




SPADRA

Strengthening Partnerships to Advance Disability Rights in Africa




Guidelines on Access to Justice for Women and Girls with Disabilities in Remote Areas

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KEY DISTINCTIONS BETWEEN PARTS

Part A: Strategic & Analytical

1. **Audience:** Policymakers, lawyers, government officials, NGO leaders
2. **Purpose:** Understanding the problem, legal frameworks, systemic strategies
3. **Format:** Detailed chapters with analysis, evidence, and policy recommendations

Part B: Practical & User-Friendly

- **Audience:** Women with disabilities, families, community workers, paralegals
- **Purpose:** Direct action, step-by-step guidance, empowerment
- **Format:** Simple language, icons, worksheets, personal planning tools

Part C: Operational & Technical

1. **Audience:** Program managers, monitors, evaluators, advocates
2. **Purpose:** Implementation, tracking, documentation, advocacy
3. **Format:** Templates, checklists, forms, tracking sheets

ACRONYMS

ACHPR: African Charter on Human and Peoples' Rights

CBID- Community Based Inclusive Development

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CRPD: Convention on the Rights of Persons with Disabilities

CSO: Civil Society Organization

GBV: Gender-Based Violence

NGOCC: Non-Governmental Gender Organisations' Coordinating Council

OPD: Organization of Persons with Disabilities

SGBV: Sexual and Gender-Based Violence

SOP: Standard Operating Procedure

SPHERE: A monitoring framework (Story, Problem, Harm, Efforts, Response, Evidence)

UDHR: Universal Declaration of Human Rights

UN: United Nations

VSU: Victim Support Unit

ZAFOD: Zambia Federation of Disability Organisations

Abstract

This comprehensive guideline addresses the critical justice gap faced by women and girls with disabilities in Zambia, particularly in remote areas. Developed through participatory research involving 30 women and girls with disabilities, 15 duty bearers and a desk review, the document presents a multi-stakeholder approach to dismantling the intersecting barriers of gender discrimination, disability exclusion, and geographic isolation.

The guideline is structured in three interconnected parts: **Part A** provides strategic analysis for policymakers, justice officials, and civil society, covering legal frameworks, systemic barriers, and evidence-based solutions. **Part B** offers a practical Community Action Kit designed for direct use by women with disabilities, their families, and frontline workers. **Part C** contains ready-to-use templates and monitoring tools.

Core recommendations include: (1) implementing procedural accommodations like sign language interpreters and accessible formats; (2) building community

paralegal networks; (3) reforming customary justice systems; (4) leveraging appropriate technology; and (5) establishing cross-sectoral referral pathways. The document emphasizes the principle of “Nothing About Us Without Us,” ensuring that women and girls with disabilities are active architects of solutions.

By integrating lived experience with practical strategy, this guideline provides a roadmap for making Zambia’s justice system truly inclusive, accessible, and responsive to its most marginalized citizens.

Keywords: access to justice, women with disabilities, Zambia, remote areas, gender-based violence, disability rights, customary law, legal empowerment, reasonable accommodation.





Preface: A Journey of Voices and Action

This guideline represents more than a document, it is the culmination of courageous conversations, painful truths, and unwavering hope. It was born from the testimonies of 30 women and girls with disabilities across Zambia who shared their experiences of seeking justice against formidable odds. Their voices, captured in the Focus Group Discussions that inform this work, remind us that behind every statistic is a human story of resilience.

To the women and girls with disabilities who entrusted us with their experiences: your courage is the foundation of this work. We commit to honoring your stories by turning them into actionable change.

To the frontline workers and advocates in Organizations of Persons with Disabilities (OPDs), civil society, and government: this guideline is your practical companion. It bridges the gap between international

frameworks and the reality of remote Zambian communities.

To traditional leaders, police officers, magistrates, and healthcare providers: we invite you to see this not as criticism, but as a partnership guide. Together, we can transform systems to serve all citizens with dignity.

This document exists because distance should not determine dignity, and disability should never mean disenfranchisement. It is both a mirror reflecting current failures and a map pointing toward a more just future. The solutions presented here are not theoretical, they are drawn from real experiences and designed for real implementation.

May this guideline serve as both a tool and a testament, that when we listen to those most marginalized, we find the clearest path to justice for all.

Bridging the Distance: Ensuring Access to Justice for Women and Girls with Disabilities in Zambia

- This guideline applies a Human Rights-Based Approach (HRBA), grounded in the legally binding provisions of the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). It positions women and girls with disabilities as rights-holders and the Zambian State as the primary duty-bearer obligated to respect, protect, and fulfil their right to access justice.
- This guideline aligns with Zambia's commitment to the **2030 Agenda for Sustainable Development**, particularly **SDG 16** (Peace, Justice and Strong Institutions), which aims to ensure equal access to justice for all. It also advances **SDG 5** (Gender Equality) and **SDG 10** (Reduced Inequalities) by addressing the intersecting discrimination faced by women and girls with disabilities in remote areas.

“He impregnated me and still wanted to marry me, but his family refused, saying he could not marry a disabled person. He left her immediately whilst pregnant.”

– Voice of Women with Disability

The Core Challenge: A multitude of barriers block access to justice, including:

Legal & Systemic Exclusion: Outdated laws, like the Mental Health Act, restrict legal capacity, while progressive laws like the Persons with Disabilities Act (2012) are poorly implemented.

Physical & Communication Barriers: Justice facilities are often physically inaccessible, and a critical shortage of sign language interpreters and accessible information (Braille, easy-read) silences women with disabilities.

Financial & Geographic Barriers: High poverty levels and long distances to distant courts or police stations make justice unaffordable and unreachable.

Stigma & Stereotypes: Harmful perceptions that women with disabilities are less credible or unfit mothers lead to their complaints being dismissed.

Gatekeeper Control: Dependence on family or caregivers, who may be the abusers, and the influence of traditional leaders often prevent women from seeking external help.

The Solution: A Multi-Faceted Approach

This guideline provides a practical guidelines for a wide range of stakeholders, including government, OPDs, civil society, community leaders, and development partners, to dismantle these barriers. Grounded in international (CRPD, CEDAW) and Zambian law, it outlines concrete strategies:

1. **Legal & Policy Reform:** Amend discriminatory laws like the Mental Health Act and develop Standard Operating Procedures (SOPs) for police and courts to provide reasonable accommodations for women and girls with disabilities.
2. **Capacity Building:** Train justice officials, traditional leaders, and community members on disability rights, gender sensitivity, and inclusive practices.

*“Court personnel need training to understand the rights of Persons with Disabilities.” –
Voice of a women with Disability during FGDs.*

3. **Community Empowerment:** Establish networks of community-based paralegals and peer advocates, particularly women with disabilities, to provide first-line legal support and empowerment in remote areas.
4. **Leveraging Technology:** Utilize solutions from low-tech (toll-free hotlines, community radio) to medium-tech (mobile legal clinics, video testimony) to bridge geographic distances.
5. **Inclusive Customary Justice:** Engage with traditional leaders to reform customary systems, combat harmful norms, and establish clear referral pathways to the formal justice system.
6. **Strategic Advocacy & Monitoring:** Use tools like the SPHERE framework to document barriers and leverage data for evidence-based advocacy and accountability at local and national levels.

A Call to Action

This document is both a strategic framework and a practical action kit. It includes ready-to-use templates, a phased implementation roadmap, and a dedicated “Community Action Kit” designed for direct use by frontline workers. By working together to implement these strategies, we can transform Zambia’s justice system into one that is truly inclusive, accessible, and responsive to its most marginalized citizens, ensuring that for women and girls with disabilities, **distance is no longer a barrier, and disability is not a sentence to silence.**

2. Who Can Use This Guideline and How

This Guideline is designed as a practical guide for a wide range of stakeholders committed to making access to justice a reality for women and girls with disabilities in Zambia, particularly in remote areas.

Organizations of Persons with Disabilities (OPDs): Use this guideline to advocate for legal reforms, train your members on their rights, monitor government compliance with disability laws, and establish community-based paralegal programs.

Civil Society Organizations (CSOs) and Women's Rights Groups: Use the strategies and templates to design inclusive programs, conduct accessibility audits, engage with traditional leaders, and build strong coalitions with OPDs.

Community Leaders (Chiefs, Indunas, Religious Leaders): Use Chapters 5 and the advocacy templates to understand national laws, learn strategies for inclusive dispute resolution, and partner with OPDs to make customary justice systems fairer.

Government Officials: Officials from the Ministry of Justice, Zambia Police Service, Judiciary, and Ministry of Community Development and Social Services can use this guideline to develop Standard Operating Procedures (SOPs), plan inclusive infrastructure, and design training curricula for staff.

Legal Practitioners and Legal Aid Providers: Lawyers, magistrates, and paralegals can use the legal framework chapters and practical templates (like the Request for Reasonable Accommodation) to better serve clients with disabilities.

Development Partners and Donors: Use the analysis and strategies to identify funding priorities, support evidence-based programming, and hold partners accountable for inclusive implementation.

How to Use This Guideline

This guideline is a multi-purpose resource designed to support diverse stakeholders in advancing access to justice for women and girls with disabilities in Zambia's remote areas. Depending on your role and objectives, you can use it in the following ways:

1. As a Training Manual

Use individual chapters to design and deliver targeted workshops for specific audiences.

Example: Use **Chapter 7 (Community-Based Paralegal Networks)** to train community advocates.

Example: Use **Chapter 6 (Customary Justice Systems)** to sensitize traditional leaders.

Incorporate tools from Part B (Community Action Kit) and Part C (Templates) into training sessions for hands-on learning.

2. As an Advocacy Resource

Leverage the legal and policy analysis from **Chapter 3 (Legal Framework)** and **Chapter 4 (Government Obligations)** to draft policy briefs, position papers, and submissions to national and international bodies.

Use evidence from Chapter 10 (Monitoring & Documentation), including the **SPHERE framework** and compiled testimonies (**Annex C**), to build data-driven advocacy campaigns.

Employ the advocacy templates from **Annex 1 (Template 4: Advocacy Meeting Briefing Note)** to structure engagements with policymakers.

3. As a Practical Implementation Guide

Directly apply the strategies outlined in the guideline to initiate programs and interventions.

Example: Follow **Chapter 7** to establish a community paralegal network.

Example: Use **Chapter 8** to pilot technology-based justice solutions like mobile legal clinics or video testimony systems.

Utilize ready-to-use templates from **Part C** for immediate action, such as:

- **Template 1:** Accessibility Audit Checklist
- **Template 2:** Paralegal Referral Form
- **Template 3:** Request for Reasonable Accommodation

4. As a Monitoring and Evaluation Tool

Adopt the SPHERE framework from **Chapter 10** to systematically document cases, analyze barriers, and track outcomes.

Use the indicators table in Chapter 10 to measure progress across key areas such as accessibility, capacity building, and community empowerment.

Conduct regular audits using **Template 1** to assess and improve the accessibility of justice facilities.

5. As a Community Empowerment Toolkit

Distribute Part B (Community Action Kit) directly to women with disabilities, families, and frontline workers for step-by-step guidance on seeking justice.

Facilitate peer support sessions using **Tool 5: Our Stories, Our Strength** to foster solidarity and collective problem-solving.

Display the Visual Referral Pathway Map (Annex 3) in communities to clarify available services and steps to take.

6. As a Coalition-Building Resource

Share the guideline across sectors to align efforts among government agencies, OPDs, civil society, traditional leaders, and development partners.

Use Chapter 11 (Implementation Framework) to develop coordinated multi-stakeholder action plans and roadmaps.

Key Audiences and Suggested Uses

Audience	Recommended Parts & Tools	Primary Use
OPDs & CSOs	Part A (Chapters 3–10), Part B, Annex 1	Advocacy, community training, paralegal program setup
Government Officials	Part A (Chapters 3–5, 11), Annex 1	Policy reform, SOP development, budget planning
Traditional Leaders	Chapter 6, Part B, Annex 3	Sensitization, referral pathway integration
Frontline Workers	Part B, Annex 1–3	Daily support, case management, reporting
Donors & Partners	Part A (Chapters 2–5, 10), Chapter 11	Funding prioritization, program design, M&E

“Your Starting Point: Quick-Start Guide for Key Stakeholders”

Content:

A visual infographic-style page with four columns:

OPDs & CSOs	Government Officials	Traditional Leaders	Frontline Workers
First Step: Read Chapter 10 (Monitoring) & Annex 1	First Step: Read Chapter 4 (Govt Obligations)	First Step: Read Chapter 6 (Customary Systems)	First Step: Go directly to Part B (Community Action Kit)
Priority Tool: Template 4 (Advocacy Briefing)	Priority Tool: Template 1 (Accessibility Audit)	Priority Tool: Visual Referral Map (Annex 3)	Priority Tool: Tool 4 (Request for Accommodation)
First Action: Map existing cases using SPHERE framework	First Action: Conduct 1 accessibility audit	First Action: Identify 1 case for formal referral	First Action: Complete 1 safety plan with a woman
Success Metric: 5 cases documented in 1 month	Success Metric: 1 barrier removed in 3 months	Success Metric: 1 protocol agreed with police	Success Metric: 3 women know their rights

Introduction

In the pursuit of justice, distance should not be a barrier, and disability should not be a sentence to silence. For women and girls with disabilities in Zambia, particularly those living in the remote and often underserved parts of the country, accessing the justice system remains a daunting, and often impossible, challenge. They face a triple bind: discrimination based on their gender, exclusion due to their disability, and isolation because of their geographic location.

“He impregnated me and still wanted to marry me, but his family refused, saying he could not marry a disabled person.” – This experience of a young woman in Zambia illustrates the compounded discrimination that forms the central challenge this guideline addresses.

Defining “Remote Areas” in the Zambian Context

For the purposes of this guideline, “remote areas” refer to communities characterized by:

- **Geographic Isolation:** Located more than 50km from a magistrate’s court or permanent police station.
- **Infrastructure Gaps:** Limited or no all-weather road access, unreliable public transportation, and poor mobile network coverage.
- **Service Deprivation:** Heavy reliance on customary justice systems and limited presence of formal justice actors (police, legal aid, social welfare).
- **Digital Exclusion:** Low levels of digital literacy and limited access to internet-enabled devices. These intersecting factors of distance, terrain, and infrastructural neglect compound the barriers faced by women and girls with disabilities, making them particularly vulnerable to justice exclusion.

This is also situated within the framework of the **Sustainable Development Goals (SDGs)**, which provide a global mandate for inclusive development. By dismantling barriers to justice, this guideline contributes directly to:

- **SDG 5:** Achieving gender equality and empowering all women and girls.
- **SDG 10:** Reducing inequality within and among countries.
- **SDG 16:** Promoting peaceful and inclusive societies, providing access to justice for all.
- **SDG 17:** Strengthening partnerships among government, civil society, and communities.

