



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

30 October 2023

Sir,

I have the honour to refer to the fourth cycle review of the Zambia by the Universal Periodic Review (UPR) Working Group at its 42<sup>nd</sup> session in January/February 2023. The constructive engagement between your Government, my Office, and the UPR mechanism is warmly welcome. As the final outcome report on the review of Zambia was recently adopted by the Human Rights Council at its 53<sup>rd</sup> session, I have also taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/zm-index>) and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "UPR practical guidance" and the "UN good practices" repository on how the UPR process supports sustainable development, available at <https://www.ohchr.org/en/hr-bodies/upr/upr-main>, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Sir, the assurances of my highest consideration.

A handwritten signature in blue ink, appearing to be 'V. Türk', written in a cursive style.

Volker Türk

His Excellency  
Mr. Stanley. K. Kakubo  
Minister for Foreign Affairs & International Cooperation  
of Zambia



### **Observations in light of the outcome of the fourth cycle of the Universal Periodic Review**

Steps to repeal relevant provisions in the Penal Code and the Criminal Procedure Code in order to abolish the death penalty are most welcome, as well as the commencement of the process to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to the abolition of the death penalty, as mentioned by the delegation of Zambia during the review. It is urged that all sentences of capital punishment be commuted to terms of imprisonment.

Equally positive is the fact that several recommendations relating to the enactment of the anti-torture bill enjoyed the support of Zambia. In this regard, the Government is encouraged to complete the review process of this bill to ensure its alignment with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to enact the bill as soon as possible.

Due note is taken of the statement by the delegation of Zambia that recommendations relating to the rights of LGBTIQ+ persons did not enjoy the support of Zambia because they were not aligned with the principles and values as prescribed in the country's Constitution. The Government is encouraged to reconsider its position on the recommendations in question, bearing in mind the provisions of various international human rights conventions, including those ratified by Zambia.

The delegation of Zambia also mentioned notable efforts made to promote the welfare of persons with albinism, such as ensuring their access to cancer clinics. The Government is encouraged to build on these efforts including by specifically ensuring the protection of persons with albinism from discrimination, exclusion, stigmatization, and violence, as well as taking steps to counter superstitious beliefs held in relation to them.

Positive note has been taken of the launching of the eighth national development plan, focusing on economic transformation and job creation, human and social development, environmental sustainability, and good governance. The matrix may be of use in the implementation of this plan. The Government is encouraged to link each UPR recommendation to corresponding recommendations of other international or regional human rights mechanisms and to the relevant SDGs and its targets. This would, in turn, facilitate the creation of synergies between UPR implementation and SDG related actions and reporting within the context of the Voluntary National Review (VNR).

The establishment of the National Mechanism for Implementation, Reporting and Follow-up is noteworthy. Zambia is encouraged to operationalize this Mechanism as soon as possible, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council ([A/HRC/50/64](#)).



Further, an important measure that could positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report some two years after the adoption of the UPR outcome. In this regard, Zambia may wish to consider submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.

OHCHR  
30 October 2023