

Human Rights Commission

ANNUAL REPORT 2009



Human Rights Commission

ANNUAL REPORT 2009

Design & Layout: Oscar Chisenga
Human Rights Commission - Zambia

ACKNOWLEDGMENTS

The year 2009 marked twelve years since the Human Rights Commission began its operations in April 1997. Through these many years, the Commission has enjoyed the support and cooperation of numerous partners. Through the successes and the challenges, it has been gratifying to note that the Commission has been blessed with goodwill and support from stakeholders that are keen to see an improvement in the situation of human rights in Zambia.

The Commission particularly extends its gratitude to the following for providing financial and material support in 2009:

- Government of the Republic of Zambia
- United Nations Development Programme
- Save the Children Norway
- Save the Children Sweden
- Office of the United Nations High Commissioner for Human Rights
- Governance Secretariat (Ministry of Justice)

The Commission also acknowledges the cooperation of other partners who made its work easier in 2009. These include the Zambia Police Service, the Zambia Prison Service, the Judiciary, Government Ministries and Departments, embassies and high commissions accredited to Zambia, civil society and the public in general.

The Human Rights Commission looks forward to your continued partnership and cooperation as we, together, continue to build a sustainable culture for human rights in Zambia.

CHAPTER 1: THE HUMAN RIGHTS COMMISSION

| | |
|--|----|
| Legislative Mandate | 6 |
| Members of the Commission | 6 |
| The Commissioners | 8 |
| Human Rights Commission Management | 9 |
| Strategic Objectives | 11 |

CHAPTER 2: COMPLAINTS HANDLING AND PRISON INSPECTION

| | |
|--|----|
| Complaints Received | 12 |
| Complaints Investigated | 14 |
| Northern Province Prisons Inspection | 14 |

CHAPTER 3: HUMAN RIGHTS EDUCATION AND INFORMATION

| | |
|--|----|
| Human Rights Education through Community Radio | 21 |
| Human Rights Education for Police and Prison Officials | 23 |
| Human Rights Education in Secondary Schools | 24 |
| Radio Programmes | 24 |
| Upgrading Commission website | 24 |
| Media Engagement | 25 |
| Commemoration of World Press Freedom Day | 25 |
| Collaboration and Networking | 25 |

CHAPTER 4: RESEARCH, ADVOCACY AND PLANNING

| | |
|---|----|
| Annual State of Human Rights Report | 27 |
| Employment and Labour Related Rights | 29 |
| Review of National Plan of Action 1999 - 2009 | 30 |
| Draft 2010-2020 National Plan of Action | 31 |
| Development of Monitoring and Evaluation System | 31 |
| Information and Documentation Centre | 31 |
| Collaboration and Networking | 31 |

CHAPTER 5: HIV/AIDS AND HUMAN RIGHTS

| | |
|---|----|
| Stakeholders Consultative Workshop | 33 |
| Review of Legislation Relating to HIV and AIDS | 34 |
| Training of support groups on HIV/AIDS and human rights | 35 |
| Campaign against GBV and HIV/AIDS | 35 |
| Collaboration and Networking | 37 |

CHAPTER 6: CHILDREN’S RIGHTS

| | |
|---|----|
| Launch of the Office of the Commissioner for Children ----- | 40 |
| Inspection of children’s correction facilities and detention centres----- | 40 |
| Children’s Rights Website ----- | 41 |
| Commemorations ----- | 41 |
| Monitoring Implementation of the CRC ----- | 42 |
| Collaboration and Networking ----- | 42 |

CHAPTER 7: FINANCE AND ADMINISTRATION

| | |
|--------------------------------------|----|
| Funding to the Commission ----- | 44 |
| Staffing ----- | 46 |
| Staff Training and Development ----- | 47 |
| Performance Appraisal System ----- | 49 |

CHAPTER 8: ANNEXTURES

| | |
|--|----|
| Financial Statements ----- | 50 |
| Selected Press Statements ----- | 63 |
| Strategic Plan ----- | 70 |
| Members of Staff under the Secretariat ----- | 71 |

1.1 Legislative Mandate

The Human Rights Commission is established under Article 125 of the Constitution of Zambia as an independent body, founded in 1997. The Commission draws on a wide mandate outlined in the Human Rights Commission Act No. 39 of 1996 to promote and protect human rights for all people in Zambia. Under Article 125(2) of the Constitution and Section 3 of the Human Rights Commission Act, the Commission is guaranteed autonomy in discharging this mandate. Its functions as contained in section 9 of the Human Rights Commission Act are as follows:

- To investigate human rights violations;
- To investigate any maladministration of justice;
- To propose effective measures to prevent human rights abuse;
- To visit prisons and other places of detention and related facilities with a view to assessing and inspecting conditions of the persons held in such places and make recommendations to redress existing problems;
- To establish a continuing program of research, education, information and rehabilitation of victims of human rights abuse to enhance the respect for and protection of human rights; and
- To do all such things as are incidental or conducive to the attainment of the functions of the Commission.

In addition, the Commission is empowered in Section 10 to investigate any human rights abuses either on its own volition or on receipt of a complaint or allegation by an aggrieved person acting in such person's own interest; an association acting in the interest of its members; a person acting on behalf of an aggrieved person or a person acting on behalf of and in the interest of a group of or class of persons.

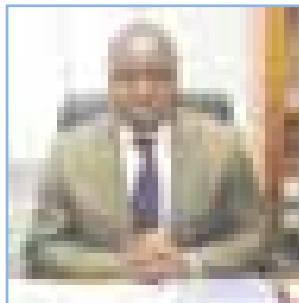
1.2 Members of the Commission

The first members of the Commission, headed by Justice Lombe Chibesakunda, were appointed in April 1997 when the Commission was established. In April 2004, Justice Chibesakunda was succeeded by Mr. Mumba Malila, SC, who served as Chairperson until his appointment as Attorney General of the Republic of Zambia in November 2006. Following Mr. Malila's departure, Mrs. Pixie Kasonde Yangailo who served as Vice Chairperson then took over as Chairperson. Mr. Palan Mulonda, a law lecturer and Legal Practitioner, was appointed as Vice Chairperson in November 2007.

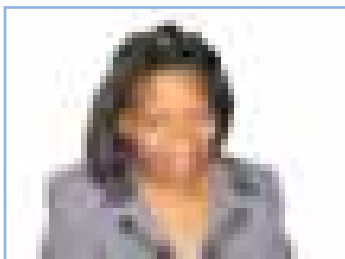
THE COMMISSIONERS



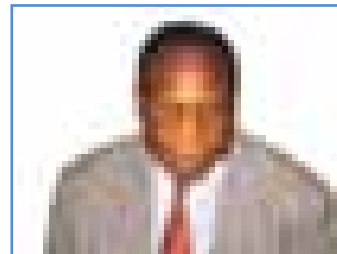
Mrs. Pixie Kasonde Yangailo,
Chairperson



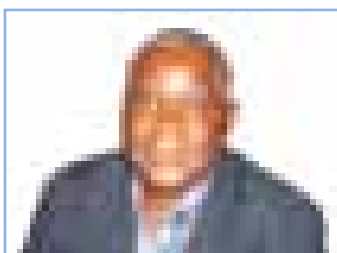
Mr. Palan Mulonda
Vice Chairperson



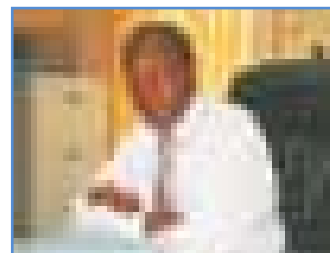
Pastor Godfrida Sumaili
Commissioner



Mr. Kenneth Maduma
Commissioner



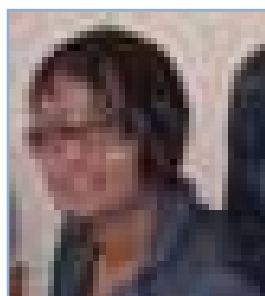
Mr. Alfred Sakala
Commissioner



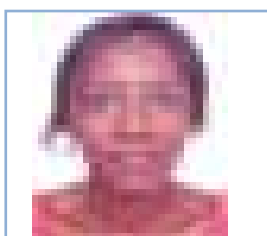
Mr. Enoch Mulembe
Director/Secretary

Human Rights Commission Management

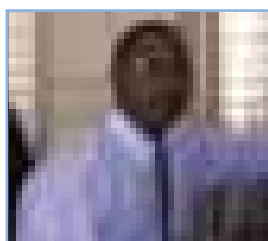
Below are the rest of the senior members of staff that served the Commission in 2009.



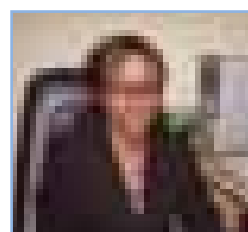
Mrs K. Kapin'a Nkombo
Deputy Director



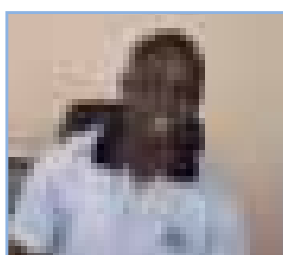
Hope Ndhlovu Chanda
Chief Research and
Planning



Samuel Kasankha
Chief Information,
Education and Training



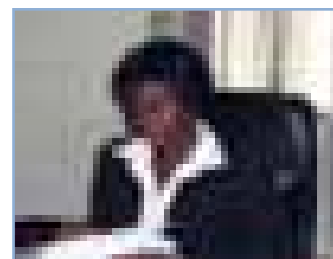
Rumbidzai Mutasa
Principal Legal Counsel



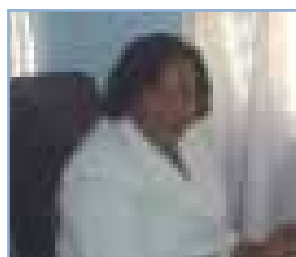
Jew Moonde
Principle Investigation Officer



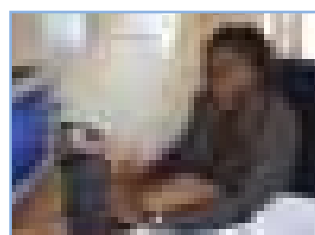
Siatakwi Shakespeare
Provincial Coordinator -
Copperbelt



Inambao Kabandala
Head Finance and Accounting



Elizabeth Chileshe
Head Human Resource and
Administration



Irene T. Kalunga
Internal Auditor

Staff of the Human Rights Commission



Some members of Staff of the Commission with Insight Consulting Performance Improvement Training Consultant Leonard Nyirongo at a workshop held from 24 to 26 November 2009.

Seated from right are Leonard Nyirongo, Mrs Elizabeth L. Chleshe - Head Human Resource & Administration, Shakespeare Siatakwi - Provincial Coordinator Copperbelt and Samuel Kasankha - Chief, Information, Education and Training Officer. Standing in back row from left to right are Yotham Tembo - Stores Officer, Simon Mulumbi - Information Officer, Michelo Mulyila - Administrative Officer, Oscar Chisenga - Materials Production Officer - Irene T. Kalunga - Internal Auditor, Hepson Mulendele - Assistant Accountant, Lisbon Chaamwe - Investigation Officer - Chipata Province, Peter Kanunka - Senior Investigation Officer, Mable Simwanda - Investigation Officer Livingstone, Noel Konga - Purchasing Officer, Patrick Mtonga United Nations Volunteer, Kebby Mailila Investigations Officer - Kasama, David Kalindi - Investigations Officer Mongu, Mwansa Malupande - Children's Rights Programs Officer and Enoch Mulembe - Director

1.3 Strategic Objectives

The Strategic Plan for the period 2007-2011 sets out four strategic objectives, which the Commission pursues in order to be effective in the execution of its mandate. These are:

Governance and Institutional Development - By the end of 2011, the Human Rights Commission will be an accountable, transparent, efficient, effective and well-coordinated institution with presence in every province of Zambia.

Research, Advocacy and Planning - By 2011, the Human Rights Commission will have positively influenced and monitored development and observance of key national and international human rights standards by all stakeholders.

Investigations and Rehabilitation - By the end of 2011, the Human Rights Commission will have improved its capacity to effectively investigate and handle different forms of human rights violations and facilitate rehabilitation of victims of human rights abuses throughout the country.

Information Management, Education and Networking - By the end of 201, the Human Rights Commission will have empowered the majority of the people in Zambia with information, knowledge and skills in promoting and protecting human rights in Zambia.

2.1 Introduction

In section 10(1) of the Human Rights Commission Act No. 39 of 1996, the Commission has a mandate to investigate allegations of human rights abuse. The Commission, on its own volition or on receipt of complaints from individuals or groups of persons, initiates investigations into human rights violations. The mandate of the Commission contained in the Act includes that of visiting prisons and places of detention or related facilities with a view to assessing and inspecting conditions of persons held in such places and make recommendations to redress existing problems. The Commission has carried out this mandate since inception in an effort to ensure that the minimum international standards on the treatment of prisoners are adhered to. The inspections undertaken by the Commission highlight, among other things, the treatment and conditions of persons in prisons and other places of detention such as police stations; the physical conditions of detention centres; and the welfare of the officers manning these facilities.

The Investigations and Legal Department primarily deals with complaints of human rights violations and is charged with the responsibility of carrying out the Commission's mandate relating to the inspection of prisons and other places of detention. The objectives of this department according to the Strategic Plan for the period 2007-2011 are as follows:

Strategic objective

By the end of 2011, the Human Rights Commission will have improved its capacity to effectively investigate and handle different forms of human rights violations and facilitate rehabilitation of victims of human rights abuses throughout the country.

Operational objectives

To strengthen the investigative capacity of the Commission in handling different forms of human rights violations

To strengthen linkages and collaboration between the Commission and stakeholders involved in investigations of human rights abuses

To develop and implement a system of rehabilitation of victims of human rights abuse

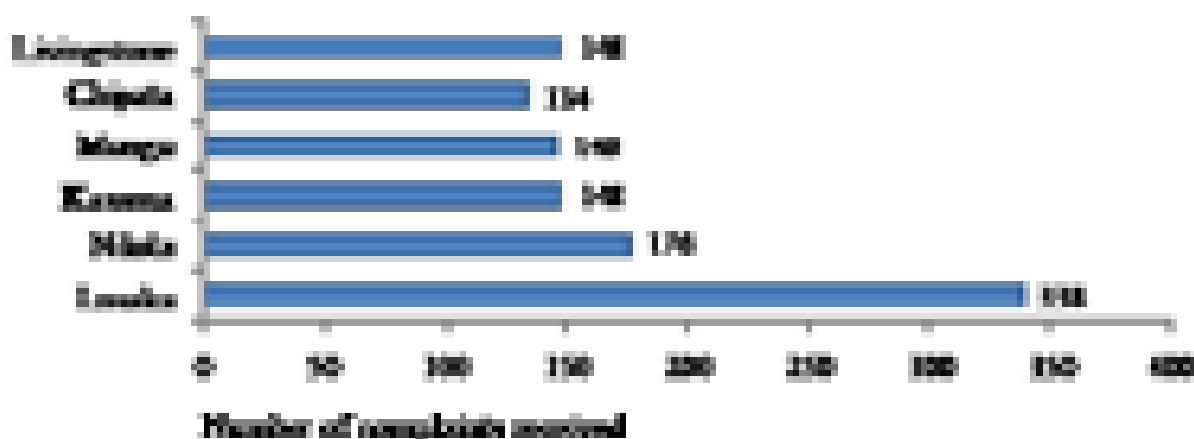
2.2 Complaints Handling

a) Complaints received

Through provincial offices located in Chipata, Kasama, Livingstone, Mongu and Ndola, the Commission has been able to receive more complaints than in the years before the establishment of these offices, which have also enhanced its coverage and accessibility in the country. The Commission uploaded a complaints registration form on its website, www.hrc.org.zm, to make it easier for individuals who cannot physically access its services to lodge complaints via the Internet.

During the year under review, the Commission received a total of 1093 complaints of human rights violations. The complaints were lodged at the head office in Lusaka and the five provincial offices indicated above. In compliance with the Human Rights Commission Act, the Commission employed strict admissibility criteria that permitted only complaints within its mandate to be lodged. Legal advice was, however, given on complaints that could not be handled by the Commission as these were not within its jurisdiction. The Commission dealt with 29 such cases in 2009.

