



# Asamblea General

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## Consejo de Derechos Humanos

37º período de sesiones

26 de febrero a 23 de marzo de 2018

Tema 6 de la agenda

Examen periódico universal

## Comunicación escrita de la Comisión de Derechos Humanos de Zambia\*

### Nota de la Secretaría

La Secretaría del Consejo de Derechos Humanos transmite adjunta la comunicación presentada por la Comisión de Derechos Humanos de Zambia\*\*, que se reproduce a continuación de conformidad con el artículo 7 b) del reglamento que figura en el anexo de la resolución 5/1 del Consejo, según el cual la participación de las instituciones nacionales de derechos humanos se basará en las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos, incluida la resolución 2005/74, de 20 de abril de 2005.

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\* La institución nacional de derechos humanos tiene la acreditación de la categoría “A” ante la Alianza Global de Instituciones Nacionales de Derechos Humanos.

\*\* Se reproduce en el anexo tal como se recibió, en el idioma en que se presentó únicamente.

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## Anexo

*[Inglés únicamente]*

### Adoption of Universal periodic review outcome of Zambia

This statement is made by the Human Rights Commission of Zambia.

The Human Rights Commission wishes to recognise and commend the Committee for the professional manner the deliberations were handled, the 78 Countries that made oral and written submissions, CSOs who provided parallel reports and the Zambian Government for their commitment to open and transparent processes in reporting to the Human Rights Council. The ZHRC takes the UPR seriously as it provides practical steps toward promotion of human rights and opportunities for learning from other jurisdictions. It is our hope that the Zambian Government's firm commitment to putting in place a UPR implementation mechanism with a clear time bound implementation action plan combined with the resolve of the member states some of whom participated in the UPR for Zambia to assist by sharing experiences and capacity development, will enhance the progressive realisation of human rights in Zambia.

Mr Chairman,

We note that several recommendations which were not accepted are in fact in areas where Government has shown commitment by investing in legal and policy reforms and by prioritizing them in the 7<sup>th</sup> National Development Plan. We therefore would expect recommendations such as protection of freedoms (assembly, expression, association), eliminations of all forms of discrimination, protection of migrant workers and their families to be accepted by Government as there are current processes to reform the Public Order Act and other relevant legislation and policies. Also, we would expect the acceptance of recommendations to ratify optional protocols especially regarding death penalty as Government as accepted a moratorium on implementation of the judgements.

Mr. Chairman, the underlying human rights principles of universality, inalienability; indivisibility; interdependence and interrelatedness are fundamental ensuring that no one is left behind during the implementation of SDGs. They act as a radar in guiding domestic legislation, policies and development programmes. As stated in our advisory to government, it is still the view of the Commission that some recommendations noted should have been supported considering existing binding obligations from treaties, protocols and agreements the State is party to including voluntary pledges from previous UPR cycles and in reports to treaty committees; the principles of universality, inalienability; indivisibility; interdependence and interrelatedness of human rights; the obligations assumed by being a subscribing State to Sustainable Development Goals (SDGs); the interplay between some of those recommendations with the 7<sup>th</sup> National Development Plan; the guarantees in the Constitution, other laws, policies and practices related to recommendations;

The Commission is, nevertheless, optimistic government will continue ongoing dialogue regarding exploration of possibilities to expand the bill of rights including incorporation of economic, social and cultural rights as envisaged in the failed referendum of 2016, before the next general election in 2021.

Mr Chair,

We are pleased that Government has placed priority in the 7<sup>th</sup> National Development Plan on resolving issues pertaining to the Public Order Act, further constitutional

reforms to ensure greater access to human rights and elimination of inconsistencies and discretionary powers to officers.

The Commission is committed to working with government, CSOs and other stakeholders to ensure the UPR works to improve the state of human rights on the ground.

I thank you.

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