

**REPUBLIC OF ZAMBIA**

**MINISTRY OF JUSTICE**

**CONCLUDING REMARKS TO BE DELIVERED BY THE PERMANENT SECRETARY (LEGAL) MRS. MWENYA KAELA BWALYA AT THE 42ND SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP, HELD IN GENEVA, SWITZERLAND, FROM 23RD JANUARY, TO 3RD FEBRUARY, 2023**

**3rd February, 2023**

Mr. President,

Excellencies,

Distinguished delegates, Ladies and Gentlemen,

Thank you for giving my delegation an opportunity to give the concluding remarks. As you know, the Republic of Zambia was reviewed on 30th January, 2023, following the submission of the National Report by Mr. Mulambo Haimbe, SC, MP, Minister of Justice of the Republic of Zambia who delivered a statement to give a comprehensive overview of the Report. The Republic of Zambia would like to take this opportunity to commend the President of the Human Rights Council for the exceptional leadership in this session. We also commend the Secretariat of the UPR Working Group for ensuring that this session is a success.

Mr. President,

Allow me to extend our gratitude to the Human Rights Council for having selected the Troikas comprising the United States of America, Sudan and Montenegro to facilitate the review for Zambia. I wish to mention that we worked very well with this Troika during this short period of time. We hope to get more guidance as we now enter into the post review of the National Report.

Mr. President,

Following the review of Zambia and the subsequent recommendations which were made by the distinguished members of the Working Group, I am pleased to announce and confirm that Zambia examined the recommendations and has tentatively supported a total of 184 recommendations and deferred 44, noted 23 to which we shall provide a response in due course no later than three (3) after consulting relevant stakeholders.

Mr. President,

I wish to take this opportunity to thank the civil society organisations from Zambia for their comprehensive submission on various issues during the Pre-Session held on 29th November, 2022. The issues raised by civil society organisations happen to be the same issues that Government is already concerned about and is implementing. We, however, note that there is need to clarify the status on the issues raised.

Mr. President,

Zambia repealed provisions relating to the death penalty in the Penal Code Chapter 87 and the Criminal Procedure Code Chapter 88 of the Laws of Zambia.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 made the announcement on 23rd December, 2022, which followed years of advocacy efforts by concerned stakeholders, such as the National Human Rights Commission, civil society groups, development partners, the United Nations and other partners.

Zambia also 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,

The Government has commenced consultation with the relevant stakeholders on the ratification of various Optional Protocols in line with the Ratification of International Agreements Act No. 34 of 2016, such as:

1. The First Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
2. The Second Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
3. The Third Optional Protocol to the Convention on the Rights of the Child on a communications procedure;
4. The Optional Protocol to the Convention on the Rights of Persons with Disabilities;
5. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
6. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; and the
7. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

Mr. President,

Following the acceptance of the recommendation for Zambia, during the Third Cycle National Report, to develop a National Action Plan on Business and Human Rights, the Government commenced the process of firstly, conducting an examination of the measures that the Government will take to protect human rights from adverse impacts of business activities through laws, policies, regulation and adjudication, as well as the provision of remedy mechanisms. Subsequently, a National Action Plan on Business and Human Rights will be developed. Therefore, Zambia is actively engaged in the issue of businesses and human rights.

Mr. President,

Government, during the implementation of the Eighth National Development Plan (2022 to 2026), intends to hold a Referendum on the Bill of Rights to expand the scope of the Bill of Rights of the Constitution of Zambia include economic, social and cultural rights, subject to availability of funds.

Mr. President,

The Constitution, which was recently amended, contains progressive provisions in line with international best practices. However, there are some ambiguous provisions requiring revision so as to enhance governance institutions. Government plans to initiate the process of amending the Constitution in 2023.

Mr. President,

Government has commenced the audit of the Laws of Zambia so as to repeal any outdated or archaic law on the Statute books. Some of the laws reviewed include the Penal Code, Chapter 87 of the Laws of Zambia; the Criminal Procedure Code Chapter 88 of the Laws of Zambia and the British Acts Extension Act Chapter 10 of the Laws of Zambia which covers the review of eleven (11) archaic pieces of legislation. The Government intends to complete the review process by the end of 2023.

Mr. President,

Zambia wishes to continue appealing for technical and financial support from the international community on human rights related activities. Zambia, therefore, would like to extend her gratitude to the United Nations system, the Civil Society Organisations and the Human Rights Commission, for complementing Zambia's efforts in the promotion and protection of human rights by providing appropriate support within their mandate.

Zambia would also like to state that the Government shall ensure that extensive progress is made to implement the coordination of the UPR activities.

**I THANK YOU FOR YOUR KIND ATTENTION!**