This guideline employs a Human Rights-Based Approach (HRBA), ensuring strategies are designed to empower rights-holders, enforce state accountability, and translate legal entitlements into tangible justice outcomes. It is designed as a practical guide for Zambian civil society, Organizations of Persons with Disabilities (OPDs), women's rights advocates, community leaders, and government officials who are committed to making the right to access justice a reality for all. Drawing on the robust framework of international law, including the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as Zambia's own progressive laws like the Persons with Disabilities Act (2012), this document moves from identifying the problem to outlining concrete solutions.

Our aim is twofold: first, to empower women and girls with disabilities with the knowledge of their rights and the mechanisms to claim them; and second, to equip advocates and duty-bearers with the strategic tools to dismantle the physical, communication, and attitudinal barriers that perpetuate injustice. By working together to implement the strategies and use the templates within this guideline, we can build a justice system in Zambia that is truly inclusive, accessible, and responsive to the most marginalized among us.

Contextual analysis

Women and girls with disabilities in Zambia, who constitute a significant portion of the population, face profound and intersecting barriers to accessing justice due to discrimination based on gender, disability, and geographic location (Central Statistical Office, 2015). Compared to men with disabilities and women without disabilities, they are disproportionately excluded from legal protection and are more likely to have their credibility questioned by justice system actors (Women Enabled International, n.d.). In remote areas, these challenges are exacerbated by isolation, a lack of services, and entrenched cultural norms. This guideline outlines the barriers, the relevant legal framework, government obligations, and practical strategies for realizing the right to access justice for women and girls with disabilities across Zambia.

Expanded International, Regional, and National Frameworks

A multi-layered legal and policy framework supports the right to access justice for women and girls with disabilities, though implementation remains the core challenge.

International Frameworks

UN Convention on the Rights of Persons with Disabilities (CRPD): Ratified by Zambia, it is a cornerstone. **Article 12** guarantees equal recognition before the law, **Article 13** explicitly guarantees «effective access to justice,» and **Article 16** addresses freedom from exploitation, violence, and abuse, mandating gender-sensitive support services.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): **Article 2** and **Article 15** obligate states to ensure women have equality before the law and access to justice. The **CEDAW Committee's General Recommendation No. 33** provides detailed guidance on women's access to justice.

The 2030 Agenda for Sustainable Development: Sustainable Development Goal 16 aims to «promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,» with specific targets (16.3) on promoting the rule of law and equal access to justice.

Regional Frameworks

African Charter on Human and Peoples' Rights (ACHPR): Guarantees the right to a fair trial and non-discrimination.

Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol): Article 8 calls for states to take positive action to promote women's access to justice. **Article 23** specifically addresses the rights of women with disabilities, requiring states to take measures to ensure their access to education, employment, and participation in all spheres of life.

African Union Continental Framework for the Protection of the Rights of Persons with Disabilities (2018): Provides a comprehensive regional strategy for implementing the CRPD, emphasizing the inclusion of persons with disabilities in justice systems.

Zambian National Policies and Frameworks

The Constitution of Zambia (Amendment) Act No. 2 of 2016: Article 266 includes disability as a prohibited ground for discrimination, forming the basis for equality before the law.

The Persons with Disabilities Act No. 6 of 2012: The key law. **Part V** outlines rights, including protection from discrimination and the right to access public services. **Section 9** mandates the provision of «necessary facilities and equipment» to enable access to services, including justice.

The Gender Equity and Equality Act No. 22 of 2015: Aims to eliminate discrimination and promotes participation of all, including women and girls with disabilities.

National Disability Policy (2015): Provides a framework for mainstreaming disability across all sectors, including justice, and calls for the removal of attitudinal, institutional, and environmental barriers.

National Legal Aid Policy (2013): Aims to provide legal aid services to marginalized groups, though its implementation in remote areas for persons with disabilities needs strengthening.

Zambia's Seventh National Development Plan (7NDP) & Eighth National Development Plan (8NDP): These plans emphasize inclusive development and access to justice for vulnerable groups, providing a strategic entry point for advocacy and resource allocation for disability-inclusive justice programs.

National Strategy on Ending Child Marriage (2016-2021): Relevant for girls with disabilities, who are at a higher risk of child marriage, and includes components on access to justice and support services.

Our Framework: A Human Rights-Based Approach to Inclusive Justice

- **1.1 The Foundation: The CRPD and CEDAW as Legal Instruments:** Reframe the treaties not just as «frameworks» but as binding law that creates entitlements and duties.
- **1.2 Principles of a Human Rights-Based Approach (HRBA):** Define the six points above in simple terms.
- **1.3 Applying the HRBA to Access to Justice for Women and Girls with Disabilities:**
 - **Rights-Holders:** Women and girls with disabilities as active claimants of rights.
 - **Duty-Bearers:** The State (at all levels) as the primary accountable entity, with clarified roles for others (as you have in Ch. 4).
 - **The Justice Process as a Rights Claim:** Seeking justice is not just solving a problem; it is claiming the rights to equality, non-discrimination, freedom from violence, and effective legal protection.
- **1.4 From Principles to Practice:** Briefly explain how this approach translates into the strategies in the guideline (participation in monitoring, accountability mechanisms, empowerment tools).



Chapter 1:

The Foundations - Voices and Experiences of Women and Girls with Disabilities

“Our stories are not just problems to be solved. They are evidence of what is broken, and they hold the blueprint for what must be built.”

This guideline is not based on theory alone. Its core, its urgency, and its recommendations are drawn from the direct, often painful, experiences of 30 women and girls with disabilities across Zambia who participated in Focus Group Discussions (FGDs) as part of the “Bridging the Distance” project. Their testimonies, shared here, form the undeniable evidence base for the barriers analyzed and the solutions proposed in every chapter that follows.

The Women Behind the Data

Total Participants: 30 Women and Girls with Disabilities

Age Range: Adolescents (13-19) and Adults (20+)

Disabilities Represented: Physical/mobility impairments, visual impairments, deaf/hard of hearing, psychosocial/intellectual disabilities, albinism.

Context: Participants from various communities, including remote areas, shared their experiences of seeking safety, respect, and justice.

1.1 A Thematic Summary of Lived Experiences

The conversations revealed consistent, intersecting themes that define the justice gap for women and girls with disabilities in Zambia:

- **Safety is Paradoxical:** Home can be both a refuge and a place of threat. *“Home. It’s safe but also risky as I can be raped.”* – Adolescent Girl.
- **Discrimination is Pervasive and Personal:** Bias is encountered in intimate relationships, families, and public institutions.
- **Systemic Barriers Are Tangible:** Justice is blocked by physical stairs, silent telephones without interpreters, prohibitive costs, and corrosive corruption.
- **Communication is a Locked Door:** Without sign language interpreters or accessible formats, women are silenced within the very systems meant to hear them.
- **The Demand is for Agency, Not Pity:** The call is not for charity, but for respect, accommodation, and a seat at the table where decisions are made.

1.2 In Their Own Words: Spotlight on Lived Experience

Narrative 1: Justice Denied by a Deafening Silence

“A woman with hearing impairment in Mumba married a man who could hear... When the man left the house, the woman was being raped by another man. The woman could not speak out... He filed for divorce. Someone wanted to stand in court on the woman’s behalf to explain but the court rejected. The woman was not given justice as the court only wanted to hear from her.”

– FGD with Women with Disabilities

This story is not just an anecdote; it is a direct indictment of a system that prioritizes procedure over people. It is the reason Chapter 4 mandates procedural accommodations and Chapter 6 promotes community paralegals.

Narrative 2: When Discrimination Begins at Home

“Agness who is also on a wheelchair, after marrying the love of her life... her own sisters went to the man to question him on his choice of marrying a woman with disability yet he is an able man. Discrimination even starts at home.”

– FGD with Women with Disabilities

This testimony reveals that attitudinal barriers are foundational, not just institutional. It is why this guideline includes a Community Action Kit (Part B) to empower families and communities, and why strategies target sensitization at all levels.

Narrative 3: The Physical Barrier as a Symbol of Exclusion

“STAIRS: not accessible to people on crutches or wheelchairs.”

– FGD Participant on Court Inaccessibility

1.3 Guiding Principles Born from Experience

The collective voice of the participants leads to non-negotiable principles that guide this entire guideline

- **“Nothing About Us Without Us”:** Women and girls with disabilities must be active architects of solutions, not passive recipients of services.
- **Accessibility is the Foundation of Justice:** If a woman cannot enter, communicate, or understand, there is no justice. This includes physical, communication, and procedural access.
- **Dignity Over Pity:** Interventions must be designed to uphold autonomy, confidence, and legal capacity.
- **Address the Intersection:** Strategies must simultaneously tackle discrimination based on gender, disability, and geographic isolation.
- **Alignment with Global Commitments:** All strategies and actions should be informed by and contribute to the **Sustainable Development Goals**, ensuring that local efforts resonate with global frameworks for human rights and inclusive development.

1.4 Ethical Framework for Participatory Research

The collection of testimonies in this guideline was guided by the following ethical principles:

- **Informed Consent:** All participants, including adolescents, provided verbal or signed consent in accessible formats (easy-read, sign language explanation).
- **Anonymity and Confidentiality:** Names and identifying details have been altered to protect participants' privacy and safety.
- **Trauma-Informed Facilitation:** Discussions were facilitated by trained personnel, with psychosocial support available during and after sessions.
- **Safeguarding for Girls:** Separate sessions were held for adolescents, with female facilitators and adherence to child protection protocols.
- **Participant Ownership:** Participants reviewed and validated summaries of their testimonies before inclusion.

Chapter 2. The Challenge: Barriers to Accessing Justice in Zambia

Women and girls with disabilities in Zambia, particularly in remote districts such as Shangombo, Luangwa, or Chama, encounter a multitude of barriers that prevent them from seeking and obtaining justice.

2.1 Legal and Systemic Exclusion

The **Mental Health Act (Cap 305)** of the Laws of Zambia contains provisions that can restrict the legal capacity of persons with psychosocial or intellectual disabilities, potentially preventing them from initiating legal proceedings, testifying in court, or making decisions about their own lives (Government of Zambia, 1962).

While the **Persons with Disabilities Act No. 6 of 2012** prohibits discrimination, its implementation, especially regarding access to justice in rural areas, remains weak. Specific forms of violence experienced by women with disabilities, such as exploitative cultural practices or neglect, are often not explicitly addressed in broader gender-based violence (GBV) policies.

2.2 Physical, Informational, and Communication Barriers

Physical Inaccessibility: Police posts, local courts (*Lubuku*), magistrates' courts, and legal aid offices in rural areas are often physically inaccessible, lacking ramps, accessible toilets, and signages.

Information Gaps: Information about legal rights and procedures is rarely available in accessible formats such as Braille, simple English, Silozi, or other local languages, sign language, or easy-to-read formats. This leaves women with visual, hearing, or intellectual disabilities without knowledge of their rights.

Lack of Accommodations: There is a critical shortage of qualified sign language interpreters and communication aids within the Zambian justice system. A woman with hearing impairment cannot report a crime if the police officer cannot communicate with her. *"I would like that the guideline include reasonable accommodations in hospital, police and courts."* – Rotia Nyirenda.

2.3 Financial and Geographic Barriers

Women with disabilities experience higher rates of poverty, making them unable to afford transport to distant courts, legal fees, or medical reports required for evidence (Human Rights Watch, 2018).

The long distances to the nearest police station or court in remote areas, combined with a lack of accessible and affordable transportation, effectively blocks access to justice.

2.4 Harmful Stereotypes and Stigma

Harmful stereotypes that perceive women with disabilities as less credible, incompetent, or asexual prevent their complaints from being taken seriously. A police officer might dismiss a report of sexual assault from a woman with an intellectual disability, assuming she is not a reliable witness (WEI, n.d.).

In child custody cases within local courts, discriminatory stereotypes that women with disabilities are unfit mothers often lead to them losing custody of their children, deterring them from seeking justice for fear of family separation.

2.5 Gatekeeper Control and Dependence

Women with disabilities are often dependent on family members or caregivers for mobility, communication, and financial support. If the abuser is the caregiver, reporting is nearly impossible due to fear of retaliation or loss of essential support.

In remote areas, traditional leaders and family members may act as gatekeepers, discouraging or preventing women from taking disputes outside the family or community, sometimes in the name of preserving family honour.

2.6 Barriers Specific to Women with Intellectual and Psychosocial Disabilities

Women and girls with intellectual or psychosocial disabilities face unique and heightened barriers:

- **Questioned Credibility:** Their testimony is often dismissed as unreliable due to stereotypes about cognitive capacity.
- **Inaccessible Procedures:** Legal language is complex; police interviews and court processes are not adapted to their communication needs.
- **Guardianship Abuse:** Under the outdated Mental Health Act, they may be placed under guardianship, stripping them of legal standing to report abuse or own property.
- **Forced Treatment and Institutionalization:** They may be subjected to involuntary medical treatment or confined in institutions where abuse goes unreported.
- **Lack of Supported Decision-Making:** Systems to help them understand and exercise their rights are absent in rural justice settings.

Chapter 3: The Legal Framework: Rights, Entitlements, and State Obligations

Rationale

A robust, multi-layered legal and policy framework exists to protect the rights of women and girls with disabilities in Zambia. However, the persistent justice gap highlights that **implementation remains the central challenge**. This chapter clarifies the rights guaranteed under international, regional, and national law, and situates Zambia's obligations within the broader context of its commitments to the **Sustainable Development Goals (SDGs)**. Understanding this framework is essential for advocacy, accountability, and designing interventions that are both legally sound and practically actionable.

3.1 International Human Rights Frameworks

1. United Nations Convention on the Rights of Persons with Disabilities (CRPD)

Ratified by Zambia, the CRPD is the cornerstone of disability rights. Key articles include:

- **Article 12:** Guarantees equal recognition before the law, affirming the legal capacity of persons with disabilities.
- **Article 13:** Explicitly guarantees “**effective access to justice**” on an equal basis with others, including through procedural and age-appropriate accommodations.
- **Article 16:** Mandates freedom from exploitation, violence, and abuse, requiring gender-sensitive support and protection services.

2. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

CEDAW obligates states to ensure women's equality before the law and access to justice.

- **Article 2** requires a State Party, Zambia has a legal obligation to condemn discrimination and adopt legal measures to ensure equality.

- **Article 15** guarantees women equality with men before the law.
- **General Recommendation No. 33** provides detailed guidance on women's access to justice, emphasizing the need to address intersecting discrimination.

