

**Mandate of the Working Group on discrimination against women and girls**

Ref.: OL ZWE 2/2026  
(Please use this reference in your reply)

4 May 2026

Excellency,

I have the honour to address you in my capacity as Working Group on discrimination against women and girls, pursuant to Human Rights Council resolution 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the proposed constitutional amendment to dissolve of the Zimbabwe Gender Commission and absolve its functions into the Zimbabwe Human Rights Commission.**

According to the information received:

The Zimbabwe Gender Commission was established in terms of section 245 of the 2013 Constitution of Zimbabwe. The commission became officially functional and operational in September 2015. It is one of the Chapter 12 independent commissions with a specific mandate derived from section 246 of the Constitution focusing on issues related to gender equality, including monitoring, advocacy efforts, and formulation of recommendations for public policies and laws.

On 10 February 2026, the Zimbabwe Cabinet considered and approved the Constitution of Zimbabwe Amendment Bill (No. 3) of 2026, which was subsequently gazetted on 16 February 2026. The Bill proposes several structural reforms to Zimbabwe's electoral system, separation of powers, judicial appointments, security-sector mandates, and constitutional commissions.

According to the proposed amendment, clause 18 repeals part 4 of chapter 12 of the Constitution, which establishes the Zimbabwe Gender Commission, and transfers its functions to the Zimbabwe Human Rights Commission, including the mandate to promote gender equality. Clause 19 further inserts the Zimbabwe Gender Commission's functions under the Zimbabwe Human Rights Commission.

We are concerned that the Amendment Bill foreseeing the dissolution of the Zimbabwe Gender Commission and the absorption of its functions into the Zimbabwe Human Rights Commission could potentially risk deprioritising gender equality issues and affect compliance with obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

We wish to recall that the human rights of women and girls must be at the centre of the State's policy and legislative formulation, and sufficient resources and attention must be paid to eradicating discrimination, including violence against women and girls. We consider that the dissolution of the Zimbabwe Gender Commission would be

detrimental to efforts to end discrimination, including violence against women and girls. The absorption of its functions into the Zimbabwe Human Rights Commission would lower the priority of the Government's efforts to ensure the effective enjoyment of human rights and gender equality, and to protect women and girls from all forms of discrimination and violence. This would set a dangerous precedent and send a concerning message in the sense that the achievement of gender equality and the eradication of violence against women and girls are not a top priority for the Government of Zimbabwe.

States have a fundamental obligation to pursue, without delay and by all appropriate means, a policy aimed at eliminating discrimination against women, including gender-based violence ([CEDAW/C/GC/35](#), para. 21). Pursuant to article 5 of CEDAW, States further have an obligation to “take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”

The CEDAW Committee has underscored the need for States parties “to adopt legislation prohibiting all forms of gender-based violence against women and girls, harmonizing national law with the Convention,” as well as to “to adopt and adequately provide budgetary resources for diverse institutional measures, in coordination with the relevant State branches [including] the design of focused public policies, the development and implementation of monitoring mechanisms,” in accordance to articles 2 and 5 of the Convention ([CEDAW/C/GC/35](#), paras. 26(a) and (b)).

With regard to State obligations of coordinating and monitoring data on gender-based violence against women, the CEDAW Committee recommended State parties to “set up a mechanism or body, or mandate an existing mechanism or body, to regularly coordinate, monitor and assess the national, regional and local implementation and effectiveness of [data collection measures and to] allocate appropriate human and financial resources at the national, regional and local levels to effectively implement laws and policies for the prevention of all forms of gender-based violence against women, provision of protection and support to victims/survivors, investigation of cases, prosecution of perpetrators and provision of reparations to victims/survivors, including support to women's organizations” ([CEDAW/C/GC/35](#), para. 34). National machineries for the advancement of women, while diverse in form, have been important in promoting implementation, monitoring and evaluation, advocacy, and the mobilisation of support for policies that advance women. The [Beijing Declaration and Platform for Action](#), however, notes that these machineries are often constrained by unclear mandates (para. 196), a situation that could arise if the Zimbabwe Commission on Gender is dissolved and its mandates transferred to the Zimbabwe Human Rights Commission. To that end, the Beijing Declaration and Platform for Action urges Member States to create a national machinery, or strengthen existing national machineries, for the advancement of women at the highest possible level of government, based on a strong political commitment, with clearly defined mandates and authority, with adequate resources and the ability and competence to influence policy making and formulate and review legislation. Amongst other things, it should perform policy analysis, undertake advocacy, communication, coordination and monitoring of implementation, among other things (para. 203 (b)). The Amendment Bill which would

result in the dissolution of the Zimbabwe Gender Commission and the absorption of its functions into the Zimbabwe Human Rights Commission raises serious concerns about the effective implementation of this obligation.

We are concerned that the Amendment Bill if adopted could jeopardize the constitutional guarantees granted to independent constitutional bodies established to guarantee women and girls' rights in the country.

According to the [Guidance Document on Substantive Gender Equality](#) developed by the Working Group on Discrimination against Women and Girls, the elimination of legal and structural barriers and the transformation of institutionalized patriarchal power structures requires institutional mechanisms capable of monitoring implementation and ensuring accountability and redress. During the Working Group's country visit to Zimbabwe that took place in August 2025, the Working Group commended the work of the Gender Commission. It also noted lack of enforcement power for their recommendations and insufficient staffing and resources to implement the mandate. The experts are of the view that the absorption of the Gender Commission by the Human Rights Commission might further dilute resources granted to ensuring gender equality and investigating gender-based discrimination in the country.

To conclude, we strongly recommend that the current and future Governments of Zimbabwe maintain a dedicated Commission focused on gender equality and women and girls' human rights; strengthen its mandate on gender equality in its own right; and provide it with sufficient financial, technical, and human resources. Should the Amendment Bill be adopted, it would be crucial to identify how the consequences on the rights of women and girls will be mitigated. Furthermore, it would be important to conduct this process within a consultative framework, including the effective participation of women and girls with an intersectional perspective, and multiple relevant stakeholders and actors. The Working Group on discrimination against women and girls is ready to provide technical assistance concerning institutional improvement of the Zimbabwe Gender Commission, or any other related measures, to achieve substantive gender equality in the country.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned information.
2. Please provide information on any measures that the Government has implemented or plans to implement to enable an objective, rights-based, and evidence-based assessment justifying the dissolution of the Zimbabwe Gender Commission and the absorption of its functions into the Zimbabwe Human Rights Commission, and the foreseen consequences of such measures, including a gender-impact assessment.
3. Please clarify whether the proposed institutional change has been consulted with the relevant stakeholders, prioritising civil society organizations of women and girls. If that has not been the case, please

provide information on how the Government plans to proceed with a wide consultative process that will inform the decision.

4. Please clarify how the Government intends to mitigate any negative consequences that may arise from the adoption of the Amendment Bill leading to the dissolution of the Zimbabwe Gender Commission and the absorption of its functions into the Zimbabwe Human Rights Commission, and how the Zimbabwe Gender Commission's mandate will be adequately and effectively assumed, financed and continued by the Zimbabwe Human Rights Commission.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Claudia Flores

Chair-Rapporteur of the Working Group on discrimination against women and girls