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Joint written statement* submitted by Franciscans International (FI), a non-governmental organization in general consultative status, Edmund Rice International (ERI), IIMA - Istituto Internazionale Maria Ausiliatrice, VIDES International - International Volunteerism Organization for Women, Education, Development, the International Presentation Association (IPA), non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 February 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Consideration of UPR report for Zambia

Franciscans International (FI), Edmund Rice International (ERI), Istituto Internazionale di Maria Ausiliatrice (IIMA), the International Volunteerism Organization for Women, Education, Development (VIDES International) and the International Presentation Association (IPA) welcome the support by the government of Zambia for 70 recommendations and its consideration of another 54 recommendations from its Universal Periodic Review, and its commitment to implementing them. We would like to express our views on four key human rights issues in Zambia: (1) the Right to Education, (2) the Right to Health; (3) the Rights of Street Children, (4) Human Rights impacted by Environmental Degradation.

The right to education

We welcome the Government of Zambia's acceptance of eight recommendations promoting the rights of the child,¹ two prioritising human rights education² and one addressing rural problems.³ However, we would like to draw the attention of the Human Rights Council to the continuing discrimination that leads to poor educational outcomes for rural children, children with disabilities, and children in vulnerable situations, including those affected by HIV/AIDS. We deeply regret that the Government of Zambia does not give any commitment to improving the conditions of those professionals best placed to promote the rights of children at school, namely their teachers.

We call on the Government of Zambia to:

- Review inequalities in educational outcomes for children and implement policies which significantly reduce these, to ensure all children's right to education is respected;
- Redefine the duties of Guidance and Counseling teachers so that children affected by HIV/AIDS have their emotional and social needs met and can enjoy their right to education more effectively;
- Improve the conditions of service of teachers by providing adequate and competitive salaries, and more effective monitoring of the quality of education in all schools.

The right to health

We welcome Government of Zambia's acceptance of recommendations 103.47⁴ and 103.62⁵ aimed at improving the right to health in the country. Nevertheless, we are deeply concerned that alcohol abuse among underage drinkers was not addressed during the 2nd cycle of the UPR. We welcome the adjustments to national legislation culminated in the 2011 enactment of the current Liquor Licensing Act No. 20 as well as measures taken by the Government on April 16, 2012 to ban immediately the manufacturing and sale of strong liquor sachets commonly known as *tujili-jili*. Nevertheless, we remain concerned by the lack of implementation of the existing relevant legal framework.

¹ See A/HRC/WG.6/14/L.11 paras 103.13, 103.20, 103.21, 103.23, 103.24, 103.25, 103.26 and 103.33.

² *Idem*, paras 103.13, 103.15.

³ *Idem*, para 103.46.

⁴ Ensure progressive enjoyment of the right to health (Togo).

⁵ Pursue its efforts in the area of health and education (Senegal).

We call on the Government of Zambia to:

- Continue its efforts to ensure effective implementation of existing legislation addressing alcohol abuse among underage drinkers;
- Provide awareness-raising campaigns to sensitize local communities on the risks of underage drinking and relevant existing national legislation.

The rights of street children

We welcome the acknowledgment of the Government of Zambia on the impact of poverty on the increase number of street children⁶ and its efforts to put a strategy of assistance and prevention for street children in order to protect and guarantee their rights, as expressed in the first UPR cycle in 2008. However, we express our concern that the follow up to this commitment was not adequately addressed during the second UPR cycle. We consider that there is a lack of a holistic approach to respond to the needs of the street children in Zambia.

We call on the Government of Zambia to:

- Draw up a National Action Plan to respecting the rights of street children, a plan that should be grounded in a rights-based approach and aims to empower children and their families so that they will have better access to social services and health care.

Human Rights impacted by environmental degradation

We welcome the Government of Zambia's acceptance of recommendation 103.68, to "strengthen the governance of natural resources" to ensure, amongst other outcomes, sustainability. We would urge that this strengthened governance include strong local participation in decision-making by those most affected by the environmental consequences of the decisions. We do so in the context of the new UN Guiding Principles⁷ that determine governments must protect human rights, corporations must respect them, and victims must be able to seek redress. The adoption of Community-based Natural Resource Management as a policy by the Government of Zambia could ensure all three of these goals are met.

Strengthening the governance of natural resources also requires that the impact of extractive and manufacturing industries, as well as local government practices, on human health be monitored and regulated. When less than half the Zambian population has access to safe drinking water, and this proportion is shrinking,⁸ this situation is a serious violation of a basic human right.

While we commend Zambia's commitment to sustainability, in this recommendation, we stress that unless mining corporations, the forestry industry, local people and government policies commit to the same goals on sustainability, Zambia will not achieve sustainability. As part of its overall integrating role, the Government of Zambia has the responsibility to ensure that all these stakeholders agree on the protection of human rights as a priority in managing natural resources.

⁶ See UPR Zambia National report A/HRC/WG.6/14/ZMB/1, para 30.

⁷ See <http://www.business-humanrights.org/SpecialRepPortal/Home/Protect-Respect-Remedy-Framework/GuidingPrinciples>.

⁸ UNDP, Millennium Development Goals Progress Report 2011, available at http://www.undp.org.zm/joomla/attachments/052_compressed%201.pdf (last visited 27 March 2012). National Water Supply & Sanitation Council, Urban and Peri-Urban Water Supply and Sanitation Sector Report 2009/2010, available at <http://www.nwasco.org.zm/uploads/sectorreport200910.pdf> (last visited 20 March 2012).

We call on the Government of Zambia to:

- Assess the extent of environmental degradation and its economic cost;
 - Harmonise its current legislation and policies on environment management;
 - Adopt Community-based Natural Resource Management as a policy to involve all stakeholders in environmental decisions;
 - Use a rights-based approach in assessing environmental impacts of its decisions on its people;
 - Ensure corporations and extractive industries active in Zambia respect the human rights of all stakeholders.
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