



Report of the Office of the High Commissioner for Human Rights on child, early and forced marriage for the 26th session of the UN Human Rights Council

Joint Submission by the YWCA of Zambia and the World YWCA

December 2013

Since its founding in 1855, the World YWCA has been at the forefront of advocating for women's rights and empowerment at the global level. At the grassroots level, the YWCA is led by local women working at the heart of 22,000 local communities leading sustainable development that is locally owned and driven. Through direct service delivery and programmes, the YWCA reaches more than 25 million women and girls in 120 countries every year. Our global advocacy is informed by this grassroots experience and we take international commitments and transform these into action by demanding accountability at all levels – regional, national and local.

The YWCA of Zambia was established in 1957 and since its inception has continued to stand at the fore front of social change and promoting the rights of women, youth and children. Being one of the oldest women's organizations in the country, the YWCA of Zambia has gained considerable experience over the many years of its existence in implementing programmes that promote human rights and socio-economic empowerment of women and girls. This is clearly evidenced by the number of women, youth and children who visit the YWCA's Drop In Centers that are scattered around the country to seek avenues of redress, safety and protection. The YWCA of Zambia is an affiliated member of the World YWCA since 1963.

This submission provides relevant information on how the Government of Zambia is implementing its obligations under international human rights law on child, early and forced marriage, including the steps it has taken to prohibit the practice and challenges it has encountered; policies, projects and measures that are undertaken to promote the elimination of the practice, as well as surveys, assessments and studies that are carried out; and finally some recommendations on good practices.

How the Government of Zambia is implementing their obligations under international human rights conventions and international human rights treaties on child, early and forced marriage at the national level

1. Partnering with the civil society to discuss and work towards domesticating the signed international conventions and resolutions, as well as translating into policies that are protective of children, including girls
2. Being active members of the SADC and the Great lakes regions in condemning violence against women and children, especially the girls

Steps taken to prohibit child, early and forced marriage as well as examples of positive experience and challenges encountered at the national level in adopting policies, measures and implementing strategies to address this issue

Criminalizing child marriage, with the statutory law taking precedence over cultural law on this specific issue. Some concrete steps taken are the following:

1. Education Policy: Re-entry Policy targeting the girls who get pregnant and those retrieved or withdrawn from early and forced marriages
2. The draft National Constitution has a proposal of a minimum age for marriage
3. The Government working through the Ministry of Chiefs and Traditional affairs, which has led to Senior Chiefs taking a lead in condemning and reporting situations of child, early and forced marriage
4. Working closely with the YWCA of Zambia, as the YWCA sits on the Committee for the Anti Gender Based Violence Act # 1 of 2011

Challenges:

1. The dual legal system is still a stumbling block (statutory and traditional law)
2. Abuse of religion and culture
3. Cultural beliefs and practices that perpetuate the practice of child marriages

Policies, projects and measures undertaken at national and sub-national levels, including by United Nations agencies, funds and programmes, civil society and other relevant stakeholders to promote the elimination of child, early and forced marriage specifically including action taken to address the issue in practicing communities, and to address or mitigate its impact, making specific reference to the outcomes of such policies, projects and measures

The following **policies** have been taken at national level:

1. The draft National Constitution is proposing to increase the age of marriage to 21
2. The Adolescent Health Strategic Plan (2010-2015)
3. The National Family Planning Scale-up Plan (2012-2020)
4. Integration of comprehensive sexuality education into the national school curriculum

The following **programmes** are currently being implemented:

1. Government/UN joint programme on GBV
2. DFID-funded programme for the promotion and protection of women and girls
3. USAID-funded "Stop GBV" campaign

Surveys, assessments and studies carried out at national and sub-national level on the prevalence of child, early and forced marriage and/or its impact on the human rights of women and girls and other affected groups

The following surveys, assessments and studies were carried out at national level and at sub-national level:

1. The Zambia Demographic Healthy Survey (ZDHS 2007), which is a major source of quantitative information on child marriages. The results of the latest ZDHS 2013 have not been officially released at the writing of this submission.
2. UNFPA developed a brief (2011) on the situation of child marriages in Zambia based on the ZDHS 2007.
3. Plan Zambia supported a qualitative study on the extent and impact of child marriages in Chadiza, Mansa, Chibombo and Mazabuka (2008).
4. The Population Council did a sub-analysis research (2011) on child marriage based on information mainly from the ZDHS 2007.

The **impact** of child, early and forced marriage on the human rights of women and girls has been identified as:

1. Loss of education opportunities which include limited education and future prospects, including financial insecurity
2. Increased poverty
3. Violent and abrupt initiation into sexual relations/sexual debut
4. Intense pressure to become pregnant
5. High risk of maternal death/disability and high infant mortality
6. Increased risk of domestic violence
7. Social isolation and restricted social mobility
8. High risk of other health implications such as cancer, STI's including HIV, fistula and AIDS

Recommendations on or examples of good practices regarding possible appropriate measures and strategies to prevent and eliminate child, early and forced marriage

1. The Government taking a lead in condemning child, early and forced marriage is an example of good practice. As a result, protective and supportive laws were put in place. The draft Constitution must have a protective clause. The marriage act and other policies must be harmonized to protect children from being married off.
2. Involving Traditional Leaders because they have much influence
3. Men must be part of the campaign as agents of change to protect the girls. The YWCA of Zambia's campaigns, "Good Husbands" and "I Care for Her" are proving to be positive in responding to child and forced marriages.
4. The Ministry of Education RE-entry Policy must be enhanced and further supported
5. Continued awareness raising campaign in schools, communities and public institutions such as churches (rural and urban) must continue
6. Monitoring of churches' messages and cultural/traditional practices in order to better protect the children.
7. The need to carry out research and use the findings to find the best strategies to end child, early and forced marriages.

Thank you.