



**ZIMBABWE**

**PERMANENT MISSION TO THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANISATIONS AT GENEVA**

**Note No. 194/2011**

The Permanent Mission of the Republic of Zimbabwe to the Office of the United Nations and Other International Organisations in Geneva presents its compliments to the United Nations Office of the High Commissioner for Human Rights and has the honour to submit Zimbabwe's country report on human rights of persons with disabilities.

The Permanent Mission of the Republic of Zimbabwe to the Office of the United Nations and Other International Organisations in Geneva avails itself of this occasion to renew to the United Nations Office of the High Commissioner for Human Rights the assurance of its highest consideration.

Geneva, 3 November 2011

**United Nations Office of the  
High Commissioner for Human Rights  
Palais Wilson  
1201 Geneva**



**OHCHR REGISTRY**

**- 8 NOV. 2011**

Recipients :...*C.M.*.....  
                  ...*J.S.*.....  
                  ...*S.W.*.....  
                  .....

Telephone: 727005/794681  
Facsimile: 705161  
Telexes: "EXTERNAL"



MINISTRY OF FOREIGN AFFAIRS  
P. O. BOX 4240  
HARARE

Ref: CX/E/279

31 October 2011

**Ambassador and Permanent Representative  
Zim-Geneva**

**Re: COUNTRY REPORT ON HUMAN RIGHTS OF PERSONS  
WITH DISABILITIES-HUMAN RIGHTS COUNCIL  
RESOLUTION 16/15**

Attached herewith is a response prepared by the Ministry of Labour and Social Services on the above subject.

A handwritten signature in black ink, appearing to read 'T. Madzorere'.

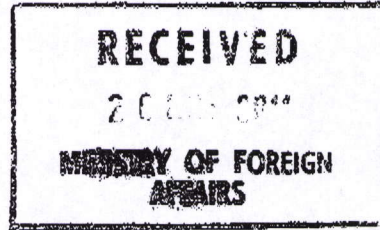
T. Madzorere

For: Secretary for Foreign Affairs

*Mr. Mafemba*  
*For attention*  
*Ngoni Sengwe*  
*01/11/11*



CX/E/279



Official communications should  
Not be addressed to individuals



**MINISTRY OF LABOUR AND SOCIAL SERVICES**

Compensation House

P Bag 7707 Causeway

Cnr Fourth Street/Central Avenue

Harare

Telephone: Harare 790871/77

Telegraphic Address: "SECLAB"

Fax: 794567

**ZIMBABWE**

Reference SW 35/1 / 15

13 October, 2011

Secretary for Foreign Affairs

Attention: T. Madzorere

**RE: COUNTRY REPORT ON HUMAN RIGHTS OF PERSONS WITH DISABILITIES-  
HUMAN RIGHTS COUNCIL RESOLUTION 16/15**

We hereby write further to your minute CX/E/279 on the above captioned matter.

Please find enclosed herein; Ministry of Labour and Social Services contribution to the United Nations Human Rights Council Resolution 16/15 questions 3 and 4. Please be advised that questions particularly relate to programmes and activities under the purview of the Ministry of Justice and Legal Affairs.

L.C. Museka

Secretary for Labour and Social services

**REGISTRY**

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**COUNTRY REPORT ON HUMAN RIGHTS OF PERSONS WITH  
DISABILITIES-HUMAN RIGHTS COUNCIL RESOLUTION 16/15**

**3. What steps has your government taken and what mechanisms exist?**

a) To ensure close and active consultation with persons with disabilities and their representative organisations in decision making processes, including those related to the development of legislation and policy?

The Supreme Law of the country, The Constitution Amendment Number 17 includes disability in the non discriminatory clauses. Zimbabwe was one of the first countries in Africa to formulate legislation specifically targeted at disabled persons when it enacted the *Disabled Persons' Act (Chapter 17:01)* in 1992. Another important milestone at expression of moral and political commitment of Zimbabwe to promote and protect the rights of persons with disabilities was through the formulation of a policy on the Equalisation of Employment Opportunities for Persons with Disabilities in the Public Service in Zimbabwe in line with an international human rights instrument – *The United Nations Standard Rules on the Equalisation of Employment Opportunities for Persons with Disabilities of 1993*.

