



**REPORT OF THE
PORTFOLIO COMMITTEE ON YOUTH, SPORT, ARTS
AND RECREATION**

**ON THE PETITION FROM GWANDA COMMUNITY YOUTH DEVELOPMENT
TRUST REGARDING YOUTH PARTICIPATION IN DECISION MAKING.**

THIRD SESSION – NINTH PARLIAMENT

Presented to Parliament on --- June 2021

S.C. 17, 2021

ORDER OF APPOINTMENT FOR PORTFOLIO COMMITTEE

ORDERED IN TERMS OF STANDING ORDER NO.17:

- 1) At the commencement of every session, there shall be as many Committees to be designated according to government policy as the Standing Rules and Orders Committee may deem fit.
- 2) Each select committee shall be known by the portfolio determined for it by the Standing Rules and Orders Committee.

TERMS OF REFERENCE OF PORTFOLIO COMMITTEES

STANDING ORDER NO. 20

Subject to these Standing Orders, a Portfolio Committee shall-

- a) examine expenditure administration and policy of government departments and other matters falling under their jurisdictions as Parliament may, by resolution determine.
- b) consider and deal with all bills other than a Constitutional Bill, and statutory instruments or other matters which are referred to it by or under resolution of the House or by the Speaker;
- c) consider or deal with an appropriation or money bill or any aspect of an appropriation or money bill referred to it by these Standing Orders or by or under a resolution of this House;
- d) monitor, investigate, inquire into and make recommendations relating to any aspect of the legislative programme, budget, policy or any other matter it may consider relevant to the government department falling within the category of affairs assigned to it, and may for that purpose consult and liaise with such department; and
- e) consider or deal with all international treaties, conventions and agreements relevant to it, which are from time to time negotiated, entered into or agreed upon.

On Tuesday, 27th October, 2020, the Speaker announced that the Committee on Standing Rules and Orders had nominated the following Members to serve on the Portfolio Committee on Youth, Sport, Arts and Recreation:

1. Hon Banda G
2. Hon Chipato A
3. Hon Goreriro O
4. Hon Knakuni W
5. Hon Machando P
6. Hon Mago N
7. Hon Mavetera T
8. Hon Masuku E
9. Hon Mbondiah M
10. Hon Mugweni C
11. Hon Mulkuhlani T
12. Hon Mukunyaidze S
13. Hon Paradza J
14. Hon Samambwa E
15. Hon Saruwaka T
16. Hon Sibanda O
17. Hon Taruwinga F
18. Hon Tongofa M
19. Hon Tsvangirai V
20. Hon Tungamirai J

Hon Maj (RTD) Tongofa Mathias to be the Chairperson

1.0 INTRODUCTION

1.1 Pursuant to Section 149 of the Constitution of Zimbabwe, the Gwanda Community Development Trust (GCDYT) petitioned Parliament of Zimbabwe on the need for exercising its oversight function and promote institutionalization of youth participation in all decision-making sectors or platforms. Accordingly, the petition was referred to the Portfolio Committee on Youth, Sport, Arts and Recreation for consideration. Thus, the Portfolio Committee on Youth, Sport, Arts and Recreation considered the petition and resolved to inquire into the issues raised in the petition. This report is a summary of key findings, observations and recommendations on the enquiry into the subject matter.

2.0 METHODOLOGY

2.1 The Committee undertook the following activities in gathering evidence;

2.2 It received oral evidence from Gwanda Community Youth Development Trust on 25th of February 2021 to get insight into specific issues that needed to be addressed

2.3 It also gathered evidence from Dr K. Coventry, the Minister of Youth, Sport, Arts and Recreation on 29 April 2021 on measures being implemented by the Ministry to ensure youth participation and representation at all levels of governance.

2.4 It analysed written submissions from Ministry of Youth, Sport, Arts and Recreation and Gwanda Community Youth Development Trust

3.0 PETITIONER'S PRAYER

In the petition, the Gwanda Community Youth Development Trust was beseeching Parliament to exercise its constitutional role and address the following issues of public concern;

- i. Protect the constitutionally granted right for the youths to be fairly represented at all levels of governance from the district to national level platforms,
- ii. Ensure that youth empowerment comes with a legislative framework.
- iii. Promote youth ability to battle it alone during an electoral process- ensure ZEC set aside constituencies where youths are able to contest each other. This will see a significant increase of youth representation in Parliament and local authorities.

