13 sitting women MPs were retained as candidates.
- ♦ ZANU Ndonga had 8 women out of 11 candidates, (72.7 percent).
- ♦ Independent women candidates were two out of 18 (11.1 percent).
- ♦ ZIYA fielded 2 candidates, no women.
- ♦ ZPDP fielded 1 candidate, no women.

#### *Assumptions*

- ♦ There were few women candidates to meet the SADC deadline of 30 percent.
- ♦ Political parties did not do enough to ensure women's increased candidature and ultimately their representation.
- ♦ Retaining sitting women MPs as candidates is a strategic means of increasing women's numbers in parliament, 11 of the 13 sitting women MPs won back their constituencies.

#### *Rural-urban divide*

- ♦ The constituencies in which women contested had an impact on whether they would win or not. MDC maintained urban support whilst ZANU PF maintained rural support.

#### *MDC*

- ♦ 13 contested in rural areas and 5 in urban areas.
- ♦ Of the 6 women who won in the MDC, 5 are in urban constituencies.
- ♦ The one woman who won in a rural constituency was contesting in Matebeleland rural.

#### *ZANU PF*

- ♦ 20 contested within rural constituencies and 10 in urban constituencies.
- ♦ Of the 14 who won all were in rural constituencies.
- ♦ Of the six who lost in rural constituencies, 5 were in Matebeleland and one in Manicaland.
- ♦ ZANU PF fell 10 women short of its 30 percent provincial quota for women candidates.
- ♦ Of the 10 in urban constituencies, 6 were in Harare, 3 in Bulawayo urban and 1 in Masvingo urban.

#### *Assumptions*

- ♦ If ZANU PF had fielded more in rural constituencies and MDC more in urban constituencies then more women would have won....
- ♦ If MDC had fielded more women in rural Matebeleland they would have had more women MPs.
- ♦ Political parties marginalised women in their stronghold constituencies and fielded them in areas where the party was unlikely to win.

#### *Who the women were contesting against*

It is important to analyse whom the women candidates were contesting against, how women fared against each other, and against men.



**continued...****Box 7***Distribution of women contesting each other and contesting men*

- ♦ 14 women contested against each other in seven constituencies and 44 contested against men.
- ♦ In the 7 constituencies, 2 of them also had a male as the third candidate.
- ♦ Of the 14 women contesting each other, 6 of them won, that is, women won in 6 of the 7 constituencies.
- ♦ 5 of the 6 women were from the MDC and 1 from ZANU PF.
- ♦ Of the 44 contesting men, 14 won.

*Assumptions*

- ♦ Women are better off contesting each other than men, because a woman is sure to win.
- ♦ At the same time if women contest each other, half of them will lose.
- ♦ Electorate prefers male to women candidates (or it had to do with the political party and constituency).
- ♦ *Do numbers matter?*
- ♦ There were 272 candidates, of whom 58 were women (21.33 percent).

*Assumptions*

- ♦ There were not enough women candidates to make a difference to the level of women's representation.

*Distribution of women candidates based on political experience*

- ♦ This analysis relates to women's win terms of whether they had contested in previous elections or had held parliamentary positions before.
- ♦ 21 of the women had been MPs in previous sessions of Parliament.
- ♦ 37 were new contestants.
- ♦ Of the 21 experienced MPs, 13 won.
- ♦ Of the 37 new contestants, 7 won.

*Assumptions*

- ♦ Political experience helps as far as women's representation is concerned.
- ♦ New women players are not readily acceptable by the electorate.

**SOURCE** Women in Politics Support Unit, An assessment of women candidates' participation in the 2005 parliamentary election, May 2005.

**Male and Female Representation in Cabinet in 2005** Table 11

Portfolio	Total	Male	Female
Cabinet Ministers	31	27	4
Deputy Ministers	20	19	1

**SOURCE** Compiled by SARDC WIDSAA, using information from Zimbabwe Cabinet, 2005.

The situation in other top governing structures looked no better;

- ♦ only four out of 25 ministers in the 2003 cabinet were women;
- ♦ only one woman among 12 deputy ministers; and,
- ♦ only three female chairpersons of parliamentary portfolio committees out of a total of 12.<sup>43</sup>

In the March 2005 elections, only 20 women made it into Parliament from the 120 constituencies. This is a slight increase up from 13 in the last Parliament. This figure falls far short of the SADC minimum target of 30 percent that member states, Zimbabwe included, pledged to achieve by 2005. According to the Women in Politics Support Unit (WIPSU), of the 20 women in Parliament, six are from the opposition MDC, while 14 are from ZANU-PF. There are nine new women MPs

from both parties, although MDC lost two women MPs who were in the last parliament.

The SADC Plan of Action on Women in Politics and Decision-making recognizes that the 30 percent target of women in politics and decision-making will not be achieved without direct intervention. The plan therefore requires SADC member states to adopt specific measures, including constitutional or legislated quotas, non-constituency seats over which heads of state have discretion, to achieve this objective.

The 2005 parliamentary elections in Zimbabwe are a testament to the need for more than "goodwill" to push women into political power. WIPSU's analysis of the elections shows that MDC fielded 18 women, but only six won; ZANU-PF fielded 30



women and 14 won; ZANU Ndonga fielded eight women and none won; and the two women who stood as independents did not win. As Table 10 indicates, out of the 58 women fielded as candidates in 2005, only 20 won.

Women fared no better in the new Cabinet. Only four women are ministers in a cabinet of 31, and of the 20 deputy ministers, only one is a woman, as indicated Table 11.

One stumbling block to higher representation of women in political decision-making and governance in Zimbabwe is the electoral system, the “First Past the Post” or constituency system, which is based on “the winner takes all”. This electoral system requires voters to cast their ballots for the party and the candidate who represents the party in a geographically defined constituency. Like many countries in southern Africa, Zimbabwe inherited this system from Britain and has not changed it.

Other countries, such as Namibia, South Africa, and Mozambique, use the Proportional Representation or “list system”, whereby citizens vote for parties that are allocated seats in parliament according to the percentage of votes they receive. Individual candidates get in depending on where they sit on the list.

Neither system is particularly advantageous to women who are disadvantaged from the start in politics by sexist and gender stereotypical attitudes.

So far, in several African countries where women are close to 30 percent or more in governance structures, this is due to a combination of political party commitment, the electoral system and quotas for women (voluntary party quotas or constitutional or legislative quotas).<sup>44</sup>

Zimbabwe’s ruling party in 2005 introduced a voluntary

party quota for women, which only works well if women are fielded in “safe seats,” *ie* constituencies where the party enjoys huge support and a clear win. But given the conservatism within the country to gender equality—the backlash to the voluntary quota from within the party itself is testimony to this—the voluntary quota can be reversed at any point in time and is not sustainable. A constitutional or legislative quota, which Tanzania employs, is far more effective in ensuring an upward trend in women’s advancement in governance structures.

The government’s review paper on how well it has implemented the action points of the African and Beijing Platforms for Action states that “the major challenge in ensuring the meaningful participation of women in public life and politics is how to institute an effective quota system, promoting violence-free election campaigns, changing perceptions about women in leadership, functional affirmative action policies in political parties and adopting the proportional representation system in electoral laws.”<sup>45</sup>

It is not clear to what extent Zimbabwe is willing to adopt some of these measures. One strategy that can be used by women activists is to begin advocacy work with political parties to gain the party commitment to setting quotas for the advancement of women as candidates, while at the same time working with citizens through campaigns that educate them on why women can be political leaders too.<sup>46</sup>

Some of the biggest challenges to more women moving into politics and governance structures, include “the societal perceptions that women should not be decision-makers, but only supporters of male political leaders”; women



lack the financial resources to mount successful political campaigns, especially given the environment where politicians have created “the culture of giving people things”; obstacles within the parties themselves; and the shunning of women candidates and politicians by the media which does not see women as newsworthy.”<sup>47</sup>

The Women In Politics Support Unit (WIPSU), which was established in 2000 and installed in 2001, carries out programmes to build the capacity of and provide technical support to women in political office; initiates campaigns and advocacy to increase women in national and local government; and runs a programme to link elected women and their women constituency. The organisation works with women in all political parties, as well as with the ministry responsible for gender.

WIPSU is studying countries that have achieved higher numbers of women in governance to see what strategies can be used in Zimbabwe.

“Now we need more long-term campaign processes like the 50/50 campaign,” Tsisti Matekaire, the WIPSU director, said.

In southern Africa, only South Africa and Namibia are involved in the 50/50 campaign initiated by US-based Women’s Environment and Development Organisation (WEDO) to bring gender parity in governance.

### **Women’s Parliamentary Caucus**

The fifth parliament 2000–2005 saw the establishment for the first time of the Women’s Parliamentary Caucus in October 2001. This came about following a realisation of the need for women parliamentarians to work together on gender issues across the political divide. The committee enjoys full parliamentary committee status, lobbied

**Women in Political Decision-making during the 5<sup>th</sup> Session of Parliament** Table 12

Position	Gender	1 <sup>st</sup> Sitting 07/00- 06/01	%	2 <sup>nd</sup> Sitting 07/01- 06/02	%	3 <sup>rd</sup> Sitting 06/02- 07/03	%	4 <sup>th</sup> Sitting 07/03- 06/04	%	5 <sup>th</sup> Sitting 07/04- 02/05	%
Speaker of Parliament	Women	0		0		0		0		0	
	Men	1		1		1		1		1	
Deputy Speaker	Women	1		1		1		1		1	
	Men	0		0		0		0		1	
Leader of the House	Women	0		0		0		0		0	
	Men	1		1		1		1		1	
Leader of Opposition	Women	0		0		0		0		0	
	Men	1		1		1		1		1	
Ministers	Women	3	14.3%	4	18.2%	4	16%	4	13.8%		
	Men	18	85.7%	18	81.8%	21	84%	25	86.2%		
Deputy Ministers	Women	1	12.5%	1	11.1%	1	8.3%	1	8.3%		
	Men	7	87.5%	8	88.9%	11	91.7%	11	91.7%		
Governors	Women	1	12.5%	1	12.5%	1	12.5%	1	10%		
	Men	7	87.5%	7	87.5%	7	87.5%	9	90%		
Chiefs	Women	0		0		0		0		0	
	Men	10	100%	10	100%	10	100%	10	100%	10	100%
Chief Whips	Women	0		0		0		0		0	
	Men	2	100%	2	100%	2	100%	2	100%	2	100%
Deputy Chief Whip	Women	1	50%	1	50%	1	50%	1	50%	1	50%
	Men	1	50%	1	50%	1	50%	1	50%	1	50%
Com. C/persons	Women	0		0		2	13.3%	1	6.7%		
	Men	15	100%	15	100%	13	86.7%	14	93.3%		
Total MPs	Women	15	10%	16	10.6%	16	10.6%	16	10.6%		
	Men	135	90%	134	89.4%	134	89.4%	134	89.4%		
Non-Constituency MPs	Women	2	6.7%	3	10%	3	10%	3	10%		
	Men	28	93.3%	27	90%	27	90%	27	90%		
Constituency MPs	Women	13	12.5%	13	12.5%	13	12.5%	13	12.5%		
	Men	117	97.5%	117	97.5%	117	97.5%	117	97.5%		
ZANU PF MPs	Women	8	8.8%	9	9.7%	9	9.7%	9	9.7%		
	Men	83	91.2%	84	90.3%	84	90.3%	84	90.3%		
MDC MPs	Women	7	12.3%	7	12.5%	7	12.7%	7	13.5%		
	Men	50	87.7%	49	87.5%	48	87.3%	45	85.5%		
ZANU Ndonga	Women	0		0		0		0			
	Men	1	100%	1	100%	1	100%	1	100%		

SOURCE: Women in Politics Support Unit: Taking up the Challenge: Advancing Women’s Involvement in Politics Annual Report 2003/4 p 14.

successfully for the appointment of women as portfolio committee chairpersons. Women in the Third session chaired the portfolio com-



**Employment in Administrative Positions in the Civil Service, November 2001** Table 13

Grade/Occupation	Male	Female	Total
Directors	28	1	29
Deputy Directors	57	16	73
Assistant Directors	10	2	12
Attorney General	1	-	1
Deputy Attorney General	1	-	1
Chief Justice	1	-	1
Judge President	2	-	2
Judges Supreme Court	4	1	5
Judges High Court	14	5	19
Ambassadors	18	3	21

SOURCE CSO/Salary Service Bureau Women and Men in Zimbabwe, Dec 2002.

