



# **Republic of Zambia**

## **ZAMBIA'S OPENING STATEMENT DURING THE 14<sup>TH</sup> SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP**

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Madam President,

Your Excellencies

Distinguished Delegates

Zambia is confident that the ultimate objective of the Universal Periodic Review (UPR) process and of the United Nations Human Rights Council (the Council) is to enhance the protection and respect for human rights. We share in this goal and our participation in this process signifies our continuous and consistent support to this objective. Zambia is therefore pleased to be undergoing its second review. We are convinced that this process will enhance our resolve to continue to support the protection and respect for human rights and fundamental freedoms all over the world. This review also comes at a time when Zambia is going through a Constitution reform process, a process that is promising to strengthen not only the protection of human rights for all persons in Zambia but also democratic and good governance mechanisms, all of which are essential to the protection and promotion of human rights.

I wish to inform the Council that Zambia has achieved some significant milestones since the last review. We took into consideration some of the concerns and recommendations from the first review and are pleased to share with the Council that we have achieved some measure of progress. I will highlight some of these major achievements in a moment.

## **Democratic Elections**

Zambia comes to the review after holding peaceful and democratic elections that were held in 2008 and 2011 respectively with the 2011 elections resulting in a new government taking office. We believe that a democratically elected government represents a commitment by the country to respect the rights of all people in Zambia. We are also convinced that the peoples' democratic right to freely elect their political leadership underpins the Governments' duty to facilitate the rights of the citizens who in turn have the right to change Governments if their aspirations are not met. Zambia has the distinction of being one of only a handful of Countries in Africa that have twice changed Governments from a ruling party to an opposition political party. Mr/Madam President, we are very proud of this record.

As a country we are encouraged to continue holding periodic elections in a peaceful and democratic manner. We believe that we are fast becoming a model of democracy not only in Africa but around the world. We are convinced that elections with absence of conflict and violence guarantee the rights of our citizens.

## **Constitutional Reform Process**

Zambia is currently undergoing a Constitutional reform process which promises to reflect the will of the people and has so far been extremely consultative. A Technical Committee was appointed on the 16<sup>th</sup> of November, 2011 with a mandate to prepare a draft Constitution. I am glad to inform the Council that the Technical committee has since its appointment prepared a first draft Constitution under the current constitutional making process. The Technical committee has also instituted district consultative meetings to be held in all the districts of Zambia with the last district meetings expected to be wound up this week ending on the 3<sup>rd</sup> of November, 2012. After the district consultative meetings we anticipate that provincial Constitution conventions will be held ending by early February, 2013 followed by a national convention. The Government of the Republic of Zambia has been assured by the Technical

committee that we could have a 2<sup>nd</sup> draft Constitution by April, 2013. Depending on the final text agreed by the Zambian people, the Constitution could then be adopted in a referendum followed by enactment by the Zambian Parliament.

The Government of the Republic of Zambia believes that the task of making a Constitution resides in the people of Zambia and its role in this regard is merely facilitative. It is hoped that the people of Zambia shall bequeath to themselves a Constitution that will reflect the social economic and political aspirations of the Zambian citizenry. In this regard, the Government of the Republic of Zambia hopes that the Constitution making process will accord the people of Zambia the opportunity to agree a definitive position on the death penalty.

The Council may wish to know that the first draft Constitution contains progressive clauses that propose inclusion of protection of economic social and cultural rights, enhanced protection of the human rights of vulnerable groups such as women, children, the youth, the elderly and persons with disabilities. The draft Constitution also contains provisions aimed at enhancing the effectiveness of democratic and good governance institutions and mechanisms.

#### **Appointment of Women in decision making positions**

The Government of the Republic of Zambia takes its commitment to increase the number of women in decision making positions in the public sector very seriously. I wish to report to the Council that since the election of the new Government of the Republic of Zambia following the 20<sup>th</sup> September, 2011 elections, there has been a significant and remarkable increase in women in decision making positions.

