

# NEWSLETTER

DEVELOPMENT WATCH VOLUME 4, ISSUE 1

## Zimbabwe's human rights record assessed for the third cycle of the Universal Period Review.

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## 02 Reflection on the 2021 Corruption Perception Index (CPI) Ratings and Score for Zimbabwe:

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## 03 Covid-19 threatens the livelihoods of People with Disabilities:

The Covid-19 pandemic continues to threaten the livelihoods of people with disabilities as most of them sorely depend on begging and vending as a source of income.



**Highlights:**  
**Recommendations to Zimbabwe given during UPR Process:** At UPR 40, in summary, states recommended that Zimbabwe:

- establishes a moratorium on #deathpenalty with a view to its eventual abolition

**Compliments of the New Season**

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**The National Association of Non-Governmental Organisations (NANGO) National Executive Committee and Secretariat Convey warm Compliments to all stakeholders to the year 2022.**

# LETTER FROM THE EDITOR



Dear Reader

**H**appy New Year to you all. It is our belief and hope that you rested, relaxed and managed to enjoy the festive holiday in preparation for yet another packed but promising year. We wish you all the success in whatever different thematic fields you are based in and the work you are doing in this new season.

We welcome you to the new season with our first newsletter, Development Watch Volume 4, Issue 1. This is a continuation from our previous publications, Development Watch Volume 3, which ended on Issue 13. We hope we managed to satisfy everyone's information hunger in the previous year with the various issues that our newsletter covered. We want to continue educating and informing you our members, colleagues and stakeholders so as to enhance your participation in national development processes. The newsletter also serves to share the different interventions being carried out in the community by both

NANGO members and non-members as they continue to contribute towards sustainable development of the society.

We are cognisant of the pandemic which is still among us and hence this issue continues to touch on Covid-19 related issues within the civil society and the country at large. The pandemic has and continues to affect our operations, our objectives and way of life. We continue to adapt to the new norm and, as usual reiterate for the need for strict adherence to the World Health Organisation (WHO) and the government's Covid-19 protocols and regulations by the general citizen. We also continue encouraging citizens to get vaccinated, and recommend for the government not to infringe the rights of the people in the COVID19 response measures and mechanisms.

On the 26<sup>th</sup> of January, Zimbabwe was reviewed by the Human Rights Council during the Universal Periodic Review (UPR) 40<sup>th</sup> session. We take the liberty to compile some of the recommendations that were put forward by different states so as for CSOs to see how best we can achieve implementation of most of the recommendations.

We hope you take time to read the various stories in this issue and find the stories resourceful, educative and informative. In addition, let us continue to #WearAFacemask #StaySafe #Sanitise #CovidIsReal.

**Mr Leonard Mandishara**  
**Executive Director**  
**NANGO**

**Designed By**  
**Chris Katsaura**

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# Zimbabwe's human rights record assessed for the third cycle of the Universal Periodic Review

By: Staff Reporter

Zimbabwe's human rights record was examined by the United Nations Human Rights Council's Universal Periodic Review (UPR) Working Group for the third time on Wednesday, 26 January 2022 in a meeting that was webcast live.

The UPR is a process that involves a periodic review of the human rights records of all 193 United Nations Member States. The documents on which the reviews are based are 1) national report - information provided by the State under review; 2) information contained in the reports of independent human rights experts and groups, known as the Special Procedures, human rights treaty bodies, and other UN entities; 3) information provided by other stakeholders including national human rights institutions, regional organizations, and civil society groups. States are expected to present the steps they have taken to implement recommendations posed during their previous reviews which they committed to follow-up on, as well as to highlight recent human rights developments in the country. For the current review, The Human rights council selected Namibia, Luxembourg, and Armenia to serve as rapporteurs ("troika") for the review of Zimbabwe.

Participation of member nations was both physical and virtual, and 95 delegations made statements. The Zimbabwe delegation was led by the Minister of Justice, Legal and Parliamentary Affairs Honourable Mr. Ziyambi Ziyambi who presented the national report and commented on the government's efforts at the implementation of recommendations adopted at the last reviews. Key takeaways from the Ministers' presentations include the following:

The government of Zimbabwe has promulgated a plethora of legislation that is aimed at facilitating the implementation of recommendations. These include the International Treaties Act, the National Disability Policy, the Persons with Disabilities Bill, and the amendment of Education Act amongst others. To date, 176 pieces of legislation have been aligned to the constitution, with 30 remaining. The Minister stated that the remaining legislation affecting human rights has been accorded priority.