3. The 2030 Agenda for Sustainable Development

Zambia's commitment to the SDGs provides a powerful mandate for inclusive justice:

- **SDG 5 (Gender Equality):** Aims to eliminate all forms of discrimination and violence against all women and girls.
- **SDG 10 (Reduced Inequalities):** Calls for the social, economic, and political inclusion of all, irrespective of disability.
- **SDG 16 (Peace, Justice and Strong Institutions):** Specifically targets "access to justice for all" (Target 16.3) and the promotion of non-discriminatory laws and policies.
- **SDG 17 (Partnerships for the Goals):** Emphasizes multi-stakeholder collaboration, which is central to the strategies outlined in this guideline.

3.2 Regional African Frameworks

1. African Charter on Human and Peoples' Rights (ACHPR)

Guarantees the right to a fair trial (Article 7) and prohibits discrimination (Article 2).

2. Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol)

Article 8: Requires a State Party, Zambia has a legal obligation to ensure positive action to promote women's access to justice.

Article 23: Specifically addresses the rights of women with disabilities, obligating states to ensure their protection from violence and access to education, employment, and justice.

3. African Union Continental Framework for the Protection of the Rights of Persons with Disabilities (2018)

Provides a comprehensive strategy for CRPD implementation in Africa, with a strong emphasis on inclusive justice systems and the participation of persons with disabilities.

3.3 Zambian National Constitution, Laws, and Policies

1. The Constitution of Zambia (Amendment) Act No. 2 of 2016

Article 266 explicitly prohibits discrimination on the grounds of **disability** and **sex**, forming the supreme legal basis for equality and access to justice.

2. The Persons with Disabilities Act No. 6 of 2012

This is the key disability-specific legislation.

Part V outlines fundamental rights, including protection from discrimination and the right to access public services.

Section 9 is critical: it mandates the provision of “**necessary facilities and equipment**” to enable persons with disabilities to access services. For justice, this translates into a legal right to **reasonable accommodations** such as ramps, sign language interpreters, and accessible information formats.

3. The Gender Equity and Equality Act No. 22 of 2015

Aims to eliminate discrimination against all persons, promoting the full participation of women and girls with disabilities in all spheres of life, including the justice system.

4. National Disability Policy (2015)

Provides the overarching framework for mainstreaming disability across all sectors. It explicitly calls for the removal of **attitudinal, institutional, and environmental barriers** that hinder access to services, including justice.

5. National Legal Aid Policy (2013)

Aims to provide legal aid services to marginalized groups. Its effective implementation in remote areas for women and girls with disabilities requires specific strategies, such as those proposed in Chapter 7 (Community Paralegals).

6. National Development Plans (7NDP & 8NDP) and the National Strategy on Ending Child Marriage (2016-2021)

These plans emphasize **inclusive development** and **access to justice for vulnerable groups**, providing strategic entry points for advocacy and resource allocation for disability-inclusive justice programming.

3.4 The Intersection: Creating a Coherent Legal Entitlement

The strength of this framework lies in its **intersectional and mutually reinforcing nature**:

The **CRPD and CEDAW** together demand that states address discrimination based on both gender and disability.

The **Constitution and the Persons with Disabilities Act** provide the domestic legal teeth to enforce these international obligations.

The **SDGs**, particularly Goals 5, 10, and 16, offer a measurable, time-bound global agenda that Zambia has committed to, turning legal principles into development targets.

Customary systems (addressed in Chapter 6), while often the first point of contact, must operate within the boundaries set by this national and international legal framework.

3.5 From Legal Entitlement to Reality: The Accountability Gap

Despite this strong framework, the lived experiences in Chapter 1 reveal a **profound implementation gap**. Key disconnects include:

Laws vs. Practice: The Persons with Disabilities Act (2012) is poorly implemented, especially in rural areas.

Contradictory Laws: Outdated legislation like the **Mental Health Act** contradicts the CRPD's mandate on legal capacity.

Policy vs. Budget: National policies often lack dedicated budgetary allocations and clear implementation plans for disability inclusion in the justice sector.

Awareness Deficit: Many justice officials, traditional leaders, and community members are unaware of these laws and the rights they confer.

Conclusion: A Framework for Action

This legal and policy framework is not merely a list of instruments; it is a **toolkit for change**. It provides the foundation for:

Advocacy: Using the CRPD, CEDAW, and SDGs to hold the government accountable.

Litigation: Challenging discriminatory practices in court using the Constitution and the Persons with Disabilities Act.

Programming: Designing interventions (like community paralegal networks or training for traditional leaders) that are explicitly grounded in national law and aligned with global goals.

Monitoring: Using frameworks like the SPHERE model (Chapter 10) to document violations of these very rights.

The subsequent chapters of this guideline provide the practical strategies to bridge the gap between this robust legal framework and the lived reality of women and girls with disabilities in remote Zambia, ensuring that the promise of the law becomes a tangible experience of justice.

3.6 Pathways for Legal and Policy Reform

To translate legal entitlements into reality, the following reform pathways must be pursued:

- **Law Reform:** Advocate for the amendment of the **Mental Health Act** through the **Law Development Commission** and **Parliament** to align with CRPD Article 12 on supported decision-making.
- **Statutory Supremacy:** Clarify in training and public awareness that the **Persons with Disabilities Act (2012)** and **Gender Equity and Equality Act (2015)** supersede discriminatory customary practices.
- **Policy Implementation:** Use the **Eighth National Development Plan (8NDP)** and **National Disability Policy** as entry points for budgeting and action plans at district level.
- **Judicial Training:** Work with the **Judiciary of Zambia** to develop binding practice directions on reasonable accommodations in court procedures.

Chapter 4: Government Obligations and Multi-Stakeholder Responsibilities: From Duty to Action

Rationale

- This chapter operationalizes the Human Rights-Based Approach *by detailing the specific obligations* of the primary duty-bearer, the State, using the ‘Respect, Protect, Fulfil’ framework, and outlining the complementary roles of other actors in supporting this ecosystem of accountability.

While the Government of Zambia holds the primary duty under national and international law to ensure access to justice for all, realizing this right for women and girls with disabilities in remote areas requires coordinated action across all levels of society. This chapter expands the traditional human rights framework of state obligations, Respect, Protect, and Fulfil, to clarify not only what the government must do, but also the complementary roles of civil society, traditional leaders, justice institutions, and development partners. This shared-responsibility model aligns with the document’s core principle of “Nothing About Us Without Us” and its multi-stakeholder approach to dismantling systemic barriers.

4.1 The Core Human Rights Duties of the State: Respect, Protect, Fulfil

The Government of Zambia, as the primary duty-bearer, has clear obligations derived from the CRPD, CEDAW, the Constitution, and the Persons with Disabilities Act. These duties can be understood through the established human rights framework:

1. The Obligation to RESPECT

The government must refrain from interfering with the enjoyment of rights and must eliminate laws and practices that create barriers.

Action Required

Reform Discriminatory Legislation: Amend or repeal laws that contradict the rights of persons with disabilities, particularly the Mental Health Act, which restricts legal capacity contrary to CRPD Article 12.

End State-Sanctioned Discrimination: Ensure that no police officer, magistrate, court official, or public servant denies services, dismisses complaints, or treats women and girls with disabilities with disrespect based on their gender or disability.

2. The Obligation to PROTECT

The government must **prevent violations by non-state actors** and provide redress when violations occur.

Action Required

Regulate Non-State Justice Systems: Ensure that traditional leaders and customary courts (**Lubuku**) do not enforce practices that deny justice to women and girls with disabilities. This requires training, oversight, and clear referral protocols (as detailed in Chapter 6).

Intervene in Cases of Dependence: Establish safeguards so that women whose abusers are family members or caregivers can safely report violence without fear of retaliation or loss of essential support.

Combat Harmful Stereotypes: Launch public awareness campaigns to challenge stigma and beliefs that undermine the credibility and rights of women with disabilities.

3. The Obligation to FULFIL

The government must take **proactive, positive steps** to make the right to justice accessible, available, and of high quality.

Action Required

Ensure AVAILABILITY: Establish and adequately fund inclusive services in remote districts, including:

- Legal aid offices with lawyers trained in disability inclusion.
- Victim Support Units (VSUs) and shelters that are physically and communicatively accessible.
- Mobile courts equipped with sign language interpreters and accessible facilities.

Guarantee ACCESSIBILITY: Remove all barriers to access. This requires:

Physical Accessibility: Mandating ramps, accessible toilets, and clear signage in all police stations and courts (see Annex 1: Audit Checklist).

Communication Accessibility: Budgeting for and deploying qualified sign language interpreters, providing information in Braille, easy-read, and local language formats.

Economic Accessibility: Waiving court fees and providing transport support for women with disabilities in remote areas.

Assure QUALITY and ACCOUNTABILITY

Training: Mandate ongoing, practical training for all justice sector personnel on disability rights, gender sensitivity, and reasonable accommodation (as outlined in Chapter 5).

Complaint Mechanisms: Establish independent, accessible, and safe channels for reporting discrimination or misconduct by justice officials.

Data Collection: Systematically collect disaggregated data (by sex, disability, location) on access to justice to inform policy and monitor progress toward **SDG 16.3**.

4.2 Beyond the State: The Critical Roles of Other Stakeholders

Achieving justice in remote areas depends on a **network of actors** working in partnership. The government's duty to fulfil creates an enabling environment, but frontline action relies on others.

1. Civil Society Organizations (CSOs) and Organizations of Persons with Disabilities (OPDs)

Role: To advocate, monitor, empower, and deliver complementary services.

Key Responsibilities:

Advocacy & Watchdog: Use the legal framework from Chapter 3 to advocate for policy reform and budget allocations. Monitor government compliance and submit shadow reports to UN treaty bodies.

Community Empowerment: Establish and support **community paralegal and peer advocate networks** (Chapter 7) to provide first-line legal support and empowerment.

Service Delivery & Bridging Gaps: Run “Know Your Rights” campaigns in accessible formats, provide psychosocial support, and pilot innovative solutions (like tech initiatives in Chapter 8) where state services are absent.

“Full inclusion at all level for example decision making at national level.” – Rhoda,

2. Traditional Leaders (Chiefs, Indunas)

Role: As custodians of customary justice, they are essential gatekeepers and potential powerful allies for inclusive justice in remote communities.

Key Responsibilities (to be realized through engagement and training)

Uphold National Law: Ensure that decisions in customary courts align with the Persons with Disabilities Act and the Gender Equity and Equality Act.

Combat Harmful Norms: Challenge stereotypes within the community and prohibit practices like property grabbing.

Facilitate Referrals: Establish and follow clear pathways to refer serious crimes, like SGBV, from the customary to the formal justice system.

3. Justice Institutions (Judiciary, Zambia Police Service, Legal Aid Commission)

Role: As direct service providers within the formal system, they are responsible for day-to-day implementation.

Key Responsibilities

Develop and Enforce SOPs: Create and implement Standard Operating Procedures for providing reasonable accommodations and handling cases involving women and girls with disabilities.

Mainstream Inclusion: Integrate disability and gender modules into all training curricula. Conduct regular accessibility audits of facilities.

Lead by Example: Ensure court rulings and police investigations actively challenge discrimination and set precedents for inclusion.

4. Development Partners and Donors

Role: To provide strategic funding, technical support, and uphold principles of inclusion in all partnerships.

Key Responsibilities

Fund Inclusively: Prioritize funding for programs that explicitly include and are co-designed with women and girls with disabilities.

Support Evidence Generation: Fund research and data collection to document the justice gap and measure the impact of interventions.

Advocate for Policy Coherence: Use their influence to encourage government adherence to its CRPD and SDG commitments.

Decentralized Government Structures

Role: To plan, budget, and coordinate inclusive justice services at sub-national level.

Key Responsibilities:

- **District Development Coordinating Committees (DDCCs):** Integrate disability-inclusive justice indicators into District Development Plans and allocate matching funds.
- **Ward Development Committees:** Identify and refer cases of violence against women and girls with disabilities to appropriate services.

- **Ministry of Chiefs and Traditional Affairs:** Sensitize and monitor traditional leaders on compliance with national disability and gender laws.
- **District Social Welfare Offices:** Provide case management, psychosocial support, and linkages to social protection programs for survivors.

4.3 A Framework for Collaborative Action: The Shared Pathway to Justice

The obligations outlined here are not siloed. They form an **ecosystem of accountability and action**. For example:

The government's duty to **FULFIL** (train police) enables the police's duty to **RESPECT** (provide an interpreter).

An OPD's role to **monitor** informs its advocacy towards the government's duty to **PROTECT**.

A chief's role to **refer cases** supports the judiciary's duty to **provide accessible justice**.

Conclusion: From Obligations to Outcomes

This chapter reframes obligations not as a static list of government duties, but as a **dynamic map of shared responsibilities**. It makes clear that:

The government cannot fulfil its obligations alone. It needs the partnership of OPDs, traditional systems, and communities.

Other stakeholders' work is most effective when it pushes the government to meet its duties and fills gaps in a coordinated way.

The ultimate test of these obligations is the lived experience of women and girls with disabilities in remote Zambia, whether they can safely, credibly, and effectively seek and obtain justice.

Chapter 5. Strategies and Good Practices for Zambia

Realizing access to justice requires coordinated action from the government, civil society, and development partners.

5.1 For the Government of Zambia and Justice Institutions

Revise Legislation: Amend the **Mental Health Act** and other laws to fully align with **Article 12 (Equal recognition before the law)** of the CRPD, replacing substituted decision-making with supported decision-making.

Develop Standard Operating Procedures (SOPs): Create and implement SOPs for the Zambia Police Service, Judiciary, and National Legal Aid Commission on providing reasonable accommodations and handling cases involving women and girls with disabilities.

Fund and Deploy Mobile Courts: Scale up mobile court services to remote areas, ensuring they are physically accessible and accompanied by sign language interpreters and legal aid lawyers.

Integrate Disability in Training Curricula: Mandate training on disability rights, gender-based violence, and the CRPD for all police officers, magistrates, and local court justices.

“Court personnel need training to understand the rights of Persons with Disabilities (PwD).” – Group One, FGD

5.2 For Civil Society and Organizations of Persons with Disabilities (OPDs)

Community Paralegal Programs: Train community-based paralegals and women with disabilities as peer advocates in remote areas to provide first-line legal advice and assistance.

“I would like that sign language classes be opened for politicians, lawyers, doctors, judges.” – Beene Himakanta

“Know Your Rights” Campaigns: Develop and disseminate accessible information in local languages and formats (e.g., radio dramas, pictorial brochures, sign language videos) explaining legal rights and how to report abuses.