The Council may be aware that the highest Court of law in Zambia is the Supreme Court. Currently both the Acting Chief Justice and Deputy Chief Justice of Zambia are women. Of



the ten judges currently on the Zambian Supreme court bench, five are women representing 50% of the Supreme Court bench. In addition to the Supreme Court, for the first time since Zambia's independence in 1964 the Inspector General of Police is now a woman and of the 14 members of the Zambia police high command 7 are now women representing 50%. Similarly, for the first time both the Director General and Deputy Director General of the Anti-Corruption Commission are women and the head of the Drug Enforcement Commission is a woman.

Madam President, as you may be aware the Ministries of Government in Zambia are principally headed by Permanent Secretaries who are key decision makers. I am pleased to report to the Council that of the 37 Permanent Secretaries appointed by his Excellency the President of the Republic of Zambia Mr. Michael Chilufya Sata, 17 are women representing approximately 45.9%. Additionally, the Clerk of the National Assembly of Zambia who is the most senior technocrat in the National Assembly is a woman while the Auditor General of the Republic of Zambia and the Investigator General of Zambia are both women.

Both the Chairperson of the Electoral Commission of Zambia and Director of Elections of the Electoral Commission of Zambia who is the CEO are both women. This list is not exhaustive but goes to show the length to which the Government of the Republic of Zambia has gone to appoint women in decision making positions.

Madam President, although there is still work to be done, I am proud to report that in the last one year tremendous progress has been made in placing women in decision making positions.

In addition, the first draft Constitution has provisions, which if and when enacted, will protect women from discriminatory laws and practices in the area of personal and customary law. Article 27 of the draft Constitution provides for unequivocal protection against all forms of discrimination and guarantees the equal status of women. The Government has also

finalized consultations on proposed amendments to the Intestate Succession Act Chapter 59 of the laws of Zambia to address the discrepancies that disadvantage beneficiaries in the event that a male spouse dies without leaving a will. The amendments are expected to be taken to Parliament for enactment soon.

### **Anti-Gender Based Violence law**

As I have already shown, the Government of the Republic of Zambia considers women as equal partners in development.

Government has also made major steps towards enhancing protection against gender based violence. In 2011 the Zambian Government enacted an Anti Gender Based Violence Act to provide *inter alia*, for the protection of victims of gender-based violence in both private and public life and for the establishment of an Anti Gender Based Violence Fund in order to provide basic material support to victims of gender based violence and for their counseling and rehabilitation according to their best interests. The Zambian Government has also commenced implementation of the Act by establishing places of safety (shelters) for child and adult victims of gender based violence and providing psycho-social support, care and sensitization against the vice. In addition, the Government has allocated funds under the 2013 national budget meant to establish more places of safety countrywide.

Further, one of the issues being addressed in the implementation of the Anti-Gender Based Violence Act is the creation of awareness of gender based violence. The Ministry of Gender and Child Development is spearheading the preparation of a Joint Program of various activities to respond to gender based violence. The activities will be carried out by various stakeholders in 2013.





## **Respect for Human Rights Generally**

The deep commitment of Zambia to ensuring that the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments to which Zambia is party are respected is based on the belief that the prosperity of our nation is only guaranteed when human rights and fundamental freedoms are respected and protected.

In this regard, the Government of Zambia's goal with regard to the promotion and protection of human rights is that all people enjoy the same rights without any discrimination based on sex, race, disability, status or any other recognized ground which makes it unjustifiable to deny any person a right to which they are entitled to. The Government of Zambia has not taken on a neutral stance in the promotion and protection of human rights but has actively engaged in ensuring that all people enjoy those rights.

## **Ratification and Domestication of Human Rights Conventions**

Madam President, the Government of Zambia has in the recent past reiterated the priority it places on the ratification and domestication of human rights instruments. I wish to state that Zambia is still committed to ratifying all human rights instruments and to ensuring that those undertakings at international law are properly translated into domestic law.