Chart 2.1: Complaints received per office in 2009



Of the complaints received in 2009 about 50% relate to labour and employment rights. It has been a common trend since inception that complaints centred on labour and employment rights constitute the bulk of those received by the Commission. As a result, the Commission has started engaging the Labour Office to help address the issues that account for the numerous complaints received on labour and employment related rights. The Commission also recorded a significant number of complaints relating to torture and unlawful detentions, maladministration of justice, victimisation, child abuse and the violation of the right to property.

Table 2.1: Statistics on nature of complaints received

| Complaint type | No. received % (1093) |
|------------------------------|-----------------------|
| Employment and labour rights | 52.8 |
| Unlawful detention | 6.9 |
| Victimisation | 5.4 |
| Children's rights | 4.9 |
| Compensation | 4.3 |
| Maladministration of justice | 4.1 |
| Delayed Justice | 3.6 |
| Land disputes | 3.1 |
| Right to property | 2.4 |
| Succession rights | 2.1 |
| Torture | 1.6 |
| Right to health | 1.1 |
| Marital | 1 |
| Non - discrimination | 1 |
| Education | 0.8 |

| | |
|------------------------|------------|
| Right to shelter | 0.6 |
| Extra judicial killing | 0.5 |
| Harassment | 0.5 |
| Right to marry | 0.2 |
| Right to nationality | 0.2 |
| Right to privacy | 0.1 |
| Legal advice | 2.8 |
| Total | 100 |

b) Complaints investigated

The Commission investigated a total of 810 complaints of those received during the year under review. Over 90% of the complaints were successfully resolved through mediation and the recommendations made by the Commission which were adhered to by the parties concerned.

Chart 2.2 Status of complaints by 31st December 2009



In dealing with complaints that do not fall within its jurisdiction, the Commission initiated collaborations with a number of organisations to which 195 complaints were referred. These included the Courts of Law, Legal Resources Foundation, Legal Aid Board, Zambia Police Service, Judicial Complaints Authority, National Legal Aids Clinic for Women and the International Justice Mission.

2.3 Northern Province Prisons Inspection

During the period under the review, the Commission carried out an inspection of detention facilities in Northern Province which included Milima State Prison, Chisanli Prison, Mbala State Prison, Isoka State Prison, Mpika State Prison, Mporokoso District Prison and Luwingu District Prison.

A number of police stations were also visited during the inspection tour. These included Kasama Central Police Station, Chinsali Police Post, Mungwi Police Station, Musa Police Post, Luwingu Police Station, Mporokoso Police Station, Mukupa Kaoma Police Post, Chitoshi Police Post, Matumbo Police Post, College Community Police Post and Chiba Police Post.

The Commission also carried out unscheduled visits to police cells as part of routine investigations into alleged human rights abuse by police officers. However, due to limited resource, both human and financial, routine inspections could not be done as often as required.

a) General Findings

I. Prisons

The major findings of the inspection tour of prisons in Northern Province include:

Prison population

The Commission recorded a total of 1,275 inmate population in Northern Province as at August 2009. This population is far beyond the recommended holding capacities of existing facilities which were specifically designed to accommodate smaller inmate populations. As a consequence, the prisons inspected were found to be extremely congested. It was also noted that the slow judicial process contribute to the high levels of congestion in prisons as inmates were kept for long time without trial.

Apart from being limited in terms of holding capacity, which is insufficient to cater for the growing inmate population in the province, the facilities were found to be very old and in a dilapidated state having been built during the colonial times. This general concern was also noted in previous findings of inspection tours conducted by the Commission in other provinces.

Access to justice

Article 13(3) of the Zambian Constitution states that any person arrested or detained upon reasonable suspicion of having committed or about to commit a criminal offence shall be brought without undue delay before the Court. In section 108, the Criminal Procedure Code (CPC) also requires that any person arrested must without unnecessary delay be brought before the Court.

The Commission, however, found that the treatment of the persons detained in the prisons inspected was in breach of both the law and the CPC. It was noted that some detainees were not appearing before court for various reasons such as missing indictments and lengthy periods of adjournments lasting up to five months. Some had stayed in prison for very long time before being committed to the High Court. For instance, at Milima State Prison it was discovered one female inmate was in detention for 15 months without appearing before court.

Torture

The Commission recorded many cases of torture despite its prohibition under the Zambian Constitution and the international human rights law. At Mporokoso District Prison, the Commission found 11 inmates who had been subjected to torture by identified police officers serving at Mporokoso police station. The Commission also received an allegation against a high ranking officer at the prison who used to victimise inmates when drunk.



HIV/AIDS in prisons

The Commission observed that HIV positive inmates were not subjected to manual work. In terms of treatment, the inmates received supplies of Anti-Retroviral Drugs (ARVs) from Kasama General Hospital. They also received surplus food in addition to the daily rations. The diet of inmates who are HIV-positive was supplemented with soya donated to prisons by the churches. It was found that special provisions were made to separate from the rest HIV-positive inmates who had shown signs of contagious diseases such as Tuberculosis (TB). The prisons had therefore maintained some cells exclusively for those inmates who were in this condition.

General conditions in selected prisons

a) Milima State Prison

The prison had three big cells for the male section built for a capacity of 40 people, although at the time of the inspection in each of them there were more than 50 inmates. The prison had a library, but it lacked relevant books and other information materials. Those found in the library were old and not relevant to the education needs of the inmates. The male section of the prison had toilet facilities inside cells and dormitories with some level of privacy, but lacked running water. The same was noted in the female section. In the dormitories, however, inmates were provided with mosquito nets, enough mattresses and blankets. The juvenile dormitory was found clean and had adequate ventilation and good lighting. It was noted that each juvenile had a mattress and blanket.

b) Luwingu District Prison

Built in 1947, the prison operated for 60 years without toilets in the dormitories. In 2007 a visiting judge condemned the prison and had it closed due to non-availability of proper toilet facilities. Despite the prison having been condemned, the Commission found 49 male convicts kept at the prison on 7th August 2009. The Commission observed that the prison was in a very bad state that posed a danger to inmates

c) Mporokoso District Prison

The Prison was opened in 1961 with an official inmate population of 30, but at the time of inspection, the Commission found that the prison had 116 inmates. The prison cells were clean with good lighting and ventilation. Water was readily available supplied Chambishi Water and Sewerage Company. The inmates had adequate mattresses and blankets. Those on ART treatment got the drugs from a nearby clinic about 200 metres away. The inmates received skills training in various crafts as part of rehabilitation.

d) Chinsali State Prison

The prison was built in the pre-colonial period with a holding capacity of 52 inmates. When the Commission visited the prison on 10th August, 2009, it had 144 inmates. The prison had no transport to take inmates to the hospital and for its operations. Although inmates had three meals a day, there was no special diet for HIV-positive inmates who are supposed to be put on proper diet.

Table 2.2: Complaints by inmates

| Prison | Complaints received from inmates |
|----------------------------------|---|
| Milima State Prison | Marvelous Kangwa complained that the prison had water problems for almost a year. The situation exposed inmates to health risks owing to the poor sanitary conditions they were subjected to. |
| | John Kapindula complained of staying too long in prison without appearing in court. The reason he was given was that the Magistrate was on holiday. |
| | Sharon Mutale told the Commission that her case was delayed as she was not yet committed to the Court. She stayed for one year without being committed. |
| | At the Juvenile section, complaints were received concerning delayed transfers to Katombora Reformatory School in Livingstone, Southern Province. |
| Luwingu District Prison | The inmates told the Commission that they lived in fear that the prison wall could collapse on them as it was falling apart. They also complained of poor sanitary conditions as there were no proper facilities. |
| Mporokoso District Prison | Inmates complained of having been tortured by identified Police Officers at Mporokoso Police Station before they were handled over to the prison. |
| Chinsali State Prison | Inmates complained of not being taken to hospital when they fell ill. They were told it was the duty of the police officers to take those in remand to hospital. |
| | Inmates complained that some suspects were taken directly from police cells to the remand prison without warrants of committal. |
| | Rasford Mwape informed the Commission that he was remanded for aggravated robbery on 18 th April, 2009, but had not been committed to the High Court by August. |
| | Elias Nongo was in remand pending trial for the offence of theft of a bicycle. At the time of his arrest, members of the Community Crime Prevention Unit (CCPU) who made the arrest also tortured him. |

Capacity and staff welfare

Understaffing is one of the biggest problems faced by prisons and police stations inspected, which might undermine capacity in the overall management of detention facilities in the province. During inspections, the Commission found that Northern Province had only 102 prison officials against a population of 1,275 inmates. This number of prison officials falls far short of the recommended 4:1 prisoner to warder ratio.

It was also found that the officers both at prisons and police stations serve under very difficult conditions. They lack necessary infrastructure, equipment and resources to respond to the needs of those in their custody. Apart from being lowly paid, the officers live in appalling conditions lacking basic necessities such as decent accommodation, water and electricity supply. Yet, providing Prisons and the Police with adequate resources is one of the most effective ways of ensuring respect for the rights of persons in detention facilities.

II. Police Stations

The Commission also visited 21 police stations and posts during the prison inspection tour of the Northern Province, as follows:

Table 2.3: Police stations and posts inspected

| DISTRICT NAME | POLICE STATION/POST INSPECTED |
|---------------|--|
| KASAMA | Kasama Police Station Musa Police Post Chiba Police Post Mulenga Hills Police Post College Community Police Post |
| MPOROKOSO | Mporokoso Police Station Mukupa Kaoma Police Post Chitoshi Police Post |
| MBALA | Mbala Police Station Maround Community Post Senga Hills Police Post |
| MPIKA | Mpika Police Station Chikwanda Police Post Lwitikila Police Post |
| CHINSALI | Chinsali Police Station Matumbo Police Post |
| NAKONDE | Police Station |
| LUWINGU | Luwingu Police Station |
| ISOKA | Isoka Police Station |
| MUNGWI | Mungwi Police Station |
| MPULUNGU | Mpulungu Police Station |

Police Cells

The Commission noted certain inadequacies at police stations and posts inspected with regard to the availability and the condition of cells. Most of the facilities had at least two cells where male and female suspects were detained separately. Yet, Chikwanda (Mpika), Matumbo (Chinsali) and Chiba (Kasama) police posts had none, restricting the officers in their operations who were forced to transfer suspects to the already overstretched police stations in the respective districts. Other facilities such as Mpika Police Station, Chinsali Police Station, Isoka Police Station, Nakonde Police Station, Musa Police Post, Mulenga Hills Police Post, Mukupa Kaoma Police Post and Senga Hills Police Post had only one cell which was being used to detain male suspects.

A number of police stations and posts did not have separate cells for female suspects and the juveniles who were being kept either in offices or corridors. The Commission noted with concern a typical problem of mixing suspects and convicted prisoners as well as juveniles and adults at police stations which did not have enough cells. For instance, Mbala Police Station at the time of inspection had only two cells. One of the cells was being used to hold remand detainees as Mbala State Prison did not have a remand section. The Commission was told that because of this situation, juvenile remandees were detained together with adult remandees.

Condition of cells

The cells inspected were generally not in good condition. Most of them were in a filthy and impoverished state with poor ventilation. Kasama Police Station, Mbala Police Station, Chitoshi Police Post, Chinsali Police Station and Community College Police Post were among those with dirty cells while Isoka Police Station was very congested. Only a few facilities had toilets inside cells although they had no provision for privacy. These were Mpika Police Station, Chinsali Police Station, Isoka Police Station and Nakonde Police Station. In all the facilities inspected, inmates were not provided with blankets.

The Commission also found that most police stations and police posts were housed in dilapidated or inappropriate buildings. Mpika Police Station, Chikwanda Police Post, Luwingu Police Post and Musa Police Post were most dilapidated while Matumbo Police Post and Chiba Police Post were housed in a small metal structure and a metal container respectively.

Police bond

The Commission established that suspects detained in police cells were denied police bond for peculiar reasons in what appears to be a deliberate attempt by police officers to punish individuals suspected of committing criminal offences. Many police officers felt that those arrested were not entitled to a police bond which they thought could only be issued at the discretion of a police officer. Police officers determined whether or not to issue police bond and who should be released regardless of whether one meets the minimum conditions for issuance of a police bond. Such arbitrariness in the application of the law is not only an infringement on human rights, but also a direct cause of the overcrowding situation in police cells.

Operational Problems

Inadequate personnel and lack of transport, communications facilities and stationery were common problems noted at the police stations and posts which were visited. This situation negatively affected the efficiency and operations of the police. The Commission was informed that police officers used personal mobile phones for official communication and relied on transport from nearby communities and other police stations or posts. The officers at Senga Hills Police Post hired bicycles to get to crime scenes.

Staff Welfare

The Commission noted that the officers served under very difficult conditions. In addition to the operational problems outlined above, there was a general lack of police accommodation for the officers. Where facilities had their own accommodation, the officers were found occupying or sharing small houses which in most cases lacked basic amenities apart from being very old and dilapidated. Some officers were forced to rent private houses where they faced constant eviction threats.

3.0 Introduction

One of the functions of the Commission is to establish a continuing program of research, education, information and rehabilitation of victims of human rights abuse to enhance the respect for and protection of human rights. The Department of Information, Education and Training is primarily responsible for carrying out programmes and activities aimed at fulfilling the Commission's education and information mandate. Another critical role of this department is to promote the corporate image of the Commission. The objectives of this department according to the Strategic Plan for the period 2007-2011 are as follows:

Strategic objective

By the end of 2011, the Human Rights Commission will have empowered the majority of the people in Zambia with information, knowledge and skills in promoting and protecting human rights in Zambia.

Operational objectives

- To increase the knowledge and skills of various stakeholders in human rights in all the Commission's operational areas
- To develop and manage a human rights information management system by 2009
- To enhance visibility, accessibility and image of the Commission through strategic networking

3.2 Programmes and Activities

During the year under review, the Commission embarked on a number of programmes, some in cooperation with stakeholders in government and the civil society, to educate people on their rights and inform the public on international obligations of government towards its citizens. The programmes included deliberate efforts to engage the media in reporting human rights; to develop community radio capacity for human rights; to promote secondary school teaching materials on human rights; to train police officers and prison officials on the rights of suspects and inmates; and to involve civil society organisations and institutions of higher learning in the promotion of human rights education. Other activities were undertaken with a view to enhancing the visibility, accessibility and image of the Commission throughout the country.

a) Human rights education through community radio

As reported in the previous report, the Commission had taken steps to pilot community radio programmes on human rights in Eastern Province as one of the ways of promoting human rights awareness and helping to prevent human rights abuses especially in rural communities. With physical presence in only six of the nine provinces of Zambia, covering the whole country with a population of more than 10 million people is among the greatest challenges facing the Commission. The attempt to extend this initiative to the rest of the country is one of the key means through which the Commission can promote and sustain human rights awareness.

During the year under review, the Commission produced a training manual: *Training Skills for Community-led Human Rights Radio Programmes in Zambia*, for future training of community radio personnel as part of process to build their capacity to develop and broadcast participatory human rights based programmes. The Commission further trained 22 community radio stations from all the nine provinces of Zambia in human rights and radio programming methodologies.

Table 3.1: Community radio stations trained in human rights

| Name of Radio Station | Location | No. of staff trained |
|-----------------------|------------------------------------|----------------------|
| Radio Christian Voice | Lusaka | 2 |
| Yatsani Radio | Lusaka | 2 |
| Hot FM Radio | Lusaka | 1 |
| 5 FM Radio | Lusaka | 1 |
| Radio Mazabuka | Mazabuka, Southern Province | 2 |
| Itezhitezhi Radio | Itezhitezhi , Southern Province | 2 |
| Sky FM | Monze, Southern Province | 2 |
| Zambezi FM | Livingstone, Southern Province | 2 |
| Radio Mosi-o-tunya | Livingstone, Southern Province | 2 |
| Radio Lyambai | Mongu, Southern Province | 2 |
| Radio Oblate Liseli | Mongu, Southern Province | 2 |
| Radio Maranatha | Kabwe, Central Province | 2 |
| Mkushi Radio | Mkushi, Central Province | 2 |
| Luapula Radio | Nchelenge, Luapula Province | 2 |
| Radio Yangeni | Mansa, Luapula Province | 1 |
| Radio Ichengelo | Kitwe, Copperbelt Province | 2 |
| Radio Iso | Isoka, Northern Province | 2 |
| Mpika Radio | Mpika, Northern Province | 2 |
| Radio Mano | Kasama, Northern Province | 2 |
| Solwezi Radio | Solwezi, North-Western Province | 2 |
| Kasempa Radio | Kasempa, North-Western Province | 2 |
| Mwinilunga Radio | Mwinilunga, North-Western Province | 2 |

Following the training workshop, community radio stations were assisted by the Commission to develop the first few human rights programmes after which they were expected to continue producing the programs on their own or with little help from human rights organisations. Due to resource constraints, not all the radio stations were engaged. However, being so cardinal to the Commission's human rights education and promotion functions, the engagement with community radio stations is considered as an ongoing process.



