

## Zambia

### 1. Discrimination in the family

#### a) Overarching legal framework for marriage

Zambia practices a dual legal system; marriage, child custody, property rights and inheritance are governed by respective statutory and customary laws (CEDAW, 2010). Therefore, the law recognises marriages concluded under civil law and African customary law.

The civil marriages are governed by the Marriage Act. Contracting parties shall give a notice of the intended marriage in the written form to the Registrar (Marriage Act, Sec. 6). He issues a marriage certificate within the time prescribed and enters the marriage into “Marriage Register Book” (Marriage Act, Sec. 10, 29). In addition, the couple contracts a marriage before a Registrar in the presence of two witnesses (Marriage Act, Sec. 26). The Anti-Gender-Based Violence Act (2011) considers forced marriage as a form of “physical, mental, social or economic abuse” and prohibits such practice (Anti-Gender-Based Violence Act, Sec. 2, 3).

The customary norms vary among different ethnic groups but there are some core conditions for a valid marriage, such as: attainment of puberty by a girl and appropriate initiation ceremonies; parental or guardian consent; negotiations and exchange of *lobola* (bride-price); act of specific ritual symbolising marriage e.g. wedding (Population Council, UNFPA and Government of the Republic of Zambia, 2017). The customary marriage is contracted between families and can be polygamous (CEDAW, 2010). Statutory law is supposed to prevail where customary law and customary practice are inconsistent with its provisions (Constitution of Zambia, Sec. 7). In practice, the majority of Zambians prefer to follow customary law, which is more familiar to them (UNICEF, 2015). Although the Marriage Act prohibits marriage under both regimes simultaneously (Marriage Act, Sec. 32, 38), most women and men enter into such marriages. This is the case when the marriage is contracted under statutory law but the payment of *lobola* succeeds (CEDAW, 2010). It confirms a marriage and signifies the delivery of the bride; moreover, the husband acquires power over reproductive rights of the women (CEDAW, 2010).

The harmful practices against widows such as sexual cleansing is prohibited (Anti-Gender-Based Violence Act, Sec. 2, 3). Recently, the practice of sexual cleansing significantly declined; it has been banned in some local communities by the traditional leaders (US State Department, 2016). Nevertheless, the law allows a male sibling to marry and inherit his deceased brother’s widow under the Deceased Brother’s Widow’s Marriage Act of 1926 (USAID, 2014). It constitutes an exception from bigamy as the surviving brother may enter into second marriage even if he was already married (USAID, 2014).

The law does not provide for informal/de-facto unions. Non-marital relationships are not recognised and do not have any legal status under civil law. The parties in such union do not enjoy any marital

rights and do not benefit from any statutory regulations. The customary law also does not accord any legal status to cohabitations outside marriage (Himonga, 2011).

### **b) Child marriage**

The legal age of marriage for both women and men is 21 (Marriage Act, Sec. 10). Under certain exceptions, women and men under legal age may enter into marriage with the written consent of the father (Marriage Act, Sec. 17). If he is dead, unsound or absent from Zambia, the consent may be obtained from the mother; if she is not available such consent may be provided by the guardian (Marriage Act, Sec. 17). In case of refusal parent or guardian, the consent may be granted by a Judge of the High Court, (Marriage Act, Sec. 19). If parents or guardian are absent from Zambia the Minister, a Judge of the High Court, or a District Secretary may consent to such marriage in writing (Marriage Act, Sec. 19). Nonetheless, a marriage between persons either of whom is under the age of 16 years becomes void (Marriage Act, Sec. 33). Moreover, a child marriage is recognised as a form of “physical, mental, social or economic abuse” and criminalised under Anti-Gender-Based Violence Act (Anti-Gender-Based Violence Act, Sec. 2, 3). There are legal sanctions for those facilitating a marriage of children. The offence is punishable to imprisonment with or without hard labour for a period not exceeding five years (Marriage Act, Sec. 42). The ban of child marriage is also supported by the criminalisation of the sexual intercourse with a person under age of 16 (Penal Code, Sec. 138).

The customary law does not set a minimum age for marriage but girls are married as soon as they reach puberty (CRC, 2015). Child marriage is also exacerbated by the high incidence of poverty and vulnerability in Zambia. Parents who are not able to provide adequate care for their children decide to marry off daughters (Ministry of Gender and Child Development, 2015). It is reported that early marriages significantly impede girl’s access to education (UNICEF, 2015).

Zambia has one of the highest rates of child marriage in the world and it is widely practised across the country (UNICEF, 2015). Child marriages are more prevalent in rural than in urban areas; the rates vary across the country (World Bank, 2016). However, the rate of child marriage has declined substantially over time (World Bank, 2016). Numerous stakeholders work together to combat child marriage in Zambia. Many local Chiefs have banned the practice of child marriage and placed in schools the girls affected by such marriages (US Department of State, 2016). At the governmental level, the five-year National Action Plan to End Child Marriage has been adopted. It aims to achieve a 40% reduction in child marriage by 2021 and free Zambia from child marriage till 2030 (Ministry Of Gender, 2016). The objectives of the National Strategy are: to strengthen multi-sectoral approach; to facilitate the development and review of policies and legislation; to facilitate positive change in prevailing negative attitudes, behaviours, beliefs and practices; to facilitate the provision of child-sensitive services; to effectively mobilise financial resources. The Ministry of Gender coordinates the implementation of the Strategy and collaborates with different stakeholders (Ministry Of Gender, 2016).

### **c) Household responsibilities**

In Zambia, women and men have the same right to be recognised as the head of household (Central Statistical Office, 2016). Nevertheless, the 2015 Living Conditions Monitoring Survey Report shows that households are predominately headed by men in both rural and urban areas. This is their

traditional role in the family (Fearn-Banks, 2016). It is also reported that male-headed households earn more than female-headed households. Women are not legally required to obey their husbands.

In Zambia, the provisions regarding child children in civil matters are dispersed among different acts. Parents are obliged to provide or make a proper contribution towards reasonable maintenance of a child (Matrimonial Causes Act, Sec. 58; Affiliation and Maintenance of Children Act, Sec. 8). The duty applies to the maintenance of a marital child; an adopted child; a child of a woman or man born before the marriage regardless legitimated or not; a child born out of wedlock; a child of a void marriage contracted between the spouses (Himonga, 2011). Under customary law, parental right and responsibilities vary within matrilineal or patrilineal systems and among different ethnic groups. Normally, upon the payment of *lobola* all rights and powers over children are granted to the father (Himonga, 2011). Depending on the system, children may belong to the mother's or father's kinship.

The husband also has a duty to provide maintenance to his wife respectively to his means while cohabitation (Himonga, 2011). He is not exempted from the duty when the woman has deserted due to the misconduct of the husband; however, it terminates upon a wife's adultery. Woman has the right to pledge husband's credit in order to cover expenses necessary for her and the family. The same duty applies to woman who possesses her own separate property.

#### d) Divorce

In Zambia, women and men have the same rights to initiate divorce (Matrimonial Causes Act, Sec. 8); the same applies to finalise a divorce or annulment (Matrimonial Causes Act, Sec. 9, 88). The High Court of Zambia has jurisdiction in matrimonial causes, including termination of a civil marriage by divorce (Matrimonial Causes Act, Sec. 4). The law provides just one ground for divorce, namely, that a marriage has broken irretrievably (Matrimonial Causes Act, Sec. 8). In this regard, the petitioner must satisfy the Court of one or more of the facts that: the respondent has committed adultery; the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with him/her; the respondent has deserted for a continuous period of at least two years; that the parties to the marriage have lived apart for a continuous period of at least two years and the respondent consents to a decree being granted; that the parties to the marriage have lived apart for a continuous period of at least five years (Matrimonial Causes Act, Sec. 9). The petition for divorce may be presented not earlier than one year after contracting a marriage (Matrimonial Causes Act, Sec. 6). In addition, either party has to be domiciled in Zambia (Matrimonial Causes Act, Sec. 4). However, the wife notwithstanding her husband is not domiciled in Zambia if: she has been deserted by her husband; the husband has been deported from Zambia but immediately before the desertion or deportation domiciled in the country; the wife has been ordinarily resident of Zambia for a period of three years immediately preceding the commencement of the proceedings (Matrimonial Causes Act, Sec. 74).