While Zambia notes that there is still more work that needs to be done to achieve full domestication of all human rights instruments to which Zambia is a party, let me state that progress has been and will continue to be made in this regard. The Council may wish to note that since the last review, Zambia has enacted the Anti-Human Trafficking Act 2008 which provides safeguards against the trafficking of persons, the Anti-Gender based Violence Act of 2011 which provides for the protection of victims of gender based violence and creates mechanism to help the said victims of violence. Zambia has also enacted the Persons with Disabilities Act 2012 which domesticates the Convention on the Rights of Persons with

Disabilities and the Education Act No. 23 of 2011 which further enhances the right of children to education. We shall continue to domesticate the human rights instruments to which we are party.

Allow me now to address the question that was asked on what Zambia has done to implement the Anti-Human Trafficking Act. Madam President, you will be happy to learn that in addition to the Act, the Zambian Government has put in place a National Policy to Combat Trafficking in Persons and an Inter-ministerial Task Force set up under the Ministry of Home Affairs to spearhead implementation of the Act, the policy and related national plans. The Government of Zambia has also established places of safety (shelters) for both child and adult victims of human trafficking and an Anti Human Trafficking Fund to provide material support, rehabilitation and counseling for victims of the vice.

With support from cooperating partners such as the International Organisation for Migration (IOM), the UN Joint Programme on Human Trafficking (ILO, IOM and UNICEF) and Plan International, the Government of Zambia is conducting continuous awareness raising and training programmes for law enforcement officers and relevant stakeholders respectively.

I wish to state that Zambia will not waiver in its resolve to ensure that it is neither a transit place nor a safe haven for perpetrators of human trafficking. The Government believes in the worth and dignity of every person and will do all it can to ensure that every person is treated in a manner that is consistent with their human rights. We are ready to partner with all stakeholders in our resolve and hope that this will bring about the desired results.

### **Freedom of Expression and Information**

As regards the Freedom of Information Bill, I wish to reiterate the position of Government on this issue and that is that there is commitment on the part of Government to ensure that all citizens have access to information. In this regard, the Government will soon table the

Freedom of Information Bill before Parliament for its consideration. The Government believes that this will be a major step in ensuring that the right to information is protected. It is generally accepted that democracy is only guaranteed through a free and responsible press.

The Government views civil society as indispensable partners in the democratic dispensation of the Republic of Zambia. The Non-Governmental Organisation Act was formulated with the intention of ensuring that civil society operates in an environment that protects the public. However, there are many concerns that have been raised by civil society with regard to some provisions of this Act. Thus, owing to these many issues being raised, the Government is currently engaged in discussions with civil society to find the best way of creating an environment that enhances the freedoms of civil society to operate without any unjustified restrictions. I wish to reiterate that it is not only the responsibility of the government to ensure that it protects the rights of all persons in Zambia but also to ensure that in the course of enjoyment of these rights they do not infringe on or violate the rights of others - that rights are enjoyed responsibly. I wish to assure the Council that the perception that civil society organisations were inimical to the interests of the Government of Zambia is a thing of the past.

Zambia, has like several other countries recently introduced the requirement to register mobile phone SIM cards. This initiative is an essential tool in protecting the general public against crime and such debilitating crimes as human trafficking, terrorism and drug trafficking to mention but a few. The Government of the Republic of Zambia is committed to using this measure as a means of protecting the public rather than as a tool of repression of freedom of expression or unjustifiable invasion of privacy.

### **The fight against Corruption**

Madam President, let me also mention that the Government has repeatedly emphasized its resolve to fight corruption in all its forms as it impacts on the enjoyment of human rights by

citizens. With this in mind the Government has enacted the Anti-Corruption Act No. 3 of 2012 which provides for the autonomy of the Anti-Corruption Commission. The Act seeks to domesticate the United Nations Convention against Corruption, the African Union Convention on Preventing and Combating Corruption and the Southern African Development Community Protocol against Corruption.

Section 5 of the Act provides that the Commission shall not, in the performance of its functions, be subject to the direction or control of any person or authority except as provided for under the Constitution. This enhances the independence of the Commission and prevents the Executive from interfering in the work of the Commission.

The Act also protects the tenure of the office of the Director General who cannot be removed except through a resolution of the National Assembly. This is also meant to strengthen the work and independence of the Commission.

