REMARKS BY DR. PAMELA TOWELA SAMBO, CHAIRPERSON OF THE HUMAN RIGHTS COMMISSION, DURING THE COMMEMORATION OF THE HUMAN RIGHTS DAY HELD AT MULUNGUSHI INTERNATIONAL CONFERENCE CENTRE ON 10TH DECEMBER 2024

- The Guest of Honour, Hon. Princes Kasune, MP, Minister of Justice;
- The United Nations Resident Coordinator, Ms. Beatrice Mutali;
- The Chargée d'Affaires, European Union Delegation to the Republic of Zambia and COMESA, Petra Gašpárová;
- The Chairperson of the NGOCC, Ms. Beauty Katebe;
- Commission Chairpersons and Commissioners present;
- Permanent Secretaries Present and other Government Officials;
- Members of the Diplomatic Corps;
- District Commissioner for Lusaka, Ms. Rosa Zulu;
- Leaders and Representatives of Political Parties,
- Faith-Based and Civil Society Organisations;
- Members of the Press;
- Distinguished Guests;
- Ladies and Gentlemen.

On behalf of the Human Rights Commission ("the Commission"), and indeed on my own behalf, I warmly welcome all of you to this commemoration of the 2024 International Human Rights Day.

Thank you, Guest, of Honour for finding time accepting to come and grace this momentous global occasion.

The significance of this occasion is that the international community recalls the historic milestone in the pursuit of human rights and dignity, on 10th December

1948, when the United General Assembly adopted the Universal Declaration of Human Rights (UDHR).

This landmark event marked a turning point in the development of international human rights law to guarantee the protection of human rights for every person.

It must be recalled that the international community was compelled to protect human rights by law after experiencing the ravages of the Second World War that was largely ignited by the blatant disregard of, and contempt for human rights.

It was then proclaimed that the *"recognition of the inherent dignity and equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".*

This proclamation made exactly 76 years ago remains true today, hence, the befitting clarion call encapsulated in this year's theme: **"Our Rights, Our Future, Right Now".**

Today is also a special day because it marks the end of the Commemoration of the 16 Days of Activism Against Gender Based Violence from 25th November to 10th December of each year. The International Human Rights Day Commemoration is also preceded by two equally important days: The World AIDS Day on 1st December, and the International Day of Persons with Disabilities, falling on 3rd December annually.

On behalf of the Human Rights Commission, and indeed on my own behalf, I wish to take this opportunity to once again welcome and support the pledge and commitment made by the President during the launch of the 16 Days of Activism Against Gender Based Violence, to undertake Constitutional and

Electoral Reforms aimed at enhancing inclusiveness and participation of women into elective public positions.

While welcoming enhanced women's inclusion and participation, the Commission is calling for enhanced promotion and protection of the rights of Persons with Disabilities who continue to face multiple challenges in the enjoyment of their human rights, freedoms and dignity as equal members of society. Persons with Disabilities also deserve their rights, their future, right now!

Guest of Honour, Distinguished Ladies and Gentlemen,

Over the past seven decades, numerous human rights instruments and treaties have been developed and ratified to respond to specific but diverse global human rights issues that have continued emerging, with some negatively impacting on human rights and dignity of the person.

On one hand, the emergence and proliferation of acts of terrorism continues to place a heavy burden on the international community. This has compelled many countries to enhance security measures against highly organised crimes which could, on the other hand, pose serious infringements on human rights and freedoms.

Further, the advent of the technological revolution has opened up the digital space which is immensely contributing to the enjoyment of human rights and freedoms. In the same breath, the digital space has brought with it broad and complex attendant challenges that are infringing on the rights, freedoms and reputations of others, facilitating grave cybercrimes, thereby posing real and compounded national and individual insecurities.

Notwithstanding this cocktail of benefits and challenges of a thriving digital space, the Commission is urging the Government to remain steadfast and measured in its endeavour to maintain national security, public order and safety, and protecting the rights and reputations of individuals. Any measures taken in this regard, should refrain from infringing on human rights and freedoms or jeopardising their enjoyment in the country. It is important and desirable to always navigate these somewhat competing obligations carefully, in order to maintain an extremely delicate balance between the protection of human rights and freedoms and the responsibilities of rights holders.

That said, Guest of Honour, I would be failing in my duties if I did not mention one of the continuing pain-points for the Commission- the prolonged detention of criminal suspects by the Zambia Police Service, contrary to the clear constitutional and criminal law provisions in the country. It is sad to note that out of approximately 900 cases that the Commission investigated in the year 2024, up to 90 % involved police misconduct, characterised by prolonged detention of suspects, detention of children contrary to the clear and mandatory provisions of the Children's Code Act, among others.