Strategic Litigation: Partner with legal organizations to bring test cases to the High Court or Constitutional Court to challenge discriminatory laws and practices, setting legal

precedents.

Coalition Building: Build strong coalitions between OPDs (e.g., Zambia Federation of Disability Organisations - ZAFOD), women’s rights organizations (e.g., Non-Governmental Gender Organisations› Coordinating Council - NGOCC), and legal aid providers to advocate for systemic change.

5.3 For Development Partners and Donors

Fund Inclusive Programs: Prioritize funding for justice programs that specifically include and target women and girls with disabilities in remote areas.

Support Data Collection: Fund research and data collection using the Washington Group Short Set questions to document the prevalence of justice system exclusion faced by women and girls with disabilities in Zambia.

5.4 Ensuring Confidentiality and Data Protection

Women and girls with disabilities expressed strong concern about privacy and safety when reporting abuses. As one participant stated: *“Confidentiality and data protection for women and girls with disability should be in place.”* – Gillian Bwanga
Develop and disseminate **data protection protocols** for police, health workers, and paralegals.

Train justice officials on secure handling of sensitive information.



Chapter 6: Navigating Customary and Informal Justice Systems

Rationale: In remote areas of Zambia, most disputes are resolved not in formal courts but through customary law and informal systems led by Traditional Leaders (Chiefs, Indunas) and Neighborhood Health Committees. For women and girls with disabilities, these systems can be both a critical access point and a source of further discrimination. This chapter provides strategies for engaging with and reforming these local systems.

6.1 Understanding the Dual System in Zambia

Formal System: Magistrates' courts, local courts (*Lubuku*), and the police.

Customary/Informal System: Chiefs' courts, family councils, and community elders. These systems are often more accessible geographically and culturally but may enforce harmful norms.

6.2 Barriers within Customary Systems

“Traditional leaders are really helpful as local enforcement starts with them. However, they are very corrupt and easily bribed.” – FGD Participant

Harmful Stereotypes: Deeply ingrained beliefs that women with disabilities cannot be credible witnesses or should not participate in public deliberations.

Patriarchal Norms: Decisions often prioritize family unity or the interests of the husband/ male family members, pressuring women with disabilities to drop complaints of GBV.

Lack of Legal Awareness: Traditional leaders may be unaware of national laws like the **Persons with Disabilities Act (2012)** or the **Gender Equity and Equality Act (2015)** that override discriminatory customary practices.

Communication Barriers: Proceedings are rarely conducted with sign language interpretation or information in accessible formats.

6.3 Strategies for Inclusive Customary Justice

Sensitization and Training for Traditional Leaders

Develop training modules in local languages on the rights of women and girls with disabilities.

Use real-life scenarios to show how discriminatory decisions violate national law. **Example:** «A chief's decision to deny a woman with hearing impairment her inheritance because she 'cannot manage it' is illegal under the Persons with Disabilities Act.»

Promote Representation: Advocate for the inclusion of persons with disabilities, particularly women, as advisors in the Chiefs' councils.

Develop Simplified, Accessible Guides: Create pictorial or audio guides on basic rights (e.g., regarding land, inheritance, GBV) for community members and leaders.

Establish Clear Referral Pathways: Create a formal understanding between the Chiefs' court and the local police or legal aid agency for cases they cannot handle fairly or that involve serious criminal offenses like rape.

6.4 Mandatory Referrals and Prohibited Practices

To protect women and girls with disabilities from further harm, the following must be enforced:

- **No Mediation in GBV Cases:** Customary courts **must not mediate** cases of sexual assault, rape, or intimate partner violence. These are criminal matters requiring formal investigation.
- **Mandatory Referral Protocol:** Chiefs and headmen must refer all GBV cases involving women and girls with disabilities to the police and Victim Support Unit (VSU) within 24 hours.
- **Prohibition of Harmful Practices:** Customary courts must not enforce practices that violate national law, including property grabbing, forced marriage, or denying inheritance to women with disabilities.
- **Accountability:** Traditional leaders who fail to comply should be reported to the Ministry of Chiefs and Traditional Affairs and the Zambia Police Service.



Chapter 7: Community-Based Paralegal and Peer Support Networks

Rationale: The most sustainable form of justice support in remote areas is a trained local network. This chapter provides a blueprint for establishing and maintaining a community-based paralegal system run by and for persons with disabilities.

7.1 The Role of a Community Paralegal for Disability Justice

A paralegal in this context is a trusted community member trained to provide:

- **First-line legal advice** and information.
- **Assistance** in drafting statements and navigating procedures.
- **Accompaniment** to police stations or courts.
- **Referrals** to formal legal aid, police, or social services.
- **Monitoring** of justice service delivery.

7.2 Selecting and Training Paralegals

Selection Criteria: Prioritize persons with disabilities, particularly women, who are respected in their communities and have strong communication skills. Ensure representation from different disability types.

Core Training Modules

- **Zambian Laws:** Persons with Disabilities Act, Gender Equity and Equality Act, laws on GBV, inheritance, and land.
- **CRPD and CEDAW Basics.**
- **Communication Skills:** How to interact with people with intellectual, psychosocial, hearing, and visual disabilities.
- **Ethics, Confidentiality, and Safety.**
- **Practical Skills:** How to fill a police form, document evidence, and make a referral.

7.3 Establishing a Peer Support System

Create safe spaces for women and girls with disabilities to share experiences and strategies.

Train “Peer Advocates”, women with disabilities who may not be full paralegals but can provide basic rights information and psychosocial support, reducing isolation and building confidence to report abuses.

7.4 Logistics and Sustainability

Mobile Kit: Equip paralegals with a kit containing a smartphone (for recording testimony, communication), a reference booklet, a solar charger, and basic stationery.

Stipends: Advocate with NGOs and government partners to provide small stipends or transport reimbursements to ensure sustainability.

Ongoing Mentorship: Link community paralegals with a central legal aid organization for backup support and continuous learning.

Integration and Incentives for Sustainability

- **Formal Recognition:** Advocate for the **Legal Aid Commission** to accredit and supervise community paralegals, integrating them into national legal aid referral networks.
- **Local Government Integration:** Paralegals should be included in **Ward Development Committees** and participate in local security and gender committee meetings.
- **Non-Monetary Incentives:** Provide certificates, uniforms, bicycles, or mobile airtime to enhance status and mobility.
- **Linkage to Social Protection:** Paralegals should be trained to help women with disabilities access grants (e.g., Social Cash Transfer) to reduce economic dependency on abusers.

Chapter 8: Leveraging Technology for Remote Justice

Rationale: Technology can bridge vast geographic distances. This chapter explores practical, low-tech and high-tech solutions to connect women and girls with disabilities in remote Zambia to justice services.

Prioritizing Appropriate and Secure Technology

- **Low-Tech First:** Focus on **community radio, SMS/USSD platforms, and offline mobile apps** that work without constant internet.
- **Solar-Powered Solutions:** Provide solar chargers for paralegal phones and radio stations in off-grid communities.
- **Privacy and Safety:** Develop protocols for secure data storage, encrypted messaging, and safe disposal of sensitive information.
- **Digital Literacy Training:** Train women and girls with disabilities on safe use of basic phones and awareness of digital risks.

8.1 Ensuring Accessible Communication in Justice Settings

Participants called for broader access to sign language interpretation: *“I would like that sign language classes be opened for politicians, lawyers, doctors, judges.”* – Beene Himakanta

Actionable Step

Partner with ZAFOD and associations for persons with hearing impairment to develop **basic sign language modules** for justice and health professionals.

Include **video-based sign language resources** in mobile legal clinics.

Chapter 9: Access to Justice for Specific Forms of Violence and Discrimination

Rationale: Women and girls with disabilities in remote Zambia experience unique, intersecting forms of violence and discrimination that remain invisible in standard justice responses. Their compounded marginalization, based on gender, disability, poverty, and location, creates specific vulnerabilities that require tailored, rights-based interventions. This chapter addresses these grave violations with practical, actionable strategies drawn from international law, Zambian legislation, and the lived experiences documented in this guideline.

9.1 Sexual And Gender-Based Violence (SGBV): Breaking The Cycle Of Silence And Denial

The Reality

- Women with disabilities are **3 times more likely** to experience sexual violence than women without disabilities.
- In remote areas, SGBV against women with disabilities is often normalized, unreported, or mishandled by both traditional and formal systems.
- Perpetrators frequently include intimate partners, family members, caregivers, and community members who exploit dependence and communication barriers.

Confidentiality and data protection for women and girls with disability should be in place.” – Gillian Bwanga

Specific Barriers to Justice

Communication Exclusion

- Women with hearing impairment cannot report without sign language interpreters.
- Women with speech impairments cannot verbally describe assaults.
- Women with intellectual disabilities struggle with complex legal language.

Procedural Biases:

- Police dismiss complaints based on disability stereotypes (“she’s confused,” “she’s not credible”).
- Courts demand unrealistic evidence standards for survivors with disabilities.
- Medical facilities lack accessible examination equipment and trained staff.

Systemic Failures:

- No standardized protocols for handling SGBV cases involving women with disabilities.
- Victim Support Units (VSUs) often lack disability competence.
- Shelters and safe houses are physically inaccessible.

Action Framework

A. Immediate Response Protocols

Mandatory Interpreter Policy: All police stations must have access to qualified sign language interpreters within 24 hours, funded through the Persons with Disabilities Fund.

Accessible Medical Kits: Distribute specialized forensic kits to rural health centers containing:

1. Pictorial communication boards for non-verbal survivors
2. Adjustable examination tables
3. Instructions in Braille and simple language

B. Legal and Procedural Reforms

SGBV-Disability SOPs: Develop and implement Standard Operating Procedures for police, health workers, and prosecutors that include:

- How to obtain informed consent from survivors with intellectual disabilities
- Adapted investigative techniques that avoid re-traumatization
- Guidelines for using intermediary communicators in court

Video Testimony Systems: Establish secure video testimony facilities in district hospitals, allowing survivors to testify without traveling to distant courts.

C. Community-Based Protection

- a. **Disability-Inclusive GBV Committees:** Revitalize community GBV committees to include women with disabilities as members and leaders.
- b. **Safe Disclosure Networks:** Train trusted community members (shopkeepers, teachers, church leaders) as «safe disclosure points» equipped with basic disability awareness.

- c. **Mobile Crisis Response:** Equip community paralegals with emergency response kits containing emergency communication tools, basic first aid, and transportation funds.

9.2 Property Grabbing And Economic Dispossession: Securing Livelihoods And Dignity

The Reality

- 68% of women with disabilities in rural Zambia report experiencing some form of property dispossession.
- Common tactics include: forging signatures, colluding with traditional leaders, invoking “customary law,” and exploiting legal capacity restrictions.
- Economic violence extends beyond property to include: stealing disability grants, withholding assistive devices as leverage, and denying access to family resources.

Legal Framework Application

Key Protective Laws

- **Persons with Disabilities Act (2012), Section 9:** Mandates reasonable accommodation in accessing property rights.
- **Intestate Succession Act:** Protects inheritance rights regardless of disability status.
- **Gender Equity and Equality Act (2015):** Prohibits gender-based discrimination in property matters.

Multi-Level Intervention Strategy

Preventive Measures

Community Will-Registration Drives: Partner with local courts to register simple wills at the village level, using thumbprints and witnesses for those who cannot write.

Property Literacy Programs: Conduct workshops using role-plays and pictorial guides on:

- How to secure land title documents
- Understanding co-ownership rights
- Recognizing and resisting grabbing tactics

Remedial Actions

1. **Rapid Response Paralegal Teams:** Establish specialized paralegal teams trained in property law who can intervene within 72 hours of a grabbing report.
2. **Chiefs' Accountability Framework:** Develop a scorecard system to track and publicize chiefs' decisions in property cases involving persons with disabilities.
3. **Alternative Dispute Resolution:** Create community mediation panels that include OPD representatives to resolve property disputes before they escalate.

Systemic Advocacy

- **Land Title Simplification:** Advocate for simplified land title processes with disability accommodations (e.g., audio-recorded consent, pictorial explanations).
- **Social Protection Linkages:** Ensure women who lose property have immediate access to social protection programs while their cases are resolved.

9.3 Legal Capacity Denial And Guardianship Abuse: From Substitution To Support

The Crisis

- Zambia’s **Mental Health Act (Cap 305)** permits plenary guardianship that strips women with psychosocial or intellectual disabilities of all decision-making rights.
- Guardians, often appointed without the woman’s input, may control finances, health-care, relationships, and legal standing, creating conditions for exploitation.
- The CRPD’s **supported decision-making** model remains largely unimplemented.

Transition Framework: From Guardianship to Support

Phase 1: Immediate Safeguards (0-12 months)

- **Guardianship Audit:** Conduct community audits to identify women under guardianship and assess whether it’s necessary or abusive.
- **Emergency Review Mechanism:** Establish a fast-track process for reviewing and suspending abusive guardianships through local courts.
- **Supported Decision-Making Pilots:** Launch 3-5 community-based pilots where women choose their own supporters rather than having guardians imposed.

Phase 2: Systemic Reform (1-3 years)

- **Legal Capacity Act:** Draft and advocate for new legislation replacing substituted decision-making with supported decision-making.
- **Decision-Support Networks:** Train family members, OPD staff, and community workers as certified decision supporters.
- **Capacity-Building Programs:** Develop rights-based programs helping women with intellectual disabilities exercise legal capacity in specific areas (healthcare consent, financial decisions, legal matters).

Phase 3: Culture Change (3-5 years)

- **“My Voice, My Life” Campaign:** National awareness campaign highlighting successful supported decision-making stories.
- **Professional Training:** Integrate supported decision-making into training for judges, lawyers, social workers, and healthcare providers.
- **Monitoring System:** Establish an OPD-led monitoring system to track legal capacity violations and successful support models.

9.4 Discrimination In Family Law: Reclaiming Autonomy In Intimate Spheres

Key Issue Areas

Forced Sterilization and Reproductive Coercion

- **Action:** Develop and enforce guidelines requiring independent advocacy and multiple verification of consent for any sterilization procedure involving a woman with a disability.
- **Monitoring:** Create a national registry of sterilization procedures with disability-disaggregated data.

Discriminatory Child Custody Practices

- **Toolkit Development:** Create an evidence-based toolkit for family court assessors focusing on parenting capacity assessment rather than disability status.
- **Expert Witness Network:** Train women with disabilities who have successfully raised children as expert witnesses in custody cases.
- **Parenting Support Circles:** Establish community-based support groups for mothers with disabilities facing custody challenges.