### **Fairness and equality in education**

The Government of Zambia is committed to providing equal educational opportunities to all children, regardless of their individual circumstances, race, national origin, ethnicity, gender, or disability or where they live. Consistent with this commitment, the Government has built schools in most rural areas to improve access to education. The Government has also taken steps to ensure that the new schools have quality teachers that are motivated. Having recognized the reduced pupil teacher ratio, the Government embarked on mass recruitment of teachers not only for urban areas but also rural areas. Although, more needs to be done, the current effort at recruitment of teachers represents progress from the previous number of teachers available. The Government has further initiated steps that will see teachers progressively get higher pay and better conditions of service than before. This will help retention of teachers within the public school system and thereby improve the quality of education. In this regard, the Government of the Republic of Zambia has dedicated 17.5% of

its total budget for the year 2013 to education of which recruitment of teachers and infrastructure development is a significant part.

Additionally, the aforementioned Education Act ensures that all children have an equal opportunity to be in school irrespective of whether they are in urban or rural areas.

The Government will also continue to work closely with civil society organisations and other stakeholders to address the factors that contribute to the disparities in education and to ensure equality and excellence for all children in public schools, and particularly those in rural areas.

### **Safeguards in law enforcement**

Zambia shares in the belief that law enforcement is one of the fundamental duties of any state. The Government's commitment to the inalienable rights of every individual guides every effort to ensure that the law enforcement system reflects and respects those rights.

The Zambian Constitution provides a number of protections for individuals within the criminal justice system, including those who are held in prisons. These include the right to be protected from torture, cruel, inhuman degrading treatment and/or punishment.

The protections afforded by the Constitution help to ensure that no person suffers undue treatment at the hands of those entrusted with the responsibility for humane and safe custody of those who are incarcerated. Nonetheless many stakeholders have raised concerns about the treatment of persons within the criminal justice system by the Police and Prisons Service. The Government is committed to continued vigilance in an effort to enforce the law in a manner consistent with the Constitution and with the rights and dignity of all citizens. Corporal punishment has been outlawed in schools and in the prison system and the national Constitution accords protection from torture without derogation. The Zambian Government

therefore does not and will not condone torture or ill treatment that is not consistent with protection of the rights of incarcerated persons. The Government has consistently trained law enforcement personnel in basic human rights to ensure that they treat every person in accordance with acceptable standards that are compliant with human rights. The Government of the Republic of Zambia will continue to do so until zero violation of human rights by law enforcement officers is achieved.

### **Government's efforts in addressing the rights of Prisoners**

The Government of Zambia has also not relented in its efforts to address overcrowding in prisons. I am aware that a lot of stakeholders have raised concern over this issue. The Government of Zambia appreciates the gravity of the problem of overcrowding in some of the prisons in the country. Although the problem remains critical, the Zambia Prisons Service has been decongesting highly congested Prisons such as the Lusaka and Kabwe Prisons by transferring inmates mainly from Lusaka Central Prison and Mukobeko Maximum Prison in Kabwe to Kamfinsa State Prison in Kitwe which has been renovated and the holding capacity expanded. The bed spaces created in Mukobeko through these transfers are filled up by long sentence inmates transferred from Lusaka Central Prison.

The Government of Zambia has also renovated and upgraded Livingstone Central Prison to a grade "B" Maximum Prison, this move has helped to decongest Mukobeko Maximum Security Prison which is the only Maximum Prison in the Country made to house long term Prisoners. In addition, the Government allocated K4.7 billion (approximately 1 Million United States Dollars (1M US\$) in order to complete the construction of a Modern Maximum Security Prison in Mwembeshi, 10 kms from Lusaka the capital. Upon completion, the new prison will help in decongesting congested Prisons in Zambia and we are hoping that this prison will open before the end of the year.

Furthermore, the Government has embarked on the process of constructing new prisons in all the 10 provinces. So far new prisons have been constructed in Western, Northern and Eastern provinces.

