

Freedom of association	
<ul style="list-style-type: none"> ● Is there a situation of systemic repression characterised by the mass de-registration of CSOs, imprisonment, disappearance and torture of activists and frequent raids on NGO premises? 	Zambia is not currently experiencing this infringement.
<ul style="list-style-type: none"> ● Is there a situation of widespread violation of free association, including barriers to foreign funding, raids of NGO offices, imprisonment of activists and vilification of CSOs in the media? 	This is not the case for the state party.
<ul style="list-style-type: none"> ● Is there a situation of sporadic attacks on NGOs, including their selective deregistration, the proposal or enactment of restrictive NGO regulations? 	Zambian NGOs are not having these attacks. We are however concerned that the repeal and replacement of the NGO Act number 16 of 2009 has stalled. This act contain punitive measures meant to muzzle the NGO sector in Zambia. We are concerned that should the government decide to fully implement this Act, it will be driver to shrink the civic space that will silence the civil society in Zambia.
<ul style="list-style-type: none"> ● Is there a situation in which CSOs are regulated through an enabling law that is mostly respected but where verbal or legal attacks against individual activists or organizations still occur sporadically? 	This is currently not happening in Zambia
<ul style="list-style-type: none"> ● Is there a situation in which there is strong rule of law and NGOs are not just allowed to operate but enabled through progressive tax laws and are actively consulted by the government as equal partners in the governance of the country? 	<p>Yes, this is happening in Zambia, for instance in the year 2022, Ministry Of Justice embarked on a policy review process for the Anti Corruption Act. In this process, they involved NGOs dealing in governance such as Transparency International Zambia, Zambia Council for Social Development in this process.</p> <p>Regarding the review of other pieces of legislation, many other NGOs including Zambia Council For Social Development have been consulted. In November 2023 the National Budget and Planning Act was undergoing a review and Zambia Council FOR Social Development and 3 other NGOs that have a national wide character were invited to provide submission to this process.</p> <p>However, ZCSD is still expectant that the involvement of NGOs in such processes should not only be involving the urban NGOs but should as well spread</p>

	out to all provinces and district in order not to leave anyone behind.
Freedom of peaceful assembly	
<ul style="list-style-type: none"> Is there a situation where public demonstrations are impossible and the security forces (or non-state actors) consistently use lethal force against those that attempt to gather? 	<p>Not necessarily being impossible, but at times depending on the issues that NGOs would want to speak about through such demonstration, we have had situations where the demonstrations are denied permits. In some cases, a demonstration is permitted but once the content of the messages aired during such demonstrations are analysed by the law enforcement agency, organizers and speakers of such events are pursued for arrests</p> <p>https://www.voanews.com/a/zambia-police-arrest-feminist-ngo-leaders-accuse-them-of-promoting-homosexuality/6995923.html</p> <p>https://www.youtube.com/watch?v=Wz4a3_3DQB8</p> <p>NGOs are concerned that if this practice is not kept in check by the rights holders the government may end up reaching the stage of having a heavy hand on all requests for demonstrations that would be put forward to seek permission through the Zambia Police and hence is still looking forward to the completion of the Legal Review on the Public Order Act which has also stalled.</p>
<ul style="list-style-type: none"> Is there a situation of frequent denial of the right to assemble peacefully and common use of force (teargas, rubber bullets, baton charges) by the police to disperse dissenting protestors? 	<p>Since the coming in power of the United Party For National Development (UPND) government, Zambia has seen positive change in this regard where the government has accepted NGOs to assemble peacefully without using force to disperse dissenting protestors.</p> <p>Before the general elections in the year 2021, there were concerns from the political front, that the political parties are not being provided space to enjoy the freedom of assembly and association by the law enforcement agency, Zambia Police. CSOs did observe that in the run up to elections, opposition party leaders were denied access to some parts of the country in some cases by police officers and the ruling party carders. This was a violation of the National Constitution and also the actions were not in conformity to the international standards as</p>

