Zambia

The government committed to reforming the Public Order Act. The rights to freedom of expression, peaceful assembly and association continued to be violated. The Access to Information Bill was introduced to parliament. Rising prices threatened the right to food. The government made partial progress in fulfilling its promise to provide free education for children. High rates of early and child marriage persisted, despite legislation outlawing the practice. Extreme weather events and business activities undermined the right to a healthy environment.

Freedom of expression, association and assembly

Steps were taken to amend the Public Order Act (POA), following a review of its provisions by the Zambia Law Development Commission (ZLDC), a semi-autonomous statutory body. The ZLDC presented its review along with the Public Gathering Bill – which is intended to repeal and replace the POA – to the minister of home affairs and internal security for his consideration. For years, successive governments have used the POA to restrict the rights to freedom of expression, peaceful assembly and association of civil society organizations and opposition political parties. Section 5(4) requires that anyone intending to assemble or convene a public meeting, procession or demonstration gives the police seven days' notice. While formal approval from the authorities is unnecessary, the police have interpreted the provision to mean that permission is required, and have used it to target and arrest peaceful protesters or refuse to grant permission for protests. If adopted in its current form, the Public Gathering Bill could go some way to protecting the rights to freedom of expression, peaceful assembly and association.

In March, President Hichilema publicly reiterated his government's commitment to protect human rights, including by reforming the POA.

On 4 March, the NGO, Sistah Sistah Foundation, led a march in the capital, Lusaka to protest against the increase in sexual and gender-based violence. Between 6 and 7 March, police detained three foundation members and another protester on charges under POA provisions of unlawful assembly and giving the police false information, although the police had granted the organization a permit to proceed with the march. The police claimed that the demonstration's purpose was to "promote LGBTI rights", which differed from its stated aim. The members were released on police bond but their cases were pending further police investigation.

On 29 September, Elias Gabriel Banda, a youth activist and former president of the University of Zambia (UNZA) student union, was arrested in connection with student riots at the UNZA on 18 and 19 September. The accusations against him related to statements he posted on social media in early September. Following public demands for his release, he was freed on bail after seven days, and charged with criminal trespass and inciting violence. He was awaiting trial at the end of the year.

In October, the Independent Broadcasting Authority, a government body with a mandate to grant, renew, and suspend or cancel broadcasters' licences, made an official written complaint to the Hot FM radio station. The complaint concerned an interview in which historian Sishuwa Sishuwa spoke of a "growing public perception" that the president apparently considered himself "primarily as the leader of… one half of the country, mainly [those in ruling United Party for National Development strongholds]".

Right to information

The Access to Information Bill was introduced to parliament in November, following cabinet approval. If implemented, it could enhance the public's access to information, promote transparency and accountability, and allow for more active participation in governance processes.

Economic and social rights

The International Monetary Fund agreed in August 2022 to provide Zambia with a USD 1.3 billion bailout loan, after the country defaulted on its debt repayments in November 2020. The loan, to be paid in instalments, came with stringent conditions, including that Zambia reach agreement with all official creditors on debt restructuring. By the end of 2023, only USD 188 million of the loan had been received. The shortfall led to substantial public spending cuts, placing additional financial burdens on people. Although the government increased the healthcare budget, this fell short of what was needed to ensure adequate access to health rights. A deal to restructure the debt was reached in principle in June but in November creditors rejected the deal, which, along with the increasing cost of food, electricity and medicine, further undermined the government's ability to fulfil obligations relating to economic and social rights.

Despite cuts, the increase in the 2023 social protection budget to the equivalent of USD 347,474 from USD 270,258 in 2022, was expected to contribute to the effective implementation of schemes to reduce poverty and inequality. These included: the social cash transfer scheme, which entitles households to monthly payments if they have, for example, elderly members, people with severe disabilities or who are chronically ill, or households headed by a child or a woman with at least four children; the provision of food aid; and public service pension funds. These positive measures were somewhat negated by the adverse economic impact on the would-be beneficiaries of monthly increases and fluctuations in fuel prices, leading to an inflation rate of 9.9% in July, up from 9.7% in June. This contributed to increases in the already high cost of living, undermining residents' ability to afford essential goods and services.

Right to food

While food prices were prohibitive for most people, the rising costs particularly affected the 54.7% of the population who were already living in poverty. According to the Jesuit Centre for Theological Reflection, the cost of roller mealie meal – a dietary staple – had increased by nearly 21% in September compared to the same month in 2022.

Right to education

The government's Free Education Programme, which benefitted children of primary school age, was rolled out in January. Education facilities were improved, as were teacher/pupil ratios when an extra 4,500 teachers were recruited. However, there was only one teacher per 80 learners, according to ActionAid Zambia, whereas Ministry of Education guidelines required a ratio of at least one teacher per 40 learners. Increased enrolment in rural schools meant that teachers were forced to take up roles for which they were unqualified.

Women's and girls' rights

Early and child marriage persisted despite the enactment of the Children's Code Act No. 12 in 2022, under which the practice is prohibited. According to UNICEF, 29% of women aged between 20 and 24 were married below the age of 18. Teenage pregnancy, which affected 29% of all teenage girls and women, was a main cause. Rates of early and child marriage were higher in rural areas, particularly in Katete district, in the Eastern Province.

Right to a healthy environment

The country experienced extreme weather events during the 2022/2023 rainy season. Areas affected by flooding included the Mazabuka, Monze, Choma, Sinazongwe and Namwala districts in the Southern Province; Mambwe, Lusangazi and Chama districts in the Eastern Province; and Mumbwa district in the Central Province. The Disaster Management and Mitigation Unit, a statutory body, reported that over 400,000 people were affected. Five people died and 10,000 were displaced into temporary camps. There was widespread damage to homes, farmland and livestock; many people had no access to healthcare and education when heavy rain destroyed key infrastructure.

In August, the government amended the Environmental Management Act No. 8 of 2023 with the aim of improving environmental protection and conservation measures in relation to the use of natural resources and waste management. It also provided greater penalties for those not adhering to its regulations.

In November, the minister of green economy and environment, accompanied by Environmental Management Agency officials, inspected forestry and mining activities in the Copperbelt in the Central Province. They found that six gold processing companies operating plants in Mumbwa district – Asal Trading Company; Zoncor Mining Company Limited; Mutumba Women's Club (Gold processing plant); Gazi Company Limited; PuleRay Company Limited; and Orezone Mining and Exploration Limited – had flouted Environmental Management Act provisions, including by releasing untreated wastewater, thereby polluting the environment. In the same month, the government ordered them to cease their operations on grounds that they lacked written approval from the Environmental Management Agency.