Apart from the construction and renovations of prisons, Presidential Pardons have had a positive effect on reducing overcrowding in prisons. From 2009 to date, a total of three thousand three hundred forty two (3342) inmates have received presidential pardons. This resulted in the reduction of the prison population in Lusaka Prison from an all time high of three thousand (3,000) inmates to one thousand and below.

The National Parole Board has also extended its role in the decongestion of Prisons through the conditional release of prisoners. Last year the Parole Board released a total of 490 inmates, thus helping to further reduce overcrowding in the prisons.

The Prisons amendment Act No. 16 of 2004 section 111 A envisages that the Commissioner may, with the approval of the Minister, order the discharge from prison of any terminally ill prisoner on the recommendation of the Regional Commanding Officer and the medical officer responsible for the health care of the prisoner. This provision has been used and from 2009 to date a total of 56 terminally ill prisoners have been released therefore creating space for other prisoners and according terminally ill prisoners humane treatment.

The Government also recognises that prisoners have equal rights to receive health care, including preventive measures and treatment equivalent to that available in the community. This realisation has led to the establishment of a medical Directorate in the Prisons Service in order to comply with the Prisons amendment Act No. 16 of 2004. The directorate has formulated a five (05) year strategic plan for Prisons health matters designed to run from 2011 to 2016. The directorate has so far managed to send Coordinators to all Prisons Stations and Provinces and the work of these coordinators is to give monthly statistics on HIV/TB so that the Government can respond effectively to the needs of the Prisoners. This initiative has

seen improvements in the mortality and morbidity rates among inmates in the prisons. The directorate has also embarked on a countrywide Voluntary Counseling and Testing campaign and has also been conducting mass screening programmes as from 2010 as a result of which the Prisons Service has managed to reduce and control the transmission rate of TB in the period under review. For instance, Lusaka Central Prison has about 23 TB patients as opposed to 100 patients in years preceding the screening programme. Apart from HIV/TB screening, the directorate has also been conducting cancer screening.

The directorate has among its staff, an environmental technician who advises the Prisons Service on the fitness of the environment in which some inmates live and also recommends the closure of certain infrastructure if such infrastructure is not habitable to human beings. The Technician also advises whether the food which the inmates consume is fit for human consumption and in accordance with the law.

The medical directorate of the Prison service of Zambia also has a coordinating body on HIV/TB called the Prisons Aids Advisory Committee (PAAC). This body coordinates all HIV/TB related programmes in the Prisons Service. The directorate has some laboratories constructed in Livingstone, Lusaka and Central Province to enhance the provision of health care to inmates. In addition to the already existing clinics in the Prisons Service, the Prisons Service has two newly constructed TB clinics at Lusaka Central and Solwezi Central Prisons respectively.

In order to enhance the efforts in redressing the challenges facing the prisons in so far as health facilities are concerned the Government has recruited five (05) mental health personnel who are currently undergoing correctional training.

Another step that has been taken is the proposed change of the name of the Zambia Prisons Service to Correctional Service. This proposal has been submitted to cabinet and it is hoped that the name will soon change to reflect the desire by the Government to reform the prisons



from punitive to rehabilitative and correctional so that prisoners are treated in line with human rights standards.

The Government has also embarked on the process of restructuring the Prisons Service so that it conforms to the proposed name and mission of the Service. The Public Service Commission has approved the proposed structure and only treasury authority is being awaited before the new structure is implemented. This will also enable the Government to increase the ratio of prison officers to prisoners.

The Zambia Prisons Service has also taken measures to ensure that prisoners do not re-offend after discharge through a number of Rehabilitation programmes which are handled by the Offender Management Unit in the Service.

Let me also state that there are a number of rehabilitation programmes being implemented that are designed to facilitate purposeful engagement with the prisoners during incarceration. Prisoners are allocated programmes according to their needs as identified in the Prison. Some of the key rehabilitation programmes include:

- Pro-Social Thinking
- Anger & Emotional Management
- Substance Abuse Treatment
- Managing and Overcoming Violence
- Sexual Offending Treatment.

The thorough understanding of the root cause of their offending behaviors, as well as equipping them with the necessary skills has helped in reintegration and reduced recidivism.

