



# **THE REPUBLIC OF ZAMBIA**

**Responses of the Republic of Zambia to the recommendations it  
received during the Universal Periodic Review on May 9, 2008**

**8<sup>th</sup> Session of the Human Rights Council  
2<sup>nd</sup> – 18<sup>th</sup> June 2008**

**Geneva  
12<sup>th</sup> May 2008**

Check against Delivery

Under Paragraph 59 of the report of the Working Group of the Universal Periodic Review, the Republic of Zambia undertook to examine eleven (11) recommendations and to provide responses at the 8<sup>th</sup> Session of this Council. With regard to the eleven recommendations, the Republic of Zambia wishes to state the following:

1. that it supports the recommendation by Slovenia relating to the interpretation of statutory law and setting enforcement mechanisms that protect both unionised and non-unionised workers equally and without discrimination.
2. that it supports the recommendation by Austria to strengthen the prohibition of discrimination in the context of the current Constitutional review process and the adoption of legislation to ensure full implementation of the CEDAW.
3. that it supports the recommendation to consider adhering to the optional protocol to CEDAW as recommended by Brazil.
4. that the recommendations to transform the de facto moratorium on death penalty into de jure moratorium that were made by France, United Kingdom of Great Britain and Northern Ireland and Chile, do not, at present, enjoy its support. This is as a result of the view that the majority of Zambians hold on the matter as evidenced by the submissions to the Constitutional Review Commission. However, the National Constitution Conference is currently deliberating this very

important matter and Zambia's position will be certain once the Constitution making process is completed.

5. that it supports the recommendation of the United Kingdom of Great Britain and Northern Ireland to sign the optional protocol to the Convention against Torture.

6. that the recommendation that was made by Norway to amend the defamation provision in the Penal Code does not, at present, enjoy the support of the Republic of Zambia. Zambia wishes to reiterate her position that this provision is not targeted at journalists as has been suggested. In this regard, the Council is referred to the response to recommendation number 11 under paragraph 59 of the report of the Working Group.

7. that it supports Norway's recommendation to adopt the Freedom of Information Bill.

8. that it supports the recommendation that was made by the Democratic Republic of the Congo relating to the domestication of international treaties that it is a party to, in so far as they relate to provisions that are not within its domestic laws. In this regard, one of the activities she intends to undertake during the implementation period of the Fifth National Development Plan is domestication of international human rights treaties.

9. that it supports Mexico's recommendation to consider ratifying the Convention on the Rights of Persons with Disabilities and the Convention on the Protection of the Rights of all Migrant, Workers and Members of their Families.

10. that it supports recommendations that were made by Italy and Canada on the draft Constitution relating to equality before the law and prohibition of any culture, custom or tradition that undermine the dignity, welfare, interests or status of women. As earlier stated this is an issue which is being deliberated upon by the National Constitutional Conference which is an on-going process.

11. that the recommendation by Ireland to reform the Penal Code in relation to the prosecution of journalists does not enjoy the support of the Republic of Zambia on the basis that there are no provisions in the Penal Code or indeed any other law that are targeted at Journalists. The provision relating to defamation of the President applies to all individuals within the territory, and not journalists alone, as has been suggested.