The Minister attributed some of the nation's achievements in the implementation of previous recommendations to the introduction of Vision 2030; implementation of the National Development Strategy I 2021-2025; implementation of the National Health Strategy which itself shows improvement in budgetary allocation to the health sector

with help from development partners; implementation of WASH projects to improve gender-sensitive water and sanitation supply, implementation of devolution processes and rolling out of a countrywide vaccination program with 34% of the population fully vaccinated.

Zimbabwe received advance questions from member states seeking to address specific issues such as child protection and gender-based violence, concerns regarding restricted freedom of expression, enforced disappearances, and other restricted freedoms. Some of the responses to the advance questions are outlined below:

The minister reported that the ZRP is in full compliance with the court order to produce fortnightly reports on the disappearance of Dzamara; it has investigated the allegations of politically motivated abductions of three women and concluded they were false and the abductions were staged; the implementation of recommendations of the Commission of inquiry set up to investigate the violence after the 2018 elections is underway.

Additionally, the government has initiated processes to strengthen and promote child protection through legislative frameworks such as the Children's Act, the Child Justice Act, and the Marriages Act. Concerning education, the government introduced alternative learning platforms such as radio programs and e-learning. The government has continued to make efforts to increase women's participation in all fora. The government has also made efforts to ensure reports to human rights treaty bodies are inclusive and are prepared through consultations with key stakeholders.

The minister also emphasized the independence of the justice system as evidenced by the decentralisation of courts, separation of the Constitutional and Supreme Court, the establishment of special anti-corruption courts, and the recent operationalisation of an open prison for female offenders.

Challenges to implementation of some adopted recommendations such as access to justice, lengthy detentions, provision of identification documents, delays in the holding of the by-elections, and restricted funding to different Commissions such as the Zimbabwe Human Rights Commission was attributed to several factors. These include the implementation of Covid-19 containment measures, and limited resources with no access to international funding because of sanctions; the government then opts to prioritise issues such as food security and climate change adaptation and resilience.

Several new and old recommendations were made during the 3<sup>rd</sup> review cycle. According to the draft report prepared by the troika, 127 recommendations were supported by the Zimbabwe delegation, 98 will be examined and responses will be provided to the council no later than the council's 50<sup>th</sup> session, and 39 were noted. The review cycle presented some new and some repeated recommendations as follows: to consider ratifying international instruments to which Zimbabwe is not yet a party, including the Convention against Torture and Other Cruel, Inhuman or Degrading.

Treatment or Punishment; Speeding up the process of ratifying the 1961 Convention on the Reduction of Statelessness which is still under consideration; Consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; Ensure that the laws governing the right to freedom of peaceful assembly are fully in line with the provisions of the International Covenant on Civil and Political Rights; Ensure the alignment of the Zimbabwe Human Rights Commission Act with the Paris Principles and the Constitution of Zimbabwe, and provide funding for the protection and promotion of Human Rights; Take all the necessary measures to abolish the death penalty for all crimes; Take all necessary steps to ensure civil society actors and human rights defenders can operate freely without fear of

intimidation or reprisals; Amend existing laws that govern civil society organizations, including the Private Voluntary Organisations Act, to ensure the protection of civic space and of the rights to freedom of peaceful assembly and of association; Fully implementing the recommendations of the 2018 election observer reports; Take measures to ensure 12 years of free primary and secondary school education for both girls and boys; Amend all ancillary laws that may have a direct relationship with the provisions prohibiting child marriage, in order to ensure consistency and harmony in the legal framework; Repeal all legal provisions that discriminate against people based on their sexual orientation and gender identity.

The minister addressed some of the recommendations during the dialogue.

He reiterated that the PVO bill seeks to address gaps identified by FATE, and to bring greater transparency and consistency to the regulation of CSOs; the ministers contend that the bill compares favourably with other regional provisions and is not intended to restrict civic space.

He highlighted that the death penalty sentence is handed down in limited circumstances, and gender-based violence is being addressed through institutional reforms and policies. Allocations to commissions are dependent on resources, and it should be noted that allocations to the NPRC and ZHRC have increased over the years, showing the government's commitment to their success.