Community radio personnel discussing the International Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment during the training workshop held in Ndola from 24th to 28th August 2009.

b) Human Rights Education for Police and Prison Officials

In 2009, the Commission trained 96 officers from the Zambia Police Service and the Zambia Prisons Service on how to handle suspects and detainees in a manner that respect human rights. The Commission expects that the officers who participated in the training would reflect professional and human rights standards in responding to the needs of those who become victims of crime.



Human Rights Commission Vice Chairperson, Mr. Palan Mulonda [centre], presenting certificates of attendance to police officers at the end of the training workshop.

c) Human Rights Education in Secondary Schools

Zambia introduced the teaching of human rights in the high school system through the umbrella subject of Civic Education. Prior to this, the nearest the school system came to teaching human rights was through aspects of it being tackled in Civics, which subject was taught only up to Grade nine. After effectively piloting the teaching of Civic Education in a number of schools, the subject has since spread to all provinces and is currently examinable at Grade 12. The Commission has been involved in the formulation of the human rights component of the syllabus from inception which was spearheaded by the Curriculum Development Centre (CDC).

To address the difficulties encountered by teachers of Civic Education in teaching the Human Rights component, having not undergone formal training in handling the subject except through workshops earlier organised by Zambia Civic Education Association (ZCEA), Nkrumah College of Education and the HRC, the Commission organised a workshop that brought together stakeholders in the education sector to revise and simplify the Human Rights component of the teaching materials. In its revised form, the guide if published and distributed to many schools would enable teachers handle the subjects more effectively.

d) Radio programmes

The Commission continued to disseminate human rights information and knowledge through radio programmes. A series of radio talk shows were organised as part of the Commission's human rights sensitisation activities. The Commission also disseminated information through radio discussions organised by other human rights organisations where it was invited to discuss various issues on human rights. These broadcasts were aired on popular radio stations, with wide coverage and large listenership, in the provinces where the Commission has established offices. The Commission staff in all its offices made themselves available for the programmes in which they had full participation to help promote human rights awareness in the country.

The Commission further utilised the opportunity extended by the National Assembly to produce and air free programmes on its Parliament Radio station which was established recently in line with the Parliamentary Reforms Program to inform the public on the deliberations of the House. The offer came as a result of a courtesy call paid the Commission on the Speaker of the National Assembly last year, who pledged to the support the human rights sensitisation process by Commission through dedicated airtime on Parliament radio. Eleven programs under the sign "The Human Rights Commission at Work" were broadcast on Parliament radio during the period under review. These programmes covered various topics about the Commission, its mandate, programmes and activities.

On the other hand, the Commission experienced challenges in continuing with the live broadcasts of the programmes due to limited human capacity. For instance, officers designated to appear on the programmes were sometimes not available as they attended to equally important duties. The request to pre-record the programmes to allow the Commission cope with the human capacity challenge was not accepted by Parliament Radio. Instead, the radio station allocated the broadcast time to the Governance Secretariat under Ministry of Justice which continued the live broadcasts highlighting the work of governance institutions in the country, including the Human Rights Commission, which was invited on two occasions to discuss its operations.

e) Upgrading Commission website

The Commission redesigned its website to ensure easy access to a vast amount of information generated about its operations. With enhanced appearance and refined features, allied to the upgraded system, the website has become a very useful source of information that can contribute to achieving its mandate in promoting and protecting human rights.

More information about the Commission and its activities is available on the website as it is continually updated. Annual reports; publications on prisons and police cells inspections; reports on the state of human rights in Zambia; news on Commission programmes and activities; information on the mandate, functions

and powers of Commission; and advice on how to lodge complaints and access Commission services can be found on the website.

Visitors to the website can do many things apart from just reading the news and downloading reports and publications about the Commission, such as submitting complaints of human rights abuses for the Commission's consideration. The Commission received valuable comments and suggestions from individuals who visited the website on how to make it more useful.

The Commission had intentions to officially launch the new website, but efforts to do so were hampered by lack of finances.

f) Media engagement

Dealing with the media is central to the process of raising public awareness on human rights and the workings of the Commission. In doing this, the Commission engaged the media through:

- **Meeting with media heads:** The Commission hosted a luncheon for media heads in February 2009 where views on issues of common interest were exchanged. The interaction between the Commission, led by Chairperson Yangailo, and the media heads was very fruitful leading to positive engagement with the media during the year under review.
- **Media briefings:** The Commission, through quarterly media briefings, has proactively engaged the media to influence its public agenda-setting role and, through it, raise awareness on important human rights issues affecting the nation as well as promote its public relations objectives. Issuing media statements is another way through which the media has been engaged.

During the period under review, the Commission held three media briefings which were attended by all the major print and electronic media, including the *Zambia National Broadcasting Corporation*, *MUVI TV*, *CBC*, *Times of Zambia*, *Zambia Daily Mail* and *The Post*. The written statements were emailed to all other news channels including community media which could not be present at the media briefings usually held in Lusaka. These included, among others, *Radio Chikaya* (Lundazi), *Lyambai* (Mongu), *Mazabuka*, *Mano* (Kasama), *Ichengelo* (Kitwe) and *PASME* (Petauke). Others were *Iso* (Isoka) *Zambezi* (Livingstone), *Yangeni* (Mansa) and *Luapula* (Nchelenge).

The briefings and written statement issued to the media accounted, to a greater extent, for increased coverage of the Commission's activities in national and local media during the year under review.

g) Commemoration of World Press Freedom Day

During the year under review, the Commission worked very closely with the media in commemorating the World Press Freedom Day (WPDF) which fell on 3rd May. The involvement of the Commission was greatly appreciated by the media which extended an invitation to the Commission to present a paper on *Human Rights and the Role of the Media* at a stakeholders' conference that preceded the WPDF commemorations. The Commission was also represented in a march past organised to mark the WPDF which was officiated by Minister of Information and Broadcasting, Hon. Ronnie Shikapwasha, MP.

1.3 Collaboration and Networking

During the year under review, the Department of Information, Education and Training collaborated with various organisations in carrying out human rights education and awareness-raising activities that focused on a range of human rights issues. Some of these were:

- i. A one-day workshop conducted in collaboration with the catholic DMI St Eugene University at the university premises to educate students on human rights. The Commission facilitated the workshop and, was

later invited to give a human rights talk to catholic women who gathered in Matero compound to commemorate the International Women's Day during the year under review.

ii. A three-day human rights orientation workshop conducted in collaboration with Right to Play at its premises in Lusaka which was intended to sensitise teachers on human rights, who had been invited from community and private schools.

iii. A five-day training workshop organised by Southern Province Teachers of Civic Education in Choma which dedicated one of the days to human rights, the session that was facilitated by the Commission.

iv. The NGO Justice for Orphans and Widows approached the Commission to undertake joint sensitisation activities in Chief Moyo's area in Pemba Constituency bordering parts of Choma.

v. The Department of Information, Education and Training liaised with the Judiciary during the official opening of the 2009 Criminal Sessions of the High Court in Lusaka where the Chairperson of the Commission, Mrs. Pixie Yangailo, was Guest of Honour. In her speech, the Chairperson stressed among other issues the need to ensure respect for the rights of detainees.

4.0 Introduction

The Commission is empowered by Section 9 of the Human Rights Commission Act No. 39 of 1996 to, among other things, establish a continuing programme of research in order to enhance the respect for and protection of human rights. As this chapter will underline, the Commission continued its work during the period under review in carrying out this function through the Department of Research Advocacy and Planning (RAP) which has proactively been engaged with research on human rights issues. The RAP department is also responsible for the planning function and monitoring implementation of Commission activities, including government's compliance to international human rights standards. This is critical in the discharging of the Commission's mandate relating to human rights promotion, protection and monitoring. The objectives of the RAP department according to the Strategic Plan for the period 2007-2011 are as follows:

Strategic objective

By 2011 the Human Rights Commission will have positively influenced and monitored development and observance of key national and international human rights standards by all stakeholders.

Operational objectives

- To advocate policy and legislative reform related to the protection and promotion of human rights in Zambia
- To develop institutional capacity to effectively plan, monitor and evaluate the Human Rights Commission's performance and mandate

The RAP department faced a number of limitations during the period under review. Insufficient staff to undertake various research activities designed by the department was a major limitation. The department remained with one permanent staff when the other left in the latter part of the year to pursue further studies. However, through the support of the United Nations Development Programme (UNDP) and the University of Pretoria HIV/AIDS Human Rights and Law Programme, a Human Rights Officer and an HIV/AIDS and Human Rights Programme Officer were recruited during the same period to provide support to the department in carrying out its work.

4.1 Programmes and Activities

a) Annual State of Human Rights Report

In July 2009, the Commission launched its second Annual State of Human Rights (ASHR) report in a continued effort to monitor and highlight the human rights situation in the country. As reported in the 2008 report, the maiden ASHR report was produced in 2007. The production of the ASHR report is intended to help the Commission meet several objectives in fulfilling its monitoring and advisory mandate. The report is intended to:

- Monitor and evaluate human rights in Zambia in a more systematic way, in particular government's performance in the domestication of its international obligations
- Offer concrete policy recommendations to government, civil society and cooperating partners;
- Create awareness and debate on the issues highlighted in the report amongst decision makers;
- Enable the larger public understand the fundamental issues of human rights in Zambia;
- Create greater visibility for and reinforces the position of the Human Rights Commission in Zambia; and
- Strengthen the research and analytical capacities of the Human Rights Commission.

ASHR 2008 Report: *Constitutionalism and Human Rights*

The 2008 ASHR report was the result of the Commission's efforts in monitoring and reporting human rights abuses in the country. It was compiled following physical interactions with members of the public through which relevant information was collected on the Judiciary, the Police, individual rights and democratic governance in relation to the theme of the report: *Constitutionalism and Human Rights*. The data was also collected through administering questionnaires and guided interviews conducted with selected institutions. The Commission administered questionnaires in six of the nine provinces of Zambia which included Lusaka, Copperbelt, Northern, Eastern, Western and Southern.

The report was simplified by an internal Commission team that comprised Human Rights Officers and staff from the RAP Department and the Department of Information, Education and Training. A total of 1,500 copies of the simplified version were printed and distributed during the information and education activities which were undertaken following the provincial launches. Pop-up banners highlighting extracts from the report and posters with human rights messages were also designed, printed and distributed during these activities.

ASHR 2008 Report launch

On 23 July 2009, the Commission engaged stakeholders on key issues highlighted in the ASHR report at its national launch held in Lusaka at the National Museum. The Deputy Chairperson of Committees of the National Assembly of Zambia, Hon. Mkhondo Lungu, MP, was Guest of Honour. Others in attendance were the UNDP Country Director Ms. Viola Morgan, various heads of diplomatic missions, senior government officials, representatives of civil society and members of the general public.



Left to right: Human Rights Commission Chairperson, Mrs. Pixie K. Yangailo; Deputy Chairperson of Committees of the National Assembly of Zambia, Hon. Mkhondo Lungu, MP; and UNDP Country Director, Ms Viola Morgan, at the launch of the 2008 ASHR Report in Lusaka

The Commission also held separate events to launch the report in each of its operational areas. In Northern and Copperbelt Provinces, the events were held from 27th to 31st July. In Western and Eastern Provinces, the launch activities took place from 3rd to 8th August while in Southern Province, they were undertaken from 10th to 15th August. The provincial launches were graced by the Provincial Administration and attended by civic leaders, representatives of the judiciary, security wings and the civil society. The events were characterised by information and education activities which included games, school quizzes, radio discussion programmes and community drama in selected residential areas in the five provinces.



Kalolo Little Theatre performing a play at the Harbor in Mongu

ASHR 2009 Report: *Right to Housing and Land*

During the last quarter of the year under review, the Commission began to compile its ASHR Report for the year 2009. The focus of the 2009 report will be on the *Right to Housing and Land*. This is the theme that the Commission selected for its 2009 report. The Commission also selected a team of Consultants which will work with and strengthen the Commission in compiling the report. Through the RAP Department, a training session was organised in December, 2009 for the team that comprised external consultants and staff from the Commission. Following the training, the team developed research tools and selected the areas where data would be collected for the production of the report.

b) Action Research: *Employment and Labour Related Rights*

In recent years, employment and labour related rights have attracted a lot of attention in the media and among various stakeholders in the wake of the increasing economic activities occasioned by the influx of foreign investors. Among the issues of concern include the continuing incidences of casualisation in different economic sectors; safety in the mining sector; social security and retirement benefits; environmental issues; competition between rights and more powerful lobbies or interests, the effects of HIV/AIDS, child labour, forced labour and trafficking (internal). There have also been concerns over the conditions of employment for vulnerable groups especially women who often are engaged as seasonal labourers, as well as the failure and sometimes refusal by the investors to comply with the minimum international and statutory standards. These concerns prompted the Commission to conduct research on employment and labour related rights with the aim of reviewing related legislation, policies and practices in Zambia.

The objectives of the research were:

- To highlight employment and labour related rights;
- To review Zambia's employment and labour related legislation policies and practices;

- To examine and analyse labour and employment practices in selected industry and determine their conformity to international and regional human rights standards; and
- To make recommendations to government and its relevant agencies and other duty bearers on fulfilling employment and labour related rights and particularly for government on the implementation of its obligations and enhance the promotion and protection of employment and labour related rights.

In June and November, 2009, two focus group discussions were held in Kasama and Livingstone respectively to gather additional information on the practicalities of the subject matter and recommendations from both employees and employers on how workers' rights can be improved in the hospitality industry. These followed a review of legislative, judicial and administrative frameworks and practices on employment and labour issues in Zambia, earlier carried out by the RAP department. The group discussions involved 30 people who included both employees and employers or their representatives. The discussions were also used to disseminate information about the Commission's mandate and educate the participants on human rights particularly employment and labour related rights, including the employment and labour standards in Zambia and issues of HIV/AIDS and the workplace. By the end of the year under review, the Commission had started compiling the report which is planned for publication in the following year.

c) Review of National Plan of Action: 1999-2009

The Commission carried out an assessment of the implementation of the National Plan of Action (NPA) for Human Rights that was devised for the period 1999-2009. The NPA grew out of extensive consultations with various stakeholder groups which included non-governmental organisations, political parties, traditional leaders, academicians, business people and students among others. It was intended to give practical application to the provisions of the Zambian Bill of Rights. It also set out priorities, actions, goals and strategies for human rights protection and promotion, thus, providing a framework for the effective implementation of the Commission's mandate. Its main priority areas were civil and political rights; economic, social and cultural rights; protection from torture and inhuman treatment; gender and human rights; information, education and communication; children's rights; collective and group rights; and constitutional and legal issues.

The assessment of the 1999-2009 NPA was also designed to help the Commission come up with a new plan for the period 2010-2020. The objectives of the assessment were:

- To review and evaluate the implementation of the National Plan of Action for Human Rights, 1999-2009 by the Human Rights Commission and stakeholders;
- To assess and collate views on the need to devise and draft a new National Plan of Action;
- To assess and gather views on the priority areas for human rights protection and promotion under the new national plan; and
- To assess the need for the drafting of a Human Rights Act and what should go into the Act.

The data was collected from four provinces (Lusaka, Northern, Western and Southern) through a series of methods which included focus group discussions held in each province bringing together representatives of civil society organisations and ordinary members of the public. A total of 100 household questionnaires were administered in each province; 30 questionnaires administered to CSOs working in the targeted provinces; and an in-house questionnaire administered to HRC staff.

