

**Republic of Zambia**

**UNIVERSAL PERIODIC REVIEW**

**STATEMENT ON ZAMBIA’S FOURTH CYCLE NATIONAL REPORT ON THE UNIVERSAL PERIODIC REVIEW DELIVERED BY THE MINISTER OF JUSTICE, HON. MULAMBO HAIMBE, SC, MP, AT THE 42ND SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP, HELD IN GENEVA, SWITZERLAND, FROM 23RD JANUARY, TO 3RD FEBRUARY, 2023**

**30th January, 2023**

1. **SALUTATION**
* The President of the Human Rights Council
* Honorable Ministers from various member states
* Learned Attorney Generals present
* Excellencies, Ambassadors
* Distinguished Delegates
* Ladies and Gentlemen
1. **OPENING REMARKS**
	1. It is my honour to present Zambia's Fourth Cycle National Report on the Universal Periodic Review at this 42nd session of the Universal Periodic Review Working Group.
	2. First and foremost, I wish to thank the President of the Confederation of Switzerland, His Excellency, **Mr. Alain Berset** and all the people of Switzerland for a warm welcome. I wish to convey profound greetings from his counterpart, the President of the Republic of Zambia, His Excellency, Mr. Hakainde Hichilema.
	3. I would also like to take this opportunity to commend you Mr. President for your exceptional efforts in protecting and promoting human rights, globally. Further, I would like to thank the Secretariat of the Universal Periodic Review Working Group for ensuring the success of this session. Lastly, I am grateful to our Zambian Permanent Mission to the United Nations for diligently coordinating the process between Zambia and the Universal Periodic Review Working Group.

Mr. President, Distinguished Delegates

* 1. I wish to extend our gratitude to the United Nations Systems for complementing Zambia’s efforts in protecting and promoting human rights by providing appropriate support to Zambia; Civil Society Organisations and the Human Rights Commission which have been instrumental in augmenting the Government efforts in awareness campaigns on human rights and encouraging members of the general public to be more proactive in safeguarding their human rights.

Mr. President,

* 1. Before I address the detailed contents of our Report, I wish to mention that during the period under review, Zambia had a total of 203 recommendations of which 183 were supported. Of those supported, 105 were fully implemented representing 57%; at least 50 were partially implemented representing 27% while 28 were pending, representing 15%.
	2. During the preparation of this Report, the Government of the Republic of Zambia took time to reminisce on all recommendations since the country’s first review in 2008. This process revealed that there were a number of recommendations that kept recurring since then. In this regard, Zambia paid extra attention to such recommendations and prioritized them, accordingly.
	3. To begin with, I will give highlights of therecommendations that were fully implemented. In doing so, I will first address two of the long-standing recommendations that Zambia recently implemented.
1. **RECOMMENDATIONS FULLY IMPLEMENTED**

**Mr. President,**

* 1. On the recommendation to ***abolish the death penalty***, Zambia repealed provisions relating to the death penalty in the Penal Code Chapter 87 and the Criminal Procedure Code Chapter 88 of the Laws of Zambia. His Excellency, the President of the Republic of Zambia, Mr. Hakainde Hichilema assented to the amendments to the Penal Code and the Criminal Procedure Code on 23rd December, 2022.

**Mr. President,**

* 1. I am also very proud to report that Zambia repealed the provisions relating to the ***defamation of the President*** under the Penal Code and the Criminal Procedure Code in order to ensure full compliance with international human rights law.

**Mr. President,**

* 1. Zambia’s effort to seek technical assistance to meet its human rights targets is anchored on the implementation of the National Development Plans. During the period under review, resources were mobilized under the Seventh National Development Plan (7NDP) and the Eighth National Development Plan (8NDP) through both bilateral and multilateral agreements within the principle of “Zambia Plus.”
	2. On the recommendation to ***ratify the Convention on the Prevention and Punishment of the Crime of Genocide,*** I wish to report that in April 2022, Zambia acceded to the said Convention, becoming the 153rd State to have ratified or acceded to the Genocide Convention. As you know, the Convention prohibits the crime of genocide and requires signatory governments to take necessary steps to prevent and halt the offence. Zambia has, therefore, shown its commitment to the values and principles of the United Nations and respect of international human rights law. Accordingly, Zambia deposited the instrument of accession on 20th April 2022 and which entered into force on 19th July, 2022.
	3. With Regard to the Implementation of the ***Convention on the Rights of the Child in the Context of its National Policy on Children***, Zambia is implementing this Convention in the context of the National Child Policy which is an integral part of the national development process. The Policy provides a framework for responding to the concerns, needs and welfare of all children in Zambia. Most importantly, Zambia enacted the Children’s Code Act No. 12 of 2022, which not only harmonises all the laws relating to children but also domesticates provisions of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of Children to ensure the full protection of the rights of children.

**Mr. President,**

* 1. On the recommendation to ***engage the United Nations human rights mechanisms to implement the recommendations***, as I indicated in my salutation remarks, Zambia has been enjoying overwhelming support on this matter. To be more specific, but without being exhaustive, during the period under review, Zambia engaged the United Nations Mechanisms in the following areas that were aimed at enhancing the implementation of the UPR recommendations:
1. Capacity building training on Treaty Body reporting in 2017. The workshop was facilitated by the Pretoria based Regional Office for the United Nations High Commissioner for Human Rights for Southern Africa (OHCHR);
2. Development and awareness raising of the Standard Operating Procedures (SOPs) under COVID 19 pandemic in 2020. The SOPs were developed in order to unify Police operations in a standardised manner with emphasis on upholding of human rights;
3. Establishment of a public information platform on the National Mechanism for Implementation Reporting and Follow-up in 2019;
4. Maternal health care and HIV/AIDS under health sector;
5. Consultations on Children’s Code Bill; and
6. Stakeholder engagement on the review of the Public Order Act Chapter 113 of the Laws of Zambia in 2021.

