

Access to Justice

for Women and Girls with Disabilities who are Survivors of Sexual and Gender Based Violence



Countries: Zimbabwe, GloBe

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Context and frameworks:

Sexual and Gender based violence (SGBV) is a cause of many inequalities in all societies. In a time of global backlash against the rights of women and girls, the elimination of SGBV is a core anchor for gender equity. 736 million women - almost one in three women, have faced violence at least once in their lifetime.¹ Studies show that women and girls with disabilities face SGBV 3 to 10 times more often than women without disabilities, depending on the region.² Having in mind that more than 20% of all women in Lower Income Countries (LIC) live with disabilities, the need for action is clear.³ Applying an intersectional lens while addressing SGBV in our work at GIZ is key to fighting for gender equality.

Along with other states, among them the G7 states, Germany has committed to a feminist development and foreign policy. The German **Feminist Development Policy** explicitly addresses SGBV as a target. This includes explicitly women and girls with disabilities. The new Guidelines for a German **Feminist Foreign Policy** also set prevention of SGBV as a target. Both German policies take a survivor-centered approach to SGBV and emphasize the importance of an intersectional lens. The German Federal Government's **Action Plan for the Women, Peace and Security Agenda** includes measures for providing support for survivors of SGBV, including persons with disabilities. It was on this basis that the Global Project (GP) Inclusion decided to focus on SGBV and inclusion of women and girls with disabilities in the Southern African Region, and entered into a collaboration with the GIZ governance program in Zimbabwe.

Cooperation:

The GIZ internal cooperation was formalized through a Work Order (Arbeitsauftrag) but relied foremost on a collegial, trust-based collaboration that was shaped by the common motivation to combat disability and gender inequality.

The project Strengthening Human Rights, and Promotion of Citizen Participation and Transparency in Zimbabwe (Governance Project) takes a human rights-based approach to improving access to justice, especially for women and girls by addressing the barriers justice seekers face. This includes empowering vulnerable and marginalized persons to seek response and remedies for injustice,

¹ UN Women (2022): [Facts and Figures: Ending Violence against Women.](#)

² World Bank (2019): [Brief on Violence against Women and Girls with Disabilities.](#)

³ WHO + World Bank (2011): [World Report on Disability, p. 28.](#)

addressing challenges in the justice sector such as impunity for perpetrators of sexual and gender-based violence and strengthening linkages between formal and traditional justice structures.

The GP Inclusion is working on the inclusion of persons with disabilities in international development processes and policies. Its mandate is to raise awareness for disability inclusion as well as to set good examples for disability inclusive development cooperation. With over 60% of the persons with disabilities being assigned by birth to the female sex, the GP Inclusion follows an intersectional and feminist approach to disability inclusion and is mandated to set good examples explicitly on gender equity.

Partner:

Deaf Zimbabwe Trust (DZT) is the lead partner in Zimbabwe to implement the pilot on the ground. DZT is a Zimbabwean disability rights organisation, that supports policy reform and the implementation of disability policies and laws by state and non-state actors in Zimbabwe. Formed to serve the Deaf, DZT has grown and is serving persons with all forms of disabilities. DZT takes a feminist and power-critical approach to advocating for the rights of women and girls in particular. The involvement of a locally-rooted civil society organisation such as DZT ensured the voices of those affected were the impetus for change at the policy and impact level.

Country Context:

SGBV is particularly prevalent in Southern Africa. According to the SADC Protocol on Gender and Development, the figures vary between member states, with between 50 - 86% of women having experienced GBV in their lifetime⁴. In Zimbabwe, about 1 in 3 women aged between 15 to 49 have experienced physical violence and about 35% have experienced sexual violence since the age of 15. SGBV is often perpetrated with impunity. There are no comprehensive statistics available when it comes to SGBV perpetrated against women and girls with disabilities in Zimbabwe, in part due to their social exclusion, a lack of support structures, perceived inability to report, and negative social perceptions towards disability.