The key issues highlighted by the assessment were that the 1999-2009 NPA was not effectively implemented as it remained largely unknown by stakeholders during its lifespan. The findings pointed to the need that a new NPA should be designed with better guidance from the Commission and participation from stakeholders. Further, the Commission should strengthen its education and information dissemination capacities among other things.

Draft 2010-2020 National Plan of Action

A draft National Plan of Action for the period 2010-2020 was developed. The Commission was not able to organise a national stakeholders' conference to validate the NPA draft due to limited financial resources. The validation of the NPA has however been planned to take place the following year. The 2010-2020 NPA prioritizes selected civil and political rights; selected economic social and cultural rights; and the rights of vulnerable groups such as women, children and persons with disabilities. Other issues prioritized in the plan include human trafficking; constitutional and legal reform; and information, education, collaboration and networking. The plan's objectives and activities are premised on applying a human rights approach to the development process in order to help alleviate poverty in the country.

d) Development of Monitoring and Evaluation System

The Monitoring and Evaluation system for the Commission was finalized during the year under review. In May 2009, the Department of Research and Planning conducted a training session for Commission staff who will be responsible for the implementation of the M&E system. Due to limited resources, the M & E system could not be operationalised during this period. It is hoped that if the necessary resources would be available, the system could be operationalised during the next financial period. Once implemented, the M & E system will further enhance the planning, implementation, monitoring and reporting of Commission activities.

e) Information and Documentation Centre

The Department of Research and Planning has been developing an information and documentation centre within the Commission. In 2009, the department continued to resource the information and documentation centre with necessary materials received from stakeholders and collected by staff during workshops and conferences which they attended. The department also continued to collate newspaper articles on human rights and governance issues for research purposes. The staff in charge of the information and documentation centre also attended to various members of the public particularly students and members of the civil society seeking human rights information from the Commission.

f) 2009 Review and Planning for 2010

In the last quarter of 2009, a review and planning meeting was held for Commission staff from all the departments, sections and provincial offices. Reports were presented on activities undertaken by the Commission during the year under review, which included a discussion of experiences, impact and lessons learned by the various departments, sections and provincial offices in the discharging of the Commission's mandate. At the end of the meeting, each department came up with its own activity plan for the next financial period which was discussed and incorporated into the Commission's 2010 annual work plan. The review and planning meeting was a very fruitful exercise that enabled Commission staff become more enlightened on various issues relating to the Commission's mandate, the Paris Principles and the Role of National Human Rights Institutions in the fight against HIV/AIDS. Through presentations made by various departments of the Commission, staff were enlightened on basic issues about designing information and education activities, the NPA assessment and the subsequent plan, public procurement and stores, and activity planning.

4.2 Collaboration and Networking

During the year under review, the Department of Research and Planning undertook various ad hoc activities and participated in activities, meetings and training programmes organised by other organisations working on different themes of human rights and HIV/AIDS. These include the following:

- In January, the department attended a two-day planning meeting of the Governance Sector Advisory Group (SAG) technical committee on *human rights, constitutionalism and democratisation* which was held at Protea Safari Lodge in Chisamba. Chief, Research Advocacy and Planning was part of a subcommittee that was tasked to draft the 2009 work plan for this technical committee. Among the activities that were planned which required the Commission's involvement were the following:

- i. Human Rights Education (incorporation into the school syllabi);
- ii. Human Rights and Gender;
- iii. Employment and Labour;
- iv. Advocacy for increased programme funding with the Ministry of Finance.

- In February, Chief, Research Advocacy and Planning in the company of Senior Investigations Officer and staff from the Commission for Investigations and the Governance Secretariat attended a conference on *Justice in Administration and the Role of Service Charters as a Medium for Improving Public Service* which was held in Malawi. The conference looked at human rights and the public service particularly how to enhance human rights protection through the drafting and implementation of service charters, drawing on the experiences of Malawi, Uganda and Ghana. Following this meeting, the Commission hopes to undertake an analysis of the existing public service charters in Zambia, with the view to making concrete recommendations on how to strengthen them in order to enhance human rights protection. It is also considering carrying out an analysis of how issues of human rights are being addressed through the on-going public sector reform programme.

- The department was invited to a *Conference on Foreign Aid, Non State Provision of Services, Government Legitimacy and the Rule of Law*, which was based on a research carried out by a visiting scholar attached to UNDP. The research which was the main paper presented and discussed at the conference focused on how non-state actors such as NGOs, church groups, private companies have increasingly taken on the responsibility of providing important goods and services like health care, education, food aid and roads to the general population and the effect of this on the legitimacy of governments. It also looked at how this affects the willingness and actual compliance of laws and government regulations by members of the public. The preliminary findings of the research indicated that:

- i. Majority of the Zambian population gauges the provision of goods and services by non-state actors to be higher in quality and quantity than that of government and thus it affects their compliance with laws and the payment of taxes. Government therefore has the challenge of changing the perception the public has of it.
- ii. Zambian citizens do not have a clear idea of government's responsibilities to provide public goods and services thereby affecting not only the ability or desire on the part of citizens to hold government accountable but also the government's legitimacy.

- The department represented the Commission at various meetings hosted by an Advisory Committee for PEPDEL through the International Labour Organisation (ILO). The meetings noted:

- i. A number of issues concerning persons with disabilities and, more importantly, the need to carry out effective advocacy for the enactment of effective legislation for the protection of persons with disabilities. The Ministry of Community Development and Social Services (MCDSS) was thus tasked to follow-up on a Draft Bill on persons with disabilities.
- ii. The important roles that the Human Rights Commission and the Zambia Federation for Employers can play in the countrywide advocacy and sensitization campaigns intended to promote the employability of persons with disabilities.
- iii. That the Zambia Agency for Persons with Disabilities (ZAPD) in collaboration with MCDSS should provide PEPDEL with adequate information about the Draft Bill on Persons with Disability and consider the possibility of withdrawing the Bill to have it realigned with the ILO Convention No 159 on the Rehabilitation of Persons with Disabilities, which Zambia has signed, but not yet ratified.

- Representing the Human Rights Commission and the Human Rights Committee of the Law Association of Zambia (LAZ), Chief, Research and Planning and the HIV/AIDS and Human Rights Programme Officer participated in a human rights training conducted for lawyers and judges in Lusaka and Copperbelt provinces where they made presentations on the right to fair trial, and human rights and HIV/AIDS. The training was conducted as part of the Continuous Professional Development Programme under LAZ which is focused on human rights. Through the presentation, recommendations were made on how the legal practitioners and judges in Zambia can actively participate in promoting and protecting human rights and particularly fair trial rights and the rights of People living with HIV and AIDS through their work.

5.0 Introduction

The Commission implemented various activities with a focus on HIV/AIDS and human rights through the Department of Research, Advocacy and Planning with the financial support received from UNDP and the University of Pretoria-based Centre for the Study of AIDS and Human Rights. The latter funded a pilot project aimed at strengthening the capacity of national human rights institutions to rise to the human rights challenges raised in the wake of the HIV/AIDS pandemic. The project was underpinned by the following objectives:

- To create awareness on the relationship between HIV and human rights and on the role of the Human Rights Commission in the protection of HIV related human rights;
- To empower people infected and affected by HIV, including vulnerable and marginalised groups to access the judicial and other avenues for the protection of their rights; and
- To contribute to strengthening the policy and legislative environment for protection of the rights of people living with HIV.

5.1 Stakeholders Consultative Workshop

A stakeholders consultative workshop was organised in May 2009 bringing together 19 organisations working particularly in the area of HIV/AIDS and related human rights issues. Among those that participated in the stakeholders workshop were the National Aids Council and a number of non-governmental organisations, including those that represent vulnerable and marginalised groups such as persons with disabilities, prisoners, LGBTIs, women and children. The workshop reflected on among other things the work being done at regional and global levels on HIV/AIDS and human rights; a rights-based approach to HIV programming; and the role of NHRIs in the fight against HIV/AIDS.

The workshop enabled the Commission to raise awareness about the pilot project it had embarked on among the organisations that were working around HIV/AIDS issues. It also facilitated the sharing of information, knowledge and experiences on HIV/AIDS and the role that the Commission can play in the fight against the pandemic. It was also designed to draw insight on the areas in which the Commission can best intervene and collaborate with various stakeholders.

The stakeholders recommended that the Commission should become more involved in the interventions targeted at the HIV/AIDS fight and empower the various actors to apply a human rights approach to the fight. It was also recommended that the Human Rights Commission should be involved in legislative reforms aimed at improving legal protection of persons living with HIV. There was strong demand that the Commission should work more closely with stakeholders including national institutions like the National AIDS Council. Some of the suggested areas of intervention included monitoring the implementation of programmes and practices such as Prevention of Mother To Child Transmission and mandatory testing practices in certain professions like the military; awareness-raising and advocacy around the rights of prisoners and persons with disability to access HIV prevention, treatment, care and support facilities; and issues of how gender-based violence exacerbate HIV transmission including the laws and policies that counter gender equality in practice.

5.2 HIV/AIDS Forum Discussion: Interaction with civil society

The Commission held a forum discussion at Alliance Francais in July, 2009 to discuss and highlight issues relating to criminalisation of HIV/AIDS transmission and the protection of the rights of vulnerable persons or groups in Zambia. The discussion which was held in two parts was attended by about 150 people who included representatives of civil society organisations, representatives from the relevant UN agencies, members of the press and members of the general public.

5.3 HIV/AIDS and men who have sex with men

In responding to concerns arising from the forum discussion on HIV/AIDS and human rights pertaining to HIV-related issues of men who have sex with men (MSM), a concept note was drafted on how the Commission could appropriately address the issues raised within its legal mandate. The concept note detailed some objective ways which the Commission could adopt in determining its stance on the matter. It proposed, among other things, that sufficient information be collected from stakeholders and a subsequent meeting be held for Commissioners and key Commission staff to openly discuss the issues concerning MSM and come up with an official position on the matter. These suggestions are yet to be considered by the Commission.

5.4 Review of legislation relating to HIV and AIDS

In August and September 2009, the Commission participated in consultative meetings organised by the Zambia Aids Law Research and Advocacy Network (ZARAN) as part of a Legislation Review project which is intended to offer concrete recommendations to policy makers and legislators on achieving a comprehensive legal framework that contains the AIDS epidemic and enables prevention, treatment, care, support and protection of People living with HIV/AIDS (PLWHAS) and those affected by it. The consultative meetings involved discussions on a comprehensive and consolidated report prepared by ZARAN following an audit of Zambian laws that impact on HIV/AIDS within the framework of International Human Rights Standards and the Guidelines bearing on HIV/AIDS as provided by the International Guidelines on HIV/AIDS.

5.5 Raising awareness on human rights and HIV/AIDS

The Department of Research and Planning compiled a booklet dubbed *Yo Rights, HIV/AIDS, End Stigma and Discrimination* as part of the Commission's contribution to the fight against HIV/AIDS. The booklet provides general information on human rights, the international and national provisions concerning the rights related to and/or affected by HIV/AIDS, and the link between human rights and HIV and AIDS. The booklet also highlights issues of HIV related stigma and discrimination and examines the extent to which the Constitution and other relevant legislation protect against human rights violations and incorporate international and regional human rights standards. It was intended for distribution during commemoration of the International AIDS Day although it was only disseminated during International Human Rights Day celebrations as the Commission was unable to participate in AIDS Day commemorations due to resource constraints.

5.6 Prison training on HIV/AIDS and human rights

The Commission in collaboration with the Prisons Care and Counseling Association (PRISCCA) conducted training for prisoners and prisons staff on human rights and HIV and AIDS. A number of trainings were conducted over a period of three months, from November 2009 to January 2010. In total, they were seven (7) prison trainings undertaken during this period, four (4) of which were conducted as part of the Commission's Centre for the Study of AIDS project and the rest were undertaken under PRISCCA which was supported by the AIDS and Rights in South Africa [ARASA]). Among those trained were prisoners at Kamwala Remand Prison in Lusaka, Mukobeko Prison in Kabwe and Livingstone State Prison in Livingstone. The juveniles and staff at Katomboro Reformatory School in Kazungula were also trained. Others were female inmates from prisons in Lusaka and Central Provinces.

The project to train prisoners and prison staff on issues of HIV/AIDS and Human Rights was launched on 4th

June at the Prisons Headquarters in Kabwe by the Deputy Commissioner for Prisons. Present at the launch were two representatives from PRISCCA, two representatives from the Human Rights Commission, one representative from the Treatment Advocacy Literacy Campaign, and the entire Prison Command. Prior to the launch, a meeting was held with the Commissioner of Prisons, the Deputy Commissioner and management of the Prison Service, at which the project was explained in trying to secure their support.

The training sessions that were conducted included a discussion on comparative protection of the rights of prisoners with HIV and AIDS in other Southern and Eastern African countries against the background of their human rights legal provisions, the changes occurring in the country regarding the rights of prisoners, and the medical aspects of HIV and AIDS. Advice was given on how prisoners in Zambia can protect themselves from HIV and AIDS considering the difficult conditions they are subjected to and the nutritional needs of persons living with HIV, including how these challenges can be addressed given the socio-economic status of the Zambia Prison Service.

5.7 Training of support groups on HIV/AIDS and human rights

From 18th to 21st November 2009, the Programme Officer for HIV/AIDS and Human Rights working with an external facilitator conducted a series of one-day training sessions at Cosmic Lodge in Olympia Park, Lusaka, for 120 members of support groups on HIV/AIDS and human rights issues. This training was designed following a number of concerns raised at various HIV fora, including the high level HIV Prevention Convention held in October 2009 by the National HIV/AIDS/STI/TB Council; on the need for the empowerment of the rights-holders to enable them assert their rights.

The training sessions were designed to facilitate information sharing on HIV/AIDS and human rights among the support groups in an effort to empower them with the necessary knowledge in addressing human rights violations of people living with HIV within their communities. The participants were trained on how to identify human rights violations and what to do to address them. They were also made aware of the existing organisations and institutions that work on issues of HIV/AIDS and human rights which could provide support in addressing human rights violations which are HIV-related. These were identified through various support groups that are registered with the Treatment Advocacy Literacy Campaign (TALC). These included the Never Say Die Support Group; Kabangwe Support Group; Chawama Support Group; Chibusa Support Group; Bringers of Hope Support Group; and Vision Support Group.

5.8 Training of support group leaders on gender-based violence and HIV

During the year under review, the Commission conducted another training for support group leaders on gender-based violence (GBV) and HIV in November 2009 which took place at Kunzubo Lodge in Lusaka. The training was intended to give practical application to the support groups that were trained in HIV/AIDS and human rights and to avail them an opportunity to apply and experience first-hand issues of advocacy work and community engagement. During the training period, leaders of support group were involved in a thorough discussion of campaign materials and had the opportunity to pilot a questionnaire on GBV and HIV/AIDS with selected households, makeshift stores and members of the public. This included distribution of necessary campaign materials such as letters of invitation, introductory letters for campaign assistants, raincoats and umbrellas.

5.9 Campaign against gender-based violence and HIV and AIDS

The members of the support groups that participated in the training programme on GBV and HIV and AIDS were supported to carry a campaign in Siavonga, Kafue and Lusaka. The campaign took place during 16 days of activism against GBV, and was extended to other parts of the country by end of December 2009. It was targeted at households and people on the street which were randomly selected. A total of 240 households were interviewed as follows: 60 in Siavonga, 60 in Kafue and 120 in Lusaka. These were drawn from high density areas which included the Lake-side area in Siavonga; Zambia Compound, Shishokwe compound and Kafue

estates in Kafue; Matero Compound, Chawama Compound, Mandevu Compound and Zani Muone area in Lusaka; and Kasanda and town centre markets in Kabwe.

It was found that 40% of the respondents understood what GBV meant; 78% knew at least someone who was a victim of GBV in their community; 54% of the perpetrators of GBV were relatives of the victims while the rest were strangers and 46% of the respondents understood how GBV exacerbates HIV transmission. The data analysis also revealed that 40% of the cases of GBV are never reported to the Police or other authorities and that families resort to resolving the issues by themselves.