### Why a Women Leadership and Governance Institute?

Box 8

Do female leaders result in gender-sensitive leadership? There is often an assumption that women in decision-making will automatically make gender sensitive decisions because of their sex. This is not so. Feminist leadership is to do with a political mindset rather than biological make-up.

The Women Leadership and Governance Institute was created out of the realization that, while there is already a dynamic and vibrant women's movement in Zimbabwe, there remains a gap on enhancing the capacities of women in decision-making.

Changes taking place globally call for a new way of planning development priorities and for changing the processes of managing this development. The assumptions that the existing systems are correct but are just not working well create obstacles to women's participation in decision-making and leadership positions.

In order for effective and positive development to take place it is important for women to access positions of decision-making and to build the capacities of those already in power to act as key players in mainstreaming gender perspectives in their respective institutions and organizations.

SOURCE Women in Governance and Leadership website <http://www.wlgi.org.zw>, 11 August 2004.

mittees on youth development, gender and employment creation, and public accounts respectively.

Women are still underrepresented in decision-making positions during parliament sessions as Table 12 illustrates.

### Women in the civil service

The situation of women in the private sector including boards and civil society organisations is similar to that of the public sector where few women occupy top decision-making positions. (see Table 13) Overall in Zimbabwe, 27 percent of decision-making positions (legislators, senior officials and managers) in 2001 were occupied by women.<sup>48</sup>

### MEDIA AND INFORMATION

Women's access to information, as well as expression and participation in and through the media, are fundamental rights that are central to engendering participation in any country's democratic processes.

The Constitution of Zimbabwe guarantees all citizens the freedom of expression, which the Supreme Court has ruled in several cases "is one of the most precious of all the freedoms and is a vitally important right and an indispensable condition for a free and democratic society."<sup>49</sup>

Freedom of expression, especially in the public domain, is premised on the belief that everyone in society has rights and entitlements by virtue of being citizens. The National Gender Policy, publicly released in 2003, also notes that access to information is critical to enable individuals and communities to make decisions about their lives.<sup>50</sup>

Zimbabwean women, however, are often unable to enjoy all of their rights and entitlements, including freedom of expression and access to information, because

of their unequal political, economic and social status, which continues to be underpinned by discrimination based on sex, patriarchal cultural norms and values, and gender biases and prejudices.

Women's access to information is dependent not only on the availability of and dissemination of information in languages and formats that help women to make informed decisions about all aspects of their lives, but on literacy levels.

According to data obtained in the 1997 Inter-Census Demographic Survey Report in Zimbabwe, women and girls in the age groups ranging from 15-59 record high rates of literacy. This is more than 50 percent for women in the 55-59 age group, whereas young women in the 15-19 age group have a literacy rate of 97 percent. Literacy rates begin to decline among women who are 60 plus, from 46 percent for women in the 60-64 age group to 25 percent for women 70 and above.<sup>52</sup> Elderly women, therefore, are less likely to be able to access information, which has been a characteristic of most of their adult lives.

There are also differentials by sex and geographical location in accessing different forms of mass media. Urban residents and men are more likely to have access to all forms of mass media than rural residents and women. According to the Central Statistics Office (CSO), a 1999 demographic survey showed that 66 percent of rural women and 13 percent of urban women reported having no access to any form of media, while 49 percent of rural males and five percent urban males had no access to any form of media.<sup>52</sup>

Women's access to information is dependent too, as stated above, on the production and dissemination of information that takes cognisance of the gendered power



**Percentage of Women and Men Who Read a Newspaper Weekly and Listen to the Radio Daily by Background Characteristics, Zimbabwe, 1999**

**Table 14**

Background characteristic	No mass media W	No mass media M	Reads a newspaper weekly W	Reads a newspaper weekly M	Watches television weekly W	Watches television weekly M	Listens to the radio daily W	Listens to the radio daily M	All 3 media W	All 3 media M	Number women	Number of men
<b>Age</b>												
15-19	43.8	39.7	32.1	30.0	33.1	35.0	42.8	46.8	17.2	16.9	1,447	713
20-24	40.5	29.9	32.4	46.6	34.0	42.6	46.9	56.0	17.2	27.0	1,294	506
25-29	42.0	21.6	28.2	59.7	32.1	49.7	47.1	64.9	16.0	37.0	1,034	430
30-34	40.1	19.0	29.6	54.0	38.4	44.9	49.5	64.1	18.3	29.5	668	281
35-39	52.4	28.8	16.8	41.1	28.6	40.6	38.7	58.8	10.9	25.5	637	220
40-44	59.5	28.4	15.2	39.8	23.0	41.5	30.8	53.5	7.5	20.3	466	178
45-49	56.6	32.7	15.8	39.1	21.7	40.0	35.1	58.4	9.1	27.8	361	177
50-54		42.3		29.6		33.8		46.7		15.1		104
<b>Residence</b>												
Urban	12.5	5.4	52.9	78.2	65.6	74.4	69.5	74.2	34.5	52.2	2,279	1,090
Rural	65.9	48.6	11.1	17.5	10.5	17.3	26.9	42.4	3.0	5.7	3,628	1,519
<b>Education</b>												
No education	79.4	61.8	0.4	2.9	6.1	18.4	17.0	30.9	0.0	2.9	396	66
Primary	61.4	50.1	9.1	16.0	16.3	22.3	31.0	40.8	3.3	7.7	2,377	830
Secondary	30.2	21.3	42.3	55.0	44.8	48.2	55.4	61.6	24.8	31.0	2,965	1,556
Higher	4.4	5.5	80.9	82.5	80.3	80.9	66.6	85.6	49.5	86.1	168	157
<b>All</b>	45.3	30.5	27.2	42.9	31.8	41.2	43.3	55.7	15.2	25.2	5,907	2,609

SOURCE: CSO (Zimbabwe) and Macro International Inc (2000), Zimbabwe Demographic and Health Survey, 1999 in 'Women and Men in Zimbabwe', CSO, December 2002, p 75, 76.

relations between women and men, girls and boys, as well as the unequal status of the sexes. Providing information alone is not enough, when women and girls are unable to act on what they know. For example, information on how to prevent HIV infection must go further than just promoting the use of a condom, by providing an understanding of the fact that women and girls often do not have control of their sexuality and are often unable to negotiate safer sex. What can be done in light of this is equally as important as the information on how to prevent the spread of infection.

The media has a role to play in challenging all forms of discrimination if it is to truly be a champion of a democratic society based on the respect of and enforcement of human rights for everyone regardless of race, sex, religion, ethnicity, etc. A media that only champions rights and

entitlements for a few through gender-blind reporting perpetuates sexism. Gender-blind reporting fails to take account of the different locations of men and women in society, of the different reactions they may have and of the different impacts policies and laws have on women and men because of their different locations in society.

Without information about all, women, men, and their contribution to national development, society is handicapped in formulating policies and programmes that are truly reflective of the whole.<sup>35</sup> The media therefore plays a key role in the dissemination of information to the public, and also can choose to be a perpetuator of the status quo or a responsible catalyst for change by highlighting all forms of discrimination and rights violations against citizens, inclusive of sex and gender discrimination.



**Good woman, bad woman syndrome** Box 9

"What do you do when you find your 41-year-old mother in bed with a lover while your father is away? You team up, beat up the mother and detain the lover for two days of course!"

This introduction to an article, which appeared in the *Sunday Mail* of 31 October 2004, illustrates one of the extreme ways that the media decides on how and when women should make news. This was the lead story on the Metro pages of the newspaper, with a headline, which read: "Sons beat up adulterous mum...detain lover for two days."

The strong message emanating from the slant of the headline and introductory paragraph to this story is that the violence meted out by the woman's sons upon her was "justified", because she stepped out of the boundaries of being "a good woman", "good wife" and "good mother." The detail of her age in the introduction also suggests that "she should have known better."

The tone and perspective of the article serves to pass judgment on the woman as well as covertly sending a message to other women that one's private life is always up for inspection when it runs contrary to society's notions of "what good women and mothers should do." Media objectivity is a myth.

The age of the growth in Information and Communications Technologies (ICTs) brought what originally was seen as an opportunity to improve women's access to information. But the lack of a national ICT policy or strategy in Zimbabwe that addresses the penetration of ICT for disadvantaged segments of the population, especially women and girls in the rural areas where infrastructure is poorly linked and spread unevenly, means that a large proportion of the country's women and girls have no access to the technologies.

**Media challenges since 1998**

Zimbabwe's media continues to face a number of challenges which include, among others, a stringent media legal environment, a small pool of trained journalists and editors to meet the information challenges and media needs of the population, a polarized media which falls into the camps of "state" or "government-supported" media versus "opposition media" which masquerades as "independent media" and a decline in quality journalistic training.

The functioning and growth of the media in Zimbabwe is hampered by the Public Order and Security Act (POSA), which replaced the Law and Order Maintenance Act. Several women journalists, editors and media lawyers<sup>54</sup> such as Gugulethu Moyo, Nqobile Nyathi<sup>55</sup> among others were detained through the use of POSA and the 2002 Access to Information and Protection of Privacy Bill, which requires journalists to be accredited and to behave responsibly. This accreditation can be revoked if journalists write false or defamatory articles, and they can be fined or imprisoned. This Act also put in place a statutory media council to regulate the media's operations and a

media commission, which issues accreditation to journalists and licenses to media proprietors, as is the case in many other countries.

The 2001 Broadcasting Act, while paving the way for private broadcasters also gives the responsible minister the powers to close or take over a station without giving reasons and no foreign investment is allowed for applying for the licenses which last for only one year.<sup>56</sup>

Zimbabwe has some 13 daily and weeklies (inclusive of Sunday papers), the national broadcaster, several community newspapers, a national news agency, as well as international news agency offices (Reuters, Agence France Presse). Radio Dialogue FM also operates from Bulawayo in the southern part of the country.

Another challenge for Zimbabwe's media is to comply with Section J of the 1995 Beijing Platform for Action, which cites media as one of the "Critical Areas of Concern." The voices and perspectives that dominate in the country's media are predominantly male, especially those in positions of prominence and formal authority.

Gender biases and prejudices continue to be determinants of how women and men are portrayed in the media. These biases and prejudices also give rise to the perpetuation of sexism in editorial content. The media in Zimbabwe also continues to struggle with the difference between "women making news" and providing wider access to women's voices in all areas of coverage, as well as covering issues from a gender perspective.