In Zimbabwe, access to justice for women and girls with disabilities is often hindered by systemic and structural barriers. The lack of Sign Language interpreters in police stations, hospitals and courts make it difficult for Deaf women and girls to independently report cases of SGBV and receive the necessary support services. In addition, police officers, prosecutors and other SGBV response personnel often lack disability inclusion knowledge and skills necessary to provide holistic support services to women and girls with disabilities who are survivors of SGBV. The justice system is often unprepared to handle cases involving persons with disabilities. For example, Deaf women and girls have appeared in court without Sign Language interpreters to facilitate communication.

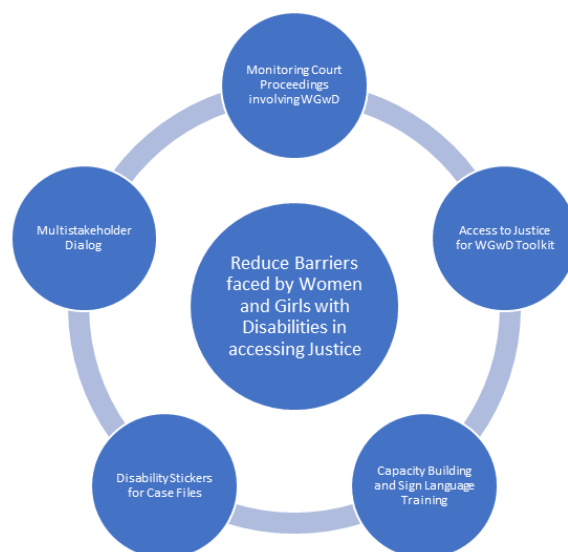
Approach:

Through the support of the GP Inclusion, the Zimbabwe Governance Project partnered with disability-first local partner organization, Deaf Zimbabwe Trust to address the structural barriers that inhibit access to justice for women and girls with disabilities who are survivors of SGBV in Zimbabwe. The project worked alongside state partners, such as the Zimbabwe Republic Police, and the Judicial Services Commission (JSC), to support them to develop a more inclusive approach to service provision, through increased appreciation of the intersection of gender and disability, and the use of various enabling tools to encourage accommodations for women and girls with disabilities interacting with the justice system.

⁴ <https://www.sadc.int/latest-news/sadc-recognises-prevention-and-reduction-gbv-catalyst-peace-and-security>

Activities included:

1. the piloting of stickers on dockets to indicate the required accommodations needed for persons with disabilities
2. the development of a practitioner’s toolkit on Access to Justice for Women and Girls with Disabilities
3. a court monitoring of cases where women and girls with disabilities are involved
4. a multistakeholder dialogues with justice sector actors
5. Training of staff at One Stop Centers on sign language and disability inclusion. One Stop Centre provide services such as medical care, counselling, police and legal services to SGBV survivors under one roof.



Women and girls with disabilities, who are survivors of SGBV, worked closely with DZT and GIZ to develop and review the toolkit. They were also involved when the toolkit was addressed to state actors, outlining the ways in which the provision of justice could be improved in approaching cases similar to their own. The expertise provided by the survivors on the challenges they faced in regard to gender and disability contributed to a toolkit that is centered on the needs of WGwDs in the justice system.

Direct outputs:

Output 1 - Case file stickers: the disability identification stickers were implemented in 33 police stations in Harare and 16 in Bulawayo

Output 2 - SGBV practitioner’s toolkit: 183 justice system actors including Victim Friendly Unit (VFU) officers, One Stop Centre officials, lawyers and prosecutors were reached with these knowledge products.

Output 3 - Court monitoring: 32 W&GwD who are survivors of SGBV directly benefited from the project through case management and case monitoring

Output 4 - Multistakeholder dialogue: the Judicial Service Commission (JSC), National Prosecuting Authority (NPA), Police Victim Friendly Unit (VFU) and the Law Society of Zimbabwe participated in 5 Multistakeholder engagement meetings.

Output 5 Trainings and capacity building: 183 justice actors were capacitated.