**Mr. President,**

* 1. Under the recommendation to ***implement the Seventh National Development Plan,*** I wish to state that Zambia completed the implementation of the 7NDP in 2021, which focused on economic diversification and job creation; poverty and vulnerability reduction; reduced developmental inequalities; enhanced human development; and an enhanced governance environment for a diversified and inclusive economy. Through the said programmes, a number of issues relating to human rights were addressed. Notable human rights-based achievements, in this regard, included the following:
1. Construction of six gender-based violence fast track courts;
2. Decentralisation and strengthening of the National Prosecution Authority;
3. Construction of two modern correctional facilities;
4. Formulation of the National Legal Aid Policy; and
5. Development of a legal framework to support the establishment of Parole Boards.

**Mr. President,**

* 1. With regard to the recommendation on the ***development and implementation of a comprehensive strategy on population and education,*** Zambia developed a National Strategy on Financial Education (2019–2024). The overall strategic objective is for the Zambian population to have improved knowledge, understanding, skills, motivation, and confidence to help them secure positive financial outcomes for themselves and their families by 2024.

You may also wish to note that in 2022, Zambia conducted a Census of Population and Housing. The population of the country swelled to 20,017,675. With this latest information at hand, the government will be able to attend to various aspects of population and education.

* 1. With regard to recommendation on ***Support to the Office of the Commissioner for Children,*** the Office is supported by the social welfare workforce which is present in all districts. Zambia has been implementing projects to address a number of issues, including sexual and reproductive health care of adolescents.
	2. The recommendation on the ***Policy to Combat Gender-Based Violence Against Women and Girls*** was implemented through the following policies and guidelines:
1. National Gender Policy;
2. National Referral Mechanism on Gender Based Violence and Violence against Children;
3. National Guidelines for the Multidisciplinary Management of Survivors of Gender Based Violence in Zambia/ and
4. The National Strategy on Ending Child Marriage in Zambia 2016- 2021.
	1. With respect to the recommendation on the ***establishment of a Transparent Public Service,*** Zambia incorporated non-state actors in the development and implementation of the National Development Plans and enacted the National Planning and Budgeting Act No. 1 of 2020 which enhances transparency in the formulation of national budgets.

Zambia devolved more tasks to local authority level in 2021, in a bid to enhance service delivery at local level. These measures have increased transparency and accountability.

Zambia has also continued to establish integrity committees in public and private institutions in order to enhance transparency and accountability.

**Mr. President**

* 1. Under the recommendation for the ***resource mobilisation to enhance capacity to fulfil human rights obligations***, Zambia facilitated mobilisation of resources from various Cooperating Partners for the promotion and protection of human rights and access to justice. For instance, resources were mobilized for, among others:
1. decentralisation of the Legal Aid Board;
2. strengthening capacity of the Human Rights Commission to carry out its mandate;
3. review and strengthening of the legal framework such as the Public Order Act; and
4. development of Standard Operating Procedures during the COVID-19 pandemic and policing during elections.
	1. On the recommendation regarding ***continuity in promoting the national human rights policies, especially in the field of economic, social and cultural rights,*** Zambia has continued to implement its national human rights policies, especially in the field of economic, social and cultural rights, as observed. Zambia has implemented the following measures:
	2. free education from pre-primary to secondary;
	3. adoption of the Cash Plus agenda; and
	4. recruitment of additional health workers and teachers.

**Mr. President**

* 1. Moving on to the recommendation on the ***utilisation of human rights training and education as a way to mainstream the promotion of the rights of women and children,*** Zambia, has been conducting various human rights education training on matters relating to gender and gender mainstreaming in institutions. Further, Zambia has included human rights education in the curriculum of schools and training centres.
	2. With respect to the recommendation on the ***efforts to include human rights issues in the training programmes for military and security personnel,*** Zambia has endeavored to broaden the human rights knowledge through the curriculum offered at various Military Training Schools. The curriculum inculcates the need to observe human rights during military deployments and peace support operations.
	3. On the recommendation for the ***application of the principle of non-discrimination to the most vulnerable groups to access health care and education,*** Zambia has continued to uphold the principle of non-discrimination through its policy frameworks which provide for delivery of healthcare and education services without discrimination. Further, Zambia continues to train healthcare workers and teachers in ethics and the legal implications of discrimination.

**Mr. President**

* 1. In advancing the recommendation on the ***development of a legal framework for elimination of discrimination based on sex, race or disability,*** Zambia remains resolute in its efforts to enhance human rights for the well-being of all persons without discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.  In this regard, Zambia’s legal framework aimed at eliminating discrimination of all forms include -
		+ - 1. the Constitution of Zambia Chapter 1 of the Laws of Zambia;
				2. the Persons with Disabilities Act No. 6 of 2012; and
				3. the Gender Equity and Equality Act No. 22 of 2015.

**Mr. President**

* 1. In order to address the recommendation on the ***discrimination based on gender and violence against women and girls including child marriages,*** Zambia continued to raise awareness amongst members of the general public. The country has also been conducting awareness aimed at addressing early child marriages during the commemoration of days such as the international day of the elimination of violence against women (16 Days of Gender Activism), International Women’s Day, Youth Day and International Day of the Girl Child.
	2. With respect to the recommendation on the ***promotion of non-discrimination and inclusion campaigns with particular focus on migrants and people with albinism,*** Zambia is implementing the following measures to promote the welfare of Persons with Albinism (PWA):
1. supporting the publishing of a handbook called “Living with Albinism in Zambia” which is aimed at teaching children and the general populous on Albinism, thereby promoting their welfare;
2. Data collection on PWA through Census of Population and Housing;
3. Occasional purchase and free distribution of sunscreen lotions for PWA; and
4. Hosting cancer clinics where PWA go for cancer treatment and covering medical bills for some of them.
	1. With regard to the welfare of Migrants, Zambia developed a National Migration Profile and the Migration Governance Indicators (MGIs) aimed at the development of the National Migration Policy. The development of the migration profile contributed to increased awareness and understanding of migration issues.
	2. With respect to the recommendation on ***measures to protect human rights and environment in mining areas,*** the Mines and Minerals Development Act No. 11 of 2015, Section 4(c) provides that the exploitation of minerals shall ensure safety, health and environmental protection. In order to protect the environment and enhance safety as well as security during mining operations, Zambia has put in place the following measures, among others:
5. Establish a security system to limit and control access by youths to the mine site; and
6. Ensure that every worker accessing the site has the appropriate personal protective equipment;

It is anticipated that the Bill will be tabled before Parliament during the February 2023 legislative Session. In order to enhance the protection of human rights and the environment in mining areas, Zambia has developed the Environmental Management (Amendment) Bill, 2022, to provide for registration of toxic substances such as mercury prior to their use.