Marriage Discrimination

- **Community Education:** Challenge stereotypes about disability and marriage through positive storytelling and community dialogues.
- **Legal Literacy:** Train marriage registry officers on disability rights and reasonable accommodation requirements.

9.5 Harmful Cultural And Traditional Practices: Transforming Norms From Within

Priority Practices to Address

1. **Witchcraft Accusations** targeting women with psychosocial disabilities or albinism
2. **Ritual “Cleansing”** that exploits women with disabilities
3. **Early and Forced Marriage** of girls with disabilities
4. **Sacrificial Practices** involving persons with disabilities
5. **Exclusion from Rituals** that confer social status or inheritance rights

Transformative Engagement Strategy

Cultural Custodian Partnerships

- **Disability-Inclusive Council of Elders:** Establish advisory councils that include respected traditional leaders and disability rights advocates.
- **Reinterpretation Workshops:** Facilitate dialogues where traditional leaders reinterpret cultural practices through a disability rights lens.
- **Alternative Rites of Passage:** Co-design inclusive coming-of-age ceremonies that affirm the dignity of girls with disabilities.

Community-Based Protection

- **Early Warning Systems:** Train community volunteers to recognize signs of harmful practices and activate response protocols.
- **Safe House Networks:** Establish culturally appropriate safe spaces managed by trusted community organizations.
- **Spiritual Support:** Engage progressive religious leaders to provide alternative spiritual guidance that respects disability rights.

9.6 Monitoring And Documentation: Making Invisible Violence Visible

SPHERE Framework for Specific Violations

Violation Type	Key Evidence to Collect	Specialized Indicators
SGBV	Medical report with disability notation; interpreter service record; accessibility audit of reporting facility	Time to secure interpreter; number of accommodations provided
Property Grabbing	Title documents; witness statements; photos of property; chief's court records	Value of property lost; duration of dispossession
Legal Capacity Denial	Guardianship order; assessment reports; records of decisions made without consultation	Number of decisions made by guardian vs. individual; types of decisions controlled
Forced Sterilization	Medical consent forms; independent advocate reports; follow-up health records	Consent verification process; post-procedure support provided

Community-Led Monitoring Tools

- **Violation Diaries:** Simple, pictorial diaries for women to privately document incidents.
- **Safety Audits:** Participatory walks through communities identifying high-risk locations.
- **Service Report Cards:** Scorecards rating justice services on disability inclusion.

9.7 Integrated Response Model: The “Five Pathways” Approach

For each violation type, establish clear pathways:

- **Prevention Pathway:** Community education, economic empowerment, family support
- **Reporting Pathway:** Multiple accessible reporting options with guaranteed accommodations
- **Response Pathway:** Coordinated multi-sector response with disability competence
- **Justice Pathway:** Adapted legal processes with ongoing support
- **Recovery Pathway:** Long-term support including livelihood restoration and psychosocial care



Chapter 10: Monitoring, Documentation, and Strategic Advocacy

Rationale: To create systemic change, local experiences must be documented and used in targeted advocacy. This chapter turns community-level evidence into a powerful tool for reform.

The Justice Data Deficit: Why Monitoring Matters

In Zambia's remote areas, the injustices faced by women and girls with disabilities often remain invisible, unrecorded, unanalyzed, and unaddressed in official systems. Without systematic documentation, their experiences are dismissed as anecdotal, their barriers remain unmeasured, and their calls for reform lack the evidentiary weight needed to shift policy and practice. This data absence perpetuates a cycle of neglect: what is not counted does not count.

Chapter 10 exists to transform lived experience into leverage. It provides the methodological bridge between personal testimony and policy change, equipping stakeholders with practical tools to capture, analyze, and mobilize evidence that can:

1. **Expose systemic failures** in justice delivery
2. **Measure progress** toward inclusive justice
3. **Hold duty-bearers accountable** to legal commitments
4. **Amplify marginalized voices** in decision-making spaces
5. **Inform targeted interventions** based on evidence, not assumption

10.1 A Simple Framework for Monitoring

Use the **SPHERE** framework to document cases:

SPHERE Element	Example from Women with Disabilities
S (Story) (What happened?)	“A woman with hearing impairment was raped while her husband was away.”
P (Problem) (What right was violated? e.g., access to justice, freedom from violence)	Denial of effective access to justice (CRPD Art. 13).
H (Harm) (What was the impact? e.g., psychological trauma, loss of property)	Wrongful accusation of adultery; divorce without justice.
E (Efforts) Made (What did the victim do to seek help? e.g., went to the chief, went to the police)	A friend tried to testify for her in court.
R (Response) (What was the response from the authority? e.g., turned away, case ignored)	“The court rejected... the woman was not given justice.”
E (Evidence) (What proof exists? e.g., photos, medical reports, witness statements)	FGD testimony; court record.

Linking to Government Monitoring Systems

To ensure sustainability and state accountability, monitoring should connect to:

- **District Planning Cycles:** Use DDCC and council planning meetings to present SPHERE data and advocate for budget allocations.
- **8NDP Monitoring Framework:** Align indicators with SDG 16.3 reporting and the 8NDP’s inclusive governance pillar.
- **Gender Responsive Budgeting (GRB):** Use collected data to advocate for specific budget lines for disability accommodations in the justice sector.
- **National Legal Aid Management Information System (MIS):** Advocate for disability-disaggregated data fields in national legal aid tracking systems.

10.2 Using Data for Advocacy

Community Level: Present compiled data from the SPHERE framework to the Village Development Committee (VDC) or Chief to demand local action.

National Level: Use the data to write **shadow reports** for UN treaty bodies (like the CRPD Committee) or for Zambia's Universal Periodic Review (UPR), showing the government's failure to protect these rights.

Media Engagement: Create data-driven press releases. **Example:** «Our data shows that 9 out of 10 women with disabilities in Western Province who experienced GBV were denied justice at the local level. We call on the Minister of Justice to act.»

10.3 Building a Coalition for Justice Reform

Bring together OPDs (like ZAFOD), women's groups (like NGOCC), legal aid organizations (like the National Legal Aid Clinic for Women), and human rights commissions to form a unified "Access to Justice Taskforce."

This coalition can jointly lobby MPs, engage with the Ministry of Justice, and present a powerful, united front for the necessary legal and policy reforms.

Table of Monitoring and Evaluation Indicators

Outcome Area	Key Question to Answer	Indicator
1. Legal & Policy Reform	Are discriminatory laws being reformed and inclusive policies implemented?	1.1 Number of laws amended (e.g., Mental Health Act) to align with CRPD. 1.2 Existence of adopted SOPs for police/courts on reasonable accommodation. 1.3 Budget allocated for disability-inclusive justice in national plans.
2. Accessibility of Justice Services	Are justice facilities and processes physically and communicatively accessible?	2.1 % of police stations/courts in remote areas with ramps, accessible toilets, signage. 2.2 Availability of sign language interpreters and accessible formats (Braille, easy-read). 2.3 User satisfaction score from women with disabilities (via Template 5 feedback).
3. Capacity & Awareness	Are justice officials and community leaders trained and sensitized?	3.1 % of police, magistrates, traditional leaders trained on disability rights & GBV. 3.2 Knowledge test scores before/after training. 3.3 Number of community awareness campaigns held (radio, workshops).
4. Community Empowerment & Support	Are women with disabilities empowered and supported at community level?	4.1 Number of active community paralegals/peer advocates (women with disabilities). 4.2 % of women with disabilities who know their rights (pre/post survey). 4.3 Number of cases supported by paralegals (using Template 2).

Outcome Area	Key Question to Answer	Indicator
5. Use of Technology	Is technology bridging the justice gap in remote areas?	5.1 Number of remote consultations via mobile legal clinics/video testimony. 5.2 Usage stats of toll-free hotlines/SMS reporting by women with disabilities. 5.3 % of women with disabilities reporting improved access due to tech solutions.
6. Referral Pathways & Multi-Sectoral Response	Are survivors effectively referred and supported across services?	6.1 Existence of signed referral protocols between chiefs, police, health, legal aid. 6.2 % of GBV cases referred from customary to formal system. 6.3 Number of cross-sectoral coordination meetings held per quarter.
7. Reduction of Barriers & Improved Outcomes	Is access to justice improving for women and girls with disabilities?	7.1 Reduction in reported cases of SGBV against women with disabilities (if safe to measure). 7.2 Increase in number of women with disabilities successfully obtaining legal redress. 7.3 Reduction in travel time/cost to access justice services.
8. Sustainability & Inclusion in Systems	Are changes institutionalized and sustainable?	8.1 Disability inclusion integrated into justice sector training curricula. 8.2 % of OPDs represented in justice sector planning committees. 8.3 Government funding for paralegal networks/ interpreters sustained over 3 years.

What Success Looks Like?

Success will be visible when:

- Women and girls with disabilities in remote areas **report feeling safer, heard, and respected** when seeking justice.
- **Physical, communication, and procedural barriers** are measurably reduced.
- **Traditional and formal justice systems** work in tandem with clear, respectful referral pathways.
- **Women with disabilities are actively involved** as paralegals, advocates, and decision-makers.
- **Government policies are implemented, funded, and monitored** with disability inclusion as a standard.

How to Measure	Where to Slot in Guideline
Tech usage logs, user feedback, project reports.	Chapter 8 (Leveraging Technology), Annex 1 (Template 2 for referrals)
Referral logs, partnership MoUs, meeting minutes.	Chapter 11 (Implementation Framework), Annex 3 (Visual Referral Map)
Case records, justice outcome data, user surveys.	Chapter 10 (Monitoring with SPHERE), Annex C (Voices for Advocacy)
Policy documents, committee rosters, budget reviews.	Chapter 11 (Roadmap), Chapter 4 (Multi-stakeholder Roles)



Chapter 11: From Guidelines to Action: A Practical Implementation Framework

Rationale: This guideline provides a comprehensive set of strategies. This chapter translates those strategies into an actionable framework to guide implementation, resource mobilization, and continuous improvement, ensuring the guidelines lead to tangible change on the ground.

11.1 Developing an Integrated Implementation Roadmap

A high-level plan helps coordinate efforts among diverse stakeholders. The table below outlines a suggested phased approach.

Table 11.1: Sample Three-Year Implementation Roadmap

Phase	Focus	Key Activities
Year 1	Foundation & Mobilization	<ul style="list-style-type: none"> • Conduct participatory community mapping and barrier assessment • Train and deploy first cohort of community paralegals (prioritizing women with disabilities) • Launch accessible radio campaign in local languages
Year 2	System Strengthening	<ul style="list-style-type: none"> • Develop and pilot Standard Operating Procedures (SOPs) for police, courts, and health facilities • Train traditional leaders (Chiefs, Indunas) on disability rights and GBV referral protocols • Establish formal referral pathways between customary and formal justice systems
Year 3	Sustainability & Institutionalization	<ul style="list-style-type: none"> • Advocate for dedicated budget lines in district and national plans for disability justice accommodations • Integrate disability inclusion modules into mandatory training curricula for justice and local government officials • Establish OPD-led monitoring committees linked to District Development Coordinating Committees (DDCCs)



Primary Actors	Responsible Institutions	Budget Sources	SDG Alignment
OPDs, CSOs, Community Leaders, Women with Disabilities	Zambia Federation of Disability Organisations (ZAFOD), Local NGOs, Community Development Departments, Radio Stations	NGO grants, Community Development Fund (CDF), Private sector CSR, UN/INGO disability inclusion funds	SDG 16, t17
Government, Police, Traditional Leaders, Health Workers, Legal Aid	Zambia Police Service (VSU), Judiciary, Ministry of Chiefs and Traditional Affairs, Legal Aid Commission, District Health Offices	Justice Sector Reform Fund, GBV prevention budgets, District Development Fund, Traditional leadership grants	SDG 5, 10, 16
Government, Development Partners, OPDs, Training Institutions			

How to use this roadmap: Stakeholders should adapt this sample roadmap to their specific context during a collaborative planning workshop.

11.2 Creating a “Pocket Guide” for Frontline Workers

A durable, pictorial guide should be developed for police, health workers, and community leaders. Its core content should include:

- **The 5 Key Rights:** 1. Right to be safe from violence. 2. Right to access justice. 3. Right to be heard and believed. 4. Right to reasonable accommodation. 5. Right to own property and inherit.
- **Dos and Don'ts:** e.g., «DO speak directly to the person, not their companion.» «DON'T assume a person with an intellectual disability cannot understand.»
- **How to Request a Sign Language Interpreter:** A simple script to call a central OPD hotline.
- **Critical Referral Numbers:** For legal aid, shelters, and health services.

11.3 Strengthening the User Feedback Loop

A formal mechanism ensures services remain responsive. This should be managed by OPDs to ensure safety and trust.

Template 5: User Experience Feedback Form

(Available in Easy-Read, Audio, and Braille formats)

Service I used: (Pictures of) Police Station / Court / Legal Aid / Chief

- **How did you find out about this service?** (Pictures of) Friend / Radio / Paralegal / Other
- **Were you treated with respect?** (Picture of Thumbs Up / Thumbs Down)
- **Could you communicate easily?** (Picture of Thumbs Up / Thumbs Down)
- **Did you get the help you needed?** (Picture of Thumbs Up / Thumbs Down)
- **What could be better?** (Open space for drawing or dictating a message)

11.4 Fostering Cross-Sectoral Referral Pathways

A clear, visual map prevents survivors from getting lost in the system. This should be developed locally and displayed prominently.

[See the created visual map in the Annex below. This would be added as a new template in the Annex.]

11.5 Promoting Economic Empowerment Integration

Justice without economic security can lead to repeated vulnerability. A new strategy should be added to Chapter 4 (Strategies and Good Practices)

For Civil Society and OPDs

Establish a “Justice-to-Livelihoods” Referral Partnership: Formalize a partnership between legal aid providers, OPDs, and microfinance institutions or livelihood programs. Upon the successful resolution of a case (e.g., inheritance, property rights, maintenance), the paralegal or lawyer should proactively refer the woman to economic empowerment services, with her consent.



PART C. THE COMMUNITY ACTION KIT (The Practical Tools for Users & Frontline Workers)

Welcome and How to Use This Kit

A Message of Solidarity

This guide is your tool. It was created because women and girls with disabilities in Zambia, especially those in remote areas, have the right to justice but often face immense barriers in claiming it. You are the expert in your own life. This kit is designed to support you, your families, and your communities with clear, practical information to navigate the justice system. Remember: The law entitles you to be safe, to be heard, and to get justice. This guide helps you make that right a reality.

