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UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

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GENEVE 10

20 April 2011

Excellency,

In my capacity as Special Rapporteur for Follow-up on Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the examination of the third periodic report of Zambia.

At the end its 90th session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 28 of the concluding observations, the Committee requested that further information be provided within one year on the specific areas of concern identified in paragraphs 10, 12, 13 and 23 of the concluding observations.

Zambia's follow-up report was received on the 9th of December 2009. At its 98th session, held in March 2010, the Committee noted that the information provided was incomplete. By a letter dated 26 April, the Committee requested additional information on the same areas of concern.

On 28 January 2011, the State party provided additional information. At its 101st session, held in March 2011, the Committee decided that the information was largely satisfactory on the possibility for the Commission to seek and receive funds from international institutions or any other sources it deems appropriate (paragraph 10).

H.E. Mr. Darlington MWAPE
Permanent Representative of the Republic of Zambia
to the United Nations Office at Geneva
Fax: 022-761 44 04

While taking note of the cooperativeness of the State party, the Committee also considered that the information provided was incomplete with regard to certain recommendations. I therefore wish to request additional and more specific information on the following issues:

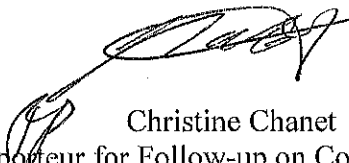
- (a) appropriateness of the additional resources allocated to the Zambian Human Rights Commission to the needs of the Commission (paragraph 10);
- (b) powers of the Human Rights Commission, that have not been revised since 1996 ; on the impact of the constitutional reform on the powers of the functions of the Human Rights Commission; and on the results of the revision process of the Commission's status announced for 2011 (paragraph 10);
- (c) actual impact of the measures adopted to ensure that the accused awaiting trial are not kept in custody for an unreasonable period of time (paragraph 23);
- (d) frequency of the application of alternative measures to imprisonment (paragraph 23);
- (e) steps taken to guarantee the right of detainees to be treated with humanity and dignity, beyond their access to health care and adequate alimentation in prisons (paragraph 23);
- (f) measures taken to progress in the revision process of Title III of the Constitution, especially article 23, and for its submission to referendum in application of section 13 (1) (c) of the National Constitutional Conference Act No. 19 of 2007 (paragraph 12).

Finally, the Committee considered that the recommendation on the compliance of customary laws and practices with the rights enshrined in the Covenant, besides those relating to customary marriages, and the involvement of women in such processes (paragraph 13), has not been implemented.

Therefore, I write to request that the above-mentioned additional information be submitted to the Committee at Your Government's earliest convenience. A "Word" electronic version of the reply should be sent to the Secretariat of the Human Rights Committee (Kate Fox (kfox@ohchr.org) and Albane Prophette-Pallasco, (aprophette@ohchr.org)).

The Committee looks forward to pursuing its constructive dialogue with the Zambian authorities on the implementation of the Covenant.

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



Christine Chanet
Special Rapporteur for Follow-up on Concluding Observations
Human Rights Committee