Marriages contracted under customary law are dissolved in local courts (Himonga, 2011). There are various grounds for a divorce; the most significant are sexual issues including reproduction, performance or fidelity (Taylor, 2006). Given the procreation is the core of a marriage, there are several social, cultural and personal concerns regarding childlessness. It is a commonplace that men initiate a divorce when there are no children in the marriage (Emery, 2013). Moreover, women are

claimed responsible for barrenness. Whereas adultery committed by a man is socially acceptable, refusal to have a sexual intercourse or unprotected sex by woman may be a ground to file a divorce petition (Taylor, 2006). Despite a high social tolerance, abuse and domestic violence also occur to be a reason for a divorce.

Every child enjoys the right to financial and emotional support from its parents regardless they live together or not (website of the Access to Justice Programme of the Republic of Zambia, n.d.). In the event of divorce following a civil marriage, child custody is granted in the best interest of the child (CRC, 2015). However, in the majority of cases fathers are given the custody of minor children (Emery, 2013). The law also provides for a maintenance order in respect of a marital child on divorce, nullity of marriage or separation (Affiliation and Maintenance of Children Act, Sec. 9). This is ordered upon application made by any parent or legal guardian who is concerned by other parent's failure to sufficiently provide or make a proper contribution to the maintenance of the child (Affiliation and Maintenance of Children Act, Sec. 8). The person entitled to the payment under a maintenance order is: a mother; a father or a legal guardian (Affiliation and Maintenance of Children Act, Sec. 14). This is paid to the person who has day-to-day care of a child. The failure to comply with a maintenance order is considered as a criminal offence punishable to imprisonment for a term not exceeding six months and/or to a fine (Affiliation and Maintenance of Children Act, Sec. 38).

The court may also order a person to pay maintenance to a former spouse (Local Courts Act, Sec. 35). The order of maintenance may be made for a period not exceeding three years following a divorce (Local Courts Act, Sec. 35). The order also terminates upon the remarriage of the beneficial party (Local Courts Act, Sec. 35).

Under customary law, parental powers and rights of custody vary within matrilineal or patrilineal systems and among different ethnic groups. Normally, the payment of *lobola* cedes all rights and powers over children to the father and it continues also after divorce (Himonga, 2011). In some communities, a mother has the right to keep young children until they reach a proper age to go under custody of a father. Children found mature enough may be given the option to choose with which parent they wish to stay (Himonga, 2011).

The law remains uncertain with regard to the property upon divorce. There are several positions presented (Himonga, 2011). The spouses may not be entitled to each other's property. Contrarily, women and men may share matrimonial property. In this case, the court makes an order and divides an individual property unconditionally and equally between spouses; the contribution to the acquisition of the property is not considered. It has been also registered that the property may be transferred to children of divorcing spouses, basing on the principle of the best interest of the child. Finally, the customary may not be applied due to the repugnancy test of natural justice and equity of its provisions. In this case, the Court in awarding the order seeks to put spouses in equal position. Although the customary law clearly states that spouses do not share each other's property acquired during the marriage, there is a tendency in the courts to consider direct and indirect contributions of each spouse to acquisition or development of the property. These include: monetary contribution, domestic work or child care.

### e) Inheritance

The Zambian law provides daughters and sons with the same rights to inherit land and non-land assets, they are given 50% of the estate (Intestate Succession Act, Sec. 5). Surviving spouses have the equal right to the statutory 20% of the estate (Intestate Succession Act, Sec. 5). Moreover, the surviving spouse is entitled to the house and keeps the life interest until remarriage (Intestate Succession Act, Sec. 9). However, the right to remain in the house does not institute the title to the ownership, a surviving spouse gains the usufruct right of use (Cooper, 2010). The law also provides for penalties for any person who denies any other person his/her rights to the property as prescribed in the Act (Intestate Succession Act, Sec. 14).

Under Zambian law, disinheritance is not explicitly covered, however, the court may order provision for maintenance for dependants whom a testator has not made reasonable provision either during his life time or by his will (Wills and Administration of Testate Estates Act, Sec. 20). The Intestate Succession Act takes precedence over customary law (Intestate Succession Act, Sec. 2) whereas the Wills and Administration of Testate Estates Act does not apply to customary lands (Wills and Administration of Testate Estates Act, Sec. 2).

In case of a polygamous marriage, the statutory share is divided among widows proportionally to the duration of their respective marriages to the deceased; other factors such as: the widow's contribution to the deceased's property may be additionally considered (Intestate Succession Act, Sec. 5). The surviving spouses hold the house as tenants in common (Intestate Succession Act, Sec. 9).

The adopted legislation remains widely unknown whereas some families of the deceased choose to ignore the law arguing statutory provisions are unfamiliar to the family systems in which most of Zambians are settled (FAO Database; Richardson, 2004). Local customs and traditional practices are found prevalent in rural areas significantly impeding women's inheritance rights (CEDAW, 2011). Given there are numerous ethnic groups in Zambia, customary inheritance rules vary across the country. The phenomenon of property grabbing is still a commonplace (FAO Database). On this point, the ownership of the property is passed to a male relative of the deceased who is expected to bore financial burden and take responsibility of the widow and children (Fleischman, 2002). In practice, the family often claim the property but does not fulfil traditional duties towards the widow and children (Richardson, 2004). In some cases, woman may be also stripped of her children (Fleischman, 2002).

The right to inherit land assets remains limited; laws do not apply to land held under customary tenure which constitute the majority of lands in Zambia (Spicher and Kabala, 2014; World Bank, 2012). In many communities, only male children are entitled to inherit the land; women regardless of their age or marital status are excluded from inheritance of lands and landed property (FAO Database). In other tribes, inheritance rights are limited to the oldest son or only to the children of the deceased. There are also matrilineal groups when women enjoy full rights to the property upon their husbands' death.

In order to combat discriminatory practices, there are community widows' support groups operating across the country. Moreover, the leading role in raising awareness about access to the property and

inheritance rights is taken by civil society organisations and national and international NGOs (SADC 2014; Spicher and Kabala, 2014). There have been several programmes implemented focusing on capacity-building and increasing the knowledge.

## 2. Restricted Physical integrity

### a) Violence against women

Zambia has signed and ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

The key legislation addressing violence against women is the Anti-Gender-Based Violence Act (2011). It recognises “any physical, mental, social and economic abuse against a person because of that person’s gender” and provides 15 categories of abuse (Ministry of Gender and Child Development, 2015). It is reported that through the adoption of the Act, the reporting rate of violence against women has increased (Ministry of Gender and Child Development, 2015).

Under the Anti Gender-Based Violence Act, the perpetrator may be arrested without a warrant (Anti-Gender-Based Violence Act, Sec. 9). This is the case when the police has reasonable grounds to believe that the person is committing or has committed an offence under the Act; is more likely to commit such offence and there is no other way to prevent its commission; unless arrested, will: escape or cause an unreasonable delay, trouble or expense in being made answerable to justice; interfere with the witnesses; or tamper with, or destroy, relevant evidence or material; is wilfully obstructing the police officer in the execution of police duties. Moreover, the protection order may be awarded by the court (Anti-Gender-Based Violence Act, Sec. 13). The breach of the order may result in an arrest and upon conviction, in imprisonment for a period not exceeding two years (Anti-Gender-Based Violence Act, Sec. 9, 23).

The Act also provides for protection and support for victims and survivors of violence. The numerous institutions and persons have the duty to assist or inform victims of their rights. These include: providing information and any basic support available; obtaining for the victim, or advising the victim how to obtain shelter, medical treatment, legal services, counselling or other service that may be required in the circumstances; advising the victim of the victim’s right to lodge a complaint against the perpetrator (Anti-Gender-Based Violence Act, Sec. 5). The victim has the right to file a complaint about the gender-based violence to the police; apply to a court for a protection order (Anti-Gender-Based Violence Act, Sec. 6, 10). In addition, free medical treatment at a public health facility and a free medical report within a reasonable period of time are guaranteed (Anti-Gender-Based Violence Act, Sec. 8). In the court proceedings, the court may separate the respondent from the victim or the witness (Anti-Gender-Based Violence Act, Sec. 11).

The Anti Gender-Based Violence Committee was also established (Anti Gender-Based Violence Act, Sec. 31). The main tasks of the Committee are: monitoring the activities of all the relevant institutions on matters connected with gender-based violence; making recommendations for a national plan of action against gender-based violence; monitoring and reporting on the progress of the national plan of action; advising the Minister on policy matters; creating and promoting

strategies to prevent and combat gender-based violence; providing guidelines for disbursements from the Fund. Moreover, the Anti-Gender-Based Violence Fund has been established. The Fund aims to provide the basic material support of victims and cover any other matter related to the counsel (Anti Gender-Based Violence Act, Sec. 32).