“What discourages us most in life is our own families.” – Woman with a disability.#

Who This Kit Is For

This Community Action Kit is designed for direct use by different groups who play a crucial role in supporting access to justice. Find your role below:

1. For Women and Girls with Disabilities

This is your personal guide. Use it to learn about your rights, create a safety plan, and understand the steps to take if you experience injustice or violence. The tools inside are for you to use directly. You can fill out the worksheets, use the scripts to ask for help, and follow the pathway map to know what to expect.

2. For Families, Friends, and Caregivers

Use this kit to be a strong ally. You are often the first line of support. This guide will help you understand what your loved one is entitled to, how to recognize different forms of violence, and how to assist them in reporting and seeking help safely and effectively.

3. For Community Frontline Workers

This includes **Peer Advocates, Community Paralegals, Village Health Workers, and Social Workers.**

Use this as your essential field manual. It provides the core information and tools you need daily. Use the scripts to help someone report a crime, use the problem-solving tree to address common barriers, and refer to the visual pathway to guide survivors through the system. The pocket guide in Section C.3 is a quick-reference for your work.






4. For Traditional Leaders (Chiefs, Indunas, and Religious Leaders)

Use this kit to ensure your community's justice practices are fair and inclusive for all. It explains the national laws that protect women and girls with disabilities and provides strategies for making your customary court or dispute resolution processes accessible. The guide helps you understand when a case must be referred to the police and how to be a powerful ally.



How to Use This Book

We have used simple icons throughout this guide to help you find the information you need quickly. Look for these symbols:

-  **Your Rights:** Sections with this icon explain your legal rights and what the law says in simple terms.
-  **Your Safety First:** This icon marks critical information for your immediate physical and emotional safety. Always read these sections first if you are in danger.
-  **Step-by-Step Guide:** This icon indicates a clear, action-oriented guide on what to do next, like reporting a crime or going to court.
-  **Helpful Tip:** Look for this icon for practical advice, warnings, and useful information that can make the process easier.
-  **Who to Call for Help:** This icon highlights important contact information and resources.

Did You Know?

Your right to justice is supported not only by Zambian law but also by global goals agreed to by Zambia. The **Sustainable Development Goals (SDGs)** call for:

Equal access to justice for all (SDG 16)

An end to discrimination against women and girls (SDG 5)

A reduction in inequality (SDG 10)

By claiming your rights, you are helping Zambia build a more just and inclusive society for everyone.

Part 1: Know Your Rights

1. The law entitles you to Justice

“A police officer or chief cannot dismiss your complaint because of your disability. As one participant challenged when insulted: ‘I explained in court that he had insulted me by calling me disabled...’”

Your right to justice is protected by powerful Zambian laws and international agreements that Zambia has promised to uphold. This means the system must work for you.

You are not alone. Many women have faced this, like the participant who said: ‘The office bearers asked why two PwD are wasting time with this process...’”

What the Law Says

The Constitution of Zambia (2016) states in **Article 266** that no one can be discriminated against based on their disability or their sex (Government of the Republic of Zambia, 2016). This is the highest law in the land and forms the foundation for all your other rights.

The Persons with Disabilities Act (2012) is your key law. **Section 9** specifically says that you must be provided with «necessary facilities and equipment» to access services, including police stations and courts (Government of the Republic of Zambia, 2012). This is your legal right to ask for things like a ramp, a sign language interpreter, or documents you can understand.

The Gender Equity and Equality Act (2015) works to eliminate all discrimination against women and ensure your full participation in society, which includes accessing the justice system (Government of the Republic of Zambia, 2015).

The UN Convention on the Rights of Persons with Disabilities (CRPD), which Zambia agreed to, guarantees in **Article 13** your «effective access to justice» on an equal basis with others. This means the justice process must be made accessible for you (United Nations, 2006).

What This Means for YOU in Practice

Your right to justice is not just a idea; it is a set of promises from the government and duties for justice officials. This means:

➔ **The Right to Enter:** The law entitles you to physically enter a police station or court. If there are stairs and you use a wheelchair, they must provide a ramp or find another way for you to get in.

➔ **The Right to Understand and Be Understood:** The law entitles you to communication you can understand. If you are a person with hearing impairment, they must find a qualified sign language interpreter. If you are a woman with visual impairment, they must provide information in Braille or read it to you. If you have an intellectual disability, they must use simple language and be patient.

➔ **The Right to Be Believed:** The law entitles you to be taken seriously. A police officer or chief cannot dismiss your complaint because of your disability or gender. Your testimony is valid.

➔ **The Right to Participate:** The law entitles you to be directly involved in your own case. Decisions cannot be made about you without you. The law entitles you to give your opinion and have it considered.

Remember: If a police officer, a chief, or a court official denies you help because of your disability or your gender, they are **breaking the law**. You are not asking for a favour; you are claiming your right.

2. What is Violence? Knowing Your Rights

Violence against women and girls with disabilities is often hidden, ignored, or misunderstood. It is crucial to recognize all its forms, many of which are specific to your lived experience. The **Maputo Protocol (Article 23)** specifically calls for measures to protect women with disabilities from all forms of violence (African Union, 2003).

Here are the forms of violence you should know

Physical Violence

What it is: Hitting, slapping, burning, pushing, or any physical force that causes you pain or injury.

Specific to you: This includes **withholding your assistive devices**, like hiding your wheelchair, taking away your white cane, or breaking your hearing aid. It also includes forcing you to take medication you do not need or want.

Emotional and Psychological Violence

What it is: Insults, name-calling, constant criticism, threats to harm you or others you love, and intimidation.

Specific to you: This includes isolating you from your community, telling you that you are «useless» because of your disability, or using your disability to control you (e.g., «No one else will want you because you are disabled»).

Sexual Violence

What it is: Any sexual act that is done to you without your free and informed consent. This includes rape, unwanted touching, and forced nudity.

Specific to you: This is a crime no matter who does it, even your husband, a family member, or your personal caregiver. A common myth is that women with disabilities are not sexually assaulted; this is false, and the law protects you. It also includes ignoring your capacity to consent, particularly for women with intellectual disabilities.

Financial and Economic Violence

What it is: Controlling, stealing, or withholding your money or economic resources to make you dependent and powerless.

Specific to you: This is a major issue. It includes:

Stealing your disability grant or pension.

“Property Grabbing”: When relatives seize your home, land, or other property after the death of your husband or father, claiming you are «incapable» of managing it. The law says this is illegal.

Denying you the chance to work or earn an income.

Neglect:

What it is: When a caregiver or family member who is responsible for your care intentionally fails to meet your basic needs.

Specific to you: This includes withholding food, water, necessary medicine, or denying you assistance with personal hygiene (bathing, using the toilet). It is a form of violence to leave you without the care you need to live in dignity.

Recognizing these acts as violence is the first step to stopping them. The law entitles you to live a life free from all these forms of harm.

Part 2: Your Rights Claiming Pathway

The Justice Pathway Map

one-page, *simple flowchart illustrating the steps:*

1. Something happens **Get to Safety & Get Support**
2. **Document What Happened & Decide Who to Tell**
3. **Get Medical Care** (if needed)
4. **Report the Injustice** (Police, Chief in your community, paralegals)
5. **Get Legal Help & Follow Up**

Step 1: Get to Safety and Get Support

Your Safety Comes First: If you are in immediate danger, try to get to a safe place: a trusted neighbor's house, a public area like a market, or a local clinic.

“Safety means to be in a space where no harm can be done... Safety is ability to move freely.” – Adolescent Girls, FGD

Tell Someone You Trust: You do not have to go through this alone. Reach out to a family member, a friend, a Peer advocate, or a religious leader. Community paralegals are specially trained to provide confidential support (see Chapter 6 of the main guideline).

Step 2: Document What Happened & Decide Who to Tell

What to Try to Remember:


- **Date and time** it happened.
- **Where** it happened.
- **What** exactly occurred?
- **Who** was involved and what they looked like.

Your Trusted Support Network: Identify people who can help you. Your inner circle might include friend, a sister. Your outer circle can include a Village Health Worker or a supportive Chief.

Step 3: Getting Medical Help and Evidence

If you have been physically or sexually assaulted, go to a clinic or hospital as soon as possible. The doctor can treat you and a medical report can serve as crucial evidence.

The law entitles you to ask for a female doctor if you prefer.

 **Helpful Tip:** If you can, try not to wash, bathe, or change your clothes before going to the clinic, as this can help preserve important evidence.

Step 4: Reporting - Making Your Voice Heard

Where to Report

Paralegal or Peer Advocate: Your first and best option. They understand your situation and can accompany you.

Your Village Chief/Headman: They can help resolve some issues. **However, for serious crimes like rape or assault, they must refer the case to the police.**

The Police: You have a right to be taken seriously. You can report any crime here.

What to Ask For When You Report (Your Right to Accommodation)

“We are asked to pay to get assistance especially legal matters.”

- ✓ “I need a female police officer.”
- ✓ “I need a sign language interpreter.” (This is your right under the **Persons with Disabilities Act No. 6 of 2012**; Government of the Republic of Zambia, 2012).
- ✓ “I need someone to explain the forms to me in simple language.”

- ✓ “I need to give my statement in a private room.”
- ✓ “I cannot climb the steps; can we meet where I can access?”

Step 5: What Happens Next? The Court Process

If your case moves forward, it may go to a local court (*Lubuku*) or a magistrate’s court. This process can feel intimidating, but knowing what to expect and understanding your rights can make you feel more prepared and confident.

Remember this above all: The person who hurt you (the “accused” or “defendant”) is the one on trial, not you. You are the person seeking justice, and the court is there to listen to your experience.

What to Expect: A Step-by-Step Overview

Before the Trial

You may meet with a lawyer from **Legal Aid** or a prosecutor. They will explain the process and prepare you for your testimony. This is a good time to remind them of any accommodations you need (e.g., an interpreter, breaks).

The person accused of hurting you will be formally charged with a crime.

On the Day of the Hearing

- The magistrate or local court justice is in charge of the courtroom.
- The prosecutor will present the case against the accused person.
- The accused person (or their lawyer) will have a chance to respond to the allegations.

Giving Your Testimony (Your Time to Speak)

You will be called to the witness stand to tell the court what happened. This is called giving evidence or testifying.

The prosecutor will ask you questions first to help you tell your story.

After, the lawyer for the accused person (or the accused person themselves) will also ask you questions. This is called cross-examination. It is designed to test your story, and it can feel challenging. **Stay calm, take your time, and only answer the question that is asked.** If you don’t understand a question, the law entitles you to ask for it to be repeated or explained.

The Outcome

After hearing all the evidence, the magistrate or justice will make a decision. This is called a judgment.

If the accused is found guilty, the court will decide on a sentence (a consequence, which could be a fine, community service, or prison).

If they are found not guilty, it does not mean you were not believed. It means the court decided there was not enough evidence to prove guilt beyond a reasonable doubt.

Your Rights in Court: What You Are Entitled To

Your rights are protected by law to ensure you can participate fully and with dignity. Do not be afraid to assert them, preferably with the help of your lawyer or support person.

1. The Right to Understand and Be Understood:

You can ask for questions to be rephrased in simple, clear language.

If you need a **sign language interpreter**, one must be provided for you at no cost, as per the **Persons with Disabilities Act (2012)**.

If you have an intellectual disability, you can request that the magistrate allows you to use communication aids or that questions are asked slowly and one at a time.

2. The Right to Support and Safety

You can have a **support person** from your community (like an advocate, a family member, or a friend) sit with you in the courtroom for emotional strength.

In some cases, especially for sensitive crimes like sexual violence, you may be able to give your testimony from a separate room via video link, so you do not have to be in the same room as the accused.

3. The Right to a Fair Process

You can **ask for breaks** whenever you feel tired, overwhelmed, or need to use the bathroom. The court must accommodate this.


The law entitles you to **a lawyer**. If you cannot afford one, you can apply for a lawyer through the **National Legal Aid Policy (2013)**. Your lawyer's job is to protect your interests and guide you through the process.

The court should be **physically accessible**. If it is not, you or your advocate can request that accommodations be made, such as moving the proceeding to a ground-floor room.

4. The Right to Protection from Re-victimization

The court should not allow questions that are abusive, harassing, or that attack your character unfairly based on your disability or gender.

You cannot be forced to testify if doing so would cause severe emotional or mental harm.

 **Helpful Tip:** Before your court date, try to visit the courtroom with your support person

if possible. This can help you get familiar with the environment and reduce anxiety. Practice with your lawyer or advocate on how to answer questions clearly and calmly.

Remember: You are brave for taking this step. The court process is a formal way to hold someone accountable for the harm they caused. You are not on trial; you are a vital witness for justice.

Part 3: Your Action Tools

Tool 1: Your Personal Safety Plan

A worksheet to help you plan for safety.

Who are two people I can call in an emergency? _____

Where is a safe place I can go? _____

What is a code word I can use with a friend to let them know I'm in danger? _____

Tool 2: My Trusted Support Network

A simple diagram for you to fill in.

Inner Circle: My most trusted supporters (e.g., friend, sister).

Outer Circle: People who can help (e.g., Village Health Worker, Chief).

Tool 3: Problem-Solving Tree for Common Barriers

"I would want the guideline to have procedure on how I can advocate for myself." – Doreen Mumba

Root (Problem): "The police did not believe me because of my intellectual disability."

Trunk (Cause): «The officer held harmful stereotypes.»

Branches (Solutions): «Ask to speak to a different officer or a supervisor. Contact a paralegal immediately. Use the Request for Reasonable Accommodation template.»

Fruit (Action): «I will call my OPD advocate now and they will come with me to the station.»

Tool 4: Template - Claiming Your Legal Entitlement: A Request for Reasonable Accommodation

Accommodations (also called **Reasonable Accommodations**) are changes and supports that remove the barriers you face because of your disability. They are not special favours;

they are your legal right. The goal is to ensure you can use justice services, like reporting a crime to the police or participating in a court hearing, on an equal basis with others.

(A simplified, fill-in-the-blanks version of the full template)

To: [Police Officer-in-Charge / Court Registrar]

I am: [Your Name]

I have a: [Your disability, e.g., physical disability, I am a women with hearing impairment, I am I am a women with hearing impairment]

I need help to: [Report a crime / Attend a court hearing]

Please provide:

- A sign language interpreter
- Documents in large print
- To meet in a ground-floor room
- Other: _____

My contact number is: [Your Phone Number]

This is my right under the Persons with Disabilities Act (2012).

Part 4: Where to Get Help 📞

Knowing who to turn to is your first step toward safety and justice. This section explains the different types of help available and provides a space for you to write down the specific contacts in your community. **Keep this list in a safe and easy-to-find place.**

Your Lifeline Contact List

Write down your local contacts here. Ask a trusted friend, a community health worker, or a OPD advocate to help you find these numbers.