Madam-President, the Government is cognizant of the fact that a lot more needs to be done to improve the situation in our prisons but I have gone to some length to show that Zambia is

not sitting idly in the face of this admittedly huge challenge. As can be seen, the challenges persist not for want of trying but because of the sheer depth to which the situation had escalated. We are confident that, in time, the situation will be ameliorated with the commitment shown by the Government.

### **Children's Rights**

Madam President, the Government of Zambia views the rights of children as critical. The draft Constitution contains progressive clauses that will further enhance children's rights in Zambia once passed. Let me point to Article 311 of the draft Constitution which defines a child in line with the Convention on the Rights of the Child as one such provision that will seek to harmonise the definition of a child in Zambia. The Zambia Law Development Commission has also been undertaking a review of all child related legislation in order to harmonise the definition of a child in all the legislation. We anticipate that such harmonisation will happen fairly soon.

Madam President, the Government of Zambia is also revising the Juveniles Act in order to further strengthen the rights of children who for one reason or another come in conflict with the law. In this regard, the Child Justice Administration Bill 2012 has been drafted. The Bill seeks to establish a child justice administration system; provide for the administration of the child justice system; establish procedures for the treatment of children in conflict with the law; provide for the establishment, functions and procedures of child courts; establish diversion and alternative correctional programmes for children in conflict with the law; provide for the custody and protection of children in need of care and provide for the grant of legal aid to children in conflict with the law.

I also wish to state that important legislative developments have taken place with regard to the protection of children against corporal punishment. Zambia has completely prohibited corporal punishment in schools. Section 28 of the Education Act prohibits the imposition or

administration of corporal punishment or degrading or inhuman treatment on a learner. The Government believes that corporal punishment does not have any place either in schools or in homes.

Government Departments, Human Rights Commission, Civil Society Organisations and other relevant stakeholders have all conducted activities to sensitize members of the public on positive discipline and alternatives to corporal punishment. There is evidence that corporal punishment has greatly reduced and the Government is committed to ensure that it is eliminated completely.

Through stakeholders, Government has also produced and is distributing training modules and texts of the Child protection policy to all teachers training colleges. These documents aim at training teachers to respect the rights of children in schools.

The Draft Constitution is also expected to enhance the protection of children from corporal punishment. If passed, Article 55(5)(g) will prohibit corporal punishment of children in the home, school and other institutions of care.

With regard to a question that was raised on what the Government is doing about the problem of children in street situations, I wish to state that the Government has established centres for children living on the street where they are taught skills and allowed to continue going to school. These centres are supported through grants and generally incorporated in social welfare services. Government is also reviewing the National child policy and this will pave way for the formulation of the national action plan on children.

The Zambian government has identified poverty as a major factor affecting the enjoyment of human rights in Zambia including those relating to the problem of children on the street. Zambia's 2030 Vision is to be a middle income country and its efforts are targeted at among other things wealth and job creation. Our national development plans have included among the objectives and activities, continuous empowerment programmes/schemes administered

through our Ministry of Community Development Mother and Child Health for various identified vulnerable groups such as women, persons with disabilities, and other vulnerable groups.

The Government has also recently announced an ambitious budget which proposes to create more than one million new jobs in the next five years. In addition, 27.6% of the 2013 budget has been allocated to economic affairs which *inter alia* are aimed at maintaining and accelerating the current economic growth and job creation in Zambia. All these and other efforts are together aimed at poverty reduction the resultant reduction in related human rights violations. With respect to children, the anticipated improvement in the economy is expected to enhance the capacity of parents/guardians to provide for their children/wards and thus reduce the number of children on the streets.

## HIV AND AIDS

In the area of HIV and AIDS Madam President, distinguished delegates, the vision of the Government of Zambia is to have “a nation free from the threat of HIV and AIDS by 2030”. The goal is “to halt and begin to reverse the spread of HIV and AIDS”. Guided by this vision, Zambia has been implementing a number of HIV, AIDS, STIs and TB cost effective and scientifically proven interventions that fall under six complementary themes:

- a) Intensifying prevention of HIV;
- b) Expanding treatment, care and support for people living with HIV and AIDS;
- c) Mitigating the socio-economic impact of HIV and AIDS;
- d) Strengthening the decentralised response by mainstreaming HIV and AIDS;
- e) Improving the monitoring of the response; and
- f) Integrating advocacy and co-ordination of the multi-sectoral response.