Currently, there is no national action plan to combat violence against women; the National Gender Policy has been adopted in 2000. Moreover, the National Guidelines for the Multidisciplinary Management of Survivors of Gender Based Violence in Zambia have been introduced to ensure integrated service delivery (Keesbury *et al.*, 2009). In addition, the Police Victim Support Unit (VSU) is operating under Zambia Police (Zambia Association for Research and Development, 2014). It is responsible for gender-based violence cases and other cases related to victims. The VSU deals with investigations, prosecution and prevention; it also offers counselling and legal assistance. There are local offices located throughout the country. Lack of confidentiality and privacy at the VSU has been reported (CARE International Zambia, 2017). In addition, One Stop Centres are available across Zambia offering integrated services; medical, legal and psychosocial support is provided either at on location or through a developed referral system (CARE International Zambia, 2017). The gender-sensitive training programmes for law enforcement officials and the judiciary have been introduced (Zambia Association for Research and Development, 2014).

#### **b) Domestic violence**

The Anti-Gender-Based Violence Act addresses domestic violence and recognises it as a criminal offence (Anti-Gender-Based Act, Sec. 2, 3). The Act covers physical, sexual, psychological and economic forms of abuse and refers to abuse both, from former partners and within the family (Anti-Gender-Based Act, Sec. 3). Any case of domestic violence may be referred to for settlement by any alternative dispute resolution method with a wish or consent of the complainant (Anti-Gender-Based Act, Sec. 36). The protection order may be granted to victims of domestic violence (Anti-Gender-Based Act, Sec. 10). Moreover, an additional occupation order may be issued requiring a person to vacate the matrimonial home or other home which the respondent shares with a victim (Anti-Gender-Based Act, Sec. 20). The perpetrator is liable for its breach and faces imprisonment for a period not exceeding two years (Anti-Gender-Based Act, Sec. 23).

The law also provides for the establishment of shelters for victims across the country (Anti-Gender-Based Act, Sec. 24). In addition, mechanisms and programs for the rehabilitation of victims and financial assistance are provided (Anti-Gender-Based Act, Sec. 30). Women who have experience physical violence and injury may seek civil remedies before the court (Zambia Association for Research and Development, 2014).

In Zambia, domestic violence against women remains widespread. The prevalence rate remains high due to several reasons. The traditional beliefs are persistent placing men as the head of a family and holder of the authority (Zambia Association for Research and Development, 2014). Women are expected to follow their traditional roles and any form of intimate partner violence is justified as punishment for their misbehaviour. There are traditional and social norms that create a framework within women are taught to accept, tolerate, and rationalise battery while men learn that violence against their spouses is standard and this is a form to express love (USAID, 2010). Moreover, it is

believed that the payment of *lobola* predisposes the right of men towards his wife and he may subject her to violence (World Organisation Against Torture, 2007). Other causes of domestic violence are: economic situation in the family and financial dependence of women upon their husbands or partners (USAID, 2010; World Organisation Against Torture, 2007). Lack of economic empowerment impedes women's ability to leave their husbands and to seek legal redress. Due to the social pressure women are unlikely to report having experienced domestic violence. There is a high acceptance of domestic violence among both women and men (Zambia Association for Research and Development, 2014). Moreover, there is limited awareness on gender based violence and available services in communities; this particularly affects rural communities with limited access to justice facilities, one step centres and courts (CARE International Zambia, 2017). The opportunity costs are significantly higher for survivors and their families in rural areas.

A study conducted in Zambia has identified several factors affecting domestic violence among married women in the country. Physical, emotional and sexual violence in the domestic sphere are strongly associated with wealth status, marital duration, place of residence and sexually transmitted diseases (Kusanthan *et al.*, 2016). Women with longer marital durations are at higher risk to experience violence from their spouses. The same applies to rural women or women with middle economic status. The level of education and economic status of women affect the reporting rate. Moreover, it has been confirmed that husband's alcohol consumption has a significant impact on spousal violence.

The public authorities are not found sufficiently effective (Overseas Development Institute, 2015). It is reported that police officers lack responsiveness; they are intimidating and disrespectful (Overseas Development Institute, 2015). Moreover, they are known to accept bribes or encourage women to withdraw their complaints and send victims back to their husbands or partners (Overseas Development Institute, 2015; Davis, 2013). In general, the sequence of seeking help and support starts with elders, family members and traditional marriage counsellors, any institutional measures are considered as next steps (Overseas Development Institute, 2015).

The Zambian government is actively engaged in raising awareness about domestic violence; there are formal and informal measures adopted to protect women (Davis, 2013). There are numerous programmes conducted in collaboration with international actors and NGOs.

### c) Rape

The Zambian legislation addresses sexual violence, this is covered by the Penal Code and the Anti-Gender-Based Act. A rape is recognised as a criminal offence liable to imprisonment for life (Penal Code, Sec. 132, 133). Attempted rape is also punishable to imprisonment of life (Penal Code, Sec. 134). The law is based on lack of consent and requires proof of physical force and genital penetration (Sexual Offences Act, Sec. 3). The law does not provide penalties for aggravated forms of a rape. The definition of rape does not include marital rape but does not exempt it from criminal prosecution; women may file a regular complaint.

There are numerous factors causing sexual and gender-based violence in Zambia. These are: position of women in the society, traditional and social norms; unbalanced power relations and socialisation



practices of girls and boys among others (Samuels *et al.*, 2015). In addition, common beliefs and traditional practices such as: belief that intercourse with a child who is a virgin cures the infection of HIV/AIDS; sexual cleansing; initiation ceremonies which are forms of sexual abuse (Samuels *et al.*, 2015; CEDAW, 2011).

The reporting rate of rape in Zambia remains low. Women do not report for several reasons such as: shame, stigma, fear of family and partners, risk of losing the marriage; there are also many late reports when the physical evidence is no longer available (Zama *et al.*, 2013; Samuels *et al.*, 2015). In addition, women reluctantly approach the police; the officers are reported to be slow to react, corrupted, intimidating and lacking respect to victims (Samuels *et al.*, 2015). The low rate of convictions for reported incidents of rape and defilement is noted (CEDAW, 2011).

#### **d) Sexual harassment**

The legal framework in Zambia provides legal protection from sexual harassment. The offence of sexual harassment refers to “engaging in a pattern of conduct that induces in a person the fear of imminent harm or feelings of annoyance and aggravation including a sexual contact without the consent of the person with whom the contact is made and making unwanted sexual advances” (Anti-Gender-Based Violence Act, Sec. 3). The definition of sexual harassment covers the workplace, educational establishments, sporting establishments and public places. The law provides for both civil remedies and criminal penalties (Anti-Gender-Based Violence Act, Sec. 2, 5). As such, the Anti-Gender-Based Violence Act is the only one specific legislation addressing sexual harassment; however, according to the US Department of State, some forms of sexual harassment may be prosecuted under the Penal Code (US Department of State, 2016).

In Zambia, many girls are subjected to sexual harassment at schools by teachers and male classmates, they are also frequently harassed while travelling to and from school (Avon Global Center for Women and Justice *et al.*, 2012). The number of incidents of sexual abuse in Zambian schools is so significant that it is considered as a systemic problem for education (Equality Now, 2017). The school authorities do not effectively respond to such incidents not having clear policies or procedures. The Zambian Government has undertaken several measures to address the problem of sexual violence at educational establishments. For instance, the private tutoring sessions in teacher’s homes are prohibited; the Government in collaboration with civil society organisations has drafted programs combating sexual violence at schools (Avon Global Center for Women and Justice *et al.*, 2012). Moreover, the Anti-Gender-Based Violence Act and the Education Act have been enacted. The Education Act provides for the establishment of an education board or board of management that is responsible for developing procedures for preventing the gender-based violence of employees, teachers and learners at educational institutions and establishing mechanisms to deal with such cases (Education Act, Sec. 32). In addition, the National Child Protection Policy for Schools is being drafted (Avon Global Center for Women and Justice *et al.*, 2012).

It is reported that Zambia has the highest rate of sexual harassment in the workplace among Southern African Development Community countries (SADC, 2014). However, there are rigorous evidence requirements before the court that refrain victims from seeking legal redress and impede

the litigation (US Department of State, 2016). Moreover, victims are often pressured by the families of perpetrators to withdraw the complaint (US Department of State, 2016).

