

Zambia's review in the Working Group,
Friday 9 May 2008, 9 am – 12 pm
Overview of the Working Group session

The Troika

The Troika was composed of Senegal, Switzerland and the Philippines. None of them took the floor.

Presentation by the Zambia

Speaking time: 27 minutes

Speakers: H.E. Ms. Gertrude Imbwae

The Zambian delegation started its presentation by answering questions submitted in advance and thus did not present the situation of human rights in the country but instead gave insights within its answers.

Responses to questions submitted in advance:

Death Penalty (Denmark); Gender based violence (Denmark); High number of cases involving violence and torture by the police (Denmark); Women human rights defenders (Ireland); Security laws on medias/journalist; Defamation of the President; Prison condition and overcrowding (Ireland); Announcing an invitation to all Special Procedures and soon issuing a standing invitation; Death Penalty (Sweden, United Kingdom); Role of the civil society in the preparation of the report (United Kingdom); Steps to incorporate Convention Against Torture (CAT), International Convention on the Elimination of all forms of Racial Discrimination, International Covenant for the Economic, Social and Cultural Rights (ICESCR), International Covenant for the Civil and Political Rights (ICCPR) into legislation (United Kingdom) plans adopted to promote human rights; Reduce time in police custody; Reduce Prison population.

Interactive Dialogue

Number of countries that took the floor

39 countries took the floor during the interactive dialogue, **21 Member States** of the Human Rights Council (Azerbaijan, Bangladesh, Brazil, Canada, China, Cuba, Egypt, France, Ghana, Germany, Italy, Malaysia, Mexico, Netherlands, Nigeria, Russia, Slovenia, South Africa, South Korea, Tunisia, United Kingdom) and **18 Non-member States** (Algeria, Angola, Austria, Botswana, Chad, Chile, Democratic Republic of Congo, Denmark, Holy See, Ireland, Latvia, Libya, Morocco, New Zealand, Norway, Slovakia, Syria, United States).

Questions/issues raised

Women's rights – China, Brazil, Austria (discriminatory laws), Mexico (civil rights), Angola; *Discrimination against women* – Austria, Chile, Morocco; *Gender perspective* – Slovenia; *Violence against women* - France; *Customary Practices* – Austria, Mexico, Chad, Italy; **Minorities** – Russia (participation in political life, access to education); **Detention conditions** – Denmark; *Prison* – Russia (overcrowding, sanitary, food, water supply, number of prisoners), United Kingdom (overcrowding, poor conditions), Nigeria; **Health** – Russia (malaria), New Zealand; *HIV/AIDS* – Russia, Slovenia, Canada, Syria; *Maternal mortality* – Russia, Mexico, Malaysia; *Mental disease* – Chile (deprivation of liberty); *Child mortality* – Malaysia; **Cooperation with human rights mechanism** – Russia (Treaty Bodies), Mexico

(Special Procedures); **Rights of the Child** – Austria (after birth registration, violence against), Libya, Angola; *Juvenile courts* – Austria, South Korea; **Access to water** – DRC, Tunisia, South Africa; **International human rights treaties** – Democratic Republic of Congo, Mexico, Germany; **Persons with disabilities** – Slovenia (discrimination); **Trade Unions** – Slovenia, Slovakia; **State of emergency** – Canada; **LGTB rights** – Canada (decriminalization of same sex activity), Ireland; **Family laws** – Canada; **Human Rights Commission** – France, United Kingdom, Azerbaijan; **Death Penalty** – France, Netherlands, Mexico, Chile, United Kingdom, Holy See; **Rights of the child - Child labour** – France; **Torture** – Mexico (criminalization); **Freedom of opinion and expression** – Norway; *Defamation* – Mexico, Norway; **Training of law enforcement officials** – Mexico; **Justice** – Ghana (access to, insufficient number of magistrates), United Kingdom (local courts); **Freedom of association** – Egypt (multiparty system), Slovakia; **Poverty** – Chile, Germany; **Excessive use of police force** – Denmark (including torture); **Pre-trial detention** – United Kingdom (reduce time); **Freedom of press** – United Kingdom, Norway (new bill on freedom of information), Ireland; **Education** – Cuba (girls), South Africa (illiteracy); *Human rights education* – Italy, Morocco (especially women); **Civil society** – Norway (new NGO bill); **Corruption** – United States; **Trafficking of persons** – United States; **ESCR** – Bangladesh