An example of the "women making news" was a supplement, which appeared in *The Standard* on 7 March 2004, under the header of "Women Make The News 2004 UNESCO Initiative". This two-page supplement, to mark



## Zimbabwe GMBS findings

## Box 10

**Women's views and voices were grossly under-represented in the media.** Women constituted only 15 percent of the news sources in the media monitored in the study, excluding unknown sources. There was no significant difference between private and public (state-controlled or national media) with regard to giving women a voice proportionate to their numbers in the population.

**White men were accessed more than black women.** Despite representing 0.05 percent of the population, white men were accessed more by all the media during the period monitored than black women who constitute more than 50 percent of the population.

**Older women were virtually invisible.** Women who were accessed more by the media were younger than 34 years in both the electronic and print media.

**Women carried their private identity more than men.** Women (four percent) were more likely to be identified as a wife, daughter, or mother than a man (one percent) was likely to be identified as a husband, son, or father.

**Women in certain occupational categories were silent.** The only occupational categories in which female views dominated were as beauty contestants and homemakers. Male voices predominated even in agriculture, where women perform most of the work.

**Women politicians are not heard relative to their strength in Parliament.** At the time of the study, women constituted 11 percent of the members of Parliament and 16 percent of the government ministers. Yet, women constituted only five percent of the sources in the politician category.

**Gender equality is hardly newsworthy.** Sports (23 percent) and economics and politics (28 percent) dominated the news. Gender specific news items accounted for a mere two percent of the total, and gender violence accounted for only one percent of the topics covered by the Zimbabwean media during the monitoring period.

**Men's voices dominated in all hard news categories.** Women constituted less than 10 percent of news sources in economics, politics and sports categories. As noted by Zimbabwe's Central Statistics Office in its pioneering 2002 statistical report, *Women and Men in Zimbabwe*: "The lack of women's voices and perspectives on issues of politics and economics, as well as other developmental issues, gives the mistaken impression that women have no opinions or are not affected by the issues."

**The only topic on which women's voices outnumbered men's was on gender equality.** Forty-nine percent of the sources on gender equality issues were female compared to 43 percent male, but more men (56 percent) than women (32 percent) spoke on gender violence in the media.

SOURCE Zimbabwe Report – Gender and Media Baseline Study: Women and Men Make the News, March 2003, Media Institute of Southern Africa and Gender Links.

International Women's Day on 8 March, featured articles on rape, the need for reform in marriage laws, the absence of women's voices in the media, and approaches needed to protect the rights of girls, along with poems and a short story.

While the initiative was commendable, this compartmentalization of women's voices and news to two pages at certain times of the year diminishes the newsworthiness of the same issues which should be of value 365 days a year as part of the media's daily agenda.

### The Gender and Media Baseline Zimbabwe

Zimbabwe was among the 11 countries monitored in 2002 dur-

ing the first southern African comprehensive study to look at how women and men make news. Nine media outlets were monitored for one month during the Gender and Media Baseline Study (GMBS), the most comprehensive study done to date on gender in the media. These were: three dailies (*The Herald*, *Daily News*, *The Chronicle*); four weeklies (*The Independent*, *Financial Gazette*, *Sunday Mirror* and the *Sunday Mail*); three radio news broadcasts on the state Zimbabwe Broadcasting Corporation (ZBC) and the prime time news and morning news programme (AM Zimbabwe) of the state television ZBC.

**Zimbabwe Broadcasting Corporation Personnel by Designation and Sex, 21 November 2001** Table 15

Designation	Male	Female	Total
Director	2	0	2
Executive secretary	0	5	5
Personnel officer	1	0	1
Public relations officer	1	0	1
Technical director	2	0	2
Bureau chief	3	0	3
Editor in chief	1	0	1
Chief producer	1	0	1
Chief reporter	1	0	1
Business reporter	0	1	1
Reporter	14	6	20
Sports editor	1	0	1
Film editor	1	0	1

SOURCE Women and Men in Zimbabwe, Central Statistics Office, December 2002.

**ZimPapers Editorial Employees by Designation, 31 March 2002** Table 16

Designation	Male	Female	Total
Executive editor	1	0	1
Deputy editor	2	0	2
Senior assistant editor	3	0	3
Assistant editor	3	0	3
Editors	6	0	6
News editors	6	0	6
Bureau chief	1	0	1
Political editor	2	0	2
Sports editor	3	0	3
Leisure editor	2	0	2
Entertainment editor	1	0	1
Business editor	1	1	2
Deputy sports editor	3	0	3
Deputy news editor	2	0	2

SOURCE Women and Men in Zimbabwe, Central Statistics Office, December 2002.

This study focused solely on news and did not include entertainment programming and advertising. In the case of radio and television, the study did not cover news features or current affairs programmes. Box 10 lists the key findings of the GMBS.

### The people behind the news

The Zimbabwe GMBS, as well as other studies, show that the media continues to be a male domain.

The majority of the reporters (those who gather and initially shape the stories) in print and broadcast media are men, and more importantly, those in positions of power and decision-making, who are able to decide what will be on the media's agenda and what moves through the media's gates to the public, are also predominantly men.

### Information and Communication Technologies (ICTs)

In 2000, the ZWRN established an internet café to provide email and Internet skills to women and

girls who would otherwise be unable to access the technology.

ZWRN's project became the first initiative dedicated to training women locally to learn how to use the internet and email to communicate, search for the information they needed and enjoy the benefits of being part of a global on-line community. The training was conducted in a gender friendly environment on use of communication technologies. The environment made the women feel more confident in themselves and in the use of technology and they get inspired to use the skills to communicate with friends and contacts across the globe.

The patronage of the café has increased threefold since its establishment, and provided women and girls with an alternative space to voice their concerns on national issues.

In its training, ZWRN emphasised the great potential of Information and Communication Technologies (ICTs) to empower communities. ICTs in general

### Internet with a difference—getting women hooked up

Box 11

Until three weeks ago Taurisai Matanda had only a vague idea about what an e-mail was.

She knew from the way her children spoke that it involved receiving and sending messages to and from their friends by using a computer that was connected to computers in other parts of the world through a network of telephone lines.

The 51-year-old mother of four had heard her children talk about the different kinds of Internet cafés in the city centre and how this one was better than the others because of the hours it remained open, its reasonable rates and the speed of its computers.

In their conversations, her children frequently referred to a certain café in Harare's Fife Avenue area, not too far from where the family lived, which offered e-mail and Internet training sessions to women who wanted to learn how to use the new communication tools. Curious to see for herself this Internet and e-mail that her children marvelled on so much, she went to the café and asked for the basics.

"I was surprised about how simple it was. I had always looked at computers and e-mail as a very complicated thing but it wasn't difficult to learn," says Taurisai. "It is just like having a conversation with someone on the phone." The first step is always the most important and I am quite excited that I am catching up with technology to some extent."

In the beginning, women are generally afraid and not sure about how to use computers and e-mail. This is because they have for many years been at a disadvantage, unable to afford or use the technology that is now there. The one-day training sessions are empowering as they give women the confidence to use the Internet to do their own research, to keep in touch with friends and family in other parts of the world and to quickly discover new things for themselves.

Women's needs and concerns around accessing, using and defining the nature of computer-based technologies need to inform the development of such a strategy.

SOURCE [www.zwrcn.org.zw](http://www.zwrcn.org.zw), 2002

offer great potential in reducing poverty, improving gender equality and improving governance issues, if it is made accessible.

The Centre's vision is to expand and reach the urban poor women and girls, the illiterate and rural populations who have been sidelined in the technology revolution.

The use of ICTs provides an opportunity for women and girls in Zimbabwe to rewrite their histories by disseminating their own views in their own words and images. The relatively free nature of the Internet allows organizations, students, communities, and individuals to participate in the international public sphere.

The Centre has been repackaging information from the Internet and sharing it with constituents who do not have access to ICTs in the rural areas.

The Internet café has the potential to grow and extend to the rural areas through the telecentre concept, which either uses existing institutions such as schools, and District Council offices, or establish stand-alone structures.

Due to a number of challenges, the ZRWCN has shelved its Internet café. Illiteracy and language barriers of the content in the technology are some of the challenges.

### Gender and media activism

Several organizations in Zimbabwe have banded together to develop and implement actions to engender the media. The Gender and Media Zimbabwe (GEMZi) network is a partnership between MISA-Zimbabwe, FAMWZ, the Federation of African Media Women Southern Africa (FAMSA), the Media Monitoring Project of Zimbabwe (MMPZ) and the ZRWCN.

Using the National Action Plan developed in a workshop in

### Radio listening clubs

Box 12

Federation of African Media Women – Zimbabwe (FAMWZ) established 50 Radio Listening Clubs (RLC) in Matebeleland and Mashonaland regions.

Two Development Through Radio (DTR) Coordinators, one for Mashonaland and another for Matebeleland, were responsible for consolidating the existing Radio Listeners Clubs.

Through the DTR programmes, women have been empowered through the information dissemination process to become critical participants in the democratic processes around them as well as transforming societal perspectives about women.

The project also facilitated the participation of women in local economic and income-generating projects owned by women and women in decision-making positions.

In this respect, there was a deliberate aim at making women agents of change for their own benefit.

Women's empowerment in the area of governance and decision-making was indicated by the topics that the Radio Listening Clubs discussed and the depth and understanding of the issues at hand.

FAMWZ used ZBC's Radio 4, now National FM studios to broadcast the recorded programmes.

SOURCE Excerpt from <http://www.famwz.org.zw/dtr.asp>.

2002 on the GMBS findings, the organizations are employing strategies of gender training, media monitoring, research and policy development and media advocacy to tackle gender prejudices and biases which give rise to the under-representation and stereotypical representations of women and men in the media.

### MECHANISMS

Two signs of whether Zimbabwe has made sustainable gains in the struggle towards achieving gender justice are the status of the public institutional mechanism/s for the advancement of women and the strength of the women's movement as the mobilising force for accountability and change.

### Institutions

The institutional mechanism is reflective of political commitment to gender equality, while the women's movement is key to galvanizing a strong lobbying force for ensuring that government remains accountable to all of the international frameworks signed to guarantee women's equal rights and gender justice.

The state and the women's movement in some respects now

### We have reached a crossroads - Amy Tsanga

Box 13

"We are really at the crossroads, because we really need to re-think our strategies," says Dr Amy Tsanga of the Women's Law Institute at the University of Zimbabwe.

"It would be wrong to lull ourselves into a false sense of security that we have made any gains since 2000. I think that other than a few legislative gains, which in any case preceded 2000, the biggest shock is realising that despite the legislative framework, which in a lot of respects has been enabling, just how little has changed in terms of attitudes.

"And, just when you think you are making progress, you realise how easy it is for those gains to be reversed."



## Professionalisation of the women's movement Box 14

Professor Rudo Gaidzanwa of the University of Zimbabwe's sociology department, points to what she terms the "professionalisation of the women's movement" as a major reason for the "regression" in moves towards gender equality.

"The women's movement has just become another niche for women regardless of their capacity or beliefs; it's just another way of earning money. So, this has taken away the thrust. It has also taken away the feeling, the passion, and the conviction about the necessity to do certain things," she said.

"So, what it (the women's movement) does now is to speak to the same old things, as long as they can be funded. It doesn't really create new ways of looking at things and of lobby and engagement with the state, with donors or even with women themselves.

"I think a lot of women moved on, because they found less and less that was useful in the women's movement – the official or audible and visible parts of the women's movement – and I think that the young women do not find it very useful.

The issues are old and tackled in old ways, and the challenges are very new, because the advancement of women occurred at first under conditions of relative prosperity.

In that women's movement, we had a movement that had developed under those conditions, but now when the conditions have shifted, the women's movement is unable to shift its priorities, its issues and its methods of engaging women; it has just stayed stuck in the same old ways," Professor Gaidzanwa said.