### e) Female genital mutilation

In Zambia, the law prohibits abuse delivered from the cultural or customary rites or practices such as female genital mutilation (Anti-Gender-Based Violence Act, Sec. 2, 3). Nevertheless, there is no evidence to suggest that female genital mutilation is a serious concern in Zambia. The Inter Parliamentary Union in its campaign to end violence against women stated that FGM is reportedly not practiced in Zambia (IPU, n.d.).

### f) Abortion

In Zambia, abortion on-demand is unlawful but the Termination of Pregnancy Act permits abortion to preserve mental and physical health of the woman and to save woman's life; due to fetal inviability; on socioeconomic grounds (Termination of Pregnancy Act, Sec. 3). An opinion of three registered medical practitioners is required, one of whom must be a specialist with expertise relating to the case; however, if the termination of pregnancy is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of the pregnant woman, the requirement may be waived and the consent from only one medical practitioner is needed. An abortion must be carried out in the government hospital or any other approved institution (Termination of Pregnancy Act, Sec. 2, 3). There is no provision stating maximum number of weeks by which the woman can seek the legal abortion. The Ministry of Health has provided standards and guidelines for reducing unsafe abortion morbidity and mortality for health workers (Guttmacher Institute, 2009).

The Penal Code considers abortion on-demand as an offence. Performing an abortion is punishable to imprisonment for 14 years while the penalty for supplying drugs or instruments to procure abortion is three years of imprisonment (Penal Code, Sec. 151, 153). In addition, a woman who undergoes an illegal abortion is guilty of a felony and is liable to imprisonment of seven years (Penal Code, Sec. 152).

The Zambian abortion legal framework is considered as one of the most liberal in sub-Saharan Africa. Nevertheless, safe abortion services are not widely available and accessible. The most significant obstacles to reproductive health access are: low awareness and knowledge of abortion laws; obstructive administrative practices; costs; lack of trained abortion providers; distance to hospital facilities; social and religious norms (Creswell *et al.*, 2016; Ngoma *et al.*, 2017; Guttmacher Institute, 2009). This may lead women and girls to undergo illegal and unsafe abortions. The limited access for women and girls to reproductive healthcare and information, including contraception and HIV/AIDS treatment is reported (CEDAW, 2011). It particularly affects women in rural areas. They are particularly subjected to traditional barriers such as: prohibition of using contraceptives imposed by a male spouse; strong social and religious sanctions against abortion (Population Council *et al.*, 2017; Guttmacher Institute, 2009).

The Zambian Government launched the Reproductive Health Policy in 2005 aimed at guaranteeing free contraception in public health facilities; the Zambia Family Planning National Guidelines and

protocols were introduced offering guidelines for health workers (Population Council *et al.*, 2017). Moreover, the Zambia Integrated Family Planning Scale Up Plan has been adopted. In order to ensure effective implementation of reproductive health and family planning measures, the Reproductive Health Commodity Security Committee has been established (CRC, 2015). There are trainings in long term family planning methods conducted to enhance access for women, especially in rural areas (CRC, 2015).

### 3. Restricted Access to productive and financial resources

#### a) Secure access to land and assets

In Zambia, there is a two-tier system of land ownership; it may be administered under statutory and customary tenure (CEDAW, 2010). Under statutory law, unmarried and married women have the same rights as men to own, use, make decisions over land and non-land assets and use as collateral. Customary lands are governed by traditional authorities and only men have the right to own and power to dispose of property; wife or children may have access to it (CEDAW, 2010). Customary land accounts for the majority of total (96%) whereas the remaining 6% are state lands (Centre On Housing Rights And Evictions, 2004). Therefore, most of the people in Zambia are subjected to customary law.

In civil marriage, wife and husband own and hold her/his property acquired before and after entering into marriage; the law does not recognise the regime of joint property arising through marriage (Himonga, 2011). The property is administered by its original owner (Law Reform (Married Women and Tortfeasors) Act 1935, Sec. 2). Any disputes regarding the title to, or possession of the property between spouses are governed by the same legal provisions as for disputes between strangers (Himonga, 2011).

Customary norms, religious beliefs and social practices vary across different ethnic groups and differently shape access to lands. Even though, in some ethnic systems, the ownership rights for women are foreseen, this is rarely practised (CEDAW, 2010). In some communities, the man receives land rights from parents-in-law in his wife's village; in others, any land acquired before or after marriage are owned by a man and his wife has the right of cultivation (FAO Database). Upon dissolution of a marriage, the settlement of the property causes some difficulties. In certain cases, a man loses his right to property granted by the in-laws in his wife's village or women may have acquired the right to a half share of the standing crops; however, it often solely depends on the goodwill of the former spouse (FAO Database). Nevertheless, in some court's rulings based on customary law, wife was entitled to a reasonable share of the marital property (UN-HABITAT, 2005).

The Ministry of Agriculture and Livestock is engaged in the gender mainstreaming and economic empowerment of women in the agriculture (SIDA, 2010). The Zambia National Agriculture Investment Plan 2014-2018 provides that at least 30% of beneficiaries shall be women (Ministry of Agriculture and Livestock, 2013). It recognises the dual role of women in both agricultural production and nutrition and highlights that adequate support services may lead to positive

outcomes such as: food and nutrition security and increased household income levels. Given the rural poverty in Zambia is greatly caused by an inadequate access to land (Jayne *et al.*, 2009), the Plan provides that women will be encouraged to request for land titles. There are trainings for the land administration staff anticipated as well as appropriate policies. Numerous international partners such as: USAID, European Union, UNDP and World Bank are actively supporting agricultural programmes (Spichiger and Kabala, 2014).

### **b) Secure access to formal financial resources**

There is no legal restriction located to suggest that women and men do not have equal access to formal financial resources. Married and unmarried women have the same right as men to open a bank account at formal institutions or obtain credit. However, in practice gender gaps in financial inclusion are persistent and women are less likely to use credit or access financial services (SADC, 2013; Deutsche Gesellschaft für Internationale Zusammenarbeit, n.d.).

The main constraints women are facing in regard to economic empowerment are: lack of supportive policy and legal framework; cultural norms; physical barriers; low literacy and limited understanding of financial institutions and services; lack of products and services tailored for women (Deutsche Gesellschaft für Internationale Zusammenarbeit, n.d.; Ministry Of Gender and Child Development, n.d.). Women often are not treated as serious entrepreneurs or business partners when accessing institutions. Also lack of collateral impedes women's access to credit that is considered as a major requirement by most financial institutions (CEDAW, 2010). Due to the lower status of women in the society, some institutions still demand a signature of their husbands to obtain a loan. Women living in remote rural areas face restricted access to services, as most of the premises are located in the capital city and alongside a train rail; costs of transport coupled with household and family responsibilities remain challenging.

Despite numerous obstacles, there are several initiatives undertaken to facilitate access to financial resources for women. The Citizen Economic Empowerment Commission has been actively promoting the improvement of access to finance for women. The policy and legal framework of the Commission provides that 30% of the loans shall be distributed to women (Ministry Of Gender and Child Development, n.d.). Moreover, the Bank of Zambia takes leading role in making the financial sector more responsive. It strongly advocates for advancing women's financial inclusion. In its Strategic Plan of 2016-2019 sets an objective to strengthen gender mainstreaming within the financial sector to contribute to gender equality in the whole country (Gesellschaft für Internationale Zusammenarbeit, n.d.). For instance, in collaboration with the ILO it has introduced a methodology for a gender-based service quality check (Alliance for Financial Inclusion, 2017). Other commercial banks also provided capacity building and trainings to its employers to better address women's needs entering the SMEs market (ILO, 2015). There is the National Task Force on Gender Inclusiveness operating in Zambia, bringing together representatives of government, the private sector, NGOs and development partners; it has adopted coordinated approach towards the advancement of the financial inclusion of women (Gesellschaft für Internationale Zusammenarbeit, n.d.). Moreover, there are several funds and loan schemes available for women. The Market Trader's Loan is designed for women in need of financial assistance planning to start up small businesses; the Loan Towards Women Economic Needs for Development and Empowerment provides for women

groups; the MicroLoan Foundation Zambia supports low-income women from rural areas offering short-term loans for productive purposes (Agri-ProFocus Zambia, 2014). In addition, some digital financial services have been introduced (EIB and UNCDF, 2014).

### c) Workplace rights

Zambia has ratified ILO Conventions C100 and C111, whereas it is not a party of Conventions C156, C183 and C189.

