



OHCHR STUDY ON YOUTH AND HUMAN RIGHTS: YOUTH IN ZIMBABWE

SUBMITTED BY: ZIMBABWE HUMAN RIGHTS COMMISSION (ZHRC)

1. Introduction

According to the Constitution of Zimbabwe Amendment (No.20) Act 2013 Section 20, the youths are defined as people between the ages of 15-35 years; guided by Africa Youth Charter for which Zimbabwe is a signatory. The Zimbabwe Youth Policy is in line with the national Constitution on the definition of youth. Section 20 is a component of Chapter 1 of the Constitution of Zimbabwe Amendment (No.20) Act 2013 on Founding Provisions. Section 20 sets the youths agenda for the rights of youths in Zimbabwe by stating that the State and its institutions and agencies at every level must take reasonable measures, including affirmative action to ensure that youths:

- have access to education and training,
- have opportunity to associate and to be represented and participate in political, social, economic and other spheres of life,
- afforded opportunities for employment and other avenues to economic empowerment,
- have opportunities for recreational activities and access to recreational facilities and
- be free from harmful cultural practices and all forms of abuse or exploitation.

The section concludes by noting that all these measures must be inclusive, non-partisan and national in character.

Any country's social and political terrain is defined and determined by the youths, moreso in the case of Zimbabwe where youths make 67.7% of the population. Youths in Zimbabwe face challenges such as unemployment, unaffordable education, and lack of access to health care due to excessive poverty, forced mobility (migration) due to limited opportunities, child marriages and sexual abuse of young women among others. Youths in Zimbabwe are at the receiving end of poor governance, corruption and to some extent HIV and Aids and high drug uptake (drug abuse). Independent

researchers have revealed that the general unemployment rate stands at more than 80% with many youth graduates resorting to vending and cross border trade activities to support livelihoods outside of the mainstream economy. As such the Youths in Zimbabwe are vulnerable to abuse and being manipulated particularly by politicians with some of them being used for purposes of committing violence during election time.

2. Main Challenges Faced by Young People in Zimbabwe

Zimbabwe is a youthful country, with approximately 67.7 per cent of its 13 million total populations under the age of 35 as noted already. Annual population growth rate estimates range from 2.4 to 3 percent, and projections indicate a population of 23 million by 2030 according to the 2014 Human Development Report.

According to the 2015 Youth Situation Analysis conducted by the Ministry of Youth, Indigenization and Economic Empowerment under one of its arms the Zimbabwe Youth Council (ZYC) with support from UNICEF, Zimbabwean youth, like many young people in the region, face challenges such as: high unemployment rates, poor quality education and limited educational opportunities, limited civic engagement opportunities, high HIV prevalence rates, teenage pregnancy, and early marriage.

Another survey conducted by Zimbabwe Youth Task Force and coordinated by National Association of Youth Organizations (NAYO) in 2017, in partnership with the African Union (AU) and European Union (EU) for the AU-EU Heads of States Meeting in Abidjan noted the following key challenges faced by youths; high unemployment, exorbitant education of less quality, limited civic space for effective participation in economic and political spaces i.e. in parliament and political parties, drug abuse, exploitation by politicians for political violence especially during election time, youth migration, lack of clear frameworks for youth development (limited development channelled through partisan lines) and youths in rural areas do not have available opportunities and are side-lined, for example, in support of farming because they lack collateral security.

A Survey by the International Labour Organization (ILO) has revealed that youths in Zimbabwe are among the world's poorest, as they are living in an extremely difficult environment. Titled "World Employment and Social Outlook 2016: Trends for Youth," the survey places Zimbabwe in the 75 to 100 category, which relates to working youths

experiencing extreme poverty. These are youths earning less than US\$2 per capita per day.

Zimbabwe has also been classified as one of the countries where it is very difficult for young people to get jobs. It is estimated that 20 percent of youths in the 18 to 24 age group are never able to secure employment. The survey also reveals that there are still huge gender imbalances at workplaces. The huge gap between young women and men seeking jobs has seen Zimbabwe scoring 11 points on a scale of one to 30, whereby smaller scores depict a favourable situation than higher scores. The survey states that 63 percent of young men compared to 52 percent of young women are likely to secure employment, comparatively. In terms of youth labour force-gender gap, young men are placed at 76 percent and young women at 66 percent, while the gender gap is pegged at 10 points. The Zimbabwe Youth Development Index is 0.46 with Zimbabwe being ranked 127 out of 170 countries (according to the Common Wealth Youth Programme, 2013).

3. Examples of discrimination against young people in the exercise of their rights

Despite the enactment of Constitution of Zimbabwe Amendment (No.20) Act 2013 section 20, and the provisions of the Bill of Rights (Chapter 4 of the Constitution), a lot needs to be done to align or review the Zimbabwe Youth Council Act, Chapter 25:19. As the constitution is clear on liberties and youth participation, there is need to remove or repeal laws that limit youth rights such as the Zimbabwe Youth Council Act above, Access to Information and Protection of Privacy Act (AIPPA), Chapter 10:27 and Public Order and Security Act (POSA), Chapter 11:17. Youth Civil Society Organisations (CSOs) are subject to further restrictions through the Zimbabwe Youth Council (ZYC) Act and Statutory Instrument 14/2013 (Zimbabwe Youth Council (General) Regulations, 2013). Under the statutory instrument, youth organizations are prohibited from receiving any foreign funding. The Parliamentary Legal Committee produced an adverse report on Statutory Instrument 14/2013, where it noted that it contains provisions that are *ultra-vires* the Enabling Act, the Zimbabwe Youth Council Act. Young people are also restricted in attaining their rights to political participation by the current age limit of 40 years for one to be President as sighted by the Abidjan

Youth Summit Declaration (2017) ahead of the Heads of State and Government Meeting in Ivory Coast – the age limit needs to be lowered mostly in African countries, including Zimbabwe to give young people equal opportunities in leadership.