5.10 Collaboration and Networking

Apart from undertaking the above activities, the Commission through the Department of Research and Planning participated in a number of HIV/AIDS related initiatives undertaken by other organisations and embarked on developing active partnerships with key stakeholders that would enhance its role in, and contribution to the HIV/AIDS fight. Some of the initiatives in which the Commission was involved include the following:

a) At a paediatric HIV training workshop organised by the Centre for Infectious Diseases (CIDRZ) at Cresta Golf View Hotel Lusaka on the 18th of June 2009, the HIV/AIDS and Human Rights Programme Officer made a presentation on legal and ethical considerations for HIV testing for children. The training was based on a manual developed for purposes of training counselors and puppeteers on HIV related issues concerning children.

b) The Commission was represented at a training workshop organised on 23rd and 24th June by the Global Campaign for Microbicides (GCM) and Centre for Infectious Diseases in Zambia (CIDRZ), whose main objective was to share information about (i) the development of microbicides as a prevention mechanism for HIV transmission, (ii) the various types of microbicides that have been developed, (iii) the clinical trials conducted in various parts of the world to test their safety, (iv) the stages of clinical trials for microbicides and (v) the trials that were being conducted in Mazabuka and at Kamwala Clinic in Lusaka. Further and following media reports alleging abuse of human rights in the clinical trials that were underway in Mazabuka, internal consultations were held particularly with staff from the Commission's investigative wing, the Department of Legal and Investigations, which was in the process of initiating investigations into the allegations. The findings of the Commission's investigations will be shared with key stakeholders.

c) From the 8th to the 10th July, 2009, the Commission collaborated with the Zambia AIDSLaw Research and Advocacy Network (ZARAN) in training trade unions on HIV related issues in the workplace. The training workshop which was held at Chita Lodge in Lusaka also facilitated the sharing of practical ways of protecting the rights of employees who are HIV-positive and, at the end of which, the trade unions developed six-month work plans of how they intended to address some of the commonly encountered problems of employees who are HIV positive in their sectors.

d) At the HIV Prevention Convention hosted by the National AIDS Council from 3rd to 5th November 2009 at Mulungushi International Conference Centre in Lusaka, the Commission presented a paper on its mandate; the legal framework for the promotion and protection of human rights in Zambia; the gaps in the protection of the rights of PLHIV; and what needs to be done to strengthen the efforts to protect the rights of PLHIV. The convention was officially opened by the President of the Republic of Zambia, Mr. Rupiah Bwezani Banda. It deliberated on among other things the drivers of HIV and how these can be reversed.

e) The Commission took part in a criminalisation scan jointly undertaken by the Network of Zambian People living with HIV/AIDS and the Global Network of People living with HIV/AIDS, and intended to gather information on laws and policies that criminalise HIV transmission in Zambia, including media reports on the same and practices or administrative actions, formalized or not, that have been intended to criminalise HIV transmission.

f) The HIV/AIDS and Human Rights Officer participated in a training conducted by NZP+ and the

Global Network of People Living with HIV (GNP) from 9th to 11th September, 2009 at Zamcom Lodge in Lusaka, which aimed to build the capacity of implementers of HIV initiatives in human rights and HIV and on how to document human rights violations against PLHIV through implementation of a Human Rights Count. At this training workshop, the Officer made a presentation on the role of National Human Rights Institutions in promoting and protecting the rights of PLHIV and the mandate that the Commission has in this respect.

6.0 Introduction

During the year under review, there have been considerable activity and some encouraging indications of impact from the work that the Commission has undertaken over the years in establishing the Office of the Commissioner for Children (OCC). The implementation of OCC activities steadily spread to all the six provinces where the Commission has offices, which are Copperbelt, Eastern, Lusaka, Northern, Southern and Western. As a result, there has been a growing awareness of the Commission's mandate in children's rights promotion and protection as well as the existence of a special focal point for children's rights within the Commission. In addition, the Commission has been recognised as a key partner in the children's rights protection sector following the establishment of the children's rights office. The Commission has, thus, developed strong working links both with government and non-governmental organisations and institutions engaged in children's rights protection and promotion, notably, the Ministry of Sport, Youth and Child Development; Ministry of Labour and Social Security; Ministry of Education; Zambia Civic Education Association; Girl Guides Association; Young Women Christian Association and the UN agencies such as UNICEF and ILO.

The Commission received another grant from Save The Children amounting to K386, 000,000.00 for the period January to 31st December 2009 for activities supporting the establishment and comprehensive integration of the OCC in the Commission. The grant is aimed at strengthening the capacity of the Commission to promote and protect the rights of children in Zambia through a focused approach based on the model of a children's ombudsman. Its objectives for the 2009 period were to (i) strengthen capacity of the Human Rights Commission to receive, process and resolve complaints relating to violations of children's rights; and (ii) improve visibility and accessibility of the Commission leading to enhanced realisation of children's rights. The main activities covered by the partnership agreement signed with Save The Children in Zambia, represented by Save The Children Norway and Save The Children Sweden, were:

- Launch of the Office of the Commissioner for Children
- Training of Commission staff working under the office in children's rights and related activities
- Visitation to selected facilities
- Investigations into violations of children's rights
- Activities to commemorate international days on children
- Radio programmes on children's rights issues
- Research on children's rights in Zambia
- Creation, maintenance and updating of a children's rights website
- End of grant period review

6.1 Launch of the Office of the Commissioner for Children

The office of the Commissioner for Children was launched by the Deputy Minister of Sport, Youth and Child Development on 28th July 2009 at Alliance Francaise in Lusaka. In attendance were representatives of various government ministries and departments, civil society organisations, international organisations, and the cooperating partners. This provided the opportunity for children in school who were invited to the launch and allowed to facilitate the proceedings of the event to be acquainted with the mandate of the Commission relating to children's rights protection and how their rights will be promoted and protected through the office of the Commissioner for Children.

6.2 Inspection of children's correction facilities and detention centres

The OCC undertook an inspection tour of the existing correctional facilities for children in Zambia. A total of 165 children were visited when the Commission inspected the facilities in the country, which included Insakwe Probation Hostel for Girls in Ndola, Nakambala Approved School in Mazabuka and Katombora Reformatory School in Livingstone. A report containing the Commission's findings and recommendations arising from the inspection tours was published and widely distributed to relevant government ministries and departments, including civil society organisations. It is hoped that the report which is a 'snapshot' of the human rights situation in children's correctional facilities will be used as an advocacy tool by stakeholders.



Human Rights Commission Chairperson, Mrs. Pixie Yangailo, donating goods to Luse Community Orphanage Day Centre management when the Commission toured the centre in August 2009

The Commissioner for Children was part of an inspection tour of prisons and police stations in Northern Province which was undertaken in August 2009 to assess conditions of these facilities and that of the persons detained in them. The Commission also visited the orphanages in the province. In the prisons, there were 44 children at the time of inspection, 27 were in police custody and 60 were found in orphanages. A number of issues relating to children's rights and welfare and affecting children in conflict with the law were noted and specific recommendations were made as to how best to address them. Admittedly, there are grave concerns about children being held and the way they are treated in such facilities, which is inconsistent with international human rights standards.

6.3 Children's rights website

A website was created to communicate information resulting from the Commission's activities on children's rights being undertaken through the office of the Commissioner for Children. It was also meant to provide general information and an interactive discussion platform for children and organisations working with children on core children's rights issues. Included on the website are specific guidelines on how to lodge complaints of children's rights violations with the Commission which can also be received through an on-line complaints mechanism available on the website. The children's rights website, www.hrcchildren.org.zm, became operational at the end of 2009. It is part and parcel of the Commission's website, www.hrc.org.zm, and would be beneficial to the Commission in many ways, such as creating awareness of the establishment of the office of the Commissioner for Children within the Commission and promoting its children's rights protection mandate.

6.4 Radio programmes on children's rights issues

A series of radio programmes were produced to disseminate information about the office of Commissioner for Children; the mandate of the Commission to promote and protect children's rights; the Convention on the Rights of the Child; and generally the issues relating to children's rights. One programme was aired on Parliament Radio; eight programmes were broadcast on ZNBC Radio 2; and 16 programmes were run on the following community radio stations: Radio Mano in Northern Province, Radio Maria in Eastern Province and Radio Oblate Liseli in Western Province. In addition, the Commission ran 32 spot ads on Radio Christian Voice which briefly explained the provisions of the Convention on the Rights of the Child.

6.5 Public hearing violence against children

The report on the Commission's public hearing into violence against children which was conducted in Lusaka in September 2009 was finalised during the period under review. It is based on the submissions made by individuals and different organisations on the subject matter of the hearing received during the Commission's five-day sitting at Civic Centre. It also includes oral submissions made by the children of varying ages and from different walks of life who attended the hearing. The overall evidence presented at the hearing indicate that vulnerable and disadvantaged children such as orphaned and street children suffer the most violence. The report makes recommendations to relevant government ministries and departments and for the stakeholders in the civil society on what should be done to end violence against children.

6.6 Commemorations

a) World Day against Child Labour: The office of Commissioner for Children in collaboration with the Community Youth Concern held celebrations at Cobet Community School in Chawama Compound to mark the World Day against Child Labour which was commemorated on 12th June under the theme *Give girls a Chance; Stop Child Labour*. This was an opportunity for community sensitisation on child labour. Approximately 200 children attended the celebrations and were involved in activities that took place and given a platform to raise their concerns on the issue of child labour.

b) The Day of the African Child: The activities to commemorate the Day of the African Child were held in six provinces and targeted at children and communities in peri-urban areas. In Lusaka Province, activities were jointly undertaken with the Zambia Open Community School (ZOCS) at Chifwema Open Community School in Kafue, and were attended by over 150 children and 70 adults who came from nearby communities. In addition, each provincial office organised a range of educational and promotional activities with stakeholders which focused on the theme, *Africa fit for children; an accelerated effort to child survival*, and highlighted various issues concerning the rights of children. The number of children reached through the activities organised by the five provincial offices was 164. Thirty of these were reached by Chipata office, 30 by Kasama office, 30 by Livingstone office, 30 by Mongu office and 44 by Ndola office.

c) **Commemorating 20 years of CRC, International Children's Day:** The Commission organised a stakeholders conference on children's rights to commemorate both the International Children's Day and the 20th anniversary of the Convention on the Rights of the Child (CRC). A total of 60 children were invited from all the districts in Southern Province to participate in the stakeholders conference which took place in Livingstone on 19th November 2009. The children also participated in other commemorative events and a march past from Livingstone Civic Centre to Mukuni Park that took place on 20th November.



Children from different schools in Lusaka also participated in various activities organised by the Human Rights

Commission to mark the International Human Rights Day on 10th December

6.7 Monitoring implementation of the CRC

The office of the Commissioner for Children conducted a desk study in an attempt to assess government's implementation of the CRC and treaty body recommendations on the rights of children. The study highlighted the gaps and new challenges faced, including the need for increased efforts to protect children's rights. The Commission's findings and recommendations have been compiled in a report which will be distributed to government and other stakeholders.

6.8 Collaboration and Networking

The Commission continued to work with all the partners in the area of children's rights protection which rendered a lot of support to the Commission in establishing the office of the Commissioner for Children. These partners continued to support the focal point on children's rights in the Commission by involving Commission staff working on children's rights issues in various capacity building and awareness-raising initiatives. During the year under review, the office of the Commissioner for Children participated in a number of meetings, trainings and media products on children's rights. These include:

- a) A meeting on child justice in Malawi organised by UNICEF from 24th to 28th August, 2009
- b) A training workshop on child trafficking, which was organised by the International Labour Organisation (ILO) from 2nd to 4th September, 2009

- c) Training on gender mainstreaming conducted by Save the Children Norway at Kafue Gorge Training Centre from 14th to 16th September 2009
- d) Training on how to work with child witnesses conducted by UNICEF and the Ministry of Community Development and Social Services at Anina's lodge in Lilayi from 21st to 25th September, 2009
- e) A follow-up training on how to run a court preparation programme for children conducted by UNICEF and the Ministry of Community Development and Social Services at Manchinchi Bay Lodge in Siavonga from 28th September to 2nd October, 2009
- f) A radio discussion programme on child labour organised by the Ministry of Sport, Youth and Child Development and recorded by ZNBC on 18th August, 2009
- g) A radio discussion programme on sexual and gender-based violence which was organised by the Ministry of Sport, Youth and Child Development on 1st September, 2009
- h) A film on child labour recorded by CAMFED on 21st August, 2009

7.0 Introduction

The Finance and Accounting Section attends to the financial aspects of the Commission's operations. It undertakes a central function of providing financial support to the Commission in discharging its mandate. This includes, among other things, budgeting and financial reporting. The Commission has a Human Resource and Administration Section which is responsible for providing administrative and human resource support. This chapter details the support lent to the Commission by both sections in terms of the execution of its mandate during 2009.

Strategic objective

By the end of 2011, the Human Rights Commission will be an accountable, transparent, efficient, effective and well-coordinated institution with presence in every province of Zambia

Operational objectives

- To strengthen the institutional capacity of the Human Rights Commission in order to achieve effective and efficient coordination
- To develop and implement appropriate operational and administrative systems and policies in order to achieve transparency accountability

7.1 Funding to the Commission

During 2009, the situation regarding financial support from the Government of the Republic of Zambia remained more or less the same. The Government in its budget for the year 2009 provided K8, 141,790,456.00, out of which 96% was released to the Commission. This is slightly less than the budget of K8, 226,768,556.00 provided and released to the Commission in 2008. However, the Commission generally is not adequately funded given the expansion of its services at head office and the five provincial offices which have demanded a huge increase in resources. This has continued to pose serious challenges to the Commission's operations and ability to carry out its functions and fulfill its mandate.

7.2 Donor Support

In addition to the funding received from Government, the Commission has been receiving support from a number of donors for such activities as human rights education and training; monitoring human rights; establishment and integration of the office of the Commissioner for Children in the Commission; decentralization; and capacity building among several others. During the year under review, the Commission received financial contributions and support from donors to undertake specific projects as follows:

Table 7.1: Financial contribution/support given by donors in 2009

| Donor | Project | Financial contribution/ support |
|--------------------------|--|--|
| Save The Children Norway | Establishment of the Office of Commissioner for Children | K243,000,000 |
| Save The Children Sweden | Establishment of the Office of Commissioner for Children | K93,000,000 |
| Germany Embassy | Human rights training and capacity building | K309,804,000 |
| UNDP | Governance support to the Commission | USD \$ 545,000 |

7.3 Budget submission for Medium Term Expenditure Framework 2010 - 2012 period

The Institutional budget for the Medium Term Expenditure Framework (MTEF) period 2010-2012 was compiled and submitted to the Office of the Permanent Secretary, Budget and Economic Affairs, under the Ministry of Finance and National Planning. The budget was broken down as follows:

Table 7.2: The Commission's budget summary for the MTEF 2010-2012 period

| Item | Year | | Difference |
|-------------------------|----------------------|----------------------|--------------------|
| | 2009 | 2010 | |
| Personal Emoluments | 6,282,640,969 | 6,595,279,399 | 312,638,430 |
| Non-Personal Emoluments | 1,859,149,487 | 1,992,314,630 | 133,165,143 |
| Total | 8,141,790,456 | 8,587,594,029 | 445,803,573 |

7.4 Internal Auditing

In January and February 2009, the Commission undertook an inventory verification audit in its offices. The audit was undertaken in collaboration with external auditors from the Office of the Auditors General. The report was submitted to the Office of the Director.

7.5 Staffing

The staff complement increased slightly to help address some human resource challenges. Two new posts were filled increasing the number to 52. The remaining 78 posts under the establishment will be filled as the financial position of the Commission improves.

An additional number of eight contractual staff was recruited to support departments and programmes which are critically understaffed, including provincial offices. With the support of the United Nations Development Programme (UNDP), six UN Volunteers were employed and stationed at head office and the provincial offices. Others were Programme Officers for the children's rights programme and the human rights and HIV/AIDS programme recruited with assistance from Save the Children and the University of Pretoria HIV/AIDS Human Rights and Law Programme respectively.