The law mandates non-discrimination on the basis of sex in employment in Zambia (Industrial and Labour Relations Act, Sec. 108). However, it is not specified if it covers the following: advertisement, selection criteria, recruitment, hiring, terms and conditions, promotions, training, assignments. The Act provides for remedies for persons who have been discriminated against. Any employee is entitled to lodge a complaint before the Industrial Relations Court within 30 days of the occurrence (Industrial and Labour Relations Act, Sec. 108). The Court may grant to the complainant, damages or compensation for loss of employment; or make an order for re-employment or re-instatement in accordance with the gravity of the circumstances of each case. Moreover, the Anti-Gender-Based Violence Act recognises denying a person the right to seek employment or to engage in an income-generating activity as an “economic abuse” (Anti-Gender-Based Violence Act, Sec. 3). The principle of equal pay for work of equal value has not been introduced. Women do not need permission from their husband or legal guardian to either choose a profession or register a business. Women are allowed to work the same night hours and enter professions as men as there is no restriction located.

The law mandates paid maternity leave of 12 weeks (Employment Act, Sec. 15A). It is fully paid and covered by the employer providing that woman has completed at least two years of continuous service with her employer. The production of a medical certificate confirming pregnancy signed by a registered medical practitioner is required. In the event of illness arising out of pregnancy that results in a temporal incapability to perform official duties, woman is entitled to sick leave (Employment Act, Sec. 15A). The law protects women’s employment security when they are on maternity leave; dismissal of pregnant workers or imposing any other penalty or disadvantage on the ground of pregnancy is prohibited (Employment Act, Sec. 15B). Any employer who contravenes the provisions with respect to maternity leave and protection of pregnant employers is guilty of an offence. Neither paternity nor parental leave are mandated under Zambian law.

Inequalities between women and men in employment remain significant. Women represent the majority in the informal sector where the pay, social security and other benefits are very limited (CEDAW, 2011; Ministry Of Gender and Child Development, n.d.). While female employees in the formal sector face the gender wage gap. Considering the distribution of women by industries, they are mainly employed in agriculture, forestry, and fisheries (CEDAW, 2010). Women often move out from the wage sector into agriculture upon marriage (IMF, 2016). This is also associated with rather reproductive than productive roles of women in the society (Ministry Of Gender and Child Development, n.a). The highest unemployment rate is represented among rural women (CEDAW, 2011). The low position of women workers in the market is also driven by their insufficient and unequal access to information on rights, entitlements and responsibilities that additionally vary

across sectors (ILO, 2010). There is a wide range of discrimination; women face obstacles such as: access to employment, career opportunities, education, training, personal and professional development among others. The importance should be given to the trade unions and their role in promoting the rights of women in employment. These include: lobbying and advocacy on gender-related issues; promoting Women Worker's Rights; facilitating the meetings and raising awareness (ILO, 2010).

The Zambian authorities affirm that women and men enjoy the equal rights to participate in the national development process (CEDAW, 2010). In order to enhance women's participation in the labour force, the Government encourages various stakeholders to introduce affirmative actions in their respective businesses. In this regard, the public sector has initiated several reforms (CEDAW, 2010). Currently, the US Department of Labour is carrying out the EMPOWER project in Zambia focusing on increasing economic and social empowerment for adolescent girls and vulnerable women (website of the US Department of Labour). It seeks to facilitate access to acceptable work and high-quality training opportunities. In addition, it will promote public awareness on child labour and gender equality in workforce.

## 4. Restricted Civil liberties

### a) Citizenship rights

The Constitution of Zambia provides for human dignity, equity, social justice, equality and non-discrimination (Constitution of Zambia, Sec. 8). The Zambian law provides for married and unmarried women to acquire, change and retain the nationality, as well as confer the nationality to their children (Constitution of Zambia, Sec. 34-40). Married women and men have also equal rights to confer their nationality to the spouse Constitution of Zambia, Sec. 37; Citizenship of Zambia Act, Sec. 18). The spouse is entitled to apply to the Citizenship Board of Zambia, to be registered as a citizen if he is, or was married to a citizen, for a period of at least five years (Constitution of Zambia, Sec. 37). The law also grants dual citizenship and a citizen does not lose citizenship by acquiring the citizenship of another country (Constitution of Zambia, Sec. 39).

Birth registration in Zambia is compulsory (Births and Deaths Registration Act, Sec. 5). Both parents have the right and duty to register their child (Births and Deaths Registration Act, Sec. 14). The registration of illegitimate child is also required. In the case of illegitimate child, the identification of a father is not needed, however, upon a joint request of a mother and a father and acknowledgment of the fatherhood in writing in the presence of the Registrar, he may be registered as a father (Births and Deaths Registration Act, Sec. 15). The birth should be registered within one month following delivery (Births and Deaths Registration Act, Sec. 14). Parents who fail to register their child's birth may be subject to imprisonment up to one month with or without hard labour and/or a fine (Births and Deaths Registration Act, Sec. 9). Late registration of birth is allowed within 12 months following the birth of a child upon payment of a late registration fee (Births and Deaths Registration Act, Sec. 23).

Zambia has one of the lowest birth registration rates in the world (Dunning *et al.*, 2014). There are several barriers in achieving complete coverage of birth registration in the country. These include the structure of the Department of National Registration, Passport and Citizenship; lack of skills and knowledge among officers; bureaucratic backlog; lengthy procedures; limited information on birth registration; long distance to registrations centres; cultural barriers such as delayed naming ceremonies and fear of disclosure of personal data (Ministry of Home Affairs, n.a.; OHCHR, 2013).

Zambia reports its commitment to promote birth registration in the country. In the National Strategic Action Plan for Reforming and Improving Civil Registration and Vital Statistics, improvement of birth registration system is set as one of the objectives. There are numerous awareness-raising campaigns carried out in collaboration with international actors (UNICEF, Plan International). In addition, the Department of National Registration, Passport and Citizenship is developing its infrastructure and re-organising its work. The issuance of birth registration is being decentralised (OHCHR, 2013). Recently, the Integrated Nations Registration System is being introduced under the Support to the Electoral Cycle in Zambia (CRC, 2015). The Zambian authorities involve traditional leaders in the process of birth registration through establishment of village registers in chiefdoms (CRC, 2015). All measures undertaken serve to improve service delivery and enhance rural registration.

The Constitution of Zambia confirms human dignity, equity, social justice, equality and non-discrimination as the national values and principles (Constitution of Zambia, Sec. 8). They serve the interpretation of the Constitution; enactment and interpretation of the law; and development and implementation of State policy (Constitution of Zambia, Sec. 9). The non-discrimination principle covers direct and indirect discrimination against any person on a ground of birth, race, sex, origin, colour, age, disability, religion, conscience, belief, culture, language, tribe, pregnancy, health, or marital, ethnic, social or economic status (Constitution of Zambia, Sec. 266).

Every citizen of Zambia is entitled to a document of identification issued by the State (Constitution of Zambia, Sec. 42). He is required to register himself before the registrar once the age of 16 is attained; upon the registration of a national registration card is issued (National Identity Act, Sec. 3, 5, 6, 8; Citizenship of Zambia Act, Sec. 15). This applies to married and unmarried women and men and they have equal rights to apply for identity cards. In order to apply for a national identity card, the applicant is required to permit his photograph to be taken by the registrar; complete application form or provide all required information regarding his full name; sex; date or apparent year of birth and place of birth; education obtained; race and declared national status; residential address to the registrar who may complete the application form on applicant's behalf (The National Registration Regulations, Sec. 5).

The law also provides married and unmarried women with the same rights as men to apply for a passport (Passport Application Procedures). Ordinary passports are issued upon application of any Zambian citizen to facilitate international travel. Both parents are entitled to acquire passports for their minor children (CEDAW, 2010). There are no restrictions found to suggest that married and unmarried women do not have equal rights to men to travel outside the country.

## **b) Voting**

Women and men in Zambia enjoy equal voting rights (Constitution of Zambia, Sec. 43, 45, 46). The voting is outlined as a responsibility of a Zambian citizen. The electoral system seeks to ensure free exercise of political rights; it is universal adult suffrage based on the equality of a vote. Women's voting rights are confirmed the Gender Equity and Equality Act (Gender Equity and Equality Act, Sec. 29).

There are a number of initiatives undertaken to engage women in voting processes and ensure the enjoyment of political rights. The Electoral Commission of Zambia is responsible for providing voter education for an election (Electoral Act, Sec. 77). In course of elections, Voter Education Committees operate across the country (European Union Election Observation Missions, 2016). The programme seeks to sensitise the society on civic and electoral rights and provide knowledge on voting registration processes and voting procedures; materials are displayed in newspapers, on billboards, on television, radio and in social media (EISA, 2012). They are translated into local language to reach our possibly broad population (European Union Election Observation Missions, 2016). Some of the projects specifically target women. For instance, the voter education session has been provided to expectant women during the antenatal classes (EISA, 2012). Through a big-scale mobile program on voter's registration, many women obtained voter's cards and could participate in elections (European Union Election Observation Missions, 2016).