* 1. Under the recommendation on the ***regulatory framework for mining companies to ensure safety in the immediate environment,*** Zambia has, in place, a regulatory framework for mining companies to ensure safety in the immediate environment. These include the Mines and Minerals Development Act No. 11 of 2015, and the Environmental Management Act No. 12 of 2011. Under these Acts mining companies are obligated to avoid harming the immediate environment. ZEMA undertakes compliance monitoring to ascertain the status of approval conditions.

In an effort to strengthen the regulatory framework, the Environmental Management (Amendment) Bill, 2022, seeks to provide for all mining projects to conduct Environmental Impact Assessment (EIA) that requires adequate mitigation measures are put in place to protect people’s human rights within the proximity of mining areas.

* 1. Moving on to the recommendation on the ***preservation of the environment on agricultural development (no use of internationally banned pesticides),*** Zambia continues to preserve the environment through the enforcement of the legal framework, that is, the Environmental Management Act No. 12 of 2011 and the Environmental Management (Licencing) Regulations Statutory Instrument No. 112 of 2013 which prohibits the use of internationally banned pesticides.

Further, the proposed Environmental Management (Amendment) Bill, 2022, will enhance the licensing system for ZEMA to regulate use of pesticides.

* 1. Under the recommendation on the ***programme to boost birth registration to outlying areas,*** Zambia commenced implementing an Integrated National Registration Information System (INRIS) in order to boost birth registration. INRIS is the national and civil registration management system which is intended to provide biometric-enabled National Registration Cards (NRCs) and issuance of birth and death certificates. Zambia has also developed a National Civil Registration Policy of 2022, and decentralised the registration process to district and sub-district levels. Further, Zambia has been carrying out sensitisation programmes targeting the general public including traditional leaders and other change agents.
	2. On the recommendation to ***address the situation of persons with albinism, assuring them protection against attacks and killings,*** Zambia has continued to enforce existing laws aimed at protecting persons with albinism against attacks and killings. Persons with Albinism, like all persons in Zambia, enjoy all fundamental rights and freedoms enshrined in Article 23 of the Constitution of Zambia. Their rights and freedoms are also protected under the Penal Code, Chapter 87 of the Laws of Zambia and the Persons with Disabilities Act No. 6 of 2012.

Zambia has also been working with PWA organisations such as the Albinism Foundation of Zambia, Zambia Albinism Matters Organisation and Under the Same Sun, among others, to promote interests and the welfare of PWAs. Currently, Zambia is undertaking a situation analysis on the PWA so as to provide appropriate measures and interventions.

* 1. With respect to the recommendation on the ***efforts to combat human trafficking,*** Zambia implemented and continues to implemented the following measures to prevent human trafficking:
1. launched the policy on Human Trafficking and Smuggling of migrants in December, 2022;
2. amended the Anti-Human Trafficking Act No. 16 of 2022, to permit certification of victims of trafficking in order to enhance service provisions to the victims;
3. process of refurbishing a shelter in the Western part of Zambia to increase shelters for victims of trafficking. So far, we have five (5) shelters which are also used for Gender Based Violence victims;
4. enacted the Children’s Code Act, 2022, which provides for the protection of victims of trafficking;
5. continued participation in regional meetings to enhance collaboration amongst states in the region;
6. established an Anti-Human Trafficking Department under the Ministry responsible for Home Affairs and Internal Security which is meant to handle all issues concerning trafficking with other law enforcement agencies and partners; and
7. appointed focal points in all police stations across the country dedicated to deal with human trafficking cases.
	1. Zambia also continued to implement the 2018-2021 National Action Plan which was reviewed to cover a period of four years from 2022-2024 and started to implement the national referral mechanism for human trafficking victims. Further, during the period under review, Zambia enacted the Employment Code Act No. 3 of 2019 and the Anti-Human Trafficking (Amendment) Act No. 16 of 2022.
	2. In an effort to ***promote economic and social sustainable development to raise people's standard of living and lay a solid foundation for the enjoyment of all human rights,*** Zambia implemented the 7NDP (2017-2021). Under this Plan, Zambia put in place measures to enhance technical education, vocational and entrepreneurship development as a means for job and wealth creation.

Zambia launched the 8NDP in 2022, whose theme is “***Social Economic Transformation for improved Livelihoods***,” which seeks to pursue growth that transforms the livelihood of the people. The theme will be actualized through four Strategic Development Areas which include: Economic Transformation and Job Creation; Human and Social Development; Environmental Sustainability; and Good Governance Environment.

* 1. With regard to the recommendation on the ***strengthening of public policies to address economic and social challenges, particularly in the area of health, such as access to drinking water,*** Zambia has continued to implement the Water, Sanitation and Hygiene (WASH) Programme which contributes to improved and equitable access to safe drinking water in line with Zambia's Vision 2030 and the Sustainable Development Goals.

During the period under review, Zambia scrapped off fees for application, registration and annual fees to drill domestic boreholes. Additionally, Zambia together with partners embarked on drilling of boreholes to increase access to safe water in rural areas.

Zambia created the Department of Health Promotion, Environment and Social Determinants under the Ministry responsible for health to strengthen preventive and promotive aspects including safe water.