Table 7.3: Employment status under the establishment at end of December 2009

| Department / Office | Number of staff | Number of staff on study leave | Number of staff dismissed -misconduct | Number of staff transferred | New appointments | Promotions |
|---------------------|-----------------|--------------------------------|---------------------------------------|-----------------------------|------------------|------------|
| Investigations | 5 | 1 | | | | |
| Information | 4 | | | | | |
| Research | 2 | 1 | | | | |
| Administration | 21 | | | | 1 | 1 |
| Accounts | 5 | | 1 | | 1 | 1 |
| Chipata Office | 3 | | | | | |
| Kasama Office | 3 | | | | | |
| Livingstone Office | 2 | | | | | |
| Mongu Office | 3 | | | | | |
| Ndola office | 4 | | | | | |
| Total | 52 | | | | | |

7.6 Staff Training and Development

As part of capacity development for the Commission, Commissioners and staff participated in various training programmes and workshops targeted at enhancing their contribution to the implementation of the Commission mandate. The following table (Table 2.5) summarises the training undertaken by Commissioners and Commission staff during the year under review.

Table 7.4: Training undertaken by Commissioners and staff

| NAME | OCCUPATION | TRAINING UNDERTAKEN |
|---------------------|--|--|
| Mrs. Pixie Yangailo | Chairperson | Participated in the <i>Permanent Forum of Arab- African Dialogue on Democracy and Human Rights</i> held in Paris France from 25 th to 26 th May 2009. |
| Mr. Alfred Sakala | Commissioner | Attended a workshop on the peace-building role of National Human Rights Institutions (NHRIs) in Post-Conflict Countries held from 9 to 11 September 2009 in Johannesburg, South Africa. |
| Mrs. Hope Chanda | Chief, Research, Advocacy and Planning | Attended a <i>Women and Justice International Visitor Leadership Programme</i> held from 27 th February to 29 th March 2009 in the United States of America, whose objective was to enhance leadership skills in women involved in delivery of justice. |
| Ms Sinyama Simui | Research and Documentation Officer | Attended a <i>Human Rights and Disability Programme</i> in Sweden from 23 rd March to 3 rd April 2009. Ms Simui is currently pursuing a Masters degree in Human Rights Law at the University of London. |
| Ms Rumbidzai Mutasa | Principal Legal Counsel | Attended a course on <i>Gender Mainstreaming</i> held in Copenhagen Denmark from 15 th February to 12 th March 2009. The main objective of the course was to teach participants how to include gender mainstreaming in development. |
| Mr. Simon Mulumbi | Information Officer | Participated in the conference on the <i>Institutionalization of Democracy and Human Rights in Education</i> for the Southern African Development Community (SADC) held in Johannesburg, South Africa from 28 th to 29 th May 2009. Mr. Mulumbi also participated in a regional training programme on human rights organised by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) in conjunction with the Network of African National Human Rights Institutions (NANHRI) and the South African Human Rights Commission (SAHRC), with sponsorship of the Swedish International Development Cooperation Agency (SIDA). The training was held in Pretoria, South Africa from Monday 22 nd June to Wednesday 1 st July 2009. |

| | | |
|--|----------------------------|--|
| Mr. Kebby Malila | Investigations Officer | Participated in a regional training programme on human rights organised by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) in conjunction with the Network of African National Human Rights Institutions (NANHRI) and the South African Human Rights Commission (SAHRC), with sponsorship of the Swedish International Development Cooperation Agency (SIDA). The training was held in Pretoria, South Africa from Monday 22 nd June to Wednesday 1 st July 2009. |
| Ms Inambao Kabandala | Head, Finance and Accounts | <p>Participated in the following capacity building initiatives:</p> <ul style="list-style-type: none"> • A workshop on <i>enhancing public finance and control</i> organised for heads of accounting units by the Ministry of Finance and National Planning and the Office of the Accountant General in Lusaka from 16th to 17th March 2009 Lusaka. • Workshop organised for heads of accounting units by Ministry of Finance and National Planning and the Office of the Accountant General from 19th to 20th December 2009 in Lusaka. The purpose of the workshop was to review draft manual for accounting and financial procedures. • • <i>CPD 2nd Annual Africa Master Class Conference</i> hosted by the Zambia Institute of Chartered Accountants from 10th to 12th June 2009 in Livingstone. The conference focused on strategic business risk management. • <i>IFMIS 2010 budget data cleanup workshop</i> for heads of accounting units organised by Ministry of Finance and National Planning and the Office of the Accountant General from 12th to 16th July 2009. |
| Ms Phoeby Chola | Accountant | Participated in a follow-up <i>IFMIS 2010 budget data cleanup workshop</i> organised by Ministry of Finance and National Planning and the Office of the Accountant General from 26 th November to 3 rd December 2009. |
| Mr. Hepson Mulendele | Assistant Accountant | Participated in a follow-up <i>IFMIS 2010 budget data cleanup workshop</i> organised by Ministry of Finance and National Planning and the Office of the Accountant General from 26 th November to 3 rd December 2009. |
| HRC staff (Head Office & Provincial Offices) | - | A training workshop on proposal and report writing was held at Mwiza Lodge in Lusaka from 24 to 26 th November 2009 for all HRC staff from the Head Office and Provincial Offices. |

7.7 Performance Appraisal System

During the year under review, a staff performance appraisal system was developed and implemented. This system aims to ensure, among other things, that staff are remunerated and promoted based on performance. It was introduced in an effort to ensure that the performance of the Commission in terms of execution of its mandate is continuously assessed against targets reflected in its strategic plan.

The Commission, however, faced some challenges in administering the initial staff appraisals for the year 2008 as the system was being tested for first time. The Commission therefore was not able to appraise all the staff by end of December 2009. In the next financial year, the Commission will give priority to this process and seek different ways of improving the system and overcoming the challenges faced during this reporting period.

7.8 Staff Medical Scheme

The rising cost of medical services provided by Victoria Hospital has been a challenge to maintaining the staff medical scheme, especially without an increase in funding from National Treasury to the prescribed premium. Intense consultations were made with the employees of the Commission following which were suggestions to increase each employee's contribution by 130% in order to afford the scheme within the prescribed premium. The Commission also began to explore alternatives to come up with a more affordable medical scheme for its employees.



HUMAN RIGHTS COMMISSION

FINANCIAL STATEMENTS

For the year ended 31st December 2009

**THE AUDITOR GENERAL
P.O. BOX 50071
LUSAKA - ZAMBIA**

MEMBERSHIP INFORMATION

FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST DECEMBER 2009

TABLE OF CONTENTS

| CONTENTS | PAGE |
|--|------|
| Chairman's Report | 1 |
| Director's Report | 2 |
| Statement of Management Responsibility | 3 |
| Statement of Comprehensive Income | 4 |
| Statement of Financial Position | 5 |
| Notes to the Financial Statements | 6-11 |

MR. MA'S HUGHES COMMISSION

Financial statements for the year ended 31st December 2009

Report of the Auditor

In accordance with the provisions of Article 171 of the Constitution of Zambia, Public Finance Act No. 15 of 2006 and Public Audit Act of 1998 I have audited the financial statements on pages 7 to 11, which were prepared under the financial control system.

Responsibilities of Management

The Commission is responsible for the preparation of the financial statements for each year which presents a true and fair view. In preparing the financial statements, management select suitable accounting policies and then applies them consistently, makes judgment that are reasonable, prudent and ensure generally accepted accounting principles.

The Commission is also responsible for the system of internal control, safeguarding of the assets and taking reasonable steps for the prevention and detection of errors, fraud and other irregularities.

Responsibility of the Auditor

It is the responsibility to form an independent opinion on the financial statements.

Basis of Opinion

The audit was conducted in accordance with the Office of the Auditor General auditing standards and generally accepted auditing standards. In particular examination, on a test basis, of the documents relevant to the accounts and disclosures in the financial statements. It also included an assessment of the significant estimates and judgments made by the Commission Management in the preparation of the financial statements and whether the accounting policies are appropriate to the Commission's circumstances, consistently applied and adequately disclosed.

The audit was planned and conducted so as to obtain all the information and explanations, which were considered necessary in order to provide sufficient evidence to give reasonable assurance that the financial statements are free from material misstatements, whether caused by error, fraud or other irregularities. In forming my opinion, I also evaluated the overall appropriateness of the presentation of information in the statements.

Opinion

In my opinion, the financial statements on pages 7 to 11 give a true and fair view of the financial position of the Human Rights Commission as at 31st December 2009 and of its results of income and expenditure for the financial year then ended.


Anne M. Chikanga (FCCA, FRCPA)
AUDITOR GENERAL

DATE: 29/01/2010

HUMAN RIGHTS COMMISSION

Financial Statements for the year ended 31st December 2009

STATEMENT OF MANAGEMENT RESPONSIBILITIES

1. Management of the Human Rights Commission is required to ensure that the financial statements for each financial year are prepared which give a true and fair view of the state of affairs of the Commission and of the income or deficit of the income and expenditure for the period. In preparing the financial statements, management is responsible:
 - a) that such records accounting policies and their application are maintained;
 - b) that all payments and receipts that are receivable and payable;
 - c) that relevant accounting standards have been followed and;
 - d) prepare financial statements on the going concern basis unless it is inappropriate to presume that the Commission will continue with its activities.
2. Management of the Human Rights Commission is responsible for the integrity of proper accounting records which disclose with reasonable accuracy at any given time the financial position of the Commission and ensure it ensures that the financial statements comply with the relevant laws and agreements with the Government of the Republic of Kenya (GRK). Management is also responsible for safeguarding the assets of the Commission and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.
3. The Management of the Commission certifies that to its opinion:
 - a) the financial statements give a true and fair view of the state of the Commission's affairs as at 31st December 2009 and of its income or deficit for the period then ended;
 - b) in the absence of fraud, there were reasonable grounds to believe that the Commission will be able to pay its debts as and when they fall due and;
 - c) the financial statements are drawn up in accordance with applicable accounting standards accepted by GRK.

Signed on 22nd March 2010


By _____
Kenneth Mbatia
Director
Human Rights Commission


By _____
Samuel N. Ngunjiri (CHA)
Deputy Director
Human Rights Commission

FINANCIAL STATEMENTS

STATEMENT OF COMPREHENSIVE INCOME

For the year ended 31st December 2008

| | | | |
|---|---|------------------------|------------------------|
| GRZ Funding | 3 | 8,197,513,419 | 8,204,403,419 |
| Other Funding | 4 | 506,088,173 | 252,468,973 |
| Other Income | 5 | 41,999,838 | 1,279,894,967 |
| Total Income | | 8,745,591,430 | 9,736,767,359 |
| Expenses | | | |
| Expenses Benefits Expenses | 6 | 8,496,387,617 | 8,713,973,198 |
| Other Expenses | 7 | 2,094,323,740 | 2,094,389,947 |
| Depreciation and Amortisation Expenses | 8 | 551,329,654 | 551,829,089 |
| Total Expenses | | 11,142,040,011 | 11,359,192,234 |
| Surplus / (Deficit) for the year | | (3,396,448,581) | (1,622,424,875) |

(The notes on pages 9 to 14 form part of the financial statements)

HUMAN RIGHTS COMMISSION

STATEMENT OF FINANCIAL POSITION

as at 31st December 2009

| | Name | 2009 R | 2008 R |
|-------------------------------------|------|-----------------------------|-----------------------------|
| ASSETS EMPLOYED | | | |
| Non-current assets | | | |
| Property, Plant & Equipment | R | <u>1,680,076,479</u> | <u>1,150,000,000</u> |
| Current Assets | | | |
| Trade and Other Receivables | R | <u>612,287,187</u> | <u>554,889,100</u> |
| Cash and Cash Equivalents | R | <u>207,443,479</u> | <u>790,432,500</u> |
| | | <u>819,730,666</u> | <u>1,345,321,600</u> |
| Total Assets | | <u>2,499,807,145</u> | <u>2,495,321,600</u> |
| Equity & Liabilities | | | |
| Equity | | | |
| Reserve Income | R | <u>1,475,404,410</u> | <u>1,475,404,410</u> |
| Surplus (Deficit) for the year | | <u>(707,000,070)</u> | <u>55,400,000</u> |
| Total Accumulated Funds | | <u>1,768,404,340</u> | <u>1,530,804,410</u> |
| Current Liabilities | | | |
| Trade and other Payables | R | <u>204,275,211</u> | <u>88,481,600</u> |
| Total Equity and Liabilities | | <u>2,499,807,145</u> | <u>2,495,321,600</u> |

These financial statements were approved by the Human Rights Commission on 30th 12th 2009 and signed as indicated by:



Peter K. Yengels (Mr)
Chairperson
Human Rights Commission



Enoch Makwela
Director
Human Rights Commission

(The notes on pages 1 to 7 form part of the financial statements)

**HUMAN RIGHTS & ENVIRONMENT
NOTES TO AND FORMING PART OF
THE FINANCIAL STATEMENTS
For the year ended 31st December 2020**

1. Regulatory Framework

The Human Rights Commission was established under Article 68 of the Constitution of Costa Rica. The legislation and policies governing the operations of this are contained in the Human Rights Commission Act No. 9448 of 1994 and its subsequent amendments and protocols and protection of human rights.

2. Significant Accounting Policies

2.1 Accounting Framework

The significant accounting policies adopted in the preparation of these financial statements which have been prepared in accordance with International Accounting Standards issued by the Commission and the Government of the Republic of Costa Rica are:

a) Basis of preparation of financial statements

The financial statements have been prepared in the basis of historical accounting cost.

b) Functional and Presentation Currency

The financial statements are prepared in the Costa Rican Colón (CRC).

c) Depreciation

Depreciation is charged on non-current assets during the year and is calculated on straight line method at the rate estimated to write down the assets to their residual value over their estimated useful lives. The rates are as follows:

| | |
|-------------------------|-----|
| Land and Buildings | 3% |
| Motor Vehicle | 20% |
| Office Equipment | 11% |
| Furniture and Fittings | 10% |
| Communication Equipment | 10% |

d) International Accounting Standard 101 (2007)

Financial Statements for the year ended 31st December 2020 have been prepared in compliance with International Accounting Standard 101 (2007) and the items in the components of the financial statements have been valued as follows:

- A statement of financial position (Balance Sheet) as at the reporting period
- A statement of comprehensive income for the period (Income Statement)
- A statement of cash flows for the period (Income & Cash Flow Statement)

**HUMAN RIGHTS COMMISSION
NOTES TO AND FORMING PART OF
THE FINANCIAL STATEMENTS
For the year ended 31st December 2009**

5.1.2.2 Funding

There are funds received from the Government of the Republic of Florida (GRF) as approved in the budget of 2009 as shown below:

| Month | 2009 | 2008 |
|--------------|----------------------|----------------------|
| | £ | £ |
| January | 495,256,208 | 546,872,954 |
| February | 515,483,353 | 559,333,787 |
| March | 617,666,403 | 552,796,128 |
| April | 585,443,819 | 627,569,888 |
| May | 594,515,848 | 576,879,152 |
| June | 473,603,598 | 633,113,433 |
| July | 588,824,443 | 513,444,827 |
| August | 576,083,256 | 591,366,283 |
| September | 578,763,624 | 572,798,171 |
| October | 518,403,598 | 4,389,187,402 |
| November | 515,722,465 | 662,388,644 |
| December | 482,343,651 | 555,174,758 |
| Total | 5,025,714,602 | 6,176,383,428 |

6. Grant Funding

This is income received from sponsoring partners in partnership with the Human Rights Commission to undertake specific projects. In 2009, the income received from both the US Citizenship Hearing and Border was reduced, however under EYOP significant other equipment purchased through the Bureau for Direct Payment (BDP).

| Source | 2009 | 2008 |
|----------------------------|--------------------|--------------------|
| | £ | £ |
| Save the Children America | 61,665,096 | 114,687,374 |
| Save the Children, Ireland | | 114,626,898 |
| Save the Children, France | 240,890,898 | |
| German Embassy | 379,400,868 | |
| EYOP | 24,396,122 | |
| Total | 686,352,982 | 239,314,272 |

**HUMAN RIGHTS CONSIDERATIONS
NOTES TO AND FORMING PART OF
THE FINANCIAL STATEMENTS**
For the year ended 31st December 2009

3. Other Income

This represents additional funds that were deposited into the accounts due to various circumstances as indicated:

| | 2009 £ | 2008 £ |
|--|-------------------|----------------------|
| Profit/Loss on disposal | - | 27,298,375 |
| Interest Received | 4,221,884 | 8,094,258 |
| Profit on Realisation of Investment Assets | - | 558,583,775 |
| Interest on Government Loans | 27,899,975 | 27,366,698 |
| Interest on Finance Loans | 559,884 | 559,653 |
| Manufacturing Income | 9,825,855 | 26,778,488 |
| Rental Income | - | 4,928,730 |
| Interest of Finance | - | 622,127,728 |
| Total | 14,687,643 | 9,354,377,764 |