Women actively participate in the electoral processes, adopting various roles. Women are very active voters; at some polling stations they comprise the majority of voters. They also engaged in the administration of the electoral processes, they actively act as election officials; party polling agents and monitors/observers (The Commonwealth, 2016).

## **c) Political voice**

Women and men in Zambia have equal rights to hold public and political offices in legislature, executive and judiciary (Constitution of Zambia, Sec. 70, 100, 116; Gender Equity and Equality Act, Sec. 29). The Constitution of Zambia confirms the equality between women and men and their right to freely participate in, determine and build a sustainable political, legal, economic and social order (Constitution of Zambia, Preamble). Moreover, the guiding values and principles of the public service consider adequate and equal opportunities for appointments, training and advancement of members of both sexes (Constitution of Zambia, Sec. 173). Qualifications of Members of Parliament do not differ between women and men (Constitution of Zambia, Sec. 70). Similarly, the Ministers are appointed from the Members of Parliament (Constitution of Zambia, Sec. 116). The conditions to be nominated as a candidate for election as President do not discriminate against any gender (Constitution of Zambia, Sec. 100). In case of judiciary, the appointment of judges is mainly based on the specified legal qualifications (Constitution of Zambia, Sec. 141). The political rights of women are also confirmed in the Gender Equity and Equality Act (Gender Equity and Equality Act, Sec. 29).

Zambia has not introduced quotas into electoral system, any other special measures nor incentives for political parties to enhance political participation of women. None of Zambian political parties adopted voluntary quotas. However, it is prohibited that a political party is founded on a gender



sectoral or provincial basis or engages in propaganda based on that factor (Constitution of Zambia, Sec. 60). Moreover, for nominations and appointment for public offices, 50% of each gender shall be nominated or appointed from the total available positions, unless it is not practicable to do so (Constitution of Zambia, Sec. 259).

Zambian women remain significantly underrepresented in politics. There are numerous barriers that impede women's political participation. These include: first past the post electoral system; marginalisation in political parties; lack of financial resources to pay nomination fee; difficulties in raising funds for election campaign; low level of education; cultural perceptions of women in society; violence and verbal abuse against female candidates; sexual harassment, cultivate negative and sexist attitudes (European Union Election Observation Missions, 2016; UNDP Zambia, n.d.; Ministry of Gender and Child Development, 2015; The Commonwealth, 2016; VSO, 2013; Georgetown Institute for Women, Peace and Security, 2014). Recently, the amendment of the Constitution introduces the requirement of high school education for all elected officials. It disqualified many women in running for political office (US Department of State, 2016).

The Government of Zambia in collaboration with the UNDP implements the project "Consolidation of the Electoral Process in Zambia: Support to the 2015-2017 Electoral Cycle". It supports the Electoral Commission of Zambia and one of the objectives is to improve political party management and planning capacities and women leadership in political parties. This benchmark includes the development of a toolkit; training of party officials; promoting the profile and role of women inside political parties; communication training to women party members; supporting the role of women in establishing political party programmes, working with the leadership of political parties on a gender based action plan with respect of engagement of men; strengthening capacity of political party agents; review of training materials (UNDP Zambia, n.d.). Moreover, the Gender Links (Southern African NGO) with the Local Government Association has developed a gender action plan for local councils. It seeks to sensitise local communities about women's rights and their participation in politics and engage men in the process of mobilising women to run for public offices (Georgetown Institute for Women, Peace and Security, 2014). In addition, the Gender Links collects sex-disaggregated data on local governments. An active NGO that advocates for women's leadership, the Zambia National Women's Lobby, has set up the Women Campaign Support Fund (The Commonwealth, 2016). It supports female candidates to cover the costs of election campaigns.

#### **d) Access to justice**

There are no restrictions found to suggest that women have unequal capacity to sue and to be sued. Also, a woman's testimony carries the same evidentiary weight in court as a man's in all types of court cases, civil, criminal, family court and tribunals. Women and men enjoy equal rights before the law and access to justice and protection before the law (Gender Equity and Equality Act, Sec. 14). The right to fair hearing before the Courts of law, tribunals and quasi-judicial bodies is guaranteed (CEDAW, 2010).

The Constitution is the supreme law in Zambia and supersedes any other written law, customary law and customary practice that are inconsistent with its provisions (Constitution of Zambia, Sec. 1). The African customary law is the part of the Laws of Zambia in so far it is consistent with the Constitution

and not repugnant to natural justice or morality, or incompatible with the provisions of any written law (Constitution of Zambia, Sec. 7; Local Courts Act, Sec. 12; Subordinated Court Act, Sec. 16). This uncodified law consists of different norms of the 73 ethnic groups in Zambia (Spichiger and Kabala, 2014). The African customary law applies in matters of personal status, marriage, divorce and inheritance rights (Ministry of Gender and Child Development, 2015). The local courts are the lowest instance of judicial bodies in Zambia. They hear disputes under statutory and customary law, however the case may reach higher judicial bodies through appeal (Spichiger and Kabala, 2014). Nonetheless, it is a common practice that rural communities use traditional dispute settlement institutions rather than local courts finding traditional courts more accessible, familiar and more efficient (Spichiger and Kabala, 2014). It is observed that the dual legal system of statutory and customary law has a negative impact on eliminating inequalities and injustices between women and men; many of customary law provisions are found discriminatory against women (US Department of State, 2016; Spichiger and Kabala, 2014).

Women face a number of barriers in equal access to legal and justice services such as: lack of knowledge of the justice system; legal illiteracy; lack of access to legislation; limited resources to seek legal assistance; cultural inhibitions (CEDAW, 2010). There is the state legal aid programme providing free legal services in both criminal and civil cases (Legal Aid Act, Sec. 8, 11). The Legal Aid Board has 12 offices across the country (website of the Legal Aid Board). Nevertheless, it is reported that an incompetent staff in the Legal Aid Department impedes access to free legal justices, in particular for women (CEDAW, 2010). In addition, the civil society organisations advocate for access to justice for women. For instance, the National Legal Aid Clinic for Women offers free legal services in civil matters to the vulnerable women (CEDAW, 2010). There are the lands tribunals established in Zambia operating as mobile courts to provide low-cost and approachable dispute resolution in land related cases (Dalupan *et al.*, 2015). Its limited effectiveness is induced by the low awareness among rural communities. Moreover, it does not apply to cases of customary lands where any disputes remain to be under jurisdiction of the local traditional leader (Dalupan *et al.*, 2015).

The Gender Equity and Equality Commission is mandated to promote the attainment and mainstreaming of gender equity and equality in public and private spheres (Constitution of Zambia, Sec. 231; Gender Equity and Equality Act, Sec. 9). It is responsible for monitoring, investigating, researching, educating, lobbying, advising and reporting on issues concerning gender equity and equality (Gender Equity and Equality Act, Sec. 9). The Commission provides recommendations to appropriate authorities. Moreover, the Commission has the power to receive and resolve complaints relating to gender issues (Gender Equity and Equality Act, Sec. 9, 41). The Minister responsible for gender in consultation with other relevant Ministers and the Commission monitors compliance of national laws and policies with international human rights standards (Gender Equity and Equality Act, Sec. 5). The body is also tasked with conducting education programmes and public awareness campaigns on gender equality and women's rights (Constitution of Zambia, Sec. 231; Gender Equity and Equality Act, Sec. 9). The Commission has its offices in the provinces and progressively in districts (Constitution of Zambia, Sec. 231).