4.0 COMMITTEE'S FINDINGS

4.1 Oral evidence from Gwanda Community Youth Development Trust (GCYDT)`

4.2 Unpacking the petition to the Committee, the GCYDT explained that the petition sought to improve youth representation in executive decision -making platforms in all sectors.

4.3 The GYCDDT argued that;

Section 20 of the Constitution of Zimbabwe mandates the state and all institutions and agencies of the government at every level to take reasonable measures including affirmative action programs to ensure that youths “*have*

a) Access to appropriate education and training,

b) Have opportunities to associate and be represented and participate in political, social, economic and other spheres of life among others

and the state must take reasonable legislative and other measures, within the limits of the resources available to it, to achieve the progressive realisation of this right”

The government has not yet fully committed in implementing this constitutional requirement, a situation which is still making it difficult for young people to make contributions in the development of policies that respond to the specific needs of their generation.

4.4 The Petitioners appreciated His Excellency the President of Zimbabwe Hon. Dr E.D. Mnangagwa for proposing that 10 youths shall be proportionally selected from all the country`s provinces to represent youths in Parliament through the constitution of Zimbabwe Amendment Number 2 Bill on 17 January 2020. However, the petitioners argued that the proposal might give power to political parties to determine the youth proportional representation list hence deprive young people the opportunity to be appointed on merit. The petitioners also indicated to the Committee that if the 10% youth quota is adhered to, youth representation will remain at its lowest mark, yet Zimbabwe is one of the African countries with youths comprising the majority of the population.

4.5 In order for all the youth concerns to be addressed, the Petitioners went on to beseech the Parliament of Zimbabwe to exercise its constitutional role and protect the constitutionally guaranteed right for the youths to be fairly represented at all levels from the district to national levels.

4.6 The Petitioners further claimed that youth empowerment needed to be complemented by a legislative framework which promote youth ability to battle it alone during an electoral process; hence the need to ensure ZEC set aside constituencies where youths are able to contest each other. They felt that this will see a significant increase of youth representation in parliament and local government levels.

5.0 Oral evidence from Minister of Youth, Sport, Arts and Recreation

5.1 National Youth Bill

5.1.1 In her submission on 29 April 2021, Dr K. Coventry informed the Committee that, the Ministry was working towards the development of a National Youth Bill which seeks to address a number of youth's concerns including issues raised by the petitioners. She further indicated to the Committee that, the Ministry was operating within the framework of the National Youth Policy and the challenge with a policy was that it is not legally binding and is also limited in scope. However, the proposed National Youth Bill will contain set of standards, principles, and procedures that must be followed in the implementation of various pieces of youth policies. The proposed law together with its instruments would ensure that legally binding principles are followed, implemented and adhered to. It would also uphold the values, principles and standards set out in section 20 of the Constitution of Zimbabwe.

5.1.2 Dr Coventry also informed the Committee that, currently the bill was still at its drafting within the Attorney's General's office and was near completion. To that end, the Ministry was organising a workshop for the week beginning 24 May 2021 to finalise the draft bill. Once completed, the Ministry will facilitate countywide stakeholder consultations to enable the youth including the petitioners to make their contributions towards the bill. A roadmap had been developed by the Ministry and it spells out all the stages that had to be followed up to the Bill being assented to by the President.

5.1.3 Dr K. Coventry, the Minister of Youth, Sport, Arts and Recreation informed the Committee that, her Ministry had taken a number of measures to facilitate and promote fair representation of youths at all levels; including at local government level, national level and electoral processes, which includes the following:

5.2 Creation of Enabling Legal and Policy Framework:

5.2.1 The Minister indicated to the Committee that, following the approval by Cabinet of the Revised National Youth Policy, the Ministry had already started working towards its dissemination to the youth and stakeholders including translation into all the major languages as well as braille. More so, the Ministry was currently spearheading the development of a new National Youth Bill which will provide for among others, facilitate and promote fair representation of youths at all levels including participation at local government level, national level and electoral processes.