SOURCE Rudo Gaidzanwa of the University of Zimbabwe, 2005

stand at odds with each other, and engagement on either side is often not looked upon with favour. But ironically, 2005 also marks a watershed whereby both the national machinery for gender and the women's movement appear to mirror each other, with each showing the scars of the fight for gender equality during the last 10 years.

Both have fallen into a malaise whose symptoms are characterised by a loss of direction, loss of commitment, a gender equality framework that is neither well-defined nor well-articulated, and a dearth of human and financial resources.

### The women's movement

In the 1998 *Beyond Inequalities, Women in Zimbabwe* profile, one recommendation, in the final section on "The Way Forward", read: "Contribute to organisational capacity-building in the women's movement because such a cohesive body does not exist. Women, however, have recognised the urgent need to work at this."<sup>57</sup>

The Women's Coalition, a loose network of women activists, researchers, academics, and representatives of women's and other human rights organisations, was launched in June 1999, as a result of the marginalisation of women and their concerns in the two processes for constitutional reform – those led by the National Constitutional Assembly (NCA) and the Constitutional Commission (CC). The coalition is also intended as a platform where political, religious, economic, and other spectrums can come together and create a united voice.

But there is a general belief that the women's movement has become weaker, and not stronger.

The weakening of the women's movement, however, is not peculiar to Zimbabwe. In fact, the Africa

review for the Beijing+10 processes highlights the weakening of the women's movement continent-wide as an area of concern.

The Zimbabwe women's movement failed to gain strength for a variety of reasons, and now women have reached a pivotal fork in the road.

Whether there is a women's movement in Zimbabwe underpinned by a common ideological base that guides its fight for gender equality, appears to be debatable. What is clear is that there are several non-governmental organizations focused on changing the status of women using "women's rights are human rights" as their *modus operandi*. The gender discourse used by these groups has been adopted largely from the gender and development approach.

The movement's collective or individual NGOs influence in terms of pushing for legislative reforms in the areas of sexual offences, domestic violence, inheritance rights, and for more women to have access to land and to the halls of political power, among others, have tended to follow the line of "make room in", rather than "change" the structures, norms and systems that perpetuate discrimination against women.

The women's movement also became a pawn in the partisan politics that developed in Zimbabwe. The women's movement, as well as civil society, became polarised in a nationalistic, male-dominated power struggle that closed the space for any voices critical of the narrowly defined "either you are with us or you are against us" conservative politics that emerged in the guise of a neo-liberalist push for human rights, good governance and the rule of law.

These tenets bantered literally by politicians with leanings right, left and centre were more exclusive than inclusive in determining





what “struggles” were a priority. In this dispensation, “gender is a luxury” became a mantra.

“Along the way in the raw of power politics that emerged during the last five years or so, the women’s movement lost its way. It should have stuck to its mandate of gender equality which too is about occupying a certain political space where women have to push for equality from all parties,” said Joyce Kazembe, a political scientist with the Southern Africa Political and Economic Series (SAPES) Trust.

“Women have now found themselves divided. Their numbers are low in the decision-making echelons of both parties. And women have been exploited to the extent that they could not take advantage of the fluid situation to make demands,” Kazembe added.<sup>38</sup>

“Right now, the women’s movement is not being strategic. We need to read the playing field and use the playing field,” said Luta Shaba, head of the Women’s Leadership and Governance Institute in Zimbabwe.

While the women’s movement, through the activism of various NGOs, has had influence in the development of policies such as the Sexual Offences Act, the draft Domestic Violence Bill, and pushes to engender the national budget, women analysts say the time has come to stop, re-think and re-strategise to build a stronger base.

“The questioning has begun,” said Shaba, explaining that there is discussion within the Women’s Coalition and beyond, to re-organise and give the women’s movement the momentum to get back on track.

### LEGAL AND POLICY REFORM

Like the majority of African countries, the government of Zimbabwe

has signed, but not ratified, the Optional Protocol on Women’s Rights to the Africa Charter on Peoples and Human Rights.

The country continues to use a dual legal framework for addressing women’s rights, which is tantamount to one hand taking away what the other one gives. In other words, sexism is upheld by the Constitution and the semi-progressive legislation passed since 1996, which addresses certain aspects of women’s rights as human rights, still brings women no closer to being recognized as equal citizens under the law.

Explaining the legal challenge presented to women’s rights by Section 23 of the country’s supreme law, Justice Elizabeth Gwaunza, Judge of Appeal in the Supreme Court of Zimbabwe says the Constitution has to be amended to absolutely ensure women’s equality. She added however, that because the Constitution is the supreme law of the country, amending it is more difficult than amending an Act.

Section 23 of the Constitution prohibits discrimination based on race, tribe, place of origin, political opinion, colour, creed or gender. It also provides that no law shall make any provision that is discriminatory in itself or in its effect and that no person shall be treated in a discriminatory manner by any written law or in the performance of the functions of any public office or public authority.

The weakness however is that these provisions only outlaw discrimination by public institutions or authorities and not by private individuals or institutions.

Also, Section 23 (2) excludes age and sex, which in terms of children, clearly permits discrimination of children based on age and sex. One example of such discrimination is the continued existence of

### Remedy to the duality of the law

Box 15

Dr Amy Tsanga of the Women’s Law Institute at the University of Zimbabwe believes that one way to remedy the duality of the law in terms of discrimination against women is to harmonise customary practices with the Bill of Rights.

“A lot of the oppression against women emanates more from the cultural practices that people relate to on a day-to-day basis. And therefore, to the extent that the Constitution takes a very strong stance against the perpetuation of cultural practices that oppress other people, for me I think that is a step forward. We also need to take action to develop customary law so that it is in harmony with whatever basic human right principles we might want to adhere to in the Zimbabwean context,” Dr. Tsanga said.

She added, “the protection of customary law from the non-discriminatory clause does create problems, in the sense that because the Constitution is the highest law of the land, already it chooses that it’s okay to exclude certain areas from discrimination. But at the same time, I think even though we have this constitutional impediment, if we look at the legislation that has been passed in the area of women’s rights, in a lot of respects, it has watered down the protectionism that you find being accorded to customary law in the Constitution.”

SOURCE Interview with Dr. Amy Tsanga of the Women’s Law Institute at the University of Zimbabwe, 2004.

**Constitutional review Box 16**

A 400-member Commission of Inquiry into the Constitution was approved by the President in 1999. Some 22 percent of the Commissioners were women, most of whom were appointed in their individual capacities.

It is estimated that the Commission held over 5,000 meetings all over Zimbabwe to solicit public views, and a draft Constitution was developed. This draft Constitution included major improvements in the rights of women. For example, it included a Chapter 2 on Fundamental Constitutional Principles and National Objectives (p604) where Article 21 called for gender balance and fair representation of marginalised groups as follows:

- ♦ The State must ensure gender balance and a fair representation of marginalised groups on all constitutional and other Governmental bodies.
- ♦ The State must promote full participation of women in all spheres of Zimbabwean society on the basis of equality with men.
- ♦ The State must take all practical measures to ensure that women have access to land and other resources on the basis of equality with men. And, it contained a stronger anti-discrimination clause.

When put to a national referendum in February 2000, the proposed new constitution was rejected with the vote being 578,000 in its favour and 697,754 against. This was against a background of low Voter turnout of 20 percent, and objections to other areas within the Constitution, which led to its total rejection.

SOURCE Constitution Commission of Inquiry into the Establishment of a New Democratic Constitution, Constitutional Commission of Zimbabwe, Vol 1.

the different minimum ages for marriage for boys and girls. The Marriage Act under section 22 provides a minimum age of 18 for boys and 16 for girls.

For women, the incorporation of gender as a prohibited ground for discrimination was added by Amendment No. 14 of 1996. But again, it is argued by legal experts that both sex and gender need to be core elements of the non-discriminatory clause, as well as of shoots of these two concepts such as pregnancy, marital status and culture.

The same section of the Constitution, Section 23 (3) however, lists grounds under customary law that are seen not in contravention of the non-discriminatory clause. These include customary laws relating to

- (a) adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law;
- (b) the application of customary law between Africans and a non-African if the parties have agreed; and
- (f) laws which accord rights and privileges relating to communal land to tribes people, to the exclusion of others.

The recognition of the operation of general law alongside customary law is endorsed by section 89 of the Constitution. The protection of customary law in the areas of personal law as stipulated in section 23 (a) (b) and (f) is discriminatory, especially against women in a society where patriarchy and patrilineal systems are dominant.

The primary measures taken to ameliorate the impact of Section 23 (3) have been the enactment of statutes such as

- ♦ the Legal Age of Majority Act of 1982 (now section 15 of the General Laws Amendment Act), which accorded majority

status to everyone at the age of 18; and

- ♦ the Administration of Estates Amendment Act Chapter 6:07 in 1997 which in terms of inheritance makes the surviving spouse and children the primary beneficiaries in a deceased person's estate.

But it is widely acknowledged that Section 23 (3) of the Constitution itself must be amended to effectively prohibit discrimination against women, and it must be replaced with a more comprehensive clause that protects women from discrimination in all spheres. For example, as long as this section remains as it is, the Courts can still pass judgements such as the retrogressive ruling in 1998 in the *Magaya vs Magaya* case, where the Supreme Court held that, notwithstanding the Legal Age of Majority Act granting women legal capacity, this did not mean that they had now acquired rights they had traditionally been denied under customary law.<sup>59</sup>

The Administration of Estates Act of 1997, passed after the events on which the *Magaya* case was based took place, has changed this position in relation to inheritance specifically but only, for deaths that occurred after 1 November 1997. Under this law, surviving spouses and children are the major beneficiaries. In another 1999 Supreme Court case, *Mahlangu vs Khumalo*, the court ruled that Section 23 of the Constitution still exempted African customary law from the principles of non-discrimination, and other legislation still discriminates on gender grounds.

### Women's rights

Laws that will enable the protection of women do not yet support the objectives of the national gender policy. The necessary political



will and sufficient state budgetary allocations to the relevant ministries are required if Zimbabwe is to achieve equal rights for women in social, economic and political spheres.

In addition, the rights of Zimbabwean women are still largely accorded to them within the confines of customary law.

### Marriage laws

Zimbabwe has two marriage laws:

- ♦ the Marriages Act [Chapter 5:11]; and
- ♦ the Customary Marriages Act [Chapter 5:07]. Due to the dual system of customary and general law used in the country, these types of marriages have been given different status by the law with negative consequences on women's rights.

In addition, there is an Unregistered Customary Law Union, which is only valid for purposes of guardianship, custody, access and inheritance rights under customary law. This is in terms of Section 3 of the Customary Marriages Act. A woman in an unregistered customary law union is entitled to maintenance also.

The Marriages Act [Chapter 5:11] discriminates against women in the sense that it sets different age limits for marriage between females and males. Under this legislation, a man may marry at the minimum age of 18 while a woman may marry at the minimum age of 16.

This makes the girl child vulnerable to early marriages, early pregnancies, and premature motherhood. Furthermore, the assumption in this legislation that girls attain maturity at an earlier age than boys is patently wrong and discriminatory based on sex.

### The judiciary

A legal scholar and lawyer, Dr Amy Tsanga points to the need to

“modernize” the judiciary to ensure that judicial judgements uphold women's rights and do not allow the law to perpetuate sexism under the guise of customary practices.

Steps in this direction have begun. In 2002, Zimbabwe became one of the countries in Africa involved in the Jurisprudence of Equality Project, which is an initiative of the International Association of Women Judges.

