



REPUBLIC OF ZAMBIA
THE JUDICIARY

SPEECH BY THE HON. CHIEF JUSTICE

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AT THE LAUNCH OF THE

ANTI-GENDER-BASED VIOLENCE

AND

USER-FRIENDLY FAST TRACK COURT IN KASAMA

VENUE: KASAMA SUBORDINATE COURT
KASAMA

DATE: 29TH MAY 2024

I am delighted to officiate at the launch of the fast-track gender-based violence court here at Kasama, the provincial capital for Northern Province.

As you may be aware the gender-based violence courts as special fast-track courts were first established administratively at Subordinate Court level by my late predecessor, Chief Justice Irene Mambilima back in 2016. As a matter of fact, the first such court in Phase 1 of the GRZ-UN Joint Program on gender-based violence to be opened was at Kabwe on 22nd January 2016. Five more courts under Phase 1, were launched at Lusaka (Lusaka Province), Chipata (Eastern Province), Ndola (Copperbelt Province), Mongu (Western Province) and Choma (Southern Province)

This Second Phase will see 4 more courts in the remaining provincial centres, namely at Solwezi (North-Western Province), Kasama (Northern Province), Chinsali (Muchinga Province) and this court which we are launching today here in Northern Province.

We in the Judiciary are very pleased with this development and we cannot but profusely thank, on behalf of the Government of Zambia, the UNDP working alongside the Government of Sweden and the Government of the Republic of Ireland, for their generous financial and technical support which has seen the operationalisation of these courts. We need these special fast-track courts because they are able to deliver with efficiency and speed in ways which the conventional/ordinary courts have not been able to deliver.

GBV and sexual offense often occur in family settings and victims, perpetrators and witnesses alike tend, in many cases to treat them as family matters and they hide them as family matters. The cruel paradox is that often attempts to resolve these in family and traditional justice settings are often unsuccessful because these cases are characterised by intimidation, rigid gender dominance, power of material resources, lack of support, lack of a voice on the part of the complainant. This diminishes the severity of these cases and efforts to help victims and prevent future occurrences. It also undermines the personal determination of the victim as well as

inter-disciplinary and collaborative mobilisation tactics that should ideally be employed in handling these cases. With these courts speediness in which are equipped with facilities that are witness and victim friendly, we can go a long way in curbing impurity and delivering justice to victims of gender-based violence.

The escalating number of GBV cases nation-wide as reported daily in the media underscores the urgency with which proactive measures such as these ought to be put in place to stem the tide. This should be so not only because of the pain, physical, mental and emotional trauma experienced by GBV survivors but also because we as a country have an obligation to protect all citizens against physical and emotional violence of all sorts. We as a country are a party to numerous international and regional human rights instruments which enjoin us to take measures to stop GBV.

Let me also state that our commitment to ensure the success of these very important courts has seen us suggest the strengthening of the legislature framework. Only last year in December, a law was passed which made the GBV courts a designated Division of the Subordinate Court with powers vested in my office to make

regulation by Statutory Instrument for the efficient carrying out of the objectives of these courts.

We are in the process of increasing the number of Magistrates designated to these courts. Capacity building programs for Magistrates in these courts are undertaken on an on-going basis with other stakeholders.

We are thus grateful that these gender-based violence courts equipped with facilities that will enable victims to testify through facilities that keep them away from the physical presence of perpetrators, will help us to deal with these cases expeditiously and more efficiently. The court will no doubt improve the quality of justice provided to GBV survivors.

Besides punishing GBV and sexual crimes, we as a country ought to sensitise our people about the dangers of GBV and the options available to victims. Much of our rural population is still ignorant of the civil remedies prescribed in the Anti Gender-Based Violence Act. The Gender Division in the Vice-President's office as well as Civil Society Organisations are better positioned to do this and

should be encouraged to be proactive in the sensitisation campaigns.

On behalf of the Judiciary, let me once again register our sincerely gratitude to Governments of Sweden and Ireland for this support together with UNDP for the support which made the construction and equipping of the court we are launching possible.

I also take this opportunity to thank actors within the Judiciary who are involved in one form or another in GBV case-flow management, non-state actors and other co-operating partners for the material and technical support.

I finally thank all of you for taking time to come and witness this official launch.

I THANK YOU