



**Economic and Social  
Council**

Distr.  
GENERAL

E/C.12/Q/ZMB/1  
18 December 2003

Original: ENGLISH

---

COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Pre-sessional working group  
1-5 December 2003

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration  
of the initial report of ZAMBIA concerning the rights covered  
by articles 1-15 of the International Covenant on Economic