



# General Assembly

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## Human Rights Council

### Thirty-sixth session

11-29 September 2017

Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by the Liberal International (World Liberal Union), a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-15178(E)



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## **Call for Democracy and Rule of Law in Zambia**

Liberal International welcomes the United Nations' ongoing activities in the support of democracy around the world and reiterates its support for the recently established *UN Forum on Human Rights, Democracy and the Rule of Law* in an effort to "identify and analyse best practices, challenges and opportunities for States in their efforts to secure respect for human rights, democracy and the rule of law."

This statement would like to pay specific attention to the appalling human rights record and the suppression of basic political freedoms in Zambia in light of the declaration of a state of emergency by President Edgar Lungu on 5 July 2017. This comes shortly after the arrest of the leader of the United Party for National Development (UPND), a full member of the Africa Liberal Network (LI cooperating organisation) and Zambia's largest opposition party, Mr Hakainde Hichilema, on charges of treason. The extended security measures decreed by the state of emergency are considered an attempt to stifle opposition to President Lungu's government following reports of fraudulent electoral behaviour in August 2016. The situation in Zambia has deteriorated into an assault on democracy and the collapse of the rule of law, with serious and frequent human rights abuses.

### **Recognising that:**

- On 11 August 2016 President Edgar Lungu was elected as President in an election that was largely characterised by tension and violence
- Reports of fraudulent behaviour, mismanagement of ballots, violence, intimidation and persecution of opposition parties were rife during this time which motivated the UPND to petition the Constitutional Court to investigate
- The independence of the judiciary was seriously questioned after various attempts for a petition were dismissed without being heard by three Constitutional Court judges, who in turn took the decision without including two other Constitutional Court judges
- Violation of human rights is unlawful and the bullying attitude directed to opposition leaders, voters, supporters and members is undemocratic and designed to restrict political participation and suppress political freedom
- According to the conclusions of a report published by Amnesty International the process indicates a clear attempt by the government to silence the opposition and dismantle democracy at large
- President Lungu, his party and supporters, have taken what was once a beacon of hope and a symbol for democracy in the region to a politically and economically disgruntled country with sliding record on human rights

### **Stressing on the fact that:**

- In October 2016 and subsequently in April 2017, UPND leaders Hakainde Hichilema and Geoffrey Mwamba were arrested and charged as part of a politically motivated witch-hunt against the opposition
- The judicial process was not appropriately followed through as the charges were signed by a junior official in the prosecution authority instead of the national prosecution
- It was only after an intervention by the Commonwealth Secretary-General, Patricia Scotland, and the President of the Africa Liberal Network, Stevens Mokgalapa, that Hakainde Hichilema and his co-accused were released from prison and all charges dropped on 16 August 2017

### **Affirming that:**

- The implementation of an extended state of emergency by President Lungu in July 2017 is an attempt to increase his grip on power and to further suppress and intimidate opposition
- The additional three-month period will place unlimited power in the government and security forces' hands, which is being used to intimidate and threaten opposition parties and citizens alike
- These security measures include the prohibition of public meetings, the closure of roads, imposed curfews and restricted movements, all to be enforced by security forces

- Police use of excessive force to control crowds and in certain cases live ammunition is utilized for the purpose of dispersing protesters
- On 8 July 2017 a young woman was killed during a protest in Chawama Township in Lusaka, when police opened fire to break up a crowd of protesters
- Arbitrary arrests of members of the opposition have been reported since the implementation of the state of emergency, along with accounts that said members have been systematically removed from public service in an attempt by the governing party to consolidate power in government
- Freedom of speech has been severely inhibited and the independence of the media has been halted. Only state media is currently being allowed to report with strong censorship. Intimidation of the press include the seizing of printing presses, arrests and assault of editors and journalists and the suspension of broadcasting licences

**Recalling:**

- Liberal International written statement to the 31<sup>st</sup> Session of the United Nations Human Rights Council on the deterioration of the state of democracy and the rule of law around the world

**Calls on:**

- The government of Zambia to respect due judicial process, the rule of law, human rights and democratic processes
- The government of Zambia to lift the state of emergency as it is being used as an instrument to intimidate opposition, control the media, consolidate power and infringe upon human rights
- The government of Zambia to cease the arbitrary arrest of opposition party members and their leaders
- International regional bodies including the Southern African Development Community and the African Union to show leadership and lead the necessary intervention in Zambia in order to restore democracy and rule of law
- The government of Zambia to honour all of its commitments under the African Charter on Human and People's Rights and cease immediately and unconditionally all forms of persecution of the opposition and pro-democracy supporters
- The international community to increase the pressure on the government of Zambia in order to stop the human right abuses and suppression of political and civil rights in the country
- The United Nations, the Commonwealth, and the European Union to increase their support to the people of Zambia by engaging the government towards a system that could stop human rights abuses and all practices deemed inconsistent with the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights

**Commits:**

- For liberal parliamentarians in government and in opposition across the world to take a firm stand in their parliaments and speak up against the indecent treatments of opposition leaders and supporters in Zambia
  - For Liberal International and its Human Rights Committee to continue to work with the Africa Liberal Network, its leadership and member parties in addressing the deteriorating situation in Zambia and in extending full support to the liberal opposition
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