Through this project, judges provide training to their peers on how to take a gender approach in their work, and make them aware of the international conventions (such as CEDAW) and regional declarations as regards the rights of women and how to use these when the national law is not adequate.

One example of how judges' knowledge of international human rights instruments can be effective in court rulings is the case, *Fredrick Mwenye vs Textile Investment Company LRT/MT/11/2001*, in which the finding of sexual harassment was made taking into account international instruments such as CEDAW. In this case, the Labour Court recognized sexual harassment as conduct which undermined an individual's right to freedom of association in the workplace.<sup>60</sup>

This ruling, using CEDAW, is significant in that it came before the Labour Act was amended in 2002 to address more concretely sexual harassment in the workplace.

### Sexual harassment

Section 8 of The Labour Act as amended by the Labour Relations Amendment Act 17/2002 deals with sexual harassment. Section 8 of the principal Act lists certain acts and omissions referred to as “unfair labour practices,” which may render an employer liable

### Promoting a gender-sensitive judiciary Box 17

The Zimbabwe Women Lawyers Association (ZWLA), comprised of women lawyers from the private, public and non-governmental sectors, in collaboration with the Association of Magistrates, has led 11 workshops for magistrates and court clerks throughout the country to sensitise them, establish a referral system between ZWLA and court officials and come up with recommendations to facilitate the creation of a gender-sensitive and user-friendly court system. Some 100 magistrates and 109 clerks have been trained.

SOURCE Promoting a Gender Sensitive Judiciary, Consolidated Workshop Report, 2002-2003, compiled by Catherine C. Makoni.

for civil remedies provided under the Act against such practices and sexual harassment has been added to this list.

Prior to this amendment, sexual harassment was not clearly stated in the Zimbabwean Constitution as a form of discrimination. And while the amendment is seen as a huge step forward, the reference to the offence as an “unfair labour practice” is still viewed as not enough.

The Amendment Act deems as an unfair labour practice, the demand by an employer or any other person for sexual favours from an employee or prospective employee as a condition of recruitment for employment, creation, classification or abolition of jobs or posts, the improvement of the remuneration or other conditions of employment of the employee, the choice of persons for jobs or posts, training advancement apprenticeships, transfer, promotion or retrenchment, the provisions of facilities related to or connected with employment or any other matter related to employment.

The Amendment follows the sexual harassment guidelines of the ILO Recommendation 19 of 1992.

The Amendment Act also treats as unfair labour practice unwelcome sexually determined behaviour, which is verbal or otherwise, including the display of pornographic material in the workplace.

### **Sexual offences**

Another significant piece of legislation since 2000 is the Sexual Offences Act {Chapter 9:21} passed in 2001. This Act aims to protect young persons and persons with disabilities from sexual exploitation, combat commercial sex work, punish the deliberate transmission of HIV, provide for the compulsory

HIV and AIDS testing of sexual offenders, and to remove discriminatory aspects against women.

The Act deals with:

- ♦ Extra-marital sexual intercourse with young persons and severely intellectually handicapped persons;
- ♦ Non-consensual sexual acts;
- ♦ Suppression of prostitution; and,
- ♦ Prevention of the spread of HIV.

It should be noted that the Act does not use the term “commercial sex work”, and uses the term prostitution, which is a term loaded with value judgements against women. The Act however, does recognize the role of women and men in commercial sex work in that it does not only penalize the “seller” of sex, and it recognizes that there are both male and female commercial sex workers.

For example, “brothel” is defined in the Act to “mean any place which is occupied or used for purposes of prostitution or for persons to visit for the purpose of having extra-marital sexual intercourse for money or reward.”

“Prostitute” is defined in the Act as a “person who for money or reward

- habitually allows other persons to have extra-marital sexual intercourse with him or her; or
- solicits other persons to have extra-marital sexual intercourse with him or her.

Interestingly though, when referring to the “owner” or “manager” of a brothel, the language is no longer gender-neutral and consistently refers to “he” implying that only men are owners and managers of brothels. Throughout the Act, the language vacillates between gender-neutral language and language that connotes the “masculine.”

The strengths and weaknesses of the Act as analysed by children’s





and women's rights researchers, activists, legal experts, include the following, among others.

The provisions seek to strongly discourage the exploitation of women and young girls, but the use of penal provisions leads to repression and censorship through the use of measures that are not always in consonance with human rights standards. The preferred approach would be legislation that regulates rather than penalizes commercial sex work, and which keep the practice from operating from underground.

The concept of marriage is not clearly defined in the Act, especially as regards to customary laws relating to marriage, which still hold considerable sway over public practice in Zimbabwe.

The word extra-marital in the definition of prostitute implies that only people who are married engage in prostitution. The definition needs to show that individuals of same or different sexes who are married or single can engage in prostitution.

The Act is silent on reparation (restorative justice) for survivors and rehabilitation of offenders, as well as rehabilitative programmes for juvenile sex offenders.

On disability, the Act only refers to intellectual disability and excludes other forms of disability.

### Transmission of HIV

The Act penalizes the deliberate transmission of HIV, which is regarded as a positive development.

But on the other hand, the requirement to prove prior knowledge of one's HIV status is problematic because women are more likely to be tested and informed of their HIV status when they go for antenatal and healthcare services. They are put in the position under the terms of this clause of both informing their

husbands and facing repudiation, rejection, desertion or being subjected to gender violence. If they do not inform them, they will be acting criminally. If the woman is repudiated, the man is likely to take another younger and "clean" wife. Evidence suggests that women are infected by their husbands and partners, therefore the clause would be grossly unfair to women and lead to further transmission of HIV.

Men do not have the same social and economic constraints affecting their wives and partners, and therefore women are *de facto* more at risk of suffering penalties under this clause which makes the clause of "deliberate transmission" discriminatory against women.

The Women's Action Group (WAG) recommends in its analysis of the Act that the requirement for actual knowledge be removed and be replaced with having or ought to have knowledge of his/her sero status at the time of transmission.

### GENDER-BASED VIOLENCE

Zimbabwe still has not put in place a law to curb the rising incidences of violence against women and girls within the domestic sphere. The unequal power relations between women and men underpin gender-based violence, and the eradication of violence against women is seen worldwide as critical to the achievement of full equality for women.

Domestic violence has become a cause for serious concern. Statistics from the Musasa Project, an NGO that advocates for the eradication of violence against women, indicate that visitors to its Harare Office rose from 2,192 in 2000 to 4,416 in 2003, and in the first five months of 2004, 1,607 women were assisted. As a result of the increasing levels of violence

### Rise in incidence of rape Box 18

According to the Central Statistics Office (CSO) 2001, *Quarterly Digest of Statistics*, June 2001, the number of reported cases of rape since 1995 is on the increase. In 1997, for example, when the Addendum was adopted, the number of rape cases reported was 3,651. In 1998, this had increased to 3,670. Some 4,453 cases were reported in 1999 and in 2000, 4,612 rape cases were reported. Of all crimes committed by men, about 16 percent constituted rape.

SOURCE Women and Men in Zimbabwe, CSO, December 2002.

### Sentencing patterns for sexual crimes Box 19

The Child and Law Foundation, on behalf of the National Sentencing Committee, conducted two research studies on sentencing patterns of sexual crimes against women and children in Zimbabwe. The research was based on an in-depth analysis of criminal records on rape from four magisterial regional divisions (1996-1998) and a survey of judicial officers with respect to sentencing patterns for rape. This study found that about 70 percent of sentences for rape were between 7-10 years, with the major trend being that the older the victim and the accused, the larger the sentence.

SOURCE Sentencing Sexual Offences and Domestic Violence, July 20-22, 2001 Conference Report, Child and Law Foundation.

### Cases of Child Sexual Abuse dealt with by the GCN in Chitungwiza, Hwange and Rusape Table 17

Year	Number of Cases
1998 & 1999	2 560
2000	1 695
2001	2 995
2002	7 190
2003	1 511
2004 up to August	3 944

SOURCE Girl Child Network Internal Gender-based Violence Desk Study (August 1998 to August 2004) on Activism around Violence against Girls in Zimbabwe.



## Girl Child Network addresses violence against girls

Box 20

In recognition of the need to address violence against girls, Hazviperi Betty Makoni established the Girl Child Network (GCN) in 1998. GCN seeks to economically, socially, culturally empower the girl child by assisting her to assert her rights and resist various forms and manifestations of abuse.

"In 1998 when I was still a teacher at Zengeza 1 High, the vision to create a platform and a space where young girls would come and speak out on issues affecting them became so strong that at one stage I was totally confused as whether I was a teacher, or a development worker in the school," Makoni wrote in her diary, which basically sums up her story and the network's origins. She recorded in her small diary most of the issues that she discussed with the girls who came to seek her assistance.

Makoni started teaching at Zengeza High in March 1996 and had by then volunteered to assist Musasa Project to co-ordinate outreach programmes for women who faced domestic violence. Her own sister was one of her clients. As more and more women got to know about her activism around domestic violence and girls' empowerment, the school could not contain the volume of physically, sexually, and economically abused women and girls who came to seek her help.<sup>61</sup>

Domestic violence was not new to her, as she had witnessed it since childhood. In St Mary's in the suburb of Chitungwiza, she knows the number of reported rape cases, as well as the women who are beaten to death, including those in her circles. She feels strongly that domestic violence is linked to rape and other forms of violence that girls go through.

Her diary started with her own case of abuse. She had never written her own story. Hers was written in the inner centre of her heart, too deep and personal. Her life as an activist started a long time ago. She has always wanted to see girls enjoying their rights and walking in the fullness of their potential. Women including her late mother, her neighbour, her sister and many other women whom she meets daily have always remained challenges to her. Despite the fact that so much has been done, their situation has not improved. It is getting worse by the day with HIV and AIDS all around, and women and girls as caregivers.<sup>62</sup>

The organisation has established three safe houses (empowerment centres) where abused girls are given support during the recovery process. Girls receive empowerment training through the network of 225 GCN School and Community clubs.

Since 1998, the GCN has directly intervened in 20,000 cases of child sexual abuse, chief among them being rape, incest, early marriages, virginity testing, child prostitution and genital mutilation. A lot of the sexual abuse of girls stems from the myth that sleeping with a virgin can cure HIV. Some religious beliefs also lead to the violation of the rights of girls, particularly among the apostolic sects where they are often forced into early marriages.

SOURCE Girl Child Network Report, 2004.

against women, the Musasa Project launched in 2003, the White Ribbon Campaign as a national year-long campaign to protest against family violence.

The government recognised in its report on progress on the Beijing Platform for Action that "the lack of a specific law on domestic violence (in particular) is a major setback for women as domestic violence is not a criminal offence in itself. It is currently dealt with under the Criminal Protection and Evidence Act (Chapter 907), which deal with crimes related to assault. There have been numerous complaints that the Act does not adequately

protect victims of domestic violence. The tendency among officials has been to offer a mediation role or to fine offenders."<sup>63</sup>

In his closing remarks to a 2001 workshop for the judiciary on Sentencing, Sexual Offences and Domestic Violence, the Minister of Justice, Legal and Parliamentary Affairs, Patrick Chinamasa, noted, "our greatest challenge at present is to provide an adequate legal response to battered women. Survivors of domestic violence complain that the courts are not easily accessible, are usually long distances away, and are not baby friendly. And most of them cannot afford the high cost of litigation.