I am also delighted to report that the Zambian Government has in recent years been conducting various programmes aimed at improved protection of the rights of persons affected and infected with HIV and AIDS. The programmes have been related to improved healthcare provisions including access to and provision of free anti-retroviral treatment, reduction of stigma and discrimination, mainstreaming HIV and AIDS issues in various policies and programmes and generally raising awareness on HIV and AIDS and human rights issues. More recently the Zambian Government embarked on a review of the national HIV and AIDS policy. Protection and promotion of human rights is intended to be one of the guiding pillars in the construction and implementation of the new national HIV and AIDS policy.

### **The Environment**

On the question of what the Government has done with regard to coordinating legislation and policies so that they can deliver effective environmental management, I wish first of all to state that the Government of the Republic of Zambia had enacted the Environmental Protection and Pollution Control Act (EPPCA) in 1990 at the time when the country realised that development without regard to sound environmental management had potential to lead to environmental challenges and disasters. Over the years, it has become apparent that new environmental issues have emerged. The new and emerging issues include for example climate change, pollution from persistent organic pollutants and electronic waste. To address these challenges as well as to enhance the control and management of existing ones, a new Act, the Environmental Management Act (EMA) No. 12 of 2011 has been enacted. In addition to enhancing environmental protection mechanisms, the Act also augments participatory processes for local communities in decision making in relation to the use of their natural resources.

I further wish to inform the Council that Zambia developed the National Policy on the Environment (NPE) in 2007 which marked a milestone in the management of the

environment and natural resources in a harmonised manner. The Policy provides an umbrella framework to avoid conflict of interest, harmonise sectoral strategies and rationalise legislation regarding the use and management of the environment in order to attain an integrated approach to development in the country.

The Policy's overall objective is to support the Government's development priority to eradicate poverty and improve the quality of the life of the people of Zambia. The National Policy on Environment provides for the management and sustainable utilisation of biodiversity by the preservation of the nation's natural heritage for the present and future generations.

One of the guiding principles of the NPE is to ensure wise and sustainable use of biological diversity consistent with maintaining the integrity of ecosystems and ecological processes. Underlying the entire policy is the Government's commitment to reduce poverty and achieve sustainable development for the nation as a whole on the basis of "development without destruction."

The Government is well aware that forests in Zambia play a vital role in people's livelihoods supporting about 85% of the population. In this regard, forests are a major source of traditional medicines, fuel, wood, food and raw materials for various uses. Forests are important in maintaining the carbon and hydrological cycles, protection of watersheds and soil conservation. Forest resources in Zambia have been under pressure from human induced activities such as deforestation.

In an effort to reduce pressure on forest resources, the Zambian Government developed a 20 year programme called the Zambia Forestry Action Programme (ZFAP, 2000 - 2020). The programme is aimed at promoting sustainable management and utilisation of forest resources. However, the ZFAP implementation has been hampered by a number of challenges such as insufficient funds and inadequate human resource. The Government is however still committed to this endeavor despite the admitted challenges.

Further, the draft Constitution contains provisions on principles for environmental and natural resource management development and utilisation.

## **Conclusion**

By way of concluding my introductory statement, I wish to state that Zambia views participation in this UPR process as an opportunity to discuss our achievements, challenges, and future plans for the further promotion and protection of human rights not only within our boundaries but also around the world.

We welcome observations and recommendations that can help us to achieve our goal of ensuring that every person enjoys all recognized human rights without discrimination. We recognise that the keen interest the Council takes of the rights of the citizens of the Republic of Zambia is indicative of the fact that we are citizens of one global village whose collective accountability and responsiveness is the only panacea to the slippery slope of human rights violations.

**I thank you.**

