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**Follow-up to the Fourth World Conference on Women
and to the special session of the General Assembly entitled
“Women 2000: gender equality, development and peace
for the twenty-first century”: implementation of strategic
objectives and action in critical areas of concern and
further actions and initiatives**

Statement submitted by Non-Governmental Organizations Coordinating Committee, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

Women making a difference in national development: act now to stop gender-based violence in Zambia

Globally, gender-based violence has been recognized as a vice that is prominent in every society and as a violation of human rights. Gender-based violence is any physical, sexual, mental, social or economic abuse against a person because of that person's gender, regardless of whether it is perpetuated by people of the same sex. It exists in many forms and can affect anyone. However, gender-based violence has taken a feminine face as it is affecting mostly women and girls.

In Zambia, violence against women and girls has always been part of Zambian society and has been acknowledged as a serious threat to social security. It is a problem of pandemic proportions, and the most pervasive means by which gender inequalities are manifested. Women and girls who experience violence suffer a range of health problems and their ability to participate in public life is diminished. Violence harms families and communities across generations and reinforces other violence prevalent in society. In Zambia, violence against women and girls takes many forms, including battery, murder, sexual abuse and exploitation, rape, defilement, incest, forced prostitution, sexual harassment, sexual cleansing, assault, forced/early marriage, early birth initiation, female genital mutilation, human trafficking and issues regarding widow inheritance.

In Zambia, violence against women and girls occurs across all socioeconomic and cultural backgrounds. Certain cultural and social norms have largely been responsible for this. According to the 2007 Zambia Development Health Survey, almost half (47 per cent) of women have experienced physical violence at some point since the age of 15, and 1 in 10 women has experienced sexual violence. In 2010, the Zambia Police Victim Support Unit recorded 8,467 cases of violence, while the Young Women's Christian Association recorded 8,400 cases. Violence, whether in the public or private sphere, creates permanent constraints in the ability of victims/survivors to engage in social, political and economic affairs. It deprives mostly women and girls of their rights and capability to freely interact and develop in society.

Securing justice for women and girls who have suffered violence is not an easy task since most women and girls are often not aware of their own rights and so do not realize that they are entitled to protection and legal redress. At the same time, women and girls continue to suffer violence because of the attitudes of law enforcement officers and prosecutors towards such cases. Most of the cases are not prosecuted or do not secure acquittals as a result of insufficient evidence, mostly due to the negligence of the investigatory wings of the law enforcement and prosecutions units that omit to collect all the necessary evidence needed to prosecute the case. This is due to the fact that the public prosecutors in the Subordinate Court, which has original jurisdiction over gender-based violence cases, are police officers who have been trained in general policing duties. The prosecutors in such courts are police officers who have not had specialized training in violence cases.

Further, the judicial system in Zambia does not have specialized and fast-track courts on gender-based violence, despite the Chief Justice having authority to

establish such specialized courts within the existing framework of the judiciary. This has prevented women and girls who have suffered violence from having access to justice since the courts take a long time to adjudicate over cases of violence and to dispose of such cases.

Zambia's legal reform has made headway with the enactment of the Anti-Gender-based Violence Act No. 1 of 2011, which provides for the protection of victims of gender-based violence. However, there is a lack of enforcement of the legislation and hence there is impunity for acts of violence against women and girls.

Zambia lacks child-friendly courts and the complicated evidential procedures in cases involving children have also failed girls in securing justice. The prosecutors in matters involving child victims and witnesses of crime do not consider a child as a capable witness, which is against the guidelines on justice in matters involving child victims and witnesses of crime. Procedures in the Zambian criminal courts are adversarial and lead to undue distress and secondary victimization of a child and are thus not helpful to child victims and witnesses.

The Anti-Gender-based Violence Act No. 1 of 2011 mandates the Government of Zambia to establish shelters for victims of gender-based violence throughout the country; to date, however, only one shelter has been established. The whole country therefore depends on the shelters established by the Young Women's Christian Association, even though there are not enough shelters to cater to all the women and girls who have suffered violence.

Governments should therefore take concrete steps to address human rights violations concerning women and girls and to protect them from all forms of violence through the implementation of national legislation and key global commitments on women and girls' rights. Furthermore, Governments should also commit to training both the police and judiciary on women and girls' human rights in order to ensure access to justice for women and girls who have suffered violence.