* 1. In responding to the recommendation on the ***enhancement of social protection policy and continuously monitor and evaluate its social cash transfer programme,*** Zambia has continued to raise people’s standard of living through programmes aimed at protecting the targeted vulnerable groups. The number of beneficiaries for social protection programmes have continued to increase under the **Cash Plus agenda**. The number of beneficiary households increased from 180,261 in 2017, to 1,027,000 in 2022, representing a 17.5% increase.
	2. In order to ensure continuous monitoring and evaluation of the Social Cash Transfer Programme, the following measures have been put in place:
1. Quarterly monitoring at Head quarter, Provincial, District and Community levels;
2. Strengthening the capacity of Internal Audit to carry out regular audits;
3. Regular spot checks are done where necessary;
4. Introduction of digital payments through Zambia Integrated Social Protection Information System (ZISPIS).
5. Introduction and roll out of a Grievance Redress Mechanism System, which enables stakeholders to lodge in complaints related to Social Cash Transfer implementation; and
6. Introduction and roll out of Financial Management Systems, that is, Microsoft Dynamics 365 system for budgeting, reporting, general accounting and management of the Social Cash Transfer.
	1. With respect to the recommendation on the ***mechanisms to ensure that pregnant and breastfeeding women are not left behind,*** Zambia prioritises pregnant and breastfeeding women in the targeting mechanism of various social protection interventions being implemented such as Social Cash Transfer, Child Welfare and Protection Programmes and Public Welfare Assistance Scheme (PWAS), among others.

Pregnant and breastfeeding mothers are prioritised under the Social Cash Transfer 1000 days Manual of Operations guidelines which targets the first 1000 days to ensure that the child’s cognitive development is enhanced.

* 1. Under the recommendation on the ***policies to strengthen and protect the human rights of people working in the mining sector,*** Zambia has conducted a baseline survey to identify the gaps in human rights policies in the mining sector. The findings reveal that there are no specific human rights policies to enhance enjoyment of human rights in this sector. However, the primary law governing the mining sector is the Mines and Minerals Development Act No. 11 of 2015. The Act provides for mining rights, large-scale mining rights, health and safety and environmental protection.

Zambia has reviewed the Mineral Resource Development Policy of 2013, which has been aligned to regional and global development framework such as AU-African Mining Vision and the UN-SDGs.

* 1. Under the recommendation on the ***funding to the health sector in line with the Abuja Declaration,*** Zambia is making strides to meet the Abuja Declaration levels of funding. However, Zambia has not yet reached the Abuja Declaration target of 15%. Under the 2022 budget, Zambia’s health sector budget stood at 8% of the national budget. In the year 2022, Zambia employed 11,276 health workers who have been deployed. As a demonstration of Zambia’s commitment to meeting the Abuja Declaration, in the year 2023, at least 10.4 % of the National Budget has been committed to the health sector.
	2. With respect to the recommendation on the ***development of adolescent-sensitive and confidential counselling services in the area of sexual and reproductive health care,*** Zambia developed the National Standards and Guidelines for Provision of Adolescent-Friendly Health Services (AFHS) which address the special needs of adolescents in terms of confidentiality, privacy, accessibility and affordability. In addition, Zambia has established adolescent health spaces in 53% health facilities in order to increase access to sexual reproductive health services to adolescents.

Zambia has established an Adolescent health unit in the department of Public Health to specifically strengthen the provision of sexual reproductive health services for adolescents.

Zambia has also introduced training of health care providers to provide services that are inclusive to adolescents with disabilities.

In addition, Zambia is working with non-state actors who provide sexual and reproductive health services, counselling and information to adolescents around the country.

* 1. With regard to the recommendation on the ***inclusivity of national health and HIV policies***, Zambia’s National HIV/AIDS/STI/TB Council has the mandate to coordinate and monitor the national response to HIV among implementing partners. During the period under review, the Council provided technical assistance to approximately 500 organizations to enable them to develop policies and programs that address all HIV and AIDS cases. Policy decisions on HIV are also usually reflected in the resources allocated for program implementation.
	2. Under the recommendation to ***improve health-care institutions and systems for reducing maternal mortality,*** Zambia continues to implement measures aimed at reducing maternal mortality by ensuring universal access to family planning, skilled attendance at birth, and basic and comprehensive emergency obstetric care. Efforts to reduce maternal mortality have continued including the institutionalisation of maternal and perinatal death surveillance and response.

Zambia was able to reduce the maternal mortality ratio from 398 per 100,000 live births in 2014, to 278 per 100,000 live births in 2018.

* 1. On the recommendation regarding ***efforts to alleviate obstacles on access to health care for pregnant women and mothers to reduce maternal mortality rate,*** during the period under review, Zambia constructed 563 out of the projected 650 health-posts and 92 out of 115 mini-hospitals. Further, Zambia is in the process of constructing an 800 bed-space mother and new-born specialized Hospital in Lusaka. This will reduce the distances women will have to cover to access safe motherhood services, including family planning, antenatal care, delivery services and postnatal care.

In order to enhance maternal health care services at primary health care level, Zambia offers services for free.

Zambia has also introduced a National Health Insurance Scheme to enhance access of health services. The introduction of health insurance has increased access to specialised care for women with complications.

Zambia introduced direct entry training of midwives and continued in-service training of midwives. Further, Safe Motherhood Action Groups (SMAGS) support maternal health at household level in rural areas.

* 1. With respect to the recommendation to ***increase resources to the health and education sectors for population living in rural areas,*** Zambia increased grants to the education and health sectors under the 2022 budget. Zambia has ring-fenced 20% of the Constituency Development Fund for bursary support to secondary school and skills training for learners.

Zambia, with the support from cooperating partners, is constructing 82 high schools across the country aimed at eliminating illiteracy.

Zambia recruited 5,000 health workers in the year 2019, and 11,276 in the year 2022. Further, 2,390 teachers were recruited in 2021, and 30,496 teachers were recruited in 2022. Under the 2023 Budget, Zambia seeks to recruit 4,500 teachers.

Zambia also introduced an education television channel and supplied village satellite television sets. This has tremendously helped in the delivery of education services in rural areas.