4. Employee Benefits Expense

| | 2009 £ | 2008 £ |
|-----------------------------|----------------------|----------------------|
| Salaries and Wages | 1,495,275,758 | 1,895,213,438 |
| Long Service Benefit | - | 21,781,838 |
| Termination Allowance | 44,382,282 | 24,382,282 |
| Executive Director's Salary | 24,138,175 | 22,948,149 |
| Gratuity | 228,872,896 | 248,581,117 |
| Leave Pay | 21,479,495 | 24,888,649 |
| Leave Travel Benefit | 24,296,688 | 21,086,688 |
| Staff Training | 4,214,468 | 22,842,257 |
| Medical Allowance | 21,968,676 | 21,838,880 |
| Cash Bonus of 50p | 22,851,279 | - |
| Total | 2,869,271,629 | 2,453,635,297 |

WYMAN BROTHERS CORPORATION
NOTES TO AND FORMING PART OF
THE FINANCIAL STATEMENTS

For the year ended 31st December 1979

7. Other Expenses

| Item | 1980 | 1979 |
|-------------------------------------|---------------|---------------|
| Rs | Rs | Rs |
| Staff Allowances | 518,779,133 | 487,849,133 |
| Commissioners Allowances | 179,482,333 | 177,794,833 |
| Advertising and Publicity | 47,443,177 | 131,294,877 |
| Bank Charges | 39,942,143 | 44,449,333 |
| Cleaning and Sanitary Services | 12,486,100 | 35,211,433 |
| Consultancy Fees | 44,789,400 | 127,321,233 |
| Postal Charges | 3,413,788 | 3,277,888 |
| Software Charges | 3,173,888 | 4,898,833 |
| Transport and Motor | 88,391,100 | 21,797,888 |
| Furnished and Furniture | 6,483,147 | 7,384,133 |
| Life Insurance | - | 994,133 |
| Property Rates | 1,781,833 | 1,987,333 |
| Legal Fees | - | 117,833 |
| Leases | - | 2,376,250 |
| Motor Vehicle Expenses | 385,789,433 | 476,714,833 |
| Printing | 85,197,888 | 66,476,833 |
| Repairs and Maintenance | 71,742,433 | 34,774,833 |
| Subscriptions, Professional Bodies | 18,333,177 | 1,752,833 |
| Subscriptions- NRI | 34,118,800 | 68,333,133 |
| Publications | 34,143,100 | 66,761,833 |
| Telephone and fax | 87,123,833 | 78,364,733 |
| Travel and Accommodation Land | 38,177,833 | 4,274,133 |
| Travel and Accommodation Overseas | 34,174,833 | 68,362,133 |
| Secretary | 31,364,100 | 108,813,133 |
| Interest Charges | 476,178,788 | 131,827,833 |
| Conferences, Seminars and Workshops | 229,411,100 | 323,194,877 |
| Security Services | 12,787,100 | 12,857,100,00 |
| Public Relations and Communication | 74,274,800 | 38,641,100,00 |
| Stores and Supplies | - | 70,864,100,00 |
| Research and Feasibility Studies | - | 85,187,600,00 |
| Labour Day Celebrations | 1,447,888 | 14,779,888,00 |
| Provisional Wage | - | 2,279,888,00 |
| Subscriptions Expenses | 6,617,427 | 6,583,100 |
| General Fees | 1,822,177 | - |
| Accounts and Audit Services | 11,786,888 | - |
| Head Office and Equipment | - | 2,381,168,00 |
| Computer Expenses | 1,388,888 | - |
| Total | 1,688,711,718 | 2,779,261,257 |

**BEALAN GROUPS COMPANY'S
NOTES TO AND FORMING PART OF
THE FINANCIAL STATEMENTS**

For the year ended 31st December 2009

| 8. Trade and other receivables | 2009 £ | 2008 £ |
|--------------------------------|--------------------|--------------------|
| Discounted bills | 100,174,000 | 100,022,000 |
| House loans | 11,000,000 | 11,000,000 |
| Education loans | 47,821,210 | 4,500,000 |
| Other receivables | 21,461,000 | 1,000,000 |
| Total | 180,456,210 | 116,522,000 |

10. Cash and Cash Equivalents

There are cash on hand and bank balances as shown below:

| Item | 2009 £ | 2008 £ |
|----------------------------|--------------------|--------------------|
| B/C's Accounts | 11,000,000 | 79,871,000 |
| Advances received | 60,000,000 | 60,770,000 |
| Revolving Accounts | 11,000,000 | 49,941,000 |
| JAF (a/c) Interest Account | 60,700,000 | 61,330,000 |
| Fixed Fund Account | 1,000,000 | 1,000,000 |
| Cash at hand | 10,000 | 1,000,000 |
| Bank of Jordan | 1,000,000 | 101,700,000 |
| Bank for Children | 110,000,000 | 0 |
| Total | 254,700,000 | 293,812,000 |

11. Accumulated Fund

| Item | 2009 £ | 2008 £ |
|----------------------------------|--------------------|----------------------|
| Balance as at 1 January | 1,007,000,000 | 1,000,000,000 |
| Share period adjustment* | 60,000,000 | 11,000,000 |
| Adjusted Accumulated Fund | 1,067,000,000 | 1,011,000,000 |
| Transfer/Dividend for the year | (100,000,000) | (11,000,000) |
| Balance as at 31 December | 967,000,000 | 1,000,000,000 |

* - This amount was cash received at the end of 2008 that cannot be carried forward to the following year and has to be transferred to General FD and other appropriations.

REMARKS BY JOHN C. DUMMIGAN JR.
MEMBER OF THE BOARD OF DIRECTORS
THE FINANCIAL STATEMENTS
For the year ended 31st December 2010
CL Trade and other Payables

| Item | 2010 | 2009 |
|-----------------------------------|--------------------|-------------------|
| | € | € |
| Trade Creditors | 4,494,330 | 27,340,333 |
| Security Creditors | - | 11,171,521 |
| Leases | 1,887,330 | 8,476,729 |
| HMRC: Employer Contributions | 2,815,877 | 1,148,518 |
| HMRC: Employer Contributions | 148,840,828 | - |
| Public Service Pension Fund | 29,173,540 | - |
| London Transport Building Society | 1,046,330 | - |
| Provision Income | 230,590 | - |
| Various Deposits | 11,779,954 | - |
| Total | 189,328,312 | 48,036,591 |

ANNEX B: Selected press statements made by the Human Rights Commission in 2009

Remarks made by the Chairperson of the Human Rights Commission on the Occasion of the Ceremonial Opening of Lusaka High Court Sessions in January 2009

Your Lordship the Judge in Charge
Honourable Justices present
The Chief Administrator
The Director of Public Prosecutions
The Registrar of the High Court
The Director of Legal Aid
The Principal Resident Magistrate
The Zambia Police Regional Commanding Officer
The Zambia Prisons Regional Commanding Officer
Members of the Press
Distinguished Ladies and Gentlemen

On behalf of the Human Rights Commission and, indeed, on my own behalf, I wish to state the deep honour and privilege that I feel to be able to officiate at this year's opening of the High Court Criminal Sessions. It is over eleven years since the Human Rights Commission was set up and, though the Commission and the Judiciary have interacted in one way or another, this is the first time, to my knowledge, that the Commission has been given this rare honour and privilege to be part of this very important occasion which marks a new cycle in our criminal justice system.

My Lord,

Allow me to state that the Human Rights Commission and the Judiciary do have a common purpose when it comes to the delivery of justice. Though we each have specific roles and mandates in contributing to good governance in Zambia, our roles converge at the point where both our institutions are concerned or charged with the responsibility to ensure the protection of human rights.

My Lord,

In terms of Article 28 of the current Constitution of the Republic of Zambia, the first point of call for any person who feels that his or her rights have been or are about to be violated is the High Court, where one can seek redress. This has been the case since 1964 when this country became independent. For 44 years, we have seen the Judiciary perform its function of adjudicating over cases involving human rights issues of many shades and colours, involving different complexities. The courts have made pronouncements over the years on such important rights as the right to liberty of person, freedom of assembly and association and freedom of opinion. Indeed, I believe that the many different cases that come before the courts all in one way or the other involve human rights, even if the term "human rights" is not necessarily mentioned. In this regard, My Lord, the courts are critical to the uplifting of human rights standards. It is no wonder therefore, that the right or entitlement to adjudication before a competent, impartial and independent court or tribunal is firmly entrenched in our Constitution and in international human rights standards. The courts are indispensable to the protection of human rights. I believe this will continue to be the case for all time. However, since the creation of the Human Rights Commission, we saw a complimentary system being established to provide expanded protection to people that suffer human rights violations. Among other functions, the Commission has the mandate to receive complaints of alleged human rights violations. In this way, the Commission is able to compliment the High Court's constitutional mandate to handle people's human rights problems.

My Lord,

I wish to state from the outset that this common feature that our two institutions have has its roots in the recognition of the need to respect human dignity. In 2008, we marked 60 years of the Universal Declaration of Human Rights. For one year since 10 December, 2007, up to 10 December, 2008, the theme of the celebrations to mark the six decades of the declaration was "dignity and justice for all of us". That is a cry in which both

the Judiciary and the Human Rights Commission have a major role to play. It is in this vein, my lord, that I am so gratified for the honour you have given me today in my capacity as Chairperson of the Human Rights Commission to grace the 2009 opening ceremony of the High Court sessions. This invitation is testimony to the growing partnership between our two institutions, a relationship which we should continue to nurture.

My Lord,

There are many issues one would wish to talk about at an important occasion such as this. There is so much we can bring out in terms of the judicial protection of human rights. Since we do not have the luxury of time, allow me, My Lord, to mention a few things that are dear to us at the Commission. I want to believe also that the same are issues of concern to the Judiciary as they are to every well meaning advocate of human rights.

My Lord,

One of the most important functions of the Human Rights Commission is the inspection of prisons, police cells and other places of detention. This is a mandate which the Commission has carried on every year since 1997. The Commission has over the years been to all parts of the country in carrying out this task. It is a task that is supposed to be a continuous cycle. However, due to resource constraints, in recent years we have only been able to conduct prison and police cells in one or two provinces per year, with the most recent one being a visit to North Western Province in mid 2008. Despite this, however, the Commission is now very familiar with the state of our prisons and police cells. Although we have noted some improvements, in general terms, the situation is far from being desirable. Our prisons are fraught with problems of all kinds ranging from overcrowding, filth in the cells, lack of proper sanitation to poor diet and poor health and lack of or inadequate recreation facilities.

My Lord,

I am sure you know that the Government itself is on record as having stated that Zambian prisons are the third most congested in the region. Although I wish to hasten in commending the Government and the Zambia Prison Service for the brave admission, a sign that the problem is being faced head on, the fact that we have the third most congested prisons is a sad state of affairs. It is common knowledge that most of the prison infrastructure is very old, having been built some time before 1964 or shortly afterwards. Although we have seen some movement in infrastructural development like what is happening at Mwembeshi and the setting up of some Open Air prisons, this country has witnessed very little improvement in our prison facilities. Most of the facilities we have now were built to cater for a much smaller population. The population of Zambia has since grown threefold. Coupled with the economic difficulties the country has experienced, some of our youth tend to turn to crime as a means of survival due to lack of jobs and other viable means of making a living. My Lord, I am not giving that as an excuse for engaging in crime on behalf of our young people; instead my point is that Zambia's population is young and mostly made up of the youth. These are the people we find filling up our prisons.

My Lord,

There is an urgent need to invest in better prison infrastructure. The Commission commends the efforts that are already underway but we call for urgency because the conditions in the prisons are not ideal for ensuring a dignified existence. Although the people that are housed in there have offended society, that fact does not terminate their humanity. It is unacceptable that human beings are made to remain in places that breed disease and are full of filth. I am aware that some sections of our society are against improvements in prison infrastructure at the expense of poverty alleviation, saying that living in comfort will only encourage more crime. My Lord, I cannot disagree more. The point we have always put across from the Human Rights Commission is not that our prisoners should live in five star accommodation. Rather our concern is for ensuring that we do not lose our sense of humanity by subjecting other human beings to conditions we ourselves would find objectionable. All we ask is for conditions in prisons that, in their entirety, will allow for the rehabilitation of inmates instead of subjecting them to inhumane conditions that only serve to harden their criminal inclination. The fact of incarceration is already punishment. I have never in my practice as a lawyer heard a court, in addition to incarceration, pronounce subjection to disease and poor diet on a convicted person. That is not part of the punishment.

My Lord,

All of us present here know how much we cherish being free; being able to freely move around and to be with one's family; being able to engage in a profession or business of our choice and to socialise. It is human nature to desire and experience all that. That is why although some people commit crimes of all sorts, everyone fears to be sent to prison. This is so even in countries where prison conditions are, in a manner of speaking, decent. No one wants to have their liberty taken away. That is why people cherish their freedom and it is a great punishment to lose one's freedom. That is why, although the right to liberty is one of the oldest recognised fundamental freedoms, its deprivation is used the world over as a form of punishment. It is that deprivation alone, in appropriate circumstances, that should constitute the punishment and not inhumane conditions.

My Lord,

I have belaboured on this issue because a fundamental truth is that all human beings deserve dignity and respect, no matter their station in life. That is an inviolable attribute. It is in that vein that the Human Rights Commission wants to partner with the Judiciary in ensuring that together we uphold the dignity of all human beings, including prisoners.

My Lord,

At this juncture, let me congratulate the Government of the Republic of Zambia for introducing the parole system in a bid to decongest our prisons. This is a welcome development and I want to call on the authorities to ensure that all the necessary measures are in place to make this arrangement a success. It could not have come at a better time. In the same vein, I cannot forget to appeal to our colleagues who will benefit from this system not to take things for granted and engage in more crime. The introduction of parole is a gesture made by the Government on behalf of the people of Zambia. The people expect to see those who are released on parole to show remorse and that they are repentant of their past criminal behaviour and are ready to move on positively with the rest of the law abiding citizens and residents of this great land.

My Lord,

In our activity of inspecting the prisons, we have discovered that a major contributing factor to congestion and the attendant unhealthy conditions in prisons is the slow pace cases take to be disposed of. I wish to hasten in mentioning that the Human Rights Commission is aware of the problems that all the institutions involved in the administration of justice go through in undertaking their different roles. There are problems of under-staffing, poor transport and generally inadequate resource allocation to enable such vital institutions run smoothly. However, My Lord, I wish to remind all of us that the right to a fair trial is guaranteed in our Constitution. It is a right that is made up of many procedural guarantees that must be adhered to without fail. There is the presumption of innocence, a sacrosanct aspect of our legal tradition. The right to presumption of innocence means, in my humble opinion, that a person does not deserve any punishment at all until such time as the courts so determine his or her fate based on the evidence before them or they plead guilty and the appropriate punishment consonant with the applicable law is imposed. Unfortunately, what our experience has been at the Commission is that a good number of people are kept in prison for long periods of time, a situation which does not serve the interests of justice. In the last 10 years, that is the period 1998 to 2008, the Commission recorded at least 213 complaints of delayed justice. Some of the inmates we encountered in our rounds lamented that they had never seen a day in court or had been there only once or twice. In other cases, the process of hearing their appeals has taken unduly long. My Lord, we have also sadly come across some who have complained that while they were arrested for a lesser offence which would entitle them to police bond or bail under the right circumstances, they found themselves suddenly slapped with a serious offence which they had no idea they committed, simply to keep them locked up. These are grave injustices. Our Constitution, like I have indicated guarantees presumption of innocence as well as a trial within a reasonable time frame.