Results and impact:

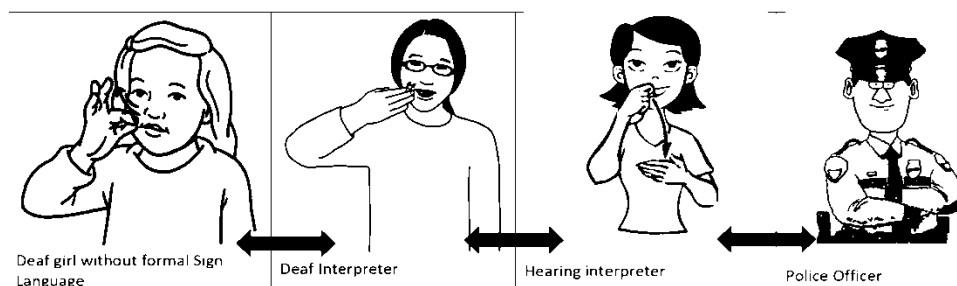
The JSC has since demonstrably increased their commitment to ensuring disability inclusion in the justice system. Women and girls with disabilities have indicated that they are already observing a change in the experience of interaction with the justice system⁵. On the state level, justice partners including the National Victim Friendly System Coordinator and Magistrates expressed appreciation of the partnership, and a high motivation to carry on the work. The persons with disabilities bill is on the new parliamentary agenda. The Judicial Service Commission independently approached Deaf Zimbabwe Trust to request formal sign language training for 200 court interpreters, at their own cost. On the partner side, DZT expressed great appreciation for the partnership with GIZ, which assisted them to move toward a more solution-focused advocacy approach, gave cement stronger

⁵ 86% of the WGwD who participated in the endline assessment reported a change in attitude by justice system actors in managing their cases. Provision of the necessary accommodations to enable them to fully participate in the justice process was recorded as a major shift.

relationships with the justice system, and improve their own methodology in the user-centred development of knowledge products and capacity building approaches. Through the technical advice given by GIZ throughout the project, and strong grounding of DZT in disability inclusion work in Zimbabwe, and high ownership was developed among all stakeholders.

In the long term, we anticipate that the work that has been done to place inclusion on the agenda of the JSC will see improvements in the delivery of justice services to women and girls with disabilities in general, and in particular those who are survivors of gender-based violence, lessening the likelihood that SGBV against WGwD will go unreported and prosecuted.

In particular, when a party to a case is deaf and does not have formal sign language, certain procedures may not be followed due to the language barrier. Deaf Zimbabwe Trust Disability Rights Law Centre with the support of GIZ is in the process of developing a flagship 'Sign Language Relay System' to advocate for its use in Zimbabwe's justice system as a means of addressing cases involving survivors who are deaf and do not have formal sign language. Some results have been seen already as DZT has been monitoring ongoing criminal cases of sexual assault, involving girls who are Deaf to ensure access to justice, that have made recent progress through the justice system due to the introduction of the relay system.



Caption: A visual illustration of the sign language relay system. The relay system is intended to help individuals without formal sign language to communicate with actors in the justice system

A two minute snapshot of a dissemination workshop for the Access to Justice Toolkit for Women and Girls with Disabilities can be viewed here: [Deaf Zimbabwe Trust | Facebook](#)

Challenges:

The short timeframe presented a challenge to the initial pilot. However, we maintained a close communication between implementing partners, enabling us to overcome this challenge and achieve significant results. Communication with partners was built up on a trustful basis, focused on shared values, and the objective of achieving a more inclusive justice system for WGwD who had experienced SGBV.

Other challenges encountered are that individual personalities holding official positions still have a significant impact on progress in the implementation of reforms in the courts. The project intends to support further advocacy to ensure that the results that have been achieved to date are systematically implemented in the justice system through a change in national policy and standard operating procedures.

Finally, the success of the relay system will be heavily dependent on the investigating officer's cooperation in providing the chain of evidence (documentation including pictures) that can then be used as communication aides.