My OPD Advocate / Paralegal: _____

Why they can help: This is a person from your community, trained to understand both your rights and the local system. They can give you free legal advice, come with you to report a crime, explain court processes, and help you fill out forms. **They are often your best first**

point of contact.

Local Police Station (Ask for the Victim Support Unit or a Female Officer): _____

Why they can help: The police are responsible for taking your report, investigating the crime, and protecting you from immediate danger. The law entitles you to be treated with respect and to ask for accommodations, like a female officer or a sign language interpreter.

Village Chief / Headman: _____

Why they can help: Traditional leaders can help resolve certain community and family disputes. **Important:** For serious crimes like rape, assault, or property grabbing, they must support you in reporting the case to the police. A good chief will uphold the law and protect your rights.

Disability Inclusion Focal Persons

Participants recommended that community committees include representatives for women with disabilities: *“Community committees should have representative for who would stand for women and girls with disabilities.”* – Esnart Mwewa **Action:** Identify and list local **Disability Inclusion Focal Persons** in your area who can accompany you to meetings or help you voice your concern

Local Health Clinic / Hospital: _____

Why they can help: Healthcare workers can treat your injuries, provide confidential medical care, and collect crucial evidence (like a medical report) that can be used in court. You can ask for a female doctor if it makes you more comfortable.



National GBV Hotline: 116

Why they can help: This is a free, confidential phone number you can call from anywhere in Zambia. A trained person will listen to you, give you information about your rights, and guide you to nearby services like shelters, legal aid, and counseling.

Legal Aid Board Office: _____

Why they can help: If you cannot afford a lawyer, the Legal Aid Board may provide one for you for free or at a very low cost. A lawyer can represent you in court, help you with legal documents, and ensure your voice is heard powerfully in the legal process.

Other Important Contacts:

Trusted Family Member/Friend: _____

Local Social Welfare Officer: _____

Community Health Worker: _____

You Are Not Alone

Remember this: Seeking justice is your right. The path can be long and may feel difficult at times, but you are strong for taking these steps. Every woman and girl deserves to live a life free from violence and injustice.

Your voice matters. What happened to you is not your fault, and you have the power to speak out against it.

Asking for help is a sign of strength. It means you are claiming the power and respect you deserve.

You have a community that supports you. From the OPD advocate who stands by your side, to the health worker who treats your wounds, to the chief who upholds your rights, you do not have to walk this path alone.

We believe you. We support you. Your courage can build a more just future for yourself and for others.

You are not alone.

“Fortunately, my partner responded that he wanted to marry me as I am... I still look beautiful even with my disability.” – FGD Participant

DISABILITY-INCLUSIVE COMMUNICATION QUICK REFERENCE

Quick Communication Guide for Frontline Workers

DOs & DON'Ts AT A GLANCE:

WITH DEAF/HARD OF HEARING PERSON	WITH BLIND/LOW VISION PERSON	WITH PERSON WITH INTELLECTUAL DISABILITY
DO: Face person directly, good lighting	DO: Identify yourself by name	DO: Use simple words, short sentences
DO: Use gestures/facial expressions	DO: Ask “How can I assist?”	DO: Check understanding frequently
DON'T: Shout or over-enunciate	DON'T: Grab arm without asking	DON'T: Use abstract concepts or metaphors
TRY: Written notes if no interpreter	TRY: Verbal descriptions of surroundings	TRY: Pictures/drawings to explain

GOLDEN RULES

- **SPEAK TO** the person, not their companion
- **ASK** «How can I make this accessible for you?»
- **BELIEVE** the person's experience
- **PATIENCE** is part of the process

TOOL 5: OUR STORIES, OUR STRENGTH – A PEER SUPPORT CONVERSATION GUIDE

Introduction: Sharing your story in a safe space is powerful. It can reduce feelings of

isolation, turn personal pain into collective understanding, and help you see your own strength. This guide is for facilitators (like peer advocates or support group leaders) to help lead respectful and empowering conversations. Remember: no one is forced to share. Listening is also a powerful form of participation.

I. Creating a Safe and Supportive Space

Before You Begin

Confidentiality is Key: Everyone must agree that stories shared in the circle stay in the circle. What is said here, stays here.

Respect is the Rule: No interrupting, no judging, no giving unsolicited advice. We listen to understand, not to reply.

The Facilitator's Role: Your job is to guide the conversation gently, ensure everyone feels safe, and keep time. You are not a counsellor, but a fellow traveller.

Setting the Tone: Begin with a simple agreement: *"We are here to listen, to support, and to learn from each other's courage."*

II. Gentle Prompt Questions to Guide Sharing

Choose one or two questions to focus your session. There are no right or wrong answers.

A. On Safety and Community

"What does a truly safe place feel like to you?"

"Who is one person in your community (not family) that makes you feel respected? What do they do?"

Inspired by: "Safety is ability to move freely." – FGD Participant

B. On Overcoming Challenges

"Share a small victory—a time you spoke up for yourself or someone else, or accessed a service despite a barrier."

"What is one inner strength that helps you get through difficult times?"

Inspired by: "You are not alone." – Community Action Kit

C. On Seeking Help and Justice

“If you could change one thing to make it easier for a woman with a disability to report a problem, what would it be?”

“What kind of support from a friend or advocate is most helpful when facing a difficult situation?”

“Educate family members as they are also the biggest cause of the problem. Justice should start in the homes.” – Adolescent Girl, FGD

D. On Hopes and Dreams

“What is a right you wish everyone in your community understood about women with disabilities?”

“Imagine justice is fully accessible. What does that look like and feel like for you?”

III. From Shared Story to Collective Action

After sharing, use these questions to channel understanding into support:

1. **Common Ground:** «Hearing each other today, what is one challenge we seem to share?»
2. **Pooling Wisdom:** «What advice or strategy did you hear from someone else that you might use?»
3. **Small Step Forward (Optional):** As a group, can we agree on one small, positive action? (e.g., “We will all practice using the ‘Request for Accommodation’ template this month,” or “We will each identify and check in on one other person this week.”)

Closing: Thank everyone for their courage and trust. Remind them of the lifeline contacts in **Part 4: Where to Get Help**. A simple closing: “We carry our own stories, but we do not carry them alone.”

Tool 6: How to Advocate for Yourself

Use these simple scripts to ask for what you need:

“I need a sign language interpreter. This is my right under the Persons with Disabilities Act.”

“Please provide this document in Braille or large print.”

“I would like to speak to a female officer.”
Remember: The law entitles you to be heard. As one woman said: “To advocate for myself as a person with disability for justice.”

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Glossary of Key Terms

Accessibility

The design of products, devices, services, environments, and information to be usable by people with disabilities, including physical access, communication access, and procedural accommodations.

Accommodation (Reasonable Accommodation)

Necessary and appropriate modifications or adjustments to policies, practices, procedures, or physical environments that enable persons with disabilities to enjoy their rights on an equal basis with others. (Aligned with Persons with Disabilities Act, 2012, Section 9)

Caregiver

A person who provides assistance with daily living activities to a person with a disability. This may include family members, paid assistants, or community volunteers.

Community Paralegal

A trained community member, often a person with a disability, who provides basic legal information, assistance with documentation, accompaniment to services, and referrals to formal legal aid.

Customary Justice System

Local dispute resolution mechanisms led by traditional leaders (Chiefs, Indunas) based on customary law and cultural norms, often the first point of contact for justice in remote areas.

Disability

An evolving concept resulting from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others. (Aligned with CRPD)

Formal Justice System

State-administered justice institutions including police, magistrates' courts, local courts (Lubuku), and the judiciary.

Gender-Based Violence (GBV)

Harmful acts directed at an individual based on their gender, including physical, sexual, psychological, and economic violence. GBV disproportionately affects women and girls, particularly those with disabilities.

Legal Capacity

The right to make decisions about one's own life and to have those decisions recognized by law. The CRPD (Article 12) requires supported decision-making rather than substituted decision-making.

OPD (Organization of Persons with Disabilities)

An organization where persons with disabilities constitute the majority of members and leadership, representing their interests and rights.

PwD (Persons with Disabilities)

Individuals who have long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society.

Reasonable Accommodation

See Accommodation.

SGBV (Sexual and Gender-Based Violence)

A subset of GBV referring specifically to sexual violence, including rape, sexual assault, and harmful sexual practices.

Sign Language Interpreter

A professionally trained person who facilitates communication between deaf or hard-of-hearing individuals and others by interpreting spoken language into sign language and vice versa.

SPHERE Framework

A monitoring tool with six elements: Story, Problem, Harm, Efforts, Response, Evidence. Used to document cases systematically for advocacy.

Stigma

Negative attitudes, beliefs, and stereotypes that lead to discrimination against persons with disabilities.

Supported Decision-Making

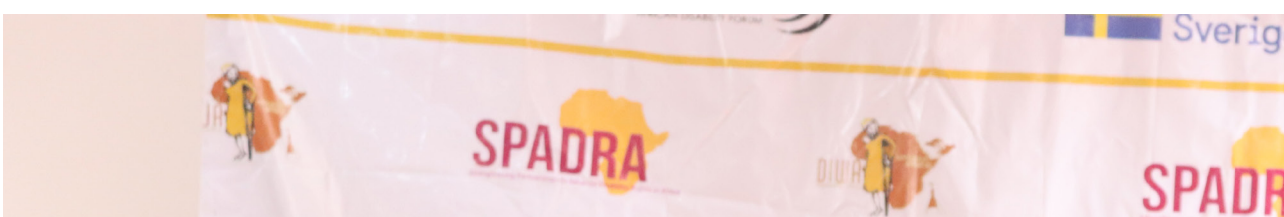
A system where individuals with disabilities choose trusted supporters to help them understand information, consider options, and communicate decisions, while retaining their legal capacity. (Contrasts with guardianship/substituted decision-making)

Traditional Leader

A community leader such as a Chief, Induna, or Headman who has authority in customary justice systems.

Universal Design

The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.



Annex

Annex 1: Practical Templates for Advocacy and Action

Template 1: Accessibility Audit Checklist for a Rural Police Post or Local Court
(Use this template to systematically document physical, communication, and attitudinal barriers.)

Name of Facility: _____
 Location of (District, Province): _____
 Date of Audit: _____
 Audited By: _____

Category	Checkpoint	Yes	No	Notes & Observations
Physical Access	Is there a ramp with a gentle slope at the entrance?			
	Are doorways wide enough (at least 90cm) for a wheelchair?			
	Is there an accessible toilet on the premises?			
	Is the interior pathway clear of obstacles?			
	Is there designated, level parking close to the entrance?			
Communication & Information	Is there a sign language interpreter available or on call?			
	Are official forms available in large print or Braille?			
	Are informational posters about rights and procedures using simple language and pictures?			

Category	Checkpoint	Yes	No	Notes & Observations
	Do officers/staff know how to communicate with a person with an intellectual disability (e.g., using plain language)?			
	Is there a functional TTY or SMS-based system for persons with hearing impairment to alert police?			
Attitudes & Procedures	Did the staff speak directly to the person with a disability, not just their companion?			
	Was the staff patient and respectful?			
	Is there a clear, confidential, and accessible process for filing a complaint against a staff member?			
	Are there any posters visibly stating the rights of persons with disabilities?			

Overall Summary & Priority Recommendations:

- 1.
- 2.
- 3.

Template 2: Community Paralegal / Peer Advocate Referral Form

(This form helps community paralegals and peer advocates track cases and ensure follow-up.)

Case _____ **ID:** _____
Date Reported: _____

Information of Woman/Girl Seeking Help:

- Name (or initials for confidentiality): _____
- Contact Information (if safe): _____
- Location (Village): _____
- Type of Disability: _____
- Required Communication Support (e.g., sign language, easy-read):

Nature of the Issue / Complaint:

- Gender-Based Violence (GBV)
 Denial of inheritance / property rights
 Discrimination in accessing a service
 Denial of legal capacity
 Other: _____

Brief Description of the Incident:**Immediate Action Taken by Paralegal/Advocate:**

- Provided information on rights
 Assisted in writing a statement
 Referred to police (Station: _____)
 Referred to legal aid (Organization: _____)
 Referred to health services (Clinic: _____)
 Provided psychosocial first aid
 Other: _____

Follow-Up Required:

- **Responsible Person/Organization:** _____
- **Deadline for Follow-up:** _____
- **Next Steps:** _____

Signature of Paralegal/Advocate: _____

Template 3: Request for Reasonable Accommodation

(This template can be adapted and used by a woman with a disability or her advocate when engaging with the justice system.)

To:

[Name of Officer-in-Charge / Court Registrar]

[Name of Police Station / Court]

[Address]

Date: _____

Subject: Request for Reasonable Accommodation to Access Justice

Dear [Sir/Madam],

My name is [Your Name]. I am a person with a [state your type of disability, e.g., physical disability, visual impairment, deafness]. I need to access your services in relation to [briefly state the reason, e.g., “filing a report on a case of theft,” “attending a court hearing for case number XYZ”].

To enable me to participate effectively on an equal basis with others, I kindly request the following reasonable accommodations, as provided for under **Section 9 of Zambia’s**

Persons with Disabilities Act No. 6 of 2012 and Article 13 of the UN Convention on the Rights of Persons with Disabilities:

(Please check all that apply and provide details)

Physical Accommodation: Please ensure I can access the building. This includes [e.g., ensuring the ramp is clear, making arrangements for me to be seen in a ground-floor room].

Sign Language Interpretation: Please provide a qualified sign language interpreter for my scheduled appointment/hearing on [Date].

Accessible Formats: Please provide all relevant documents and forms for my case in [e.g., large print, Braille, electronic format, easy-to-read language].

Communication Support: Please ensure that staff communicate with me directly, using [e.g., plain language, written notes, allowing extra time for me to communicate].

Other: [Please specify any other accommodation needed].

I am available to discuss these arrangements further. Please contact me at [Your Phone Number or Email] to confirm these accommodations.

Thank you for your cooperation in ensuring equal access to justice for all.

Sincerely,

[Your

[Your

[Date]

Printed

Signature]

Name]

Template 4: Advocacy Meeting Briefing Note

(Use this template to prepare a concise and powerful points for a meeting with a District Official, Traditional Leader, or Member of Parliament.)

To: [e.g., The District Commissioner, Kalomo District]

From: [Your Organization's Name]

Date: [Date of Meeting]

Subject: Urgent Need for Inclusive Justice for Women and Girls with Disabilities in

[District Name]

1. Opening Statement: “We are here today to partner with you in addressing a critical gap in our justice system. Women and girls with disabilities in our district are being left behind and denied their fundamental right to access justice.”