My Lord,

I firmly believe that the Judiciary itself is, among other things, a human rights institution. That is why according to our Constitution, the first port of call when one's rights are violated according to Article 28 is the High Court. My hope and I believe it is the hope of everyone present here today, is to see that our courts continue to

be a haven for human rights protection for all people. Unless that attribute is jealously protected and upheld, we risk subjecting our judicial officials to ridicule and disrespect. I for one as a human rights practitioner and a lawyer would never want such a state of affairs. My Lord, I want to encourage you to keep on the good work you are doing in the criminal justice system under very trying circumstances and to do even better in the year 2009. We at the Commission hold the High Court and the entire judicial system in the highest esteem. We have always told a lot of the people that complain to us that, though we are able to help solve their problems where we can, a judicial remedy is always the best remedy. This is because everyone, without exception, is expected to obey and respect a court decision. That is why we count on the High Court and the Judiciary in general as an eternal partner in our quest to bring about a culture of respect for human rights and fundamental freedoms.

My Lord,

Allow me also to state, and I believe you agree with me, that if more and more people see the Court as a tenacious protector of human rights, the integrity of the judicial system will be upheld. I believe that Judges, and magistrates for that matter, earn respect for their role in defending human rights by the integrity with which they discharge their functions. The greater the integrity of the Judiciary, the more likely will be the success of its role in defending and upholding the human rights of those who come before the courts. All of us must at the end of the day place our greatest trust in our Judges that they will come to our rescue should we have human rights complaints, especially where criminal matters are concerned.

My Lord,

I also firmly believe that the Judiciary should play a leadership role in law reform in the area of human rights. When more and more decisions coming from the courts are infused with considerations of the applicable human rights standards, especially those agreed at the international level, the Judiciary will have the much needed influence on the direction our law takes in terms of human rights. Through their decisions, the courts can, and I believe they do, provide an explanation on the meaning and content of the rights and freedoms in our Constitution as well as international obligations that our country has pledged to observe.

My Lord,

I know for example that when Zambia is reporting to the treaty bodies under the various instruments she is a party to, one of the most important considerations are the judicial measures that are in place to realise the rights and freedoms that are guaranteed in those instruments. My Lord, I implore the High Court to ensure that its role is even more visible in 2009 in putting our country on the world map as a country in which the Judiciary is intolerant of human rights violations in the administration of justice, especially criminal justice.

My Lord,

Allow me to state also that as a lawyer I want to take this opportunity to encourage the courts to continue giving support to advocates who raise human rights concerns in cases brought before the courts. Judges in every tradition, including our own, are highly dependent on advocates. It is the advocates who often choose the cases to be brought to court. It is the advocates who often frame the arguments that will be presented for the court's determination. The legal profession plays a vital role in the defence of human rights and in vigilantly upholding basic rights before independent, impartial and competent tribunals. The judicial role in the defence of human rights is highly dependent upon skilled and independent advocates. The courts should therefore uphold those features of the legal profession and defend them whenever they are under attack.

My Lord,

2009 should be a year of enhanced partnership between advocates and judges in promoting human rights through the cases that come to court. There can be no more formidable combination than that, especially where the rights of the most vulnerable of our society, the children and the women, are at stake. I challenge members of the legal profession, to which I proudly belong, to champion the cause of children's and women's rights through the judicial system. The more lawyers take up cases involving vulnerable people, raising critical issues in their submissions, the more opportunity the courts will have in making pronouncements that will shape the human rights discourse in Zambia. The Commission stands ready, My Lord, to work with both

the Judiciary and the entire legal fraternity in charting a useful and fruitful way forward in the development of human rights law in Zambia, as well as developing and improving the mechanisms required to enforce that law.

My Lord,

May I wind up by congratulating you for yet another successful opening of the High Court Sessions. I wish the High Court a very successful 2009. I also wish to encourage all institutions present here that are involved in the administration of justice to keep on with the good work. Times can be difficult but I believe if we all pool our energies, we can achieve a lot.

Happy New Year and God bless you all.

COMMUTATION OF DEATH SENTENCES BY H.E. RUPIAH BANDA

Issued by Mrs. Pixie K. Yangailo, Chairperson

15th January 2009

The Human Rights Commission wishes to commend His Excellency the President, Mr Rupiah Banda for commuting the death sentences of 53 death row inmates.

As a Commission we have been consistent in our opposition to capital punishment and even in our most recent statement issued at the close of 2008, we did put on record our views on this matter. That the President has soon after followed our plea with a pardon for such a large number of persons convicted to die clearly indicates that we are of like mind in arguing for the sanctity of life. Life is undoubtedly the very essence of human dignity. Indeed, the right to life, even for persons found guilty of heinous crimes, must be upheld.

We do realise that the subject of capital punishment remains highly emotive, but while allowing for as wide debate as possible regarding what our next Constitution must state on the subject, we hope that the pros for its abolition will be recognised and a new chapter in the history of our country will be opened where the State does not, at any cost, deprive people of the right to life. It is equally gratifying that, elsewhere, other efforts are being initiated to safeguard human life. Currently, the maternal mortality rate resulting from various complications in pregnancy is still very high. Every effort towards reducing it is therefore worth our commendation. It is in this vein that we laud the Ministry of Health for launching a drug that reduces excessive bleeding in women after child delivery, as reported in the press recently.

Provision of quality health care in all circumstances, but even more so where life is threatened, is critical at all times for people to enjoy their inalienable right to health. We trust that people in the areas where the drug is being piloted will cooperate with health authorities so that the successes, therein, if any, can thereafter be spread to the rest of the country.

CONTINUED STRIKE BY NURSES

Issued by Mr. Enoch Mulembe, Director

17th June 2009

The Human Rights Commission joins calls for health workers to resume work. The Commission is aware that workers have the right to just and favourable conditions and remuneration ensuring them an existence worthy of human dignity and social protection. For the protection of their interests, they also have the right to express themselves through their unions and other means recognised by law.

The Commission is, however, concerned about the impact of the countrywide strike which has affected various sectors of the economy, resulting in loss of lives that could have been prevented, and undermining the respect for human rights. The Commission commends the doctors and teachers for calling off the strike and would like to urge the nurses to do the same in public interest and for the sake of the innocent patients whose only

desire is to receive medical care for their health and well-being.

The Commission also commends the government and the unions for the successful negotiations in respect of the strike, but urges that the relevant authorities should act swiftly and look seriously into the plight of all workers. The Commission would like to take this opportunity to strongly urge all employers in various sectors of the economy to strictly adhere to the dictates of the Zambian laws and the common human rights standards to enhance respect for workers' rights.

HARASSMENT OF JOURNALISTS

Issued by Enoch Mulembe, Director

30 July 2009

The Human Rights Commission condemns in the strongest terms the violence perpetrated against journalists who had gone to cover the arrival of President Rupiah Banda at the airport. The Commission calls upon the leadership of the MMD to ensure those committing such acts are brought to book.

It is extremely unfortunate that Zambia seems to be descending into a country where the practice of journalism is a perilous profession. It is important for the public, and political cadres in particular, to be reminded that journalists play a critical role in the governance of the country. We all depend on journalists to inform us about national and international events, which undoubtedly play a role in shaping the country's destiny. It is important that people respect journalists' individual rights and freedoms as well as their right to practice a profession without fear for their lives.

The Human Rights Commission challenges the police to investigate the incident and invoke the appropriate law.

PAROLE OF PRISONERS

The Human Rights Commission is delighted at the news that 23 inmates have been released under the newly introduced parole system. The development is welcome as it will help decongest our prisons and ensure that those who remain inside serve their sentences under relatively dignified circumstances.

The Commission appeals to the 23 beneficiaries to respect the law and lead useful lives out of prison. In order for the parole system to work well, it is important that those who are released on parole show a good example in order to assure the authorities that they can proceed to release more inmates as circumstances determine.

The Human Rights Commission commends the Government and the Zambia Prison Service and urges that the system be employed as regularly as possible to help alleviate the desperate conditions in Zambia's prisons.

ZAMBIA'S 45th INDEPENDENCE ANNIVERSARY

Issued by Mrs. Pixie K. Yangailo, Chairperson

24th October 2009

On the occasion of Zambia's 45th Independence anniversary, the Human Rights Commission congratulates the People of the Republic of Zambia for a peaceful existence since 1964.

The Commission is pleased that every under trying moments, such as the difficult economic situation the country has experienced, the people of Zambia have, for 45 years, chosen peace over conflict. There is no doubt that Zambia is a haven of peace on a continent that is afflicted with so many problems and has held together as one nation. The Commission pays tribute to the founding fathers for emphasizing **ONE ZAMBIA ONE NATION**, which has been an enduring slogan for this young nation.

The Commission would like to take this opportunity to urge all Zambians to exercise tolerance and to respect each others fundamental rights and freedoms. Even in an atmosphere of different views and perspectives on issues, it is important for the people of Zambia to look at their diversity as a rich source of nourishment for our young democracy and not as a source of acrimony and discord. It is only when, as a people we are able to learn from each other's ideas that we will be able to find common ground on the issues that affect us and help this country to prosper.

THE PLIGHT OF 12-YEAR-OLD DANIEL CHISENGA OF CHIPULUKUSU, NDOLA

Issued by Mr. Enoch Mulemebe

18 September 2009

The Human Rights Commission is deeply saddened and concerned at the plight of 12 year old Daniel Chisenga of Chipulukusu, Ndola, who has had a swelling stomach since the age of 5 as reported on ZNBC Television News last night. The Commission urgently appeals to the relevant authorities, particularly the Ministry of Health, to quickly facilitate treatment for the boy.

The right to health is an entitlement of every person, particularly children, and the Government has an obligation to ensure the necessary assistance is afforded to Daniel. Considering the time the boy has had the condition, it is clear that this is an urgent and deserving case, if need be, for evacuation abroad, so that the boy can be treated and lead a normal and happy ambitious young person going through what Daniel Chisenga is experiencing.

The Commission further urges all those well wishers who are able to quickly render assistance to Daniel and his family.

Annex C: Strategic Plan

In 2007, the Commission adopted a new Strategic Plan for the period 2007-2011. The strategic planning process was made possible with the financial, technical and material assistance of the Embassy of Finland and the United Nations Development Programme (UNDP). The Plan was developed with the intention of providing continuity in terms of the execution of the mandate of the Commission. The Plan also provides space to the Commission to respond to emerging strategic issues which are too important to be ignored and may have an impact on its overall mandate.

The strategic directions articulated in the Plan drew from the emerging critical issues that were identified by various stakeholders as requiring the immediate attention of the Commission as a national human rights institution. These were articulated in four strategic objectives stated as follows:

1. Governance and Institutional Development:

By the end of 2011, the Human Rights Commission will be an accountable, transparent, efficient, effective and well-coordinated institution with presence in every province of Zambia.

2. Research, Advocacy and Planning:

By 2011 the Human Rights Commission will have positively influenced and monitored development and observance of key national and international human rights standards by all stakeholders.

3. Investigation and Rehabilitation:

By the end of 2011, the Human Rights Commission will have improved its capacity to effectively investigate and handle different forms of human rights violations and facilitate rehabilitation of victims of human rights abuses throughout the country.

4. Information Management, Education and Networking:

By the end of 2011, the Human Rights Commission will have empowered the majority of the people in Zambia with information, knowledge and skills in promoting and protecting human in Zambia.

Vision and mission statements

The Commission developed vision and mission statements to reflect the new realities and situations that the Commission had to deal with in its five-year Strategic Plan. These are:

i. Vision for Human Rights in Zambia:

A society that respects and upholds human rights for all persons in Zambia

ii. Vision for the Human Rights Commission:

An effective, respected, responsive and independent guardian of human rights for all time

iii. Mission Statement:

To promote and protect human rights for all people in Zambia through investigations of human rights violations, rehabilitation of victims of human rights abuses, education of communities and advocacy for policy and legal changes influenced by evidence-based research.

Organisational values:

- | | |
|----------------------------|-----------------------------------|
| ▪ Respect for human rights | ▪ Transparency and accountability |
| ▪ Impartiality | ▪ Team work |
| ▪ Integrity | ▪ Consistency |
| ▪ Independence | |
| ▪ Objectivity | |
| ▪ Gender sensitivity | |

ANNEX D: Members of Staff under the Secretariat

HEAD OFFICE Secretariat

| Name | Position |
|-----------------------------|-----------------|
| Mr. Enoch Mulembe | Director |
| Mrs. Katendi Kapin'a Nkombo | Deputy Director |

Department of Investigations and Legal Services

| Name | Position |
|----------------------|----------------------------------|
| Ms Rhumbidzai Mutasa | Principal Legal Counsel |
| Mr. Jew Monde | Principal Investigations Officer |
| Mr. Peter Kanunkha | Senior Investigations Officer |
| Mr. Chunga Sitali | Investigations Officer |
| Mr. Jacob Chikwanda | Registry Clerk |

Department of Research and Planning

| Name | Position |
|--------------------------|------------------------------------|
| Ms Hope M Ndhlovu-Chanda | Chief, Research and Planning |
| Ms Sinyama Simui | Research and Collaboration Officer |

Department of Information, Education and Training

| Name | Position |
|-----------------------|---|
| Mr. Samuel S Kasankha | Chief, Information Education and Training |
| Mr. Simon Mulumbi | Information Officer |
| Mr. Oscar Chisenga | Materials Production Officer |
| Mr. Amukena Sitali | Camera Person |

Finance and Accounting Section

| Name | Position |
|----------------------|------------------------------|
| Ms Kabandala Inambao | Head, Finance and Accounting |
| Ms Chola Phoeby | Accountant |
| Mrs Irene Kalunga | Internal Auditor |
| Mr. Hepson Mulendele | Assistant Accountant |
| Mrs. Alice N Mbewe | Assistant Accountant |
| Mr. Wenceslas Chabu | Accounts Assistant |

Human Resources and Administration Section

| Name | Position |
|---------------------------|--|
| Mrs. Elizabeth Chileshe | Head, Human Resources & Administration |
| Mr. Michelo Muhyila | Administrative Officer |
| Mr. Noel Konga | Purchasing and Supplies Officer |
| Mr. Yotham Tembo | Stores Officer |
| Mrs Mainza M E Bwalya | Personal Secretary |
| Mrs. Monde M Mumbwatasai | Secretary |
| Ms Lillian Mushili | Secretary |
| Mrs. Sara Sichone Muyunda | Secretary |
| Mr. Wilson Malipande | Committee Clerk |
| Mr. Simon Mumbi | Registry Clerk |
| Ms Osla Himoonze | Office Orderly |
| Ms Clara Chibanda | Telephonist/Receptionist |
| Mr. Lavu K Mulimba | Driver/Mechanic |
| Mr. Mark Mbao | Driver/Mechanic |
| Mr. Micheal Siloka | Driver/Mechanic |
| Mr. Kayombo Kanganja | Driver/Mechanic |
| Matiyana Nsofu Moyo | Classified Employee |
| Mary Banda | Classified Employee |

PROVINCIAL OFFICES
Ndola Office

| Name | Position |
|-------------------------|------------------------|
| Mr. Shakespear Siatakwi | Provincial Coordinator |
| Mr. Abraham Sendwe | Office Orderly/Cleaner |
| Mr. Ignatius Lusambo | Driver/Mechanic |

Chipata Office

| Name | Position |
|-------------------------|------------------------|
| Mr. Shakespear Siatakwi | Provincial Coordinator |
| Mr. John Chitalima | Registry Clerk |
| Mr. Moses Mulenga | Driver/Mechanic |

Kasama Office

| Name | Position |
|--------------------|------------------------|
| Mr. Kebby Malila | Investigations Officer |
| Mr. Musonda Chanda | Registry Clerk |
| Mr. Martin Banda | Driver/Mechanic |

Livingstone Office

| Name | Position |
|-----------------------|------------------------|
| Ms Mable Simwanda | Investigations Officer |
| Mr. Ignatius Munalula | Driver/Mechanic |

Mongu Office

| Name | Position |
|-----------------------|------------------------|
| Mr. David Kalindi | Investigations Officer |
| Mr. Robby Ditwai | Registry Clerk |
| Mr. Ignatius Munalula | Driver/Mechanic |

United Nations Volunteers (UNVs)/Human Rights Officers

| Name | Office/Department attached to in 2009 |
|-----------------------|---------------------------------------|
| Mr. Mwiba Mwenda | Research, Advocacy and Planning |
| Mr. Patrick Mtonga | Investigations and Legal Services |
| Ms Martha Kilyakilika | Ndola Office |
| Ms Grace Simwanda | Kasama Office |
| Mr. Timothy Banda | Mongu Office |
| Mr. Frank Gwaba | Chipata Office |