## Sources

Agri-ProFocus Zambia (2014), *A Market Study on Microfinance Services in Zambia*,  
[https://agriprofocus.com/upload/FINAL\\_REPORT\\_MF\\_Study\\_CMED1425011540.pdf](https://agriprofocus.com/upload/FINAL_REPORT_MF_Study_CMED1425011540.pdf)

Alliance for Financial Inclusion (2017), *Integrating Gender and Women's Financial Inclusion into National Strategies, A Guideline Note Developed by Members of the Financial Inclusion Strategy (Fis) Peer Learning Group, Guideline Note No. 27*, <https://www.afiglobal.org/sites/default/files/publications/2017-03/GuidelineNote-27%20FIS-Gender%20and%20FIS.pdf>

Avon Global Center for Women and Justice, Cornell Law School International Human Rights Clinic, *Women and Law in Southern Africa-Zambia (2012), "They are Destroying Our Futures", Sexual Violence Against Girls in Zambia's Schools*,  
<http://www.lawschool.cornell.edu/womenandjustice/Conferences-and-Events/upload/Sexual-Violence-Against-Girls-in-Zambia-s-Schools.pdf>

CARE International Zambia (2017), *The Cost of Gender Based Violence in Zambia*,  
<http://gender.care2share.wikispaces.net/file/view/Zambia%20COVAW%20II%20-%20full%20rpt%20June%202017.pdf/614673795/Zambia%20COVAW%20II%20-%20full%20rpt%20June%202017.pdf>

CEDAW (2010), *Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined fifth and sixth periodic reports of States parties, Zambia*, CEDAW/C/ZMB/5-6

CEDAW (2011), *Concluding observations of the Committee on the Elimination of Discrimination against Women, Zambia*, CEDAW/C/ZMB/CO/5-6

Central Statistical Office (2016), *2015 Living Conditions Monitoring Survey Report*,  
[https://www.zamstats.gov.zm/phocadownload/Living\\_Conditions/2015%20Living%20Conditions%20Monitoring%20Survey%20Report.pdf](https://www.zamstats.gov.zm/phocadownload/Living_Conditions/2015%20Living%20Conditions%20Monitoring%20Survey%20Report.pdf)

Centre On Housing Rights And Evictions (2004), *Bringing Equality Home. Promoting and protecting the inheritance rights of women. A survey of law and practice in sub-Saharan Africa*,  
[http://archive.kubatana.net/docs/women/cohre\\_womens\\_inheritance\\_rights\\_2004.pdf](http://archive.kubatana.net/docs/women/cohre_womens_inheritance_rights_2004.pdf)

Cooper, E. (2010), *Inheritance and the Intergenerational Transmission of Poverty in Sub-Saharan Africa: Policy Considerations*, Chronic Poverty Research Centre,  
<https://www.files.ethz.ch/isn/127426/WP159%20Cooper.pdf>

CRC (2015), *Consideration of reports submitted by States parties under article 44 of the Convention, Combined second, third and fourth periodic reports of States parties due in 2009, Zambia*, CRC/C/ZMB/2-4

Creswell, J. A., Schroeder, R., Dennis, M., Owolabi, O., Vwalika, B., Musheke, M., Campbell, O. and Filippi, V. (2016), *Women's knowledge and attitudes surrounding abortion in Zambia: a cross-sectional survey across three provinces*, BMJ Open 2016, <http://bmjopen.bmj.com/content/bmjopen/6/3/e010076.full.pdf>

Dalupan, M. C. G., Haywood, C., Wardell, D. A., Cordonnier-Segger, M. and Kibugi, R. (2015), *Building enabling legal frameworks for sustainable land-use investments in Zambia, Tanzania and Mozambique: A synthesis*, [http://www.cifor.org/publications/pdf\\_files/OccPapers/OP-140.pdf](http://www.cifor.org/publications/pdf_files/OccPapers/OP-140.pdf)

Davis, L. M. (2013), *Women's Empowerment and Sexual Risk in Zambia*, <http://opencommons.uconn.edu/cgi/viewcontent.cgi?article=6279&context=dissertations>

Deutsche Gesellschaft für Internationale Zusammenarbeit (n.a.), *Promoting Women's Access to Financial Services in Zambia - A Case Study*, <https://www.mfw4a.org/nc/knowledge-center/resources/documents/documents-details/file/promoting-womens-access-to-financial-services-in-zambia-a-case-study.html?dl=1&cHash=a4c229fe375d09c5f5adef43dd802aa2>.

Dunning, C., Gelb, A. and Raghavan, S. (2014.), *Birth Registration, Legal Identity, and the Post-2015 Agenda*, Center for Global Development, CGD Policy Paper 046, <http://www.cgdev.org/publication/birth-registration-legal-identity-and-post-2015-agenda>

EIB and UNCDF (2014), *Digital Financial Services in Africa: Beyond the Kenyan Success Story*, [http://www.eib.org/attachments/country/study\\_digital\\_financial\\_services\\_in\\_africa\\_en.pdf](http://www.eib.org/attachments/country/study_digital_financial_services_in_africa_en.pdf)

EISA (2012), *Presidential, Parliamentary and Local Government Elections*, 20 September 2011, EISA Elections Observer Mission Report, No. 42, <https://www.eisa.org.za/pdf/zam2011eom.pdf>

Emery, R. E. (2013), *Cultural Sociology of Divorce: An Encyclopedia*

Equality Now (2017), *The World's Shame, The Global Rape Epidemic, How Laws Around the World are Failing to Protect Women and Girls from Sexual Violence*, [https://www.equalitynow.org/sites/default/files/EqualityNowRapeLawReport2017\\_Single%20Pages.pdf](https://www.equalitynow.org/sites/default/files/EqualityNowRapeLawReport2017_Single%20Pages.pdf)

European Union Election Observation Missions (2016), *General Elections and Referendum 11 August 2016, Final Report*, [https://eeas.europa.eu/sites/eeas/files/final\\_report\\_eu\\_eom\\_zambia.pdf](https://eeas.europa.eu/sites/eeas/files/final_report_eu_eom_zambia.pdf)

- FAO Database, *Gender and Land Rights Database, Zambia's Country Profile*,  
[http://www.fao.org/gender-landrights-database/country-profiles/countries-list/general-introduction/en/?country\\_iso3=ZMB](http://www.fao.org/gender-landrights-database/country-profiles/countries-list/general-introduction/en/?country_iso3=ZMB)
- Fearn-Banks, K. (2016), *Crisis Communications: A Casebook Approach*, Routledge Communication Series
- Fleischman, J. (2002), *Suffering in Silence: The Links Between Human Rights Abuses and HIV Transmission to Girls in Zambia*, Human Rights Watch, <https://www.hrw.org/reports/2003/zambia/>
- Georgetown Institute for Women, Peace and Security (2014), *Inclusive Growth in Zambia: Improving Women's Representation, Access to Services and Economic Opportunity*,  
<https://giwps.georgetown.edu/sites/giwps/files/Inclusive%20Growth%20in%20Zambia%20-%20Improving%20Women%27s%20Representation,%20Access%20to%20Services%20and%20Economic%20Opportunity.pdf>
- Guttmacher Institute (2009), *Unsafe Abortion in Zambia, In Brief*, 2009 Series, No. 3,  
[https://www.guttmacher.org/sites/default/files/report\\_pdf/ib-unsafe-abortion-zambia.pdf](https://www.guttmacher.org/sites/default/files/report_pdf/ib-unsafe-abortion-zambia.pdf)
- Himonga, C. N. (2011), *Family Law in Zambia*, Wolters Kluwer, Law and Business
- ILO (2010), *Rapid Assessment on Raising Awareness on Women Workers' and their Rights in Zambia*,  
[http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis\\_ababa/---ilo-lusaka/documents/publication/wcms\\_241709.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---ilo-lusaka/documents/publication/wcms_241709.pdf)
- ILO (2015), *Enhancing Zambian SMEs' competitiveness and access to finance, Fact Sheet*,  
[http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms\\_409900.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms_409900.pdf)
- IMF (2016), *Women's Opportunities and Challenges in Sub-Saharan African Job Markets*, IMF Working Paper, <https://www.imf.org/external/pubs/ft/wp/2016/wp16118.pdf>
- IPU (n.a.), *IPU Campaign "Stop Violence against Women", Legislation and other national provisions, Zambia*, <http://www.ipu.org/wmn-e/fgm-prov-t.htm>
- Jayne, T. S., Zulu, B., Kajoba, G. and Weber, M. T. (2009), *Access to Land And Poverty Reduction in Rural Zambia: Connecting The Policy Issues*,  
<http://ageconsearch.umn.edu/record/55054/files/ps34.pdf>
- Keesbury, J., Zama, M. and Shreeniwas, S. (2009), *The Copperbelt Model of Integrated Care for Survivors of Rape and Defilement, Testing the Feasibility of Police Provision of Emergency Contraceptive Pills*,  
[https://www.popcouncil.org/uploads/pdfs/2009RH\\_ZambiaCopperbeltModelIntCare.pdf](https://www.popcouncil.org/uploads/pdfs/2009RH_ZambiaCopperbeltModelIntCare.pdf)