* 1. On the ***health care undertakings on HIV/AIDS prevention and treatment,*** Zambia has made positive progress in the HIV response on annual HIV infections through sensitisation, early commencement of treatment leading to viral suppression, provision of free condoms in facilities, running behavioral change campaigns, test and treat, elimination of Mother-To-Child Transmission (eMTCT) and implementing Voluntary Medical Male Circumcision (VMMC) which has been a key pillar to Zambia’s HIV prevention strategy.
	2. Under the recommendation on the ***access to information about mental health programmes and services*** Zambia has continued to carry out different activities to increase access to information on mental health programmes and services. Among these activities include: brochures, posters, social media platforms including radio and television, incorporation of aspects of mental health in the curriculum for training of health practitioners.

Zambia has also enacted the Mental Health Act, No. 6 of 2019, and introduced mental health services in provinces and districts. In addition, Zambia enhanced multi-sectoral response to mental health through community-based organizations.

* 1. Under the ***access to health and education services for migrant children,*** Zambia has continued to provide free health and education services for all migrant populations in refugee camps and border posts thereby increasing access to these services. During the period under review, Zambia opened 73 schools and health posts reflecting an increase from 307 in 2018, to 563 as at 31st March, 2022, thereby enhancing access to health and education services countrywide.

**Mr. President**

* 1. The recommendation to ***strengthen efforts to broaden access to education in accordance with the revised education for all national policy and increase allocation to the education sector,*** was implemented through the revision of the Education for All National Policy by introducing the Home-Grown School Feeding Programme aimed at increasing enrolments, reducing absenteeism and enhancing children’s nutritional status and cognitive development.

Zambia also continued to recruit teachers. As indicated above, in 2018, a total of 2,009 teachers were recruited. A further 2,390 teachers and 30,496 teachers were recruited in 2019, and 2022, respectively.

In addition, Zambia has continued implementing the Public Welfare Assistance Scheme which enables vulnerable people to have access to education and nutrition. Under this Programme, Zambia has since been providing bursaries and other basic needs to enable the vulnerable access education.

* 1. With respect to the recommendation on the ***access to compulsory education and equal learning opportunities for all children,*** Zambia introduced free education from early childhood to Secondary level. This was also in response to the Sustainable Development Goal number 4. Zambia also increased the number of pre-school centres which have been annexed to existing primary schools in order to enhance access to Early Childhood Education.

Zambia has enhanced access to education for Children with Special Education Needs (CSEN) and disabilities by providing user-friendly facilities for children with disabilities.

Zambia has also introduced a basic Special Needs Education for Colleges of Education in order to equip teachers with basic knowledge of identifying and assessing learners with disabilities.

**Mr. President,**

* 1. With regard to the recommendation on the ***education reforms to increase the quality of education, to make it more accessible and facilitate re-entry of adolescent mothers back to school***, Zambia has been implementing a two-tier system that offers learners an opportunity to follow either an academic or vocational career path. In this regard, Zambia is providing additional training infrastructure in selected secondary schools across the country to scale up skills training.

Zambia has continued to encourage girls who drop out of school due to pregnancy to go back to school after giving birth. By 2022, at least 50% of adolescent mothers reported back to school.

Zambia is also implementing Menstrual Hygiene Management (MHM) programme, which aims at providing appropriate infrastructure, materials, free distribution of hygiene products and training for adolescent girls to reduce absenteeism.

* 1. Under the recommendation on the ***extension of free primary education to all,*** with effect from 2022, Zambia scrapped off all forms of fees in public primary schools and free education is available for all.
	2. With respect to the recommendation on the ***assurance on the laws relating to persons with disabilities being consistent with international standards and efforts to address the rights of persons with disabilities,*** in addition to the Persons with Disabilities Act, No. 6 of 2012 which comprehensively domesticates the United Nations Convention on the Rights of Persons with Disabilities, Zambia enacted the Mental Health Act, No. 6 of 2019, which also domesticates the provisions of the Convention.

**Mr. President**

* 1. With respect to the recommendation on the ***additional measures to promote and protect the rights of persons with disabilities,*** the Government has increased funding to the Zambia Agency for Persons with Disabilities (ZAPD) to carry out its mandate as provided in the Persons with Disabilities Act, No. 6 of 2012. Additionally, Zambia has established Community Based Inclusion Development (CBID) networks to enhance dialogue and coordination.
	2. Under the recommendation on the ***implementation of the anti-gender-based violence Act of 2011, and the allocation of adequate budget resources for the anti-gender-based violence fund,*** Zambia is implementing various measures in line with the Anti-Gender Based Violence Act No 1 of 2011, to prevent and respond to Gender Based Violence. These measures are aimed at increasing access to essential services for survivors of Gender Based Violence and to engage traditional leaders to tackle social norms that promote the subordination of women.
	3. Zambia enacted the Gender Equity and Equality Act No 22 of 2015, and Zambia continues to promote and achieve gender equity and equality as envisaged by the Act in the following manner:
		+ - 1. training of judges to handle GBV cases;
				2. law enforcement officers in prosecuting the GBV cases;
				3. the establishment of one-stop-centres across the nation; and
				4. establishment and construction of six (6) fast track courts.

**Mr. President**

* 1. With regards to the recommendation on the ***intensification of efforts to criminalize and diminish all types of violence against women,* the** Gender Equity and Equality Act and the Penal Code criminalise all types of violence against women. Zambia is also in the process of reviewing the Anti-Gender Based Violence Act which will also make provisions for criminalising violence against women.
	2. On the recommendation on the ***measures to prevent and combat gender-based violence,*** Zambia has put in place measures to prevent and combat Gender-Based Violence which include financially empowering Gender Based Violence survivors. Further, during the period under review, Zambia established and constructed six (6) Fast Track Courts on Gender Based Violence in order to increase access to justice for the victims of gender-based violence. Zambia has also established one stop Centres in health facilities for purposes of psychosocial counselling and provided another policy direction on village led one stop centres.
	3. Under the recommendation on the ***promotion of women’s empowerment by increasing the number of women in leadership positions in all spheres of life,*** Zambia has progressively endeavored to ensure that women take up leadership positions. Since 2016, Zambia has had female Vice-Presidents. The Thirteenth National Assembly of Zambia also made history when the House elected its first female Speaker. Additionally, the First Deputy Speaker is also female.