	<p>provided for in the International Covenant on Civil and Political Rights (ICCPR)</p> <p>https://cfnhri.org/updates/concerns-for-freedom-of-association-assembly-and-expression-in-zambia/</p> <p>In this administration, we still see that issues that border on the economy or political matters once take as concerns to form the basis of a protest, the authorities are not keen to allow the notice of the protest proceed.</p> <p>https://www.dw.com/en/zambia-why-is-organizing-a-protest-so-difficult/a-67268830</p>
<ul style="list-style-type: none"> ● Is there a situation of enabling laws for peaceful assembly which is only partially respected by the authorities, and in which it is possible to gather but the authorities retain control over how, where and when? 	<p>The current law regulating public order in Zambia has been used in this sense. A case in point is that of the Public Order Act. This law dates back to the Colonial days and has kept on being applied by all political parties that have formed government in Zambia even when such political parties have pledged to change this law during campaigns.</p> <p>Starting from the One Party State under the late first republican president Dr. Kenneth David Kaunda, all other subsequent governments have used it to suppress the opposition even going as far as requesting persons seeking to gather to first get police permission even when the law only requires parties seeking to 'gather' to merely inform the police about their procession so as to enable the police prepare for eventualities. In a nutshell this is a necessary law but its application is at all times favoring those in power.</p> <p>https://www.opendemocracy.net/en/zambia-s-public-order-act-1955-and-its-impact-on-political-participation/</p> <p>In 2022 a process of reviewing this law was commenced and by January 2023, a draft bill was handed over to government by the Law Development Commission for further consideration and the process has since stalled scattering the hopes of Zambians to see the law changed.</p> <p>https://www.lusakatimes.com/2023/01/17/zldc-hands-over-proposed-draft-public-gatherings-bill-to-government/</p>

<ul style="list-style-type: none"> ● Is there a situation in which peaceful assemblies are largely respected and protected by the authorities, although permission to gather is still infrequently denied and clashes with police can occur? 	<p>This is happening but in very isolated situations</p>
<ul style="list-style-type: none"> ● Is there a situation in which the law governing peaceful assembly adheres to international best practices and is consistently applied by the authorities? 	<p>The implementation of the Public Order Act in Zambia is in conflict of the International Covenant on Civil and Political Rights (ICCPR) which provides for the standards where all human citizens are accorded equal entitlements to participate in the political arena of the country.</p> <p>Strides have been made where in 2023, the government has changed some laws such as Defamation of the Presidency law.</p>
<p>Freedom of expression</p>	
<ul style="list-style-type: none"> ● Is there a situation in which free expression and criticism of the authorities is criminalised, journalists risk their lives, independent reporting is non-existent, and the state retains full control of the airwaves? 	<p>No.</p>
<ul style="list-style-type: none"> ● Is there a situation of widespread abuse and violence against the media, citizens face legal or physical harassment when expressing critical opinions and there is little space for independent media? 	<p>No.</p>
<ul style="list-style-type: none"> ● Is there a situation where plural media exists and some dissent is tolerated but abuses against the media and citizens are still perpetrated by the state or non-state actors and access to information legislation does not exist? 	<p>Zambia has an Access To Information Act that was acceded to by government in 2023. It is hoped that going forward, this law will guarantee citizens to receive and share information of their interest without concerns that authorities may come up and place legal actions on them.</p> <p>The CSOs, the media fraternity and other stakeholders have been advocating for the enactment of this law. The Act provide for the right to access information and its limitations. It also provide for procedures for processing requests for information and also gives effect to the right to access information as guaranteed in the UN Convention against Corruption and the African Charter on Human and People’s Rights among other matters.</p>