Recommendations

Women's rights

- recommends strengthening efforts on gender (**Algeria**)
- recommends that the provisions of equality before the law regardless of sex and provisions in the draft Constitution prohibiting any law, cultural customs or traditions that undermine the dignity, welfare, interest or status of women or men as per purpose article 38 to 40 are retained in the draft Constitution currently under consideration (**Canada**)
- recommends further measures be put in place to ensure that cultural and traditional beliefs practising customary law applied by local courts do not lead to discrimination against women (**United Kingdom**)

Detention conditions

- recommends continuing improve living conditions of detainees (**Algeria**)
- recommends continuing to prioritise improvement in the conditions of detention (**Ireland**)

International Human Rights Treaties

- recommends considering adhering to the optional protocol on the Convention on the Elimination of All Forms of Discrimination against Women (**Brazil**)
- recommends reporting back to the Human Right Council about further concrete steps that will be taken to implement the ratified international conventions in domestic law (**Netherlands**)
- recommends signing the Optional Protocol to the CAT at the earliest possible opportunity (**United Kingdom**)

Sexual rights

- recommends amending Zambia Penal Code to decriminalize same sex activity between consenting adults and that Zambia develops programmes to respond to the HIV/AIDS related needs of sexually active gay men (**Canada**)
- recommends amending penal to decriminalize consensual same sex activity (**Netherlands**)
- recommends keeping an open mind in relation to the decriminalization same sex activities (**Ireland**)

HIV/AIDS

- recommends improving access to anti-retroviral treatment for vulnerable groups including women (**Canada**)

Family laws

- recommends taking measures to improve the situation of widows and girl orphans including by insuring the protection of inheritance through the enforcement of legislative protections **(Canada)**

Rights of the Child

- recommends a strategy of assistance be developed to help street children **(Netherlands)**

Torture

- recommends eliminating torture and other cruel, inhuman and degrading treatment and make sure PPCA is effective **(Denmark)**

- recommends each case of torture and ill treatments by officials be investigated **(Denmark)**

Death Penalty

- recommends taking further steps in relation to the abolition of the death penalty **(UK)**

Freedom of opinion and expression

- recommends changing the defamation act in the penal code in order to broaden opportunities for freedom of expression **(Norway)**

Freedom of press/information

- recommends the swift adoption of the new bill on freedom of information **(Norway)**

- recommends continuing to conduct reform of the penal code in relation to the prosecution criminalization of journalists **(Ireland)**

Health

- recommends considering developing a strategy that ensures the experiences of community practitioners are taken into account in the development of its national strategies to improve health standards in these areas **(New Zealand)**

Corruption

- recommends accelerating to finalize national policy against corruption **(South Africa)**

General

- recommends continuing efforts on education and seek international cooperation **(Algeria)**

- recommends continuing efforts in ECSR **(Cuba)**

Issues on which Zambia provided an answer:

1st round: Provision for sanitation in schools (supposedly to Russia but Russia was actually talking about prison); art 23 which allows discrimination on customary law (Austria); education on languages teaching (Russia); maternal mortality (Russia); gender based violence (Brazil): already answered in presentation; prison conditions (Russia): already answered in presentation.

2nd round: Same sex relationship: already answered; Death Penalty; State of emergency (Canada); Access to justice; Training of judges; Local courts; Prison Detention; Public complaints authority (Denmark); Customary laws as discriminatory against women (Italy, Chad, Chile); Freedom of expression bill / NGO bill (Norway); Women's rights (China); Child labour (France); Reports to treaty bodies (Russia); NHRI (France).

3rd round: Awareness of HIV/AIDS (Syria); combat discrimination against women (Morocco); Rights of the Child; prison congestions (Nigeria, UK); access to water (South Africa): already answered; Illiteracy (South Africa); maternal mortality (New Zealand, Malaysia); trafficking (USA); people with disabilities (Slovenia); strengthening of the Human Rights Commission (Azerbaijan); ratification of treaties.

Issues for follow-up

Announced an invitation to all Special Procedures and soon issuing a standing invitation.

States that made solely welcoming statements:

Latvia, Botswana

Issues mentioned during the review but on which Zambia did not respond

Corruption (USA, South Africa); Torture (Mexico, Denmark); Pre-trial detention (United Kingdom)

Speaking times

Overall duration of the review: 2 hours 42 minutes

Of Zambia: Presentation: 27 min. Responses: 7 + 23 + 8 min. Concluding remarks: 2 min

Of other States: 3 min for Member-states, 2 min for observer States.

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