In an effort to reduce developmental disparities, Zambia, under the 8NDP, will implement interventions aimed at addressing gender inequality issues related to the participation of women in decision-making positions.

* 1. With regard to the recommendation on the ***measures to accelerate the adoption and implementation of the Marriage Bill (2015) and to set a minimum age for marriage under customary law in order to help end child marriage,*** the Marriage Act, Chapter 50 of the Laws of Zambia, sets the legal minimum age of marriage at 21 years. Sections 17 and 34 of the Act, exempts all child marriage below the age of 21 years.

Further, the Children’s Code Act No. 12 of 2022, prohibits subjecting a child-to-child marriage or to cultural rites and religious or traditional practices, that are likely to negatively affect the child’s life, health, social welfare, dignity, and physical or psychological development. The Act makes further provision for the care and protection of a child that is likely to be subjected to child marriage or to customs and practices prejudicial to the child’s life, education and health.

In addition, the Education Act No. 3 of 2011 criminalises the marrying or the marrying off of a learner who is a child.

* 1. Regarding the recommendation on the ***strengthening of the policies to protect children’s rights,*** Zambia has continued to strengthen the implementation of National Child Policies to protect children’s rights through implementation of its 2015 National Child Policy, Health Policy and various Education Policies. In addition, the protection of children’s rights has been enhanced through the enactment of legislation such as the Employment Code Act 2019, the Children’s Code Act 2022, and amendment to the Penal Code.
	2. Under the recommendation on ***children participation in formal consultative processes,*** Zambia has introduced student councils in learning institutions across the country which has created a conducive environment for the participation of children in formal consultations.

Schools have also formed peer counselling where children are trained as mediators to help other children resolve problems, creating a conducive environment in which children can act to protect themselves and others.

* 1. On the recommendation to ***review the Employment of Young Persons and Children’s Act with a view to include Domestic Labour and Family-Based Enterprises***, Zambia enacted the Employment Code Act No, 3 of 2019, which repealed the Employment of Young Persons and Children’s Act. In addition, the Children’s Code Act, 2022, consolidates laws relating to children and further domesticates human rights provisions relating to children’s rights. The two Acts enhance provisions on domestic labour and family-based enterprises in line with the International Labour Organisation Minimum Age Convention.
	2. With respect to the recommendation on the ***modification of national and customary laws in order to prevent child, early and forced marriage,*** Zambia enacted the Children’s Code Act, 2022, which explicitly defines child marriage as a marriage with a child or any arrangement made by a person for that marriage, a child being a person being under the age of 18 as defined by the Constitution of Zambia.

Zambia has commenced the review and development of a successor National Strategy for Ending Child Marriage and its Plan of Action following the expiry of the 2016-2021 Strategy to end Child marriage by 2030. The Strategy aimed at reducing the incidences of child marriage, by strengthening a multi-sectoral response, harmonising policies and legislation in order to have consistent application of child related interventions and influencing cultural change to help trigger positive attitude and behavioral change towards child marriage.

**Mr. President**

* 1. With regard to the recommendation on the ***efforts to bring an end to all forms of child labour,*** Zambia enacted the Children’s Code Act No. 12 of 2022, which prohibits subjecting children to economic exploitation or any work that is hazardous or likely to interfere with the child’s education, physical or mental health, spiritual, moral, emotional or social development.

Further, Zambia has put in place measures to bring to an end all forms of child labor which include setting the minimum age of a child for the purposes of admission to employment, the number of hours and conditions of employment of a child; as provided for in Zambia’s Employment Code Act No. 3 of 2019.

* 1. On the recommendation to ***raise the minimum age of criminal responsibility,*** I wish to report that Zambia has revised the legal age of majority of criminal responsibility to ensure full protection of the child who may be in conflict with the law. Accordingly, in 2022, the Penal Code was reviewed to increase the minimum age of criminal responsibility from eight (8) to twelve (12) years.
	2. With respect to the recommendation on the ***protection of ethnic and religious minorities,*** Zambia’s Constitution prohibits treating a person differently, directly or indirectly, on the basis of that person’s birth, race, sex, origin, colour, age, disability, religion, conscience, belief, culture, language, tribe, pregnancy, health, or marital, ethnic, social or economic status. This is enshrined under the Bill of Rights of the Constitution of Zambia.
	3. Under the recommendation on to provide ***refugee children with access to social services, such as health and education,*** Zambia provides access to health, education, water and sanitation services, among other social services, to all refugee children.
1. **PART B (2):** **PARTIAL IMPLEMENTATION OF RECOMMENDATIONS**