2. The Problem (Use Local Data or Anecdotes):

“In [Village Name], a woman with hearing impairment was unable to report domestic violence because the police post has no access to a sign language interpreter.”

“Our community mapping shows that 3 out of 5 local courts in the district are not physically accessible for wheelchair users.”



3. The Legal Framework (Keep it Simple):

“This exclusion violates Zambia’s **Persons with Disabilities Act (2012)** and our international commitments under the **CRPD**.”

4. Our Specific “Ask”:

(Be clear, concrete, and actionable)

“We request that the District Development Coordinating Committee (DDCC) allocate funds in the next quarter to build ramps at the [Name] Police Station and [Name] Local Court.”

“We recommend that you issue a directive to all police stations in the district to partner with [Name of OPD] to establish a roster of on-call sign language interpreters.”

“We propose a joint training session for all local court justices in the district on disability rights and inclusive procedures, to be conducted by [Date].”

5. Proposed Next Steps:

“We will form a technical working group with the District Social Welfare Officer to develop an action plan.”

“We will follow up with your office in two weeks to check on the progress of these recommendations.”

Attachments: [e.g., Accessibility Audit Report, Photographs]

Annex 2: What Are Accommodations? Your Key to Accessing Justice

Accommodations (also called **Reasonable Accommodations**) are changes and supports that remove the barriers you face because of your disability. They are not special favours; they are your legal right. The goal is to ensure you can use justice services, like reporting a crime to the police or participating in a court hearing, on an equal basis with others.

The **Persons with Disabilities Act No. 6 of 2012** mandates the provision of «necessary facilities and equipment» to enable your access to services (Government of the Republic of Zambia, 2012). Asking for an accommodation is you claiming this right.

Types of Accommodations You Can Ask For

Based on the barriers identified in this guideline, here are specific examples of accommodations:

1. Physical Accommodations

For a person who uses a wheelchair or has mobility challenges

- A ramp to enter a police station or court.
- An accessible toilet.
- A meeting held in a ground-floor room.
- Clear pathways inside the building.

2. Communication and Information Accommodations

For a person who is Deaf or hard of hearing

- A qualified sign language interpreter for all meetings, statements, and court proceedings.
- Use of written notes or text messages to communicate.



For a person who is blind or has low vision

- Documents (like police forms or court orders) provided in Braille, large print, or audio format.
- Someone to read the information aloud to you clearly.

For a person with an intellectual or psychosocial disability

- Information explained in simple, clear language.
- Use of pictures or symbols to explain legal concepts.
- Being given extra time to ask questions, understand, and make decisions.

3. Procedural Accommodations (Changes to How Things Are Done)**For anyone who needs it**

- Taking more frequent breaks during a long police interview or court session.
- Having a trusted support person (like a OPD advocate or family member) present with you.
- Being interviewed in a private, quiet room to reduce stress and distraction.
- Allowing you to give your testimony in a different way, such as via video link from a safer location.

Annex 3: Visual Referral Pathway Map for a Survivor of Gender-Based Violence

(This is a simplified text representation of what should be a visual, pictorial flowchart)

START: A woman with a disability experiences GBV**1. First Contact Point****Community Paralegal / Peer Advocate (in Village)**

- *Role:* Provides psychosocial first aid, explains rights, helps document evidence.
- *Next Step:* Refers to and accompanies to...

Traditional Leader (Chief/Induna)

- *Role:* Can provide mediation if survivor chooses, but **MUST** refer serious crimes.
- *Next Step:* For SGBV, must refer to...

Health Clinic

- *Role:* Provides medical care, collects forensic evidence, treats injuries.
- *Next Step:* Refers to...

2. Second Step

Police Station

- *Role: Takes official statement, investigates crime, provides police report.*
- *Requirement: Must call a sign language interpreter if needed.*
- *Next Step: Refers to...*

3. Third Step

Legal Aid Lawyer / National Legal Aid Commission

- *Role: Provides free legal advice, represents survivor in court.*
- *Next Step: Supports survivor through...*

4. Formal Justice

Local Court / Magistrate Court

- *Role: Hears the case and makes a judgment.*
- *Requirement: Must be physically accessible and provide communication support.*

5. Parallel Support (Can be accessed at ANY point):

- **Safe Shelter / Victim Support Unit:** For safety and accommodation.
- **OPD-led Support Group:** For ongoing psychosocial support.
- **Economic Empowerment Program:** For skills training and financial inclusion **after** case resolution.

Justice Served & Sustainable Recovery

Annex 4: Voices Of Experience – Compiled Testimonies For Advocacy And Training

This annex provides direct quotes from the FGDs, organized by theme. Use these powerful testimonies to:

Open a training session for police or magistrates to make the issues real.

Strengthen a funding proposal with undeniable evidence of need.

Create compelling awareness-raising materials (posters, radio scripts).

Advocate to policymakers by putting a human voice to statistical barriers.

Theme 1: On Discrimination and Stigma

Familial Stigma: *“My own sister was asking why he was marrying me since I am disabled. She told him I had nothing to offer.”* – Woman with physical disability.

Institutional Disrespect: *“The office bearers asked why two PwD are wasting time with this process because they are short-tempered and they will have issues in their marriage.”* – Woman recounting experience at civic marriage office.

Public Insult: *“After all, you are disabled and playing hard to get.”* – Quote from a man to a participant.

Theme 2: On Barriers in the Justice System

Physical Barriers: *“STAIRS: not accessible to people on crutches or wheelchairs.”*

Financial Barriers: *“We are asked to pay to get assistance especially legal matters.”*

Corruption & Bias: *“A person with a Mercedes Benz is attended to faster than a PwD from a rural area. No priority.”*

Communication Failure: *“The court rejected. The woman was not given justice as the court only wanted to hear from her.”* (Re: woman with hearing impairment)

Theme 3: On Violence and Neglect

Sexual Violence Risk: *“Home. It’s safe but also risky as I can be raped.”* – Adolescent Girl.

Economic Exploitation: *“Property grabbing... they seize your home, land, or other property... claiming you are ‘incapable’ of managing it.”*

Neglect as Violence: Withholding assistive devices, food, or necessary medical care.

Theme 4: On Solutions and Hopes

Accessible Information: *“The constitution is written in ink; there must be Braille versions for the blind.”*

Systemic Change: *“Women with Disabilities would benefit from a legal representative with a disability. They understand and help from the disability angles.”*

Starting at Home: *“Educate family members as they are also the biggest cause of the problem. Justice should start in the homes.”* – Adolescent Girl.



Annex 5: A “Minimum Standards Checklist” For Justice Service Providers

For All Police Stations & Courts In Remote Areas

PHYSICAL ACCESS (Must have at least 2 of 3)

- Functional ramp at main entrance
- At least one accessible toilet on premises
- Ground-floor service point available

COMMUNICATION ACCESS (Must have at least 1 of 2)

- Designated contact person for interpreter requests (name/number posted)
- Basic pictogram poster explaining how to report crimes (visible in waiting area)

PROCEDURAL ACCESS (All required)

- Policy to speak directly to person with disability
- No fees charged for sign language interpreter requests
- Option to give statement with trusted support person present

For Customary Courts

- Traditional leader has attended 1 disability rights sensitization
- Clear referral pathway to police for SGBV cases (documented)
- Women with disabilities allowed to bring advocate to proceedings

VERIFICATION

Date assessed: ____ / Assessor: ____ / Next assessment due: ____ (6 months)

On Accessibility:

“Provision of accessibility funding.” – Tendai Sihubwa

“Guidelines and tools on accessible environment, formats of information, respect and dignity.” – Natasha Munsaje

On Systemic Change:

“Full justice to be implemented not just been talked about.” – Tambudzai Kandilamwando

“Engage community leaders, CBVs, and district officials.” – Chisupa Jannet

On Capacity Building:

“Interpreters in all stations like police and clinics.” – Emma Chipoya

“Clear procedure requesting accommodations.” – Gillian Bwanga

HRBA Accountability Mapping Tool

A Practical Worksheet for Documenting Violations and Claiming Rights

Purpose of This Tool:

This tool helps you translate a personal experience of injustice into a structured **human rights claim**. By filling it out, you can:

1. Clearly identify **which of your rights were violated**.
2. Name the **government office or official responsible** (the duty-bearer).
3. Determine **exactly how they failed in their legal duty**.
4. Plan a **targeted action** to demand accountability and a solution.

It turns your story into evidence for advocacy, complaints, or legal action.

How to Use This Tool:

- **Who can use it:** A woman or girl with a disability, a family member, a community paralegal, or an OPD advocate.
- **When to use it:** After any incident where you were denied access to justice, treated unfairly by a justice official, or unable to get the accommodations you needed.
- **Fill it out step-by-step.** Use the examples in the right column for guidance. Refer to the «Know Your Rights» section of the Community Action Kit for more details on your rights.

HRBA ACCOUNTABILITY MAPPING WORKSHEET

PART 1: THE VIOLATION – WHAT HAPPENED?

(Describe the incident simply and clearly)

Question	Your Answer	Example from the Guidelines
1. What happened? (Describe the event, where, when, who was involved)		<i>“A woman with hearing impairment tried to report domestic violence at the Mumba Police Station on [Date]. The officer refused to get a sign language interpreter.”</i>
2. What was the direct barrier or harmful action?		<i>“No sign language interpreter was provided. The officer told her to bring a family member to interpret, which was not safe.”</i>
3. What was the impact or harm on you? (e.g., psychological, physical, financial, denial of justice)		<i>“She could not file her report. The violence continued. She felt humiliated and hopeless.”</i>

PART 2: THE RIGHTS ANALYSIS – WHAT LAW WAS BROKEN?

(Connect your experience to specific legal rights)

Question	Your Answer	Key Laws & Rights (Reference)
<p>4. Which HUMAN RIGHT was violated? (Choose from the list below)</p>	<p><input type="checkbox"/> Right to Access Justice (CRPD Art. 13)</p> <p><input type="checkbox"/> Right to Legal Capacity (CRPD Art. 12)</p> <p><input type="checkbox"/> Freedom from Violence (CRPD Art. 16)</p> <p><input type="checkbox"/> Right to Non-Discrimination (CRPD Art. 5; Constitution Art. 266)</p> <p><input type="checkbox"/> Right to Accessibility (CRPD Art. 9; PwD Act S.9)</p> <p><input type="checkbox"/> Other: _____</p>	<p>CRPD = UN Convention on the Rights of Persons with Disabilities</p> <p>PwD Act = Persons with Disabilities Act No. 6 of 2012</p>
<p>5. Quote the relevant law: (Copy the exact right from the laws above)</p>		<p>*"CRPD Article 13: States shall ensure effective access to justice for persons with disabilities on an equal basis with others... including through the provision of procedural and age-appropriate accommodations."*</p> <p><i>"PwD Act Section 9: A service provider shall provide necessary facilities and equipment to enable persons with disabilities to access the service."</i></p>

PART 3: THE DUTY-BEARER ANALYSIS – WHO IS RESPONSIBLE?

(Identify who failed in their duty and how)

Question	Your Answer	Examples of Duty-Bearers
<p>6. Who is the PRIMARY DUTY-BEARER? (The state office or official directly responsible)</p>	<p>Name/Title: Office/Institution: Location:</p>	<p>“Officer-in-Charge, Mumba Police Station, Zambia Police Service.” “Registrar, Kalomo Local Court, Judiciary of Zambia.” “District Social Welfare Officer, Ministry of Community Development.”</p>
<p>7. What was their SPECIFIC OBLIGATION? (What should they have done? Use the Respect, Protect, Fulfil framework)</p>	<p><input type="checkbox"/> OBLIGATION TO RESPECT: They should have <i>refrained</i> from discriminatory actions.</p> <p><input type="checkbox"/> OBLIGATION TO PROTECT: They should have <i>prevented</i> harm by others (e.g., by taking your report seriously).</p> <p><input type="checkbox"/> OBLIGATION TO FULFIL: They should have <i>taken positive steps</i> to provide access (e.g., provide an interpreter, ramp, accessible format).</p>	<p>For the woman with hearing impairment: “The police had an obligation to FULFIL her right to justice by proactively providing a sign language interpreter as a procedural accommodation.”</p>

PART 4: THE ACCOUNTABILITY PLAN – WHAT WILL WE DO?

(Plan your action to seek redress)

Question	Your Answer	Suggested Actions & Tools from the Guideline
<p>8. What is our immediate demand? (Be specific and actionable)</p>		<p><i>“Provide a qualified sign language interpreter within 48 hours so I can file my report.”</i></p> <p><i>“Conduct an accessibility audit of the court building and install a ramp within 3 months.”</i></p> <p><i>“Issue a written apology and retrain the officer on disability rights.”</i></p>
<p>9. What is our accountability action? (Choose one primary path)</p>	<p><input type="checkbox"/> Formal Complaint: Use Template 4 (Advocacy Briefing Note) to write to the duty-bearer’s supervisor.</p> <p><input type="checkbox"/> Legal/Administrative Action: Submit Template 3 (Request for Reasonable Accommodation) officially; or file a complaint with the Human Rights Commission.</p> <p><input type="checkbox"/> Public Advocacy: Use this mapped case in a media briefing or community forum.</p> <p><input type="checkbox"/> Systemic Advocacy: Include this case in a shadow report to the UN (CRPD Committee) using the SPHERE data from Chapter 10.</p>	<p>Tools to use:</p> <ul style="list-style-type: none"> - Template 3: Request for Reasonable Accommodation - Template 4: Advocacy Meeting Briefing Note - Chapter 10: SPHERE Framework for documentation - Annex 1: Accessibility Audit Checklist
<p>10. Who is our ally in this action? (List supporting individuals or organizations)</p>	<p>1. _____ (e.g., My OPD Advocate)</p> <p>2. _____ (e.g., Community Paralegal)</p> <p>3. _____ (e.g., ZAFOD Lawyer)</p>	<p><i>“My OPD advocate will accompany me to the police station with this completed worksheet and Template 3.”</i></p>
<p>11. Timeline for follow-up:</p>	<p>Date for initial action: // _____</p> <p>Date to check for response: // _____</p>	

Instructions for Submission and Follow-Up:

1. **Complete the Worksheet:** Fill out as much detail as possible.
2. **Attach Evidence:** If you have any, attach photos, medical reports, witness statements, or copies of forms related to the case.
3. **Share with Your OPD/Advocate:** This tool is most powerful when used with the support of an Organization of Persons with Disabilities (OPD) or a trained advocate who can help you plan the accountability action.
4. **Keep a Copy:** Always keep a copy for your records before submitting any formal complaint.

Remember: You are not just reporting a problem. You are documenting a **human rights violation** and initiating a process to hold the responsible duty-bearer **accountable under Zambian and international law**.





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