"Furthermore," the minister added, "survivors complain that there are long delays before the matter is resolved and during this time, the perpetrator may continue to abuse them. A further complaint is the prohibitive and complicated language and procedures."<sup>64</sup>

A Domestic Violence Bill is still pending. The Law Development Commission (a body within the State structure) in consultation with relevant stakeholders drafted the proposed legislation, which is called: Prevention of Domestic Violence and Protection of Victims of Domestic Violence [draft] Bill, 2003.

The draft Bill seeks to provide easier access to the courts, provide wider remedies and put in place stronger legal enforcement measures. It comprehensively defines domestic violence as an "unlawful act, omission, or behaviour, which results in the direct infliction of physical, sexual or mental injury to any complainant... and includes the following:

- ♦ Physical abuse;
- ♦ Sexual abuse;
- ♦ Emotional, verbal and psychological abuse;
- ♦ Economic abuse;



- ♦ Intimidation;
- ♦ Harassment;
- ♦ Stalking;
- ♦ Damage to property;
- ♦ Entry into the complainant's residence without consent where the parties do not share the same residence; and
- ♦ Abuse derived from cultural or customary rites and practices that discriminate or degrade women such as virginity testing, female genital mutilation, pledging of women and girls for purposes of appeasement of spirits, abduction, child marriages, forced marriages, forced wife inheritance and other such practices."

The draft Bill is seen as a step in the right direction since survivors of domestic violence rely on general legal remedies such as filing a criminal complaint, asking for a peace order, separation or divorce.

It is recommended however, that the Bill should be more fully developed into a criminal Act, because the current balancing between civil and criminal laws in the proposed Bill could lead to enforcement problems, as well as undermining the purpose of the intended law. Another identified weakness of the proposed Bill is that it does not provide the right of appeal.

The draft Bill extends the powers of the police. It makes it incumbent upon them:

- ♦ Assist the complainant, give advice, make suggestions about contacting a shelter and getting treatment;
- ♦ Advise the complainant about the right to relief under the proposed Bill and the right to lodge a criminal complaint; and
- ♦ Only the Officer Commanding (OC) station will be able to make a determination as to what action *vis a vis* criminal process is to be taken.

The police also, according to

the proposed Bill, can arrest forthwith, without warrant if it appears that there is an imminent danger to the complainant.

The proposed Bill provides for various forms of relief which the complainant can specify and these include interim maintenance – six months for any monetary relief (a proper long term determination can be made only with both parties present), school fees, mortgage or other payments, temporary custody of minor children, access to accommodation, or use of facilities at accommodation (with an anti-chasing clause), prohibit respondent from frequenting beer halls, night clubs, and other places where alcohol is sold, and generally regulate respondent's behaviour as it pertains to domestic violence.

A strength also highlighted by women activists is the proposed creation of the Domestic Violence Committee by the Minister of Justice which will include NGO representatives to oversee the law when adopted.

### Trafficking of women and children

The Child and Law Foundation has conducted research in several of Zimbabwe's border towns to determine the extent of trafficking of women and children from Zimbabwe. This research began in 2003 in Beitbridge, and the foundation has published and will continue to release reports on its findings to bring about greater awareness among the public and decision-makers.

*National Geographic* magazine, in a September 2003 article on 21<sup>st</sup> Century Slaves, quoting information provided by the 2003 U.S. Department of State Report on Trafficking, listed Zimbabwe among the countries where more than a hundred human beings are known to have been trafficked in 2002.

## ENVIRONMENT

Gender inequalities in the management of natural resources and in safeguarding the environment is one of the 12 critical areas of concern outlined in the BPFA to which governments committed in 1995. Although Zimbabwe did not identify women and the environment as a national priority area, it is a pertinent issue.

The Environmental Management Act (EMA), which was enacted in 2002, provides a framework for mainstreaming environment into national policies and programmes. The challenge is to build capacity at both national and local levels to ensure effective implementation of the Act, as well as link EMA with other legal instruments, such as the Traditional Leaders Act, to make environmental management more effective. However, the Act like many other environmental policies is gender-neutral.<sup>65</sup>

In Zimbabwe, the major environmental concerns include poor sanitation, water scarcity, exposure to malaria-carrying mosquitoes, poverty, HIV and AIDS, natural disasters such as droughts, inefficient farming practices contributing to deforestation, pollution, along with crowded living conditions. Inadequate access to safe drinking water and sanitation has resulted in diseases and ill-health. These affect women and girls more than men and boys because of their prescribed gendered roles.

Traditionally most people in Zimbabwe are subsistence farmers who rely on rain, fed agriculture. Where primary water sources are available, such as shallow wells, family wells, deep wells and boreholes, households use the wells for household water and sanitation to irrigate small family gardens as well as provide water for their livestock.

Due to varying gender inequalities in societies, women's

involvement in the planning and management of environmental issues remains minimal.

## Water and sanitation

Great progress has been made on the issue of providing water and sanitation in rural areas, but with the movement of people under the Land Reform programme, as well as the damage caused by Cyclone Eline, new and additional facilities will now be required. It is estimated that by 1997, 73 percent of rural households had access to safe water, rising to 75 percent in 1999.

With regard to safe sanitation, 56 percent of rural households had access to safe sanitation, increasing to 58 percent in 1999. The target is to reach 100 percent both for households with access to safe water and access to sanitation by 2015.

More specifically, the target is to ensure that every household has access to a toilet within the homestead and to potable water within 250 meters by 2015.

## Water Act

The Water Act of 1998 does not address gender in explicit terms. The Water Act does not address the issue of ensuring poor women and men's access to water for domestic and household activities. However, its emphasis on ensuring that all citizens have access to water for primary purposes, especially during periods of water shortages, can be interpreted as protecting the needs of poor women and men.

Water for primary purposes in the Water Act refers to the use of water for basic domestic needs, watering livestock (except fish farming), and making bricks for private use. Beyond primary use, priority in issuing water permits is given to productive use based on evaluations of the economic potential of the proposed use.



Despite the fact that one of the objectives of reforming the policy on water was to promote the use of water in poverty alleviation, the new Water Act does not support productive uses of water which poor women and men currently engage in.

The focus of the Water Act is on access to water permits for irrigation purposes. However, no explicit measures are put in place to ensure that poor women and men have access to these permits and credits for investment in productive use of water.

Linking access to water with vegetable marketing and credit could improve the welfare of poor women and men significantly.

In response to the National Gender Policy concerns on gender and water, the Water Act and the Zimbabwe National Water Authority (ZINWA) Act have outlined specific guidelines on how gender should be addressed in the Integrated Water Resources Management (IWRM). They have stated that:

- ♦ granting of water rights and entitlement must be gender sensitive;
- ♦ appointments to ZINWA and Catchment Councils should be gender sensitive; and
- ♦ all personnel in the water sector should have training on gender issues.

However, lack of gender awareness among professionals in the sector currently constrains representation on gender issues in these institutions. There is need for gender-sensitive capacity-building in the sector.

Although the new Water Act promotes making decisions at the lowest level, it should be realised that at this level women do not have equal access to decision-making processes, and special measures should be taken to

ensure equal representation of poor women's needs and priorities.

IWRM recommends that rules and procedures for catchment and sub-catchment authorities should facilitate the participation of both men and women with regards to timing of meetings, frequency of meetings and location of meetings. Serious efforts have to be made to include women, especially in community water committees. Strategies have to be formulated to ensure that as more women take on leadership and management roles, men do not withdraw, leaving domestic water supplies as a low status "women's sphere" in development. It should be an area in which both men and women are equally involved, thus placing domestic water supplies in a broader developmental context.

### **Housing**

According to Zimbabwe's progress report on the MDGs, the government had planned to construct 162,500 housing units annually during the period 1985 to 2000, to alleviate the housing backlog. However, the actual annual production during that period was between 15,000 to 20,000 housing units, which fall far below the target figure.

A review of recent statistics shows that housing production has further declined since the year 2000. By the end of 2002, only 5,500 stands were serviced in eight urban areas in that year. The goal is to reduce the housing backlog to zero by 2015. In order to meet this target, 250,000 housing units need to be produced annually. The figures in the report are not gender disaggregated and it is not easy to establish how the government will address the gender inequalities in access to housing.



## Millennium Development Goals

Box 21

There are eight Millennium Development Goals (MDGs). For each goal one or more targets have been set, most for 2015, using 1990 as a bench mark.

♦ **Eradicate extreme poverty and hunger**

**Targets 2015** Halve the proportion of people whose income is less than one dollar a day, and Halve the proportion of people who suffer from hunger.

♦ **Achieve universal primary education**

**Target 2015** Ensure that all girls and boys will be able to complete primary school.

♦ **Promote gender equality and empower women**

**Targets 2005, 2015** Eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels of education no later than 2015.

♦ **Reduce child mortality**

**Target 2015** Reduce by two-thirds the mortality rate of children under five.

♦ **Improve maternal health**

**Target 2015** Reduce by three-quarters the ratio of women dying in childbirth.

♦ **Combat HIV and AIDS, malaria and other diseases**

**Target 2015** Halt and begin to reverse the spread of HIV and AIDS, and the incidence of malaria and other major diseases.

♦ **Ensure environmental sustainability**

Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources.

**Target 2015** Reduce by half the proportion of people without access to safe drinking water.

**Target 2020** Achieve significant improvement in the lives of at least 100 million slum dwellers.

♦ **Develop a global partnership for development**

Develop an open, rule-based, predictable, non-discriminatory trading and financial system that includes a commitment to good governance, development and poverty reduction – nationally and internationally.

Address the special needs of the least developed countries, and landlocked and small island developing states.

Deal comprehensively with the debt problems of developing countries.

Develop decent and productive work for youth.

In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries.

In cooperation with the private sector, make available the benefits of new technologies – especially information and communications technologies.

SOURCE [www.undp.org](http://www.undp.org)





## PART II

## POLICIES AND PROGRAMMES

**Zimbabwe's approach to gender justice 10 years after Beijing  
Gender equality as a development issue**

If any major event popularised the subject of gender and brought it to the tip of every tongue, it was the UN Conference on Women and Development held in 1995 in Beijing, China. Dubbed "Beijing", women, men, girls and boys from all walks of life in Zimbabwe, began to associate women's talk of equality to this major event.

The Zimbabwean media, a shaper and re-enforcer of public opinion on what gender equality is and entails, became agog with what it saw as the conference's outputs – what it deemed as a sudden burst of women returning from Beijing seeking to overthrow men.

The media, politicians, policy-makers, civil society and hence, the general Zimbabwean public which relies on these actors to provide it with information, missed the fact that one of the singular achievements of the Beijing Platform for Action is its recognition that all governments, irrespective of political, economic and cultural systems, are responsible for the protection and promotion of women's human rights.<sup>66</sup>

Out of the 12 Critical Areas of Concern in the Beijing Platform, Zimbabwe identified five areas to work on:

- ♦ Women and the economy;
- ♦ Education and training of women;
- ♦ Women in politics and decision-making;
- ♦ Institutional mechanism for the advancement of women; and
- ♦ Women and health and HIV and AIDS.

In the introduction to its "Report on the Implementation of the African and Beijing Platforms for Action," presented at the Sub-Regional Decade Review for Beijing+10 held in Lusaka in April 2004, the government states:

"Zimbabwe's endeavours to promote gender equality have been guided by the principles of social justice and human dignity which regard women as equal partners to the development process who should also enjoy, as equal partners with men, rights, responsibilities and opportunities."

The country's National Gender Policy situates gender justice within the development paradigm, which argues that: "Issues of equality and equity are a matter of social justice and good economics. Gender equality is a core development issue and a development objective in its own right."<sup>67</sup>

Development which calls for access to resources, opportunities, a voice, etc, but not the eradication of sexism and a radical change in the power relations that determine who decides how, and to whom, access is given, therefore, appears to be the ideological framework guiding gender justice in Zimbabwe.