5.3 Appointment of the Zimbabwe Youth Council (ZYC) Board

5.3.1 Dr Coventry informed the Committee that, in accordance with Section 3B (1)(a) and (b)(i) of the Zimbabwe Youth Council Act (Chapter 25:19 as amended in 1997), an 8-member Board for the ZYC had been appointed. The Ministry will facilitate the election of the other 7 members of the Board by registered national youth associations in terms of Section 3B(1)(ii) and (2) of the Act. 2.3.

5.4 Decentralisation of the Zimbabwe Youth Council:

5.4.1 The Minister further told the Committee that, as indicated in the Ministry's 2021-25 Strategic Plan which is aligned to the NDS1 (2021-25), the Ministry was working towards the decentralisation of the ZYC to all the country's 10 provinces. Decentralization will ensure effective coordination, supervision, promotion and fostering of youth activities at provincial and district levels. Reference was also made to section 7 of the Zimbabwe Youth Council Act (Chapter 25:19 as amended in 1997) which allows the Minister to establish Provincial and District Structures for effective execution of its given mandate.

5.5 Youth Leadership Development Initiatives:

5.5.1 Dr Coventry informed the Committee that, her Ministry, in collaboration with other line Ministries was supporting a number of youth-led activities as part of its youth leadership development programme and also to facilitate their participation. Some of the activities include;

- Junior Parliament;
- Junior Councils;

- Youth dialogue Forums (such as Youth Indabas, Youth Business Forum, Youth Chats with Policy Makers);
- Youth Leadership capacity Building Trainings; and
- Youth focal desks (persons) in line Ministries.

6.0 OBSERVATIONS BY THE COMMITTEE

The following observations were made by the Committee:

6.1 The Committee noted with concern that youth participation is an issue that cuts across and unites youths from all walks of life and the claims made by the petitioners were constitutional in terms of section 20 of the Constitution that need to be respected and observed.

6.2 The Committee observed that young people face stiff competition from already financially established adults, thus limiting their chances of success.

6.3 The Committee discovered that youth voices, involvement and participation in the election of Zimbabwe Youth Council Board was very low since only selected individual representatives of national youth associations affiliated to ZYC were eligible to vote during the election process.

6.4 The Committee observed that the Executive had created structures that accommodate youth participation and representation. For instance, the Cabinet has approved that 10 youths shall be proportionally selected to represent youths in Parliament. However, if the 10% is adhered to youth representation will still remain low yet youths comprise majority of the population in the country.

7.0 RECOMMENDATIONS

The Committee recommends the following:

7.1 The Committee recommends that, the Ministry of Youth, Sport, Arts and Recreation should expediate and put in place the National Youth Act by 30 September 2021. The Act should ensure that it addresses all the concerns of the youths.

7.2 The Committee recommends that by 31st of December 2022, Ministry of Youth, Sport, Arts and Recreation should ensure that the Zimbabwe Youth Council decentralise its structures to promote effective coordination, supervision and fostering of youth activities at all levels.

7.3 The Committee further recommends that going forward, the Ministry of Youth, Sport, Arts and Recreation should ensure that all election processes for Zimbabwe Youth Council are regulated by Zimbabwe Electoral Commission to ensure transparency and fairness.

7.4 The Committee further recommends that Ministry of Justice, Legal and Parliamentary Affairs should submit a bill to Parliament by 31st December 2021 amending the Constitution to increase the youth quota from 10% to 25%.

7.5 The committee also recommends that the Ministry of Justice should amend the electoral Act to provide for the modalities for the realisation of the amendment to the constitutional provision for 60 women to include young women and young women with disabilities by 31st December 2022.

8.0 CONCLUSION

The Committee supports the Petitioner`s requests in terms of section 20 of the constitution and like any other citizen of the country, the youths deserve a fair representation to that end. Thus, youth representation and participation are crucial for developing policies that respond to the specific needs of younger generations. The Committee, however, appreciated efforts being made by the Executive through Ministry of Youth, Sport, Arts and Recreation in responding to youth`s aspirations through the development of National Youth Act which seeks to address among others, issues raised by the petitioners.