**Mr President,**

* 1. With regard to the recommendations which were partially implemented, I wish to begin with the recommendation to accelerate the process of domestication of international human rights instruments. Zambia has made significant progress in the domestication of International Human Rights instruments to which the State is a party through legal reforms. During the period under review, Zambia domesticated the following international human rights instruments:
	2. Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child (Children’s Code Act); and
	3. International Covenant on Civil and Political Rights (Probation of Offenders (Amendment) Act 2022, the Legal Aid Act, 2021, Penal Code (Amendment) Act, the Electoral Process (Amendment) Act 2021, and the Public Gathering Bill 2022).
	4. On the recommendation to ***strengthen legislation on the prohibition of torture and improve conditions of detention in prisons,*** the Zambia Correctional Service Act No. 37 of 2021, domesticates the United Nations Standard Minimum Rules for Treatment of Prisoners (Mandela Rules). In implementing this Act, Zambia has constructed modern correctional facilities and rehabilitated a number of correctional facilities to address overcrowding and facilitate the supply of social amenities such as clean water and sanitation. Further, the constitutional transformation from prison to correctional service has resulted in human treatment of inmates as it has moved from punitive to restorative justice. Zambia is also addressing basic needs like provision of sleeping facilities such as beds and mattresses.
	5. As regards the recommendation to ***widen the scope of the 1996 Bill of Rights,*** Zambia intends to widen the scope of the Bill of Rights during the implementation of the Eighth National Development Plan during the period 2022 to 2026 to include economic, social and cultural rights.
	6. On the recommendation to ***not further liberalize abortion and instead implement laws aimed at protecting the right to life of the unborn,*** Zambia has not liberalized abortion and has continued to implement the Termination of Pregnancy Act, Chapter 304 of 1972, which lays down pre-conditions to be met before one procures an abortion in order to protect the right to life of the unborn.
	7. With respect to the recommendation on the ***status of implementation of recommendations of the commission of inquiry on voting patterns and electoral violence,*** Zambia implemented various recommendations of the Commission of Inquiry on Voting Patterns and Electoral Violence through legal, administrative, institutional reforms such as review of the Public Order Act and enhancement of Law Enforcement Agencies, among others.
	8. In order to address the recommendation on ***grant sufficient resources to the National Human Rights Commission,*** Zambia has progressively increased funding to the Human Rights Commission amidst a tight fiscal space. In 2018, the Commission’s budget stood at ZMW13,809,290 (US$863,080) while in 2022, the budget increased to ZMW21,199,507 (US$1,324,949) representing an increase of 35 percent.
	9. Under the recommendation to ***adopt a national human rights action plan,*** Zambia developed a draft National Human Rights Action Plan which guided implementation of the UPR recommendations. The Plan was complemented by the Human Rights Programmes which were being implemented under the Seventh National Development Plan (2017-2021).

Zambia has also commenced the process of formulating the National Action Plan on Business and Human Rights to be implemented under the implementation Plan of the Eighth National Development Plan (2022-2026).

* 1. With respect to the recommendation on the ***engaging civil society activists on the draft Access to Information Bill,*** Zambia prioritised the engagement of civil society activists and non-governmental organizations to seek common ground in its media development agenda, particularly in the drafting the Access to Information Bill.
	2. With regard to the recommendation to ***Redouble its efforts for effective Governance of Natural Resources in line with the Environmental Management Act No. 12 of 2011,*** Zambia initiated consultative processes with stakeholders to redouble its efforts for effective governance of natural resources which resulted in the formulation of the Environmental Management (Amendment) Bill. This Bill is expected to provide guidelines on the governance of natural resources. Further, Zambia created a Ministry to specifically deal with matters of governance of natural resources, namely; the Ministry of Green Economy and Environment.

**Mr. President,**

* 1. On the recommendation to ***increase budgetary allocations to the education and health sectors as set out in the Abuja and Dakar Declarations,*** Zambia made frantic strides to meet the two respective targets during the implementation of the Third Cycle of the UPR. For instance, under the 2022 budget, Zambia allocated 10.4 % and 19% of the national budget to Health and Education sectors, respectively. With the said allocations, Zambia managed to recruit 30,496 teachers and 11,276 health workers in 2022, a move that ultimately was partly a direct response to the main challenges for which the two declarations were intended to resolve.

In 2019, Zambia introduced a National Health Insurance Scheme (NHIS) which is aimed at accelerating the achievement of Universal Health Coverage through the provision of Financial Risk Protection in health access. This has enhanced the financial capacity of the health sector.

* 1. Under the recommendation ***renovation of correctional facilities to adhere to approved international standards,*** Zambia undertook renovation works by way of improving ventilation and sanitation at ten (10) most critical correctional facilities.
	2. On the status of the recommendation to ***meet international standards in ensuring adequate living conditions for inmates,*** Zambia made significant improvement in meeting international standards of living conditions for inmates through improvement of correctional environment in terms of sanitation, provision of good beddings and uniforms.

In 2021, Zambia commissioned one (1) modern Remand Prison and Correctional Centre, with a holding capacity of 1,500 inmates. The facility has modern dormitories, workshops, a clinic and a Chapel among other amenities.

* 1. With respect to the recommendation to ***separate children from adults detained in police stations and prisons,*** Zambia has embarked on building and renovating infrastructure to provide for effective separation of children in conflict with the law and awaiting trial from adults. For instance, the Choma Central Police has dormitories for children.
	2. On the recommendation to ***redouble efforts to improve the living conditions and reduce the overcrowding of prisons and steps to reduce long terms of preventive detention,*** Zambia has continued to improve prison conditions in terms of good sanitation, adequate inmates’ beddings and uniforms, and the provision of nutritional food for inmates. Zambia is in the process of reviewing the Penal Code and the Criminal Procedure Code, especially provisions relating to custodial sentences for petty crimes; removing mandatory minimum sentences thereby reducing overcrowding.
	3. As a way of reducing long terms of preventive detention, Zambia is implementing the Zambia Correctional Service Act No. 37 of 2021, by decentralizing the National Parole Board which has increased the number of sittings to consider applications for parole. This has assisted in reducing over-crowding in correctional facilities as a result of the increase in the number of inmates being released on parole.

Zambia has introduced Legal Aid Desks at Courts, Police Stations and Correctional facilities to guarantee easy access to legal services for inmates and suspects to reduce long terms of preventive detention and prolonged pre-trial detentions.

Zambia has also decentralised the High Court to all provinces. This will facilitate speedy disposal of cases which will ultimately reduce long terms of pre-trial detentions.

* 1. Regarding the recommendation to ***guarantee that journalists and other media workers can carry out their work independently and without fear of persecution,*** Zambia is in the process of developing the Access to Information Bill which will, among others, enhance the independence and freedom of journalists in the nation. Under the Penal Code and the Criminal Procedure Code, various provisions that prejudice the independence of the media are being reviewed and legislation on Human Rights Defenders is being developed.
	2. With respect to the recommendation to ***reviewing its defamation laws to make sure they are in full compliance with international human rights law,*** Zambia reviewed the Penal Code and the Criminal Procedure Code and accordingly amended the provisions relating to defamation of the President which has been repealed.
	3. Under the recommendation ***efforts for independence of broadcasting authority,*** Zambia has continued to uphold the independence of the Authority in accordance with the provisions of the Independent Broadcasting Authority Act No. 17 of 2002. To strengthen the independence and autonomy of the Authority, in the year 2022, Zambia commenced the process of reviewing the Independent Broadcasting Authority Act.
	4. On the recommendation of the ***protection of human rights defenders, journalists and activists,*** Zambia has continued to protect Human Rights Defenders, Journalists and activists without discrimination. In addition, Zambia is working with the Human Rights Defenders Network and Civil Society Organisations to develop legislation for human rights defenders. At the time of preparing this report, the development of domestic legislation was underway.