As with all liberal reform approaches, in the 10 years since Beijing, there have been some positive changes in the lives of women and girls. But there has been no significant shift in the unequal power relations between women and men, leaving the majority of Zimbabwean women and girls locked in a spiral of poverty, vulnerable to HIV infection, vulnerable to sex discrimi-



nation, both in their private and public lives, and no closer to the stated national goal of "...equal partners to the development process...."

### **Current economic policies**

In February 2003, the government launched a 12-month stabilisation programme called the "National Economic Revival Programme: Measures to Address the Current Challenges", as an interim measure while considering options for long-term economic recovery.

The "Macro-Economic Policy Framework 2005–2006, Towards Sustained Economic Growth" was launched at the end of 2004. This was intended as a successor to the National Economic Revival Programme "to consolidate the gains achieved in terms of the decline in inflation, improvement in foreign currency inflows, increased availability of goods and services and the curtailment of unproductive speculative activities. The framework is built on the Ten Point Plan, lessons drawn from the National Economic Revival Programme and the prevailing economic challenges."<sup>68</sup>

One of the areas of focus in the policy framework that is of particular interest for women relates to the need for emphasis to be placed on the resuscitation of public service delivery and the improvement of infrastructure. This is particularly relevant in the social sectors such as health and education.

The framework is to focus specifically on agricultural development, industrialisation, infrastructure development, investment promotion, social service delivery, poverty reduction, economic empowerment, youth development and gender equality, macro-economic stabilisation, and strengthening institutional capacity.

In terms of access to credit, which is a major hurdle for women attempting to set up small businesses, a one-billion loan facility was set up for small to medium entrepreneurs to access start-up capital, and the President also set up a special fund (women's grants) for disadvantaged women, including widows, in rural areas for income-generating projects.<sup>69</sup> More research and data is needed on both of these facilities to ascertain women's access and the utility of them.

### **Engendering the national budget**

Ever since 2001, the Zimbabwe Women's Resource Centre and Network (ZWRCN) has been cognisant of the importance of national budgets as a means of testing ground for gender mainstreaming. Gender budgeting is a tangible way for women to engage in hard-core resource allocation debates that are likely to enhance empowerment rather than tinker at the fringes of social welfare policies as has traditionally been the case.<sup>70</sup>

ZWRCN has pioneered sector analyses of the budgets of the ministries of agriculture; health and child welfare; public service, labour and social welfare; and youth development, gender and employment creation.

University of Zimbabwe Sociology lecturer, Rekopantswe Mate, explains that a gender analysis of the budget is important because "national budgets are indicators of state priorities and major preoccupations in national development, eg defence and state security, social development. Budgets therefore show political will, commitments and ideals envisioned by the state and society.

"Gender equity is an ideal, which is a major developmental consideration and needs resources in order to be realisable.



Gender equity is concerned with social justice and equality in the long term. A gender analysis of the budget is therefore an important measure of commitments to gender equity by analysing the amount of resources invested consciously or otherwise towards that cause.”<sup>71</sup>

Budgets can be analysed retrospectively and the information used for baseline and advocacy purposes; and proactively, as a means of influencing resource allocation. Constraints to effective gender budgeting stem from the inadequacy of gender disaggregated data, particularly from government departments, but in 2002, the Central Statistics Office issued its first report on the situation of women and men with data disaggregated by sex.

Without disaggregated data, the circumstances of women and men are not clear, making target setting and resource allocation impossible tasks.

In the 2005 budget statement for instance, the only mention made of issues of specific concern to women was the increase in taxes on the non-health commodities, which women commonly use. Previously lotions, shampoos, deodorants, dental pastes, which were included in the list of medicaments in terms of the Medicines and Allied Substances Act, were zero rated in terms of Value Added Tax (VAT).

With effect from January 2005, however, most of these items became taxable. In addition, the 40 percent import duty on sanitary items, suspended in December 2004, was reintroduced and pegged at 20 percent. The reasoning was that local entrepreneurs had invested in machinery and equipment to enable the resumption of local production of sanitary products.<sup>72</sup>

The overall effect of the macro-economic and economic policies as far as women are concerned is best captured by the decline in the Gender Empowerment Measure (GEM). Gender inequalities and disparities are still manifest in Zimbabwean society through differences in the access, control, and utilisation of resources, opportunities, and services. This is demonstrated by the declines in the Gender Development Index (GDI) and GEM.

The GEM is comprised of the following variables: political participation and decision-making, economic participation and decision-making and power over economic resources.

According to Zimbabwe's 2003 Human Development Report, the GEM declined from 0.429 to 0.419 percent between 1995 and 2001.

The GDI declined from 0.505 percent in 1995 to 0.433 percent in 2001. This captures variables related to life expectancy, educational attainment, and income, in accordance with the disparity in achievement between women and men.

Access to key productive resources remains one of the critical challenges in achieving gender justice and lifting women out of a spiral of increasing poverty.

### **Institutional mechanism for the advancement of women**

All member states of the Southern African Development Community (SADC) have national gender machineries and that in Zimbabwe was strengthened again with the creation in 2005, after the March elections, of the Ministry of Gender, Women's Affairs and Community Development.

Prior to 2005, Zimbabwe's national machinery for promoting gender justice within the state has

often been a first casualty of mercurial tendencies – it withered from a Ministry of Gender in the President's Office in 1997 to a department in 2000 within the Ministry of Youth Development, Gender and Employment Creation.

The manner in which a "gender department" within a ministry was created three years after a gender ministry had been set up in the President's office, reflects the continuing gender ideological challenge permeating throughout the Zimbabwean society:

"The Gender Department was established in August 2000 following the merger of the Gender Issues Department (located in the Office of the President and Cabinet) and the Women in Development Unit (in the then Ministry of National Affairs, Employment Creation and Co-operatives)."<sup>73</sup>

The existence of a Gender Issues Department and a Women in Development Unit, sitting in different locations of government at the same time, belies the government's stated commitment to "promote gender equality" by revealing a schism on how to politically, systematically and methodologically create a structural mechanism to bring about this goal.

Zimbabwe's institutional mechanism consisted of what was termed as the Gender Management System. This is comprised of the gender department; gender desks within ministries, departments and parastatals; district gender councils; and provincial gender councils. The government estimates that 189 gender focal persons (gender desks) were trained during the gender desk training held between March and June 2003. These individuals are responsible for the implementation, monitoring, and evaluation of the National Gender Policy

and for gender mainstreaming in their organisations.

Just how influential this system will be in advancing gender justice remains a far-reaching question. The government admits that not all of the gender focal persons are "senior officials in the planning and monitoring functions" as had been envisaged.

Some junior officers and even support staff were sent by ministries to attend the gender desk training programme. This impedes the effectiveness of gender focal persons in that they would have limited capacity to influence policies and programmes as is expected of them."<sup>74</sup>

Even more telling is the revelation that "the Terms of Reference designed for the Gender Focal Persons do not constitute their Key Result Areas. As a result, gender issues are regarded as secondary functions to the focal person's normal duties."<sup>75</sup>

District and provincial gender councils were created in 2001. Representatives from faith-based organisations, traditional healers, local leadership, government departments, local authorities, and local non-governmental organizations sit on these councils, which are mandated to:

- ♦ Facilitate discussion of gender issues at the local level through community mobilization.
- ♦ Assist in identifying local practices, customs, and beliefs that hinder gender equality and suggest local interventions.
- ♦ Assist in developing local sanctions against perpetrators of gender-based violence.
- ♦ Facilitate the planning and commemoration of national occasions such as International Women's Day.
- ♦ Initiate projects for the economic empowerment of women.
- ♦ Facilitate co-ordination of the activities of government min-



istries, departments, NGOs, and other organisations within the field of gender.

- ♦ Provide a forum for monitoring the implementation of the National Gender Policy, Beijing Platform for Action, the 1997 SADC Declaration on Gender and Development, and CEDAW.

Building a national consciousness on gender justice by creating mechanisms at the community level is a laudable move. But placing within the hands of the very custodians of the customary practices and laws which discriminate against women, the mandate to identify, monitor and penalise those who violate the rights of women, without a fundamental shift in consciousness among these custodians about all forms of sexism, sets the system up for challenges from the start. Training key participants on “gender issues”- which has become a euphemism for reforms to improve women’s status without rocking the boat – will yield

little differential change in the unequal status of women.

Female political analysts also point to the factionalism that swept into Zimbabwe’s women movement during the 1999 constitutional review process, which led to a division of women within or perceived to be aligned to government and those against as a new development in weakening capacity for delivery.

### Research and data

Since the last *Beyond Inequalities: Women in Zimbabwe* was published, there has been an increase in the collection and publishing of sex-disaggregated data by the Central Statistics Office (CSO). The publication of *Women and Men in Zimbabwe* by the CSO in 2002 is commendable, and should be supported with further training, data collection and resources to ensure that the statistical capacity on gender equality issues is encouraged and built, and that data is published for policy development, implementation and advocacy.







## PART III

## THE WAY FORWARD

**Matching the rhetoric to the reality**

Zimbabwe joins a league of nations worldwide which have moved rather conservatively on implementing international instruments, starting with CEDAW right through to the 1995 Beijing Declaration and Platform for Action.

In a comprehensive review of the Beijing decade, the Women's Environment and Development Organisation (WEDO) noted in its 2005 publication, *Beijing Betrayed*, that: "...despite the policy gains at Beijing and in other United Nations global forums of the 1990s as well as the Millennium Summit, and despite a decade-worth of efforts to use these documents to achieve legal and policy changes to protect and advance women's rights at the national level, many women in all regions are actually worse off than they were 10 years ago."

The problem in Zimbabwe is an ideological one – the failure of the policy-makers to see gender equality as more than a few social reforms, which do not end discrimination and sexist oppression, which are rooted in an ideology of domination. Personal and individual freedoms for women are not enough if they are not matched by fundamental changes in the social, economic, and political structures so that quantitative and qualitative access for women becomes the norm, and not just the exception to the status quo.

The Millennium Development Goals (MDGs) (see page 44) as well as many of the country's own development plans will remain largely unattainable without a shift in perspective to one that sees

racism, sexism, the rising unequal income distributions between rich and poor, the growing rural-urban divide in terms of services, infrastructure, jobs, etc., and all forms of injustice as part of the same architecture.

In embracing a gender and development approach, a fundamental shift needs to be made in understanding gender mainstreaming as a two-fold process. This involves agenda setting to transform the thrust of development policy in order to bring concerns into the mainstream, and the integration of gender concerns into the mainstream of existing practices within policies, programmes, initiatives, projects, research, among others.

Gender mainstreaming is not concerned with simply increasing women's participation; rather it is concerned with the terms of their participation. A commitment to mainstreaming does not preclude a focus on women.<sup>76</sup>

In other words, if Zimbabwe is to see a marked difference in the development of more than half of its population, then gender equality should not be seen as an "add on", as a "luxury", or as different from the basic principles that guided the liberation struggle, but as part of the country's continued struggle to guarantee and protect human rights and bring about self-determination for all of its citizens.

**Legal and policy reform***Discriminatory and/or silent laws*

There is still a need for wholesale constitutional reform to bring about substantive changes in women's rights. CEDAW should be domesticated and steps taken

to speed up the implementation of measures outlined in the Beijing Platform across the board.