The minister also commented that accusations against the government's practices tend to coincide with huge international events such as the review process or elections.

The draft report with all the recommendations is now available on the UN website. It remains to be seen whether implementation of the new and older recommendations will be implemented with more political will and speed. It is worth noting that civil society has over the years raised concerns at the timing and speed with which recommendations are implemented, or when key legislative instruments are amended, speculating that some amendments are strategic to political agendas.



## Reflection on the 2021 Corruption Perception Index (CPI) Ratings and Score for Zimbabwe



By: Staff Reporter

The recent results for the Corruption Perception Index (CPI) revealed that grand corruption continue to be bedevilling economic recovery efforts for many countries. Global CPI average for 2021 remains unchanged for the tenth year in a row, at just 43 out of a possible 100 points. This is happening on the backdrop of multiple commitments that are being made by governments without significant progress against corruption in the last decade. Assessments by Transparency International showed that protecting human rights is crucial in the fight against corruption evidenced by the realisation that countries with well-protected civil liberties generally score higher on the CPI, while countries who violate civil liberties tend to score lower.

The government of Zimbabwe continue to highlight its appetite in the fight against corruption. The efforts vary from capacitation of institutions established and mandated to fight corruptions to the development of the National Anti-Corruption Strategy (NACS) which was launched in July 2021. However, the status quo is revealing otherwise as corruption continues to be rampant and its negative externalities are fuelling huge inequalities and undermining access to social services by the general populace of Zimbabwe. The 2021 CPI report ranked Zimbabwe 157 out of 180 countries. Zimbabwe's score has dropped by 1 point

from 24 in 2020 to 23 out of 100 percent signifying potential increase in corrupt activities in the public sector of the economy. The CPI is currently the leading global indicator of public sector corruption that is internationally recognised. The trend analysis of Zimbabwe score is worrisome especially from a realisation that the country is investing significant proportion of the public resources in the fight against corruption. Zimbabwe is stagnant in terms of advancing mechanisms and efforts to deal with corruption which is rampant in the public sector. This is an impediment to the achievement of sustainable economic, political and social development including the COVID19 recovery efforts. Should this trend continue, the National Development Strategy I and Vision 2030 targets will remain pipelined dreams.

The intermittent economic meltdown that is being experienced in Zimbabwe is hindeing service provision as businesses and captains of industries forego innovation and competitiveness for bribery and self-interests. More frequently, senior government officials are accused for diverting funds that should be used to promote the welfare of the citizenry. Such activities have opportunity cost from a developmental perspective. When corruption starts being practiced by leaders, followers lose confidence in the rule of law and that will affect all the Government efforts of trying to put Zimbabwe on the global map especially for official development assistance.

Zimbabwe is yet to enact a Whistle-blower Act despite aggressive lobby and advocacy that is being spearheaded by civil societies and human rights defenders across the country. Whistle blowing works directly with the watchdog role of community members on observing and exposing corruption. This remains a glaring area which continue to pose more questions and answers on whether the government is committed to fight corruption or not.

The absence of the whistle-blower is incentivising politically well-connected officials who capitalise on every resource at their disposal to victimize and threaten whistle blowers.

It is also questionable that Zimbabwe is not making use of investigative media which is critical in raising public awareness, promoting integrity, detecting and reporting on corruption activities. Successful action against corruption is dependent on knowledge and information which can be delivered by media and thus missing in Zimbabwe. Media raises public awareness and knowledge about corruption, its impact, externalities and realistic remedies and thus can mainstream a culture of integrity nationwide. Also, media can investigate, detect and report incidences of corruption, bringing corruption cases into the public sphere and fostering judicial involvement. However, the effectiveness of the media depends on access to information and freedom of expression which is also missing in Zimbabwe, as well as a professional and ethical cadre of investigative journalists. This has been identified as a gap by the Human Rights Council during the recent Universal Period Review for Zimbabwe, 26 January 2022. The absence of the Whistle-blower Act contribute to this flaw since there is no guarantee to protect journalists who expose corruption or investigate the interests of powerful private and public sector leaders.