Although the Commission has managed to secure the release of some affected suspects from custody, the Commission reiterates calls for structural changes in the criminal justice system. This should involve the training and retraining of law enforcement officers to exercise their powers in a manner that is facilitative of human rights; regulation of the discretion of law enforcement officers to prevent them from imposing unattainable bond conditions, usually manifesting through the transfer of suspects to places where they cannot secure sureties;

and removal of administrative barriers which are driving continued delays in prosecution, such as the communication challenges between the Zambia Police Service and the National Prosecutions Authority (NPA).

Guest of Honour,

Climate Change is upon us and being exemplified by extreme changes in weather. This is another global challenge that adversely undermining the enjoyment of human rights and sustainable development. As at present, the nation is grappling with the effects of climate change, particularised by the drought, which continues to have profound negative impacts on livelihoods. As with all negative circumstances, vulnerable groups of people such as those in low income brackets, Persons with Disabilities, Older Persons and various others that need social protection are disproportionately affected.

In this vein, the Commission acknowledges and commends the positive steps that the government has taken to mitigate the impact of the climate change - induced drought on the enjoyment of human rights, such as increasing access to food, social cash transfer, farming inputs, education and employment.

In particular, the Commission wises to commend the President, for the timely declaration of the drought as a national disaster and emergency. There is tangible evidence that this timely declaration has enabled the government to mobilise both domestic and external resources towards social protection and empowerment support to women, children, elderly persons, persons with disabilities and the rural communities, whose rights are being disproportionately impacted on due to their inherent vulnerability.

In the wake of this commendation, the Commission takes opportunity to urge the Government to scale up the implementation of the wide range of social protection and empowerment programmes such as the *Social Cash Transfer; Emergency Cash Transfer Programme; Cash for Work; School Feeding Programme; Subsidised Mealie Meal; and the Support to Irrigation to mitigate the negative effects of climate change on human rights.*

In addition, the Commission is calling for a human rights-oriented approach in dealing with present day societal challenges such as climate change. The drought situation should serve as a point of reflection and realisation that there is need for a holistic legal regime for the promotion and protection of human rights to secure climate justice. For instance, while the various social protection and empowerment programmes and activities are commendable, there is need to enshrine them into the Constitution of the Republic of Zambia as fundamental human rights under the Bill of Rights in order to secure their sustainable protection.

The current Bill of Rights is out of date and sadly inadequate for purposes of addressing contemporary human rights and freedoms. Therefore, an expanded and modern Bill of Rights must be enacted through a transparent and inclusive process that includes national and popular adoption through a national referendum.

Guest of Honour

The Commission remains confident that your administration will also deliver to the Zambian people, a Bill of Rights that guarantees their fundamental rights and freedoms. The Commission's confidence in this respect stems your magnanimous decision to abolish the death penalty; enactment of some human rights-centred legislation such as the Access to Information Act, which in turn tasks the Commission with the mandate of hearing and determining appeals against decisions of information holders. These are commendable fundamental legal reforms that have far-reaching positive impacts on daily promotion and protection of human rights and freedoms.

The Commission wishes to take this opportunity to publicly acknowledge the landmark decision to repeal and replace the Human Rights Commission Act No.

39 of 1996 with the Human Rights Commission Act No. 4 of 2024. The current Act, which came into force on 25th October 2025, gives the Commission the necessary and required visibility, mandate and powers to effectively execute its constitutional mandate. The Commission looks to testing the practicality of the new legal provisions towards realising a sustainable human rights culture in the country.

Guest of Honour, Distinguished Guests,

May I also take this opportunity to announce that after a rigorous review that takes place every after five years, the Human Rights Commission was in October 2024 re-accredited with an "A" Status by the Global Alliance of National Human Rights Institutions. An "A" Status is the highest attainable status for a National Human Rights Institution for being in substantial compliance with *the United Nations Paris Principles on the establishment and functions of National Human Rights Institutions*.

Among other benefits, the "A" status gives the Commission the right not only to attend United Nations Human Rights meetings and mechanisms such as the Human Rights Council, but also to speak during such meetings. The Commission does not take this re-accreditation to A status for granted.

The re-accreditation also imposes responsibilities on the Commission to enhance its calls for continued accountability to stakeholders and unwavering execution of our constitutional and legislative mandate. We owe this achievement to the support from the Government of the Republic of Zambia, the UN Systems in Zambia, Cooperating Partners, various State Actors, particularly in the justice delivery sector, the Non-State Actors such as Civil Society Organisations, Faith-Based Organisations, the Media and our fellow citizens at large who have continued to support the Commission's work. We

thank you all, once more for your continued support and collaboration. May I request you to join in the celebration of this distinguished status in service for all our people in Zambia.

In conclusion, please allow me to once again thank you, Guest of Honour, for coming to grace this grand event in the global human rights calendar. The Commission remains indebted to the UN systems in Zambia, the European Union and all other Cooperating Partners for the continued support. To the Civil Society Organisations, Political Parties, Faith-Based Organisations, the Media and everyone present here, we say a big thank you for choosing to exercise **your right, your future, right now.**

I thank you and may the Almighty God bless us all.