	https://www.zambiamonitor.com/in-historic-move-hichilema-signs-access-to-information-bill/
<ul style="list-style-type: none"> ● Is there a situation in which an independent media sector is allowed to function freely, journalists are free to practice albeit in an environment where the government and powerful economic interests still dominate public narratives and access to information legislation is only sometimes respected? 	<p>Yes, in Zambia today the media (both private and public) are allowed to function freely. Since the coming in of the UPND administration, Zambia’s media sector have worked freely with Prime TV which was closed by the previous government opening its doors to serve the public after being closed for some years. The vibrant and promising private TV station closed in April 2020, after a public misunderstanding between its proprietor Gerald Shawa and Dora Siliya, who was the Information and Broadcasting Minister on 13th March 2020 over funding for Covid 19 coverage.</p> <p>https://cpj.org/2020/04/zambia-cancels-broadcaster-prime-tvs-license-polic/</p> <p>However, the Post Newspaper has remained closed since 2016 for failure to settle tax obligations. This situation that was described as a politically motivated as the paper frequent carried articles that were criticizing the Patriotic Front government. The owner for the paper Mr. Fred Meembe has founded a political party (Socialist Party) and is actively involved in the politics of the country.</p> <p>It is the expectation of the nation that with the Access To Information law put in place, the media fraternity will continue to enjoy its work of informing, entertaining and educating the nation in their various ways.</p>
<ul style="list-style-type: none"> ● A situation in which there is a free and open exchange of ideas, information and opinion, the media is free and independently regulated, access to information exists in law and in practice? 	<p>Zambia is moving towards this more especially that the new government has enacted the ATI law. We also have a growing number of private radio stations and Televisions that are operating both in the urban and rural areas to ensure that communities are able to access news/current affairs without delay.</p>
Right to participate in public affairs	
<ul style="list-style-type: none"> ● Do citizens have the legal right and practical ability to obtain information about state operations and the means to petition 	<p>Online formats are available for citizens to obtain through visiting websites, the capacity of citizens to claim for the information that they would like to obtain still remains low.</p>

<p>government agencies for it - including through online formats?</p>	<p>With the enactment of the ATI law, there still remains a great need to enhance community capacity on how to approach appropriate government office to request information that they may need from time to time.</p>
<ul style="list-style-type: none"> ● Are civil society groups, interest groups, journalists, and rights-holders from marginalized communities given a fair and meaningful opportunity to comment on and influence policy and law-making? Which communities in your national context are usually excluded from these forms of political participation? 	<p>The opportunities to comment on and offer meaningful chances to participate in law and policy making process is usually restricted to CSOs and interest groups that are domiciled in Lusaka. For ZCSD, we take every opportunity in this regard to engage our members during such consultations. It is very imperative that as government embarks on such, both urban and rural target groups are allowed to have a voice, and there are still gaps that need to be addressed regarding participation of women, youths, indigenous people and people with disability in the spaces that are currently existing.</p>
<ul style="list-style-type: none"> ● Regarding channels for influencing policy and law-making - are there any formal permanent structures developed to ensure that participation in decision-making processes is widely realized by providing spaces for routine interaction between public authorities and rights holders?: If yes, which types of structures are available in your country (if any)? - Coordinating body for participation embedded within the Government - Participation coordinators or facilitators embedded within ministries - Joint public-civil society councils, committees or working groups - Public hearings within parliamentary commissions - Citizen assemblies in order to build consensus and orientate policy and law-making - Framework agreements between public authorities and civil society actors to support participation. 	<p>Yes, such structures are available, a structure ZCSD would provide as an example is:</p> <p>The Law Development Commission was established through an Act of Parliament in 1996 so that it can conduct research and make recommendations on the socio-political values of the Zambian people that may be incorporated into legislation. the anomalies/provisions that need to be eliminated in the statute book. new and more effective methods of administration of the law in Zambia among other key tasks that it carries out.</p> <p>In doing the above, the Law Development Commission does consult CSOs and other stakeholders as they develop such laws.</p> <p>Regarding matters of Development in Zambia, there has been established the National Development Coordinating Committee (NDCC) at national level to which the CSO participate in making decisions at national level.</p> <p>Below the NDCC is the Provincial Development Coordinating Committee (PDCC) which sits and looks</p>