Corruption reports in Zimbabwe are revealing corruption as well-seated and institutionalized to the extent that its practice has been accepted by others as their purpose means of survival due to a total collapse of systems that offer checks and balances. This is all happening because corruption has obliterated the public integrity system. Having integrity reflects on deepest values, which seeks about being honest with everyone, and you always keep your word. Citizens have, therefore, lost faith in integrity. Even those who are paid to curb corruption have lost faith in it. This is further exacerbated on an account of lack of public engagement in the fight against corruption due to security threats and fear of victimisation.

It is globally believed that citizen-led initiatives have more impact on the public sector's willingness to support accountability initiatives. These can be done through a combination of top-down and bottom-up accountability approaches which can be implemented starting at grassroots level. This has contributed to marginalisation of women, persons with disabilities, youth and other disadvantaged groups who are often left behind in the development discourse. The impact of corruption cannot be underestimated in Zimbabwe. World Bank (2021) estimate that about 50 percent of people in Zimbabwe are living in poverty. It can be apparent that underdevelopment in the country is in a huge way being fuelled by extensive corruption which scare off investors and discourage development. Misappropriated funds account for significant development losses in Zimbabwe. Why the constitutional, legal, institutional and administrative reforms on the 'fight against corruption' remains incapable is a cause for concern.

What is more worrying is that corruption practices are now overlapping beyond the public sector and across society. Researches conducted by Transparency International Zimbabwe has revealed systemic corruption in the communities where unethical activities are normalised or regularised with public accountability an exception and not the rule. The reports suggested that the systemic corruption is manifesting itself through greed, patronage, nepotism, bribery, embezzlement, fraud, sextortion and extortion among others. Some of the root's causes are poverty, income disparities, inadequate civil servants' remuneration, lack of accountability and transparency. According to TIZ reports, materialism and meanness are pushing grand corruption exponentially in Zimbabwe.





The pace of development is, thus, slowed down or brought to a complete stop. The solution could be to make sure that all known corrupt people are brought to book thorough investigation. This is not currently obtaining in Zimbabwe with defenders accusing the government of impunity and state capture of institutions mandated to prosecute corrupt people. In this regard, the law is a very inadequate instrument for fighting corruption in Zimbabwe.

The recurrent scandals and instances of official mischief in government pose a great threat to the democratic notions of the rule of law and constitutionalism. Corruption undermines economic rights especially when it occurs within the procurement system of the country. When contracts are awarded illegally by means of bribes, the losing competitors can be said to have had their rights to a fair and

impartial bidding process abridged. The public's right to have purchases made in the most efficient and least costly fashion is also subverted.

The public needs to be educated on the advantages of good governance and participate in promoting it. The public itself bears a large share of responsibility for insisting on honesty and integrity in government business. The public needs to learn: (a) not to let anybody buy their votes; (b) not to pay bribes themselves; (c) to report incidents of corruption to the authorities; (d) to teach their children the right values, for example, that integrity is good and corruption is bad. Educating and involving the public in building integrity is the key to preventing corruption through public education, community convergence for the fight against corruption and investigative journalism.

## Covid-19 threatens the livelihoods of People with Disabilities

*By: Staff Reporter*

The Covid-19 pandemic continues to threaten the livelihoods of people with disabilities as most of them sorely depend on begging and vending as a source of income.

This is affirmed by a report done by UNESCO in 2021 on the impact of Covid-19 on People with Disabilities which revealed that their income had shrunk by an estimate of 50% during the Covid-19 period.

According to Precious Mutumwa from Quadriplegics and Paraplegics Association of Zimbabwe, the Covid-19 pandemic left many people with disabilities with no food on

their tables especially during the first months soon after the declaration of the state of COVID 19 as a pandemic.

“Those who lived on street donations and begging particularly the visually impaired could not fend for themselves as they were confined to their homes,” she explained. “No vending was taking place as the informal sector is the main employer of many people with disabilities,” she added.

Mutumwa highlighted that People with Disabilities were the first population group to be targeted by employers for retrenchment as companies trimmed down their staff due to the pandemic.

“Social activities were put on hold thereby inconveniencing People with Disabilities as most of them do not possess compatible devices such as smartphones as all programs had been diverted to online platforms such as Zoom and Microsoft Teams,” she highlighted.