Against the notion that Zimbabweans are docile politically, the year 2016 and 2017 saw a sudden upsurge in citizen demonstrations and social activism, with many people primarily young people, openly expressing their discontent in the governance of the country. The protests and demonstrations were met with police brutality, police heavy-handedness and repression of free expression that have characterized civic space in Zimbabwe. Given that the rights to demonstrate and freedom of expression are guaranteed in the Constitution, a lot of young people were denied these rights, including the right to a fair hearing in the courts of law.

In terms of the right to education, the Constitution provides that every child has a right to education from primary to tertiary education, but the high cost of education is limiting this right to education. In reality, education has been commercialized. In many instances, youths in tertiary institutions are subjected to violations through the existing draconian regulations such as the University of Zimbabwe Ordinance Number 30 which is used to exclude students from the University for simply exercising their rights to freedom of speech, assembly or association.

Young People with Disabilities face intersectional discrimination, that is as youths and as youths with disabilities. Lack of facilities in public places limit their right to participation. Lack of financial support, representation in decision making, and availability of basic necessities such Braille and Sun Cream for young people living with Albinism are all indicators of the intersectional discrimination that youths with disabilities face. Lastly, youth in Zimbabwe have the right to work but there are limited jobs in the country which is resulting in an increase in criminal acts and practices such as theft, drug abuse, child marriage and violence.

4. Policies and programmes aimed at supporting young people to realize their rights

There are several policies and programs aimed at supporting young people to realize their rights. However, these policies are on paper and there is no holistic approach to implementing them. Apart from Government, the CSOs, Youth Led Organizations and Business have introduced programs aimed at empowering youth to know their rights.

The first Policy which gives a clear direction is the Zimbabwe Youth Policy (2013) which has clear clusters and strategies on youth empowerment and participation, which cover economic, cultural, social, political, environmental and technological issues. However, the policy is limited by the Zimbabwe Youth Council Act which is in violation of the Constitution and requires serious review.

In 2017, the youth CSOs launched a program called Leave No Youth Behind in line with the African Union Agenda 2063, Africa Youth Charter and Africa Governance Architecture. The program seeks to support youths to realize all their rights by providing information, capacities, resources and solidarity. The Reserve Bank of Zimbabwe is in the process of establishing a youth strategy that involves youth (Financial Inclusion)

5. Information on how youth organizations or youth-led structures are involved in developing and evaluating policies and programmes on youths

The government of Zimbabwe's commitment to work with and for youths is reflected through the new Constitution under section 20 and the National Youth Policy framework that the government adopted. The National Youth Policy places emphasis on mainstreaming youth throughout all ministries. Its principle guidelines are derived from existing national and international frameworks, such as the African Youth Charter (AYC), the United Nations World Programme of Action for Youth (WPAY). Other youth policies include the Decent Work Country Programme for Zimbabwe (DWCP) launched in 2013 by the Ministry of Labour and Social Services and the social partners. It aims to combat the high levels of youth unemployment through initiatives such as the Skills for Youth Employment and Rural Programme. Whilst these and other policy frameworks and strategies have referenced youth, owing to poor implementation, the benefits of such frameworks have not cascaded down to improve the livelihoods and lived reality of youths across the country.

The 2014 Estimates of expenditure lists the budget for the Ministry of Youth, Indigenization and Economic Empowerment as USD 44.5 million (figures given in USD only). However, there is no specific breakdown for youth expenditure. According to the World Bank, Zimbabwe spent 8.26 % of its government expenditure and 2.50% of its

GDP on education provision in 2010. Government launched the Interim Poverty Reduction Strategy Paper (IPRSP) following nationwide consultative processes in efforts to fight poverty. NAYO mobilized youths across the country as part of this process and the IPRSP document has specific focus on youth. Comparatively, the budget allocation versus other sectors falls short of addressing the challenges and opportunities presented by the youth bulge. The Reserve Bank has also opened up a channel on engagement with youth through the Financial Inclusion Strategy for youths.

There are also some platforms at policy level that are open to engagement with youth such as Parliamentary Portfolio Committee on Youth, and others in different ministries – however for those in different Ministries, they are just on paper and not operationalized. The Zimbabwe Youth Council, a government body that has the mandate to spearhead youth rights and provide a conducive environment for the youths, has in the past been susceptible to manipulation by the ruling party, ZANU PF due to its close alignment with the Government Ministry responsible for youths.

6. Measures that can be taken at international level to facilitate/ support the realization of youth rights

There are many instruments at International level that give direction on the implementation of youth strategies at national level. These instruments need to be domesticated and operationalized. Some of the key International laws and instruments include: Africa Youth Charter, Agenda 2063, Africa Governance Architecture, UN Resolution 2250 on Youth, Peace and Security, United Nations World Programme of Action for Youth (WPAY), amongst others. The meeting between Heads of States and Government for Africa Union (AU) and European Union (EU) held in November 2017 in which Zimbabwe attended came up with concrete resolutions that can be cascaded to the national level. Young people from AU and EU presented the Youth Agenda which zeroed in on six thematic areas namely: Business and Job Creation, Education, Peace and Security, Environment and Climate Change, Governance and Political Inclusion, Arts, Sports and Culture.

The regional and international community which is composed of Bretton Woods Institutions, AU, and United Nations among other institutions should have a monitoring framework for the realization of youth rights both at national and regional level. Above

all, there should be a framework to mobilize resources that are meant to support youth rights; the resources should include technical assistance and financial assistance.

References

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