	<p>at the development priorities at provincial level, with the participation of religious leaders, NGO representatives, the business associations, local authorities, line ministries, and the Permanent Secretary at the province.</p> <p>Below the PDCC is the District Development Committee that draws its participation from the district and from the sectors as highlighted in the PDCC including the Ward Development Committees.</p>
<ul style="list-style-type: none"> ● Participation in decision-making processes could be available at different phases (agenda-setting, drafting, decision-making, implementation, monitoring and reformulation) and with different levels of intensity from provision of information, through consultation and dialogue, to partnership or co-drafting. To which of these phases and levels of intensity would participation practices correspond most of the time in your country? 	<p>We have had a situation where CSOs are approached to provide information. For instance Zambia is currently conducting an Non Profit Organisation Risk Assessment on FATF Recommendation 8 implementation in Zambia. This work is anchored in the Ministry Of Community Development and Social Services where the Oversight Committee has been set. ZCSD and other NPOs are members of this Committee and NGOs have been requested to provide information to actualize this assessment. Consultation and dialogue are done in the processes of making some decisions in Zambia but unfortunately to some stage where the CSOs may not influence for any outcomes</p>
<ul style="list-style-type: none"> ● In case structures for participation exist, have these been established at central, subnational and local levels? Only at the central level? Only at a decentralized level? 	<p>These exist at National , Provincial and District level</p>
<ul style="list-style-type: none"> ● To what extent equality of participation is ensured across all constituencies - especially for historically marginalized ones (for example women, children, young people, religious and ethnic minorities, indigenous people and persons with disabilities). 	<p>There are still gaps that need to be closed on participation of women, youths and people with disability in these spaces that are currently existing. In some cases, the infrastructure where such consultations/dialogues are made presents a barrier for participation. In other circumstances, language used during such processes hinder the indigenous people to effectively participate.</p>
Civil and Political rights and the SDGs	
<ul style="list-style-type: none"> ● To what extent the SDG implementation process has enabled improvements in the promotion, protection and exercise of civil and political rights (assembly, association, expression) in the country (if any)? 	<p>The enactment of the Access To Information Act seek to actualize the implementation of Goal 16 of the SDGs. It was also noted that commencing the process of reviewing the Public Order Act was a good move in the sense that once this law is reviewed, it will</p>

	<p>promote the enjoyment of civil and political rights which is a pre-requisite for Zambia to sustain the peace, while embracing all political players</p> <p>Specifically regarding participation in public affairs, has the SDG implementation process enabled the establishment of formal channels (transversal or sectorial; central or decentralized) allowing more permanent interactions and dialogue between public authorities and multiple stakeholders and rights holders?</p> <p>Not much of this has been achieved as Zambia. It is worth to note that under the Ministry Of Community Development and Social Services, efforts have been made to have more people covered under the Social Security Safety nets where government gives Social Cash Transfer (SCT) to the vulnerable but viable households.</p> <p>The government started this program in the year 2003 and the world bank is supporting this initiative of government which seek to lighten the burden of the vulnerable beneficiaries. This scheme was benefiting 750,000 in 2021 and by 2022 it was benefiting 994000 households. This is in the quest of achieving Goals 1 and 2 of the Sustainable Development Goals.</p>
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<ul style="list-style-type: none"> ● Has SDG implementation enabled any institutional innovations in order to increase participation levels in the country at any governance level (e.g. a wide-ranging and multistakeholder Sustainable Development Council at central or decentralized levels)? 	<p>No, the only thing done so far has been engagement of CSOs and Media representatives done both in the rural and urban meetings (In Mansa and also Lusaka) to participate in the review that ZCSD conducted.</p>
<ul style="list-style-type: none"> ● Has SDG implementation allowed participatory processes regarding: <ul style="list-style-type: none"> - Formulation of national development plans - Formulation of national action plans - Formulation of a specific national strategy for SDG implementation 	<p>Yes, to some degree, there has been some participatory processes regarding Formulation of national development plans through the DDCC from the district level upto the NDCC at national level. Under the Ministry of Community Development and Social Services NGOs are also participating in the Joint</p>

<ul style="list-style-type: none">- Formulation of cross-sectoral policies- Formulation of sectoral policies- Co-monitoring of policies- Co-reformulation of policies- Consultation around the VNR	<p>Annual Review (JAR) for all the social protection schemes that are implemented by government through this Ministry.</p> <p>https://www.unicef.org/zambia/media/2901/file/Join%20Annual%20Review%20Report%202021%20:%20Social%20Protection.pdf</p> <p>Regarding the consultation on the NVR, the government is consulting with a few organizations that do not provide feedback to their peers and this collaboration needs to be strengthened for the NGO sector to meaningfully participate. Other than the above, other processes if are happening, the NGOs are not participating, a situation that needs to be corrected. CSOs are concern that collaboration around the VNR, involvement in co-monitoring of sector policies is only done at national level.</p>
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