Mutumwa noted that People with Disabilities living in rural and peri-urban areas did not have access to information about important things. The information might be available but not disability accessible for example sign language and braille.

“The projects that were run by People with Disabilities collapsed due to lack of manpower,” she added.

Mutumwa revealed that people with disabilities found it difficult to access hospitals due to the COVID19 induced lockdown restrictions.

“Restrictions on hospital visits made it difficult for nurses to monitor the welfare and caregiving rendered towards the People with Disabilities as there was a communication breakdown,” she noted.

The Director of Young Voices Disability Zimbabwe, Nyasha Mahwende also shared the above sentiments noting that people with disabilities were gravely affected by Covid-19.

“There have been notable increased vulnerabilities for People with Disabilities since the advent of COVID19 pandemic,” she added.

Mahwende expressed the need for the government to provide free Personal Protective Equipment for People with Disabilities.

Jacob Ngwenya, the Director of Beat Non-Communicable Diseases Zimbabwe noted that Covid-19 has negatively impacted the lives of people with disabilities as much as it did other people.

“Most people with disabilities who survive on informal trading suffered severe losses as the lockdown restricted them to their households thereby disrupting their livelihood activities,” he added.

“Information gap impacted people with visual impairments and those with hearing impairments. For example, the COVID19 educational and awareness raising information is not being transcribed into braille and sign language thus negatively impacted people with disabilities as some of them were left behind,” he noted.

### **Policies should be put in place to assist people with disabilities in the wake of Covid-19.**

Mutumwa highlighted that there is a need for a Risk Management Policy to be put in place for the benefit of People with Disabilities.

“The government should take appropriate measures and avail the necessary resources and services to people with disabilities as stipulated by Section 83 of Constitution which talks about the rights of persons with disabilities,” she noted.

“The Disability policy should be signed into law and the United Nations Convention on the Rights of Persons with Disabilities should be fully domesticated and aligned with the Constitution,” she added.

On the other hand, Mahwende suggested that the government should introduce provide a significant allocation to the Persons with Disabilities through the Disability Fund to cushion the PWDs against the scourge of COVID19.



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**The National Association of Non-Governmental Organisations (NANGO) National Executive Committee and Secretariat Convey warm Compliments to all stakeholders to the year 2022.**

As we commence the year, 2022, we are fully cognizant that organisations, businesses, churches individuals and even the government get renewed impetus to resolve to do more and better in the year. However, experiences and outturns of the previous year have a significant bearing in positioning the institution for greater success.

The year 2021 was certainly a difficult year for the country, Civil Society Organisations (CSOs), and the general populace, owing to diverse factors but chief among them being the COVID-19 pandemic. The pandemic compounded the social, economic, and governance-related challenges and further deepened the prevailing ills.

COVID-19 continues to dictate the policies, behaviours, and actions in terms of how institutions and individuals should live, where they should go, how they should interact with others amongst others. The threats of continued emergencies of new variants pose huge challenges to the prospects of sustainable development in particular the welfare of the marginalised and disenfranchised communities. It, therefore, calls for collaboration and cooperation as we work together in responding to the threats of this pandemic.

NANGO together with its members and other CSOs commit to complement the government in the COVID-19 response through COVID-19 awareness-raising campaigns, distribution of Personal Protective Equipment (PPE), creation of demand for the Vaccination program, and more importantly humanitarian assistance to the vulnerable and marginalised communities. Thus, protecting the lives of the people is a top priority for NANGO and other CSOs during this time phase.

We, therefore, urge all stakeholders and citizens to continue observing the World Health Organisation (WHO) and the general guidelines by governments to help contain the spread of COVID-19. More importantly, we lobby for the #People'sVaccine to reach those in the periphery, the scientifically proved vulnerable population groups.

The key focus for the year for CSOs.

- Engaging policymakers on the CSOs enabling environment in particular the PVO Amendment Bill 2021 process. We need to work together for an instrument that will promote and protect the civic space progressively.
- Engaging in the actions around the 2023 harmonised elections to ensure free, fair, and credible plebiscites.
- Engaging on the Population Census to be conducted in April if all goes well.
- Engaging and participating in the Universal Periodic Review process where Zimbabwe will be presenting its progress report.
- Harnessing the contribution and role of CSOs and citizens in the ongoing processes of Sustainable Development Goals for continued lobby and advocacy.
- Lobbying and advocating for climate change resolutions and recommendations as agreed upon during the Conference of Parties (COP26) as it pertains to Zimbabwe.
- Ensuring prudent stewardship of national resources and public finances through fighting corruption, ensuring fiscal transparency, and national budget credibility.

- Monitoring and demand greater participation of citizens, transparency, and accountability in the implementation of the National Development Strategy (NDSI), including influencing the ongoing integration and alignment of the NDSI to the SDGs agenda amongst other regional, continental and global development agendas.

To the NANGO membership, fellow CSOs, development partners, and stakeholders, it is apparent that a lot needs to be done during this year and we encourage the adoption of the whole of society approach if all these crucial development agendas are to be met.

NANGO wants to acknowledge the commitment, efforts, and great support rendered by various stakeholders to its membership and looks forward to Strengthening such going ahead.

We hope for a brighter and more prosperous 2022. As we move towards #ZimbabweWeWant.

Dr Lamiel Phiri

NANGO Board Chairperson 2022

Ends///...



# Compliments of the New Season

**WISH YOU A FULFILLING 2022**

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## Highlights: Recommendations to Zimbabwe given during UPR Process

Fiji, Finland, France and Germany recommend Zimbabwe to ratify CAT.

Widespread concern about the rights of women. India, Ghana, Georgia and France call for protection of women and girls against gender-based violence and implementation of policies against gender-based discrimination.

Ireland, India, Italy, #Gabon and France recommend Zimbabwe to increase efforts in the protection of children and criminalise child marriage.

Iceland and Italy call for the decriminalisation of same sex relations in the #Zimbabwe review at UPR40.

Japan recommends Zimbabwe ratify CAT and CED, take further steps to ensure women's rights, including by eliminating discriminatory provisions regarding marriage and property rights.

Luxembourg recommends Zimbabwe to ensure the independence of the Zimbabwe Commission of Human Rights, recognize the legitimacy of peaceful assemblies, criminalise child marriage and ensure 12 years of primary and secondary education.

Maldives recommend Zimbabwe to ensure that people affected by natural disasters are provided access to basic and essential services. Ethiopia and Fiji recommend increase in climate change awareness and mitigation of climate change.

Mauritania recommends Zimbabwe strengthen the health sector to improve care quality & work conditions for health workers.

Norway recommends Zimbabwe to cease arbitrary arrests of journalists, human rights defenders and student activists, urges the government to extend the right to vote to all people and ratify all core human rights treaties.

Senegal urges Zimbabwe to create NHRIs and to ratify CMW & CED.

Russia recommends Zimbabwe ensure protection in law & practice for vulnerable groups, continue efforts to improve the work of the judiciary and penitentiary system.

Sweden recommends Zimbabwe enable free, fair and transparent elections and take necessary measures to ensure an independent judiciary.

Tunisia recommends Zimbabwe step up efforts to promote equality for women, improve the protection of children, promote education, health and sanitation in line with SDGs, and incorporate international texts in national legislation.

United States of America calls on Zimbabwe to establish an independent complaint mechanism and respect and guarantee the separation of powers.

Zimbabwe takes the floor to respond to recommendations on freedom of expressions and peaceful assembly: "No journalist has been arrested for practicing journalism".

Australia recommends Zimbabwe ensure free and fair presidential and parliamentary elections, free operation of civil society actors and repeal all laws that discriminate against LGBTI persons.

Burkina Faso recommends Zimbabwe ratify CAT and ensure customary laws and practices are in accordance with the Constitution and CEDAW

Canada urges Zimbabwe to align the marriage act to the Constitution, and provide birth certificates and national identification cards to all citizens to ensure access to services and education.

Chile, Cote d'Ivoire and Cabo Verde express concern about gender-based violence and urge Zimbabwe to ratify OP-CEDAW.

**Disclaimer:** The writers in this publication were trained by NANGO with support from the European Union to monitor the National Indicative Program

The contents of articles from independent writers do not necessarily reflect the position and resolve of NANGO, European Union and United Nations Development Programme. This newsletter also promotes stories written by NANGO members and the broader civil society.

NANGO is supported to provide platforms that promote national dialogue on topical and contemporary issues that affect Zimbabwe.

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