The Constitution must be changed to eliminate legalised discrimination against women. The protection of customary law in the areas of personal law stipulated under Section 23 (3) (a) (b) and (f) continues discrimination against women.

Non-discriminatory clauses of the Constitution also should recognise that women are discriminated against based on both sex and gender.

The Constitution needs to be strengthened to be more explicit on the protection of social and economic rights, especially access to health, education, housing, productive resources, among others, where women often face the greatest discrimination, which contributes to the feminisation of poverty in Zimbabwe.

#### **HIV and AIDS**

Due to the HIV and AIDS pandemic, the supreme law should be brought in line with CEDAW and the ICPD to guarantee and protect reproductive health and sexual rights.

Many of the national policies and strategies around HIV and AIDS continue to ignore the gender dimensions of the pandemic. This is primarily because they are not informed by the fact that gender inequalities and women's and girls' lack of control over their reproductive health and bodies contribute to the spread of the virus and increases their vulnerability.

The guarantee and protection of women's rights from all forms of violation is a pivotal strategy, yet a missing one, in Zimbabwe's HIV and AIDS policy and programmes.

Zimbabwe's National HIV and AIDS Policy and all programmes and strategies emanat-

ing from it must be revised to include measures that promote

- ♦ women's economic equality;
- ♦ women's access to healthcare and preventive information;
- ♦ elimination of gender violence.

Measures must also ensure there is no discrimination against women in national strategies for the prevention and control of HIV and AIDS.

#### **Violence against women and girls**

All forms of violence against women must be eradicated. The legal and policy framework must go further to tackle violence against women and girls as crimes, which violate their right to bodily integrity and the right to life. The link between gender violence and HIV has been recognised in the country's Sexual Offences Act, but there is need for a Protocol, similar to the one that exists in the country for the multi-sectoral management of child sexual abuse, to put in place the laws, systems and services with the ultimate aim of eradicating gender-based violence of all forms.

#### **Women in decision-making**

The country's electoral system (First Past The Post) should be changed in favour of an electoral system that opens more spaces for women and other marginalized groups to be participants in national decision-making. A legislative quota coupled with more democratic and open political party measures to advance women into positions of power is also needed if Zimbabwe is to make steadier progress towards the African Union and SADC target of 50 percent women in decision-making.<sup>77</sup>

Affirmative action policies must not be misconstrued as favours or worse, as making space for those who are inferior, but as effective legal means to include those whose presence has



been consistently devalued in the society. Expanding access and rooting out acts which make sexism seem normal should be a goal of the measures to advance the status of women.

### **Institutional mechanisms**

The current structure(s) responsible for gender and the implementation of the country's National Gender Policy is not a strong enough response to gender justice. The current mechanism needs an urgent re-think to develop a series of structures to advance gender equality and ensure the protection of women's rights as human rights. These should include a ministry, independent commissions with statutory and regulatory authority for implementing, monitoring, bringing court challenges, etc, structures within public institutions, among others.

The government's current decentralisation of the mechanism to include councils or structures closer to communities is an important strategy. However, the composition of these entities should be based on the inclusion of women and men who start from a position of women's rights as human rights, as opposed to the meting out of small and piecemeal social welfare reforms.

Resources must be made available to galvanize gender technical expertise coupled with managerial, legal, research and other needed skills to staff all structures created for the advancement of women, and these structures should receive from within the national budget an allocation of resources that matches political commitment to bringing about a transformation.

### **Research and data**

The publication of *Women and Men in Zimbabwe* by the Central Statistics Office in 2002 is a wel-

come move, which should be supported with further training, data collection and resources to ensure that the statistical capacity on gender equality issues is encouraged, built on and the data published for policy development, implementation and advocacy.

As UNIFEM states in its 2005 publication *Pathway to Gender Equality*, CEDAW, BDPFA and the MDGs, and the national efforts to achieve the MDGs, provide the opportunity for improving capacity in sex-disaggregated data since the MDG targets are intended to be statistically measurable.<sup>8</sup>

There are still many gender knowledge gaps in Zimbabwe. Without more research and data, policies will continue to be developed in a vacuum, which is not cognizant of social, political, economic, and structural inequalities that perpetuate sexism.

### **Women's movement**

Zimbabwe's women's movement faces even a tougher challenge for achieving gender justice in the coming decade, than it did in the last where a few gains were made. As the country works towards achieving the MDGs, the women's movement must be steadfast and diligent in ensuring that both CEDAW and the Beijing Platform are used as benchmarks for developing national policies, strategies and programmes to attain the MDGs.

To wage a stronger struggle for gender equality and the removal of all laws that perpetuate discrimination against women, the movement must also re-visit its own position on why women are where they are in Zimbabwean society and what needs to be done to bring about change. This building of a sound theoretical base, which is articu-



lated well and in unison, is key to a stronger and less divided movement.

"The gender discourse got off on a wrong start. There was no linking or understanding of gender as a concept with its theoretical roots, which is feminism, and feminism began to be seen even by the women's movement itself which advocates for gender equality, as some type of witchcraft," said Rekopantswe Mate, a sociology lecturer at the University of Zimbabwe.

Mate who was giving her personal views on weak areas of the women's struggle in Zimbabwe, added that the lack of understanding of gender as a concept resulted in the emergence of both a cultural and religious fundamentalism within the movement, leading to "ingrained intolerance in the women's movement."

This "intolerance of the experiences and diversity of all women in Zimbabwe can cause the movement to be self-destructive. We must break the silences and open the spaces to honestly talk about issues. We must run away from the 'one voice' and learn to move outside of the boxes we keep getting confined into. The women's movement can't demand what we can't practice."<sup>79</sup>

The women's movement must be informed by ongoing research and data so that it wages campaigns to influence and bring meaningful change to the lives of women across a wide spectrum, both for the woman of today and the woman of tomorrow. While setting a national agenda, the women's movement must stay

linked to both regional and international efforts in the coming decade as a way to continuously reflect on its own goals, gains and challenges.

By beginning to research and document new areas such as women's sexuality, their social and economic rights in an era of globalisation, how to strengthen women's reproductive and sexual rights in the face of HIV and AIDS, the strengths and weaknesses of the gender discourse, among other areas, the Zimbabwean women's movement can rebuild its knowledge base for informed action.

The development of a more critical consciousness within the movement is pivotal to its ability to keep all stakeholders accountable to gender equality regardless of political, religious, cultural or other affiliations. So far, this critical consciousness has not emerged as the movement finds itself split along partisan and other interests, which are still dominated by male concerns.

It must also begin to broaden its constituency base, in the face of dwindling donor resources for gender, so that it can advocate for and build more strategic partnerships across many sectors to advance gender equality. A more diverse constituency - all focused on the prize of gender justice through the eradication of sexism and domination - will give the women's movement more impetus to make gender a strategic link in all sectors and areas of development, thus increasing the voices pushing for greater access to closed spaces.





## PART IV

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# APPENDIX 1

## GENDER AND DEVELOPMENT

### A Declaration by Heads of State or Government of the Southern African Development Community (SADC)

#### PREAMBLE

WE, the Heads of State or Government of the Southern African Development Community,

#### A. NOTING THAT:

- i) Member States undertook in the SADC Treaty and in the Declaration to the Treaty, and in the Protocol on Immunities and Privileges, SADC not to discriminate against any person on the grounds of gender, among others;
- ii) All SADC member states have signed and ratified or acceded to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), or are in the final stages of doing so.

#### B. CONVINCED THAT:

- i) Gender equality is a fundamental human right;
- ii) Gender is an area in which considerable agreement already exists and where there are substantial benefits to be gained from closer regional co-operation and collective action;
- iii) The integration and mainstreaming of gender issues into the SADC Programme of Action and Community Building Initiative is key to the sustainable development of the SADC region.

#### C. DEEPLY CONCERNED THAT:

- i) While some SADC member states have made some progress towards gender equality and gender mainstreaming, disparities between women and men still exist in the areas of legal rights, power-sharing and decision-making, access to and control over productive resources, education and health among others;
- ii) Women constitute the majority of the poor;
- iii) Efforts to integrate gender considerations in SADC sectoral programmes and projects have not sufficiently mainstreamed gender in a co-ordinated and comprehensive manner.

#### D. RECOGNISING THAT:

- i) The SADC Council of Ministers in 1990 mandated the SADC Secretariat to explore the best ways to incorporate gender issues in the SADC Programme of Work, and approved in 1996 gender issues at the regional level to be co-ordinated by the Secretariat;
- ii) In execution of this mandate, the SADC Secretariat has developed and maintained working relations with key stakeholders in the area of gender, which resulted in the approval and adoption of the SADC Gender Programme by the SADC Council of Ministers in February 1997.

#### WE THEREFORE:

**E. REAFFIRM** our commitment to the Nairobi Forward Looking Strategies, the Africa Platform of Action and the Beijing Declaration and Platform for Action.

#### F. ENDORSE

- i) The establishment of a policy framework for mainstreaming gender in all SADC activities, and in strengthening the efforts by member countries to achieve gender equality;
- ii) Putting into place an institutional framework for advancing gender equality consistent with that established for other areas of co-operation, but which ensures that gender is routinely taken into account in all sectors;

iii) The establishment of a Standing Committee of Ministers responsible for Gender Affairs in the region;

iv) The adoption of the existing Advisory Committee consisting of one representative from Government and one member from the Non-Governmental Organisations in each member state whose task is to advise the Standing Committee of Ministers and other Sectoral Committees of Ministers on gender issues;

v) The establishment of Gender Focal points whose task would be to ensure that gender is taken into account in all sectoral initiatives, and is placed on the agenda of all ministerial meetings;

vi) The establishment of a Gender Unit in the SADC Secretariat consisting of at least two officers at a senior level.

#### G. RESOLVE THAT:

As leaders, we should spearhead the implementation of these undertakings and ensure the eradication of all gender inequalities in the region;

#### AND

**H. COMMIT** ourselves and our respective countries to, inter alia,

- i) Placing gender firmly on the agenda of the SADC Programme of Action and Community Building Initiative;
- ii) Ensuring the equal representation of women and men in the decision-making of member states and SADC structures at all levels, and the achievement of at least 30 percent target of women in political and decision-making structures by year 2005;
- iii) Promoting women's full access to, and control over productive resources such as land, livestock, markets, credit, modern technology, formal employment, and a good quality of life in order to reduce the level of poverty among women;
- iv) Repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination, and enacting empowering gender-sensitive laws;

v) Enhancing access to quality education by women and men, and removing gender stereotyping in the curriculum, career choices and professions;

vi) Making quality reproductive and other health services more accessible to women and men;

vii) Protecting and promoting the human rights of women and children;

viii) Recognising, protecting and promoting the reproductive and sexual rights of women and the girl child;

ix) Taking urgent measures to prevent and deal with the increasing levels of violence against women and children;

x) Encouraging the mass media to disseminate information and materials in respect of the human rights of women and children.

Mrs. Christobel Chakwana, Ministry of Gender, Child Welfare and Community Services

IN WITNESS WHEREOF, We, the Heads of State or Government of the Southern African Development Community, HAVE SIGNED THIS DECLARATION.

DONE at Blantyre on this 8th day of September 1997, in two original texts, in the English and Portuguese languages, both texts being equally authentic.

Republic of Angola  
 Republic of Botswana  
 Kingdom of Lesotho  
 Republic of Malawi  
 Republic of Mauritius  
 Republic of Mozambique  
 Republic of Namibia  
 Republic of South Africa  
 Kingdom of Swaziland  
 United Republic of Tanzania  
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## APPENDIX 2

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## APPENDIX 3

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