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Human Rights Commission

Head Office

1st June 2025
Press Release
For Immediate Release

HUMAN RIGHTS COMMISSION CALLS FOR CONTINUED ENJOYMENT OF THE RIGHT TO FREEDOM OF EXPRESSION WHILE RESPECTING THE RIGHTS, FREEDOMS AND REPUTATIONS OF OTHERS

The Human Rights Commission (the Commission) is urging everyone not to be constrained by the revised Cyber Security Act and Cyber Crimes Act from exercising the fundamental right to freedom of expression and opinion.

The Commission has observed that the recent amendments and enactment of the Cyber Security Act, No. 3 of 2025 and the Cyber Crimes Act, No. 4 of 2025 have created an aura of apprehension and fear that the legal reforms are aimed at suppressing freedom of expression.

The enactment of the revised cyber laws should not undermine the enjoyment of the fundamental rights, especially the right to freedom of expression which is indispensable to the promotion of Constitutionalism, the Rule of Law, as well as the promotion and protection of other human rights.

The Commission's understanding, which is based on the contemporary United Nations Convention against Cybercrime, is that the Cyber Acts are meant to prevent and combat cybercrimes and make the cyber space an inclusive, free and safe environment for all law-abiding individuals.

Therefore, it is expected that the enforcement of cyber laws will not result into violations or abuse of human rights. In an event that human rights will be violated or abused, adequate safeguards exist to ensure that the perpetrators are held accountable, while victims are granted effective remedies in accordance with the due process and equal protection of the law.

The Commission is urging the Government and other State actors as the primary duty bearers, to ensure that the enforcement of cyber laws is always lawful, necessary, proportional and consistent with the established international human rights standards and obligations.

In particular, the Commission’s expectation is that the application of the cyber laws will be consistent with the UN Convention against Cybercrimes which was adopted by the UN General Assembly on 24th December, 2024.

It is important to note that the international community, through the UN, has expressed concern that “the use of information and communications technology systems can have a considerable impact on the scale, speed and scope of criminal offences, including transnational organized crimes such as terrorism, trafficking in persons, smuggling of migrants, drug trafficking and money laundering”.

Therefore, the UN has resolved, as a matter of urgency, to strengthen international cooperation by, among other measures, enacting laws aimed at preventing and combating cybercrime, in view of its “negative economic and social implications and its ability to undermine sustainable development and the rule of law”.

However, the UN is explicit that nothing in the Convention shall be interpreted as permitting the suppression of human rights or fundamental freedoms, including the right to freedom of expression.

The Government is urged to maintain a healthy balance between meeting its complementary obligations of preventing and combating cybercrimes on one hand and respecting digital rights on the other hand.

Finally, the Commission wishes to remind all the rights holders that the right to freedom of expression and privacy are subject to restrictions aimed at protecting national security, public order, public health or morals, as well as respect for the rights and reputations of others.

Therefore, the Commission is urging everyone to freely enjoy their digital rights while refraining from using the cyber space for committing crimes and abusing the rights and reputations of others.

(Original Signed)

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Spokesperson/ Director-Education, Training & Advocacy
HUMAN RIGHTS COMMISSION