1. **PART B (3):** **PENDING RECOMMENDATIONS**

Mr. President,

* 1. Under pending recommendations, I wish to mention that Zambia continued to consult various stakeholders on the modus operandi of recommendations bordering on the Ratification of the Optional Protocols in line with the Ratification of International Agreements Act No. 34 of 2016.
	2. Concerning the recommendation on the ***Invitation to United Nations Special Rapporteurs,*** I wish to mention that during the period under review, Zambia did not, specifically, receive any request for invitation by the United Nations Special Rapporteurs. However, several special procedure mandate holders addressed communications to Zambia. These include the Special Rapporteur of the Right to Freedom of Opinion and Expression, in 2018, 2020 and 2021; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression addressed a communication to Zambia in 2021 concerning the Cyber Security and Cyber Crimes Law; and the Special Rapporteur on the right to food who made a number of recommendations to Zambia.
1. **PART B (4): NOTED RECOMMENDATIONS**

Mr President,

* 1. Under the Noted Recommendations, Zambia still considers the recommendations as those that violate its values, morals and beliefs as enshrined in the Constitution.
1. **PART C:**  **STATUS OF IMPLEMENTATION OF VOLUNTARY PLEDGES**

**Mr. President,**

* 1. With regard to the pledges made, the following is the status of the respective recommendations:
1. The government approved the establishment of an inter-ministerial structure known as National Mechanism for Implementation Reporting and Follow-up (NMIRF) in 2022, in line with International best practice.
2. Zambia is in the process of reforming its Public Order Act so as to guarantee freedom of assembly and demonstration. The objective is to facilitate the enjoyment of the freedoms of association, assembly and expression whilst regulating the conduct of public gatherings for the preservation of public order and safety.
3. Zambia is also in the process of developing the Access to Information Bill which will, among others, enhance the independence and freedom of journalists in the nation.
4. Zambia intends to make necessary amendments to the Constitution during the implementation of the Eighth National Development Plan (2022-2026). In this regard, Zambia commenced the development of a road map to review the Constitution.
5. In furtherance of the right to participation in public affairs and right to vote, Zambia amended the Electoral Process Act to facilitate voting of persons in lawful custody and all eligible inmates voted for the first time in the country’s 2021 General Election.
6. Zambia through Zambia Centre for Inter-Party Dialogue engaged the Church Mother-Bodies to facilitate Inter-Party Dialogue amongst all political parties which resulted in the formulation of a road map on Inter-Party Dialogue.
7. Further, in an effort to diffuse lingering tension with the main opposition party, at the time, and foster reconciliation, Zambia invited the Secretary General of the Commonwealth Rt. Hon. Ms. Patricia Scotland, QC and Prof. Ibrahim Gambari (Commonwealth special envoy to Zambia) to facilitate the Inter-Party Dialogue process in order to promote peace and democracy in the country.
8. Zambia has continued to engage various stakeholders and cooperating partners to solicit support to hold a referendum to amend the Part III of the Constitution in a bid to enhance the Bill of Rights.
9. **PART D: EMERGING ISSUES**

**Mr. President,**

* 1. Under the emerging issues, I wish to mention that Zambia faced various challenges during the implementation of the recommendations from the Third Cycle Review which included the global economic down trend, financial constraints which had competing needs such as the holding of the 2021 General Elections and the unplanned expenditure in dealing with emerging issues such as the COVID-19 pandemic.
	2. With regard to the COVID-19 pandemic, Zambia instituted quick and decisive measures to ensure that the potential rapid spread of the outbreak was averted and mitigated. When the Covid-19 vaccine was approved, Zambia joined the rest of the world to vaccinate its citizens to prevent further spread of the disease. By July, 2022, a total of 5,119,087 citizens had been fully vaccinated while a total of 513,538 had received their booster vaccine.

1. **PART E:** **CHALLENGES WHICH WOULD REQUIRE** **SUPPORT OF THE INTERNATIONAL COMMUNITY**

Mr. President,

* 1. I now turn to the challenges which would require the support of the international community. Under this matter, our priority borders on the following activities:
1. Zambia would require financial and technical support on the preparation and *modus operandi* of the National Action Plan.
2. There is need for financial and technical support for the training of medical personnel in different specialised fields in order to combat different ailments and the unforeseen outbreaks.
3. We would also need financial and technical support to provide comprehensive early childhood care and education as well as to train and recruit specialised teachers in this field.
4. Combat the effects of climate change and prepare a comprehensive national plan to address climate change.

**Mr. President,**

* 1. As I conclude, I wish thank the United Nations Office of the High Commissioner for Human Rights for according the Republic of Zambia an opportunity to demonstrate its commitments to the protection and promotion of human rights for all persons in the country, certainly leaving no one behind.
	2. I wish to request members of this Working Group to feel free to interrogate Zambia’s National Report. We sincerely appreciate your comments and the subsequent recommendations because it is by your observations that we stand to improve and better the lives of all persons in the country.
	3. The duty rests upon us, collectively and as Member States to work in solidarity and diligently in order to create an environment where human rights are promoted, protected and respected.
	4. I wish to reiterate that Zambia remains committed to all principles of the UPR and will continue to respond to its requirements. As a country, we shall continue to put our efforts into action and cooperate with the United Nations and member states in order to ensure the effective enjoyment of human rights and fundamental freedoms.

**THANK YOU VERY MUCH FOR YOUR ATTENTION.**