Kusanthan, T., Mwaba, S. O. C. and Menon, J. A. (2016), *Factors Affecting Domestic Violence among Married Women in Zambia*, British Journal of Education, Society & Behavioural Science, Vol. 12, Issue 2,

[http://www.journalrepository.org/media/journals/BJESBS\\_21/2015/Sep/Menon1222015BJESBS20140.pdf](http://www.journalrepository.org/media/journals/BJESBS_21/2015/Sep/Menon1222015BJESBS20140.pdf)

Ministry of Agriculture and Livestock (2013), *Zambia National Agriculture Investment Plan (NAIP) 2014-2018*,

[http://www.gafspfund.org/sites/gafspfund.org/files/Documents/6.%20Zambia\\_investment%20plan.pdf](http://www.gafspfund.org/sites/gafspfund.org/files/Documents/6.%20Zambia_investment%20plan.pdf)

Ministry Of Gender (2016), *National Strategy on Ending Child Marriage (2016-2021)*,

<http://www.girlsnotbrides.org/wp-content/uploads/2016/04/Zambia-National-Strategy-on-Child-Marriage-2016-2021.compressed.pdf>

Ministry of Gender and Child Development (2015), *Zambia's Progress Report on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcomes of the twenty-third special session of the General Assembly (2000), In the context of the Twentieth Anniversary of the Fourth World Conference on Women And the adoption of the Beijing Declaration and Platform for Action*,

[https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/zambia\\_beijing\\_review\\_report.pdf](https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/zambia_beijing_review_report.pdf)

Ministry Of Gender and Child Development (n.a.), *Gender Status Report - Zambia 2012 – 2014*,

<https://www.zamstats.gov.zm/phocadownload/Gender/Gender%20Status%20Report%202012-2014%20290616.pdf>

Ministry of Home Affairs (n.a.), *National Strategic Action Plan for Reforming and Improving Civil Registration and Vital Statistics, Implementation Period 2014-2019*, <http://www.crvs-dgb.org/wp-content/uploads/2015/11/Zambia-National-Strategic-Action-Plan-for-CRVS.pdf>

Ngoma, C. M., Masumo, M. M. and Sianchapa, B. N. (2017), *Abortion Policy in Zambia: Implementation Challenges*, JOJ Nurse Health Care,

<https://juniperpublishers.com/jojnhc/pdf/JOJNHC.MS.ID.555602.pdf>

OHCHR (2013), *World Vision International Submission to OHCHR Report on Birth Registration*,

<http://www.ohchr.org/Documents/Issues/Children/BirthRegistration/WorldVision.pdf>

Overseas Development Institute (2015), *Baseline Study: Stamping Out and Preventing Gender Based Violence (STOP GBV) in Zambia*, <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9759.pdf>

Population Council, UNFPA and Government of the Republic of Zambia (2017), *Child Marriage in Zambia, Policy Brief*,

[http://www.popcouncil.org/uploads/pdfs/2017RH\\_ChildMarriageZambia\\_brief.pdf](http://www.popcouncil.org/uploads/pdfs/2017RH_ChildMarriageZambia_brief.pdf)

Population Council, UNFPA, Government of Zambia Human Rights Commission, WLSA, and United Nations in Zambia (2017), *The Status of Sexual and Reproductive Health and Rights in Zambia: Contraception and Family Planning, Preventing Unsafe Abortion and Accessing Postabortion Care, and Maternal Health Care, Policy Brief*,

[https://www.popcouncil.org/uploads/pdfs/2017RH\\_SRHRZambia\\_brief1.pdf](https://www.popcouncil.org/uploads/pdfs/2017RH_SRHRZambia_brief1.pdf)

Richardson, A. M. (2004), *Women's Inheritance Rights in Africa: The Need to Integrate Cultural Understanding and Legal Reform*, Human Rights Brief, Vol. 11, Issue 6,

<http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1356&context=hrbrief>

SADC (2013), *SADC Gender Protocol 2013 Barometer*

SADC (2014), *SADC Gender Protocol 2014 Barometer*

Samuels, F., Ndubani, P., Walker, D. and Simbaya, J. (2015), *Baseline Study: Stamping Out and Preventing Gender Based Violence (STOP GBV) in Zambia*,

<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9759.pdf>

SIDA (2010), *Gender Approaches in Agricultural Programmes – Zambia Country Report, A special study of the Agricultural Support Programme (ASP)*, <http://www.sida.se/globalassets/global/gender-in-agriculture-working-paper-2010-8-zambia.pdf>

Spicher, R. and Kabala, E. (2014), *Gender equality and land administration: the case of Zambia, DIIS Working Paper*, <https://www.econstor.eu/bitstream/10419/122286/1/782859771.pdf>

Taylor, S. D. (2006), *Culture and Customs of Zambia*

The Commonwealth (2016), *Zambia General Elections, Report of the Commonwealth Observer Group*, <http://thecommonwealth.org/sites/default/files/press-release/documents/Zambia%20COG%20Report%20FN%202016.pdf>

UN-HABITAT (2005), *Land Tenure, Housing Rights and Gender Review: Southern Africa, Zambia*, <http://mirror.unhabitat.org/pmss/getElectronicVersion.aspx?nr=2140&alt=1>.

UNDP Zambia (n.a.), *Consolidation of the Electoral Process in Zambia: Support to the Electoral Cycle 2015-2017, Project Document*,

[https://info.undp.org/docs/pdc/Documents/ZMB/Final%20Draft%20Prodoc18\\_06.doc](https://info.undp.org/docs/pdc/Documents/ZMB/Final%20Draft%20Prodoc18_06.doc).

UNICEF (2015), *Qualitative study of child marriage in six districts*,  
[https://www.unicef.org/zambia/Zambia\\_child\\_marriage\\_research\\_report.pdf](https://www.unicef.org/zambia/Zambia_child_marriage_research_report.pdf)

US Department of State (2016), *Country Reports on Human Rights Practices for 2016, Zambia*,  
[https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265316#wrap\\_per](https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265316#wrap_per)

USAID (2010), *USAID/Zambia Gender-Based Violence Programming Evaluation*,  
[https://www.k4health.org/sites/default/files/Zambia\\_GBV\\_Programming\\_Evaluation\\_Aug-2010.pdf](https://www.k4health.org/sites/default/files/Zambia_GBV_Programming_Evaluation_Aug-2010.pdf)

USAID (2014), *Support to the HIV/AIDS Response in Zambia (SHARe II), Quarterly Report October-December 2013*, [http://pdf.usaid.gov/pdf\\_docs/PA00KW7Q.pdf](http://pdf.usaid.gov/pdf_docs/PA00KW7Q.pdf)

VSO (2013), *Women in Power: Beyond Access To Influence in A Post-2015 World*,  
<https://www.vsointernational.org/sites/default/files/>

World Bank (2012), *World Development Report 2012: Gender Equality and Development*,  
<https://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1315936222006/Complete-Report.pdf>

World Bank (2016), *Basic profile of child marriage in Zambia, Health, Nutrition and Population (HNP) Knowledge Brief: Child Marriage Series*,  
<http://documents.worldbank.org/curated/en/265541468187743423/pdf/106423-BRI-ADD-SERIES-PUBLIC-HNP-Brief-Zambia-Profile-CM.pdf>

World Organisation Against Torture (2007), *Human Rights Violations in Zambia, Part II: Women's rights, Shadow Report, UN Human Rights Committee, 90th session, July 2007*,  
[http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/ZMB/INT\\_CCPR\\_NGO\\_ZMB\\_90\\_1\\_0377\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/ZMB/INT_CCPR_NGO_ZMB_90_1_0377_E.pdf)

Zama, M., Dennis, M., Price, j., Topp, S., Mwansa, J. K. and Keesbury, J. (2013), *Mitigating the Consequences of Sexual Violence in Zambia by Decentralizing Emergency Medical Responses to Police Victim Support Units: Report on the Feasibility of Police Provision of Post-Exposure Prophylaxis for HIV (PEP) in Zambia*. Lusaka,  
[https://www.popcouncil.org/uploads/pdfs/2013RH\\_PolicePEPFeasibilityReport.pdf](https://www.popcouncil.org/uploads/pdfs/2013RH_PolicePEPFeasibilityReport.pdf)

Zambia Association for Research and Development (2014), *The Socio-Economic Cost of Gender-Based Violence in Zambia, Pilot Study*, <https://pl.scribd.com/document/267542474/The-Socioeconomic-Cost-of-Gender-Based-Violence-in-Zambia-Pilot-Study>