In pursuance of the provision of self representation to people with disabilities in all public decision making structures, a National Disability Board was established in terms of Section 4 of the Disabled Persons Act.

The functions of the National Disability Board include among others, the formulation and development of measures and policies to ensure that disabled people live independently and access all social services, and, the estimation of the likely cost of the proposed measures for the welfare and rehabilitation of disabled persons.

The Board also undertakes constant reviews and reassessments of these measures in light of experience. As according to Section 7 of the Disabled Persons' Act (Chapter 17: 01), the Board has issued adjustment orders to several services or amenities which were inaccessible to persons with disabilities by reason of structural, physical, administrative or other impediments to such access. The Department of Social Services carries out its service provision as per recommendation from the Board.

Every year, the National Disability Board in conjunction with the Department of Social Services raises awareness with regards to almost all aspects of disability, and the need to mainstream disability in all developmental aspects by hosting the commemorations of the International Day of the Disabled at national level,



and, coordinating the same commemorations in different provincial capitals throughout the country.

**b) To promote participation in non governmental organisations and associations concerned with public and political life?**

Chief amongst the strengths of the National Disability Board which position it advantageously to ensure participation in civil society activities are that it constitutes individuals from grassroots organisations representing disabled persons. Moreso, National Association of Societies for the Care of the Handicapped (NASCOH) through a grant from DFID is undertaking a basket funding programme in cooperation with 7 disabled persons organisations for the Enfranchisement of persons with Disabilities in which they are educating persons with disabilities on their rights to vote.

Some of the strengths of the National Disability Board that enable promotion of disabled persons participation in public and political life are

- The board is independent
- The board is well placed to influence policy in that it is statutory and reports directly to the Minister
- Celebration of the International Day for Disability
- The board is gender sensitive in its representation
- The board consults widely
- Utilizing expertise and hiring consultants
- Consists veteran disability activists-it is constituency based
- Board members are coming from grassroots organizations
- It is derived from an Act of Parliament with a very strong legal base
- Research on disability issues with the Public Service Commission
- Providing a platform for networking

**c) To promote organisations of persons with disability at international, national, regional and local levels**

The National Disability Board also makes recommendations for the amounts to be paid out to Disabled Persons' Organisations from the Disabled Persons Fund, to facilitate their administration through the availing of an Administrative Grant, which is a one off payment provided at the beginning of the year to the said organisations. These grants capacitate organisations to purchase information communication technology materials like computers and internet connection that enable access to the international community through opening of websites for them to network with other international partners.



Moreso, through the same fund Disabled Persons Institutions receive monthly allowances to defray expenses incurred in the upkeep of inmates. This institutional support has ensured the continued operations of these institutions.

Moreover, the government continues to ensure a balance in capacity building of social workers and any other personnel who are directly involved in providing a wide range of services to persons with disabilities. As such, whenever possible personnel from disabled persons organisations are nominated to attend capacity building programmes offered by International and Regional agencies like the African Rehabilitation Institute, Japan International Cooperation Agency together with government officers.

4) How are persons with disabilities and their representative organisations involved in monitoring the Convention?

Zimbabwe may now only become a state party to this convention by joining or giving in to its provisions- a process called **Accession**. **Accession** entails expression of consent to be bound by the Convention; it has the same effect as ratification but however only requires one step which is the depositing of the instrument of accession.

Accession is only possible after an audit of local legislative framework consonance to the said international instrument. As such, it is worth noting that the Disabled Persons Act does not conflict per se with the provisions of the Convention for example definition of disability only differs in the inclusion of the term "intellect". Furthermore, Article 12 of the Convention pertaining to the general rights of is provided for in Sections 7, 8 and 9 of the Disabled Persons Act Chapter 17:01.

Wide consultations were conducted amongst relevant line ministries and the civil society as represented in the National Disability Board. The government ministries and the civil society assented to the position that the Government of Zimbabwe should become a signatory to the International Convention on the Rights of Persons with Disabilities and subsequently ratify.

As such, if the International Convention on the Rights of Persons with Disabilities is assented to by parliament, monitoring of the convention by disabled persons organisations will take effect through the National Disability Board which as alluded to earlier in (3 b) is well placed to influence policy as per its statutory mandate and the fact that it reports directly to the Honourable Minister of Labour and Social Services.



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T. Madzorere

For: **Secretary for Foreign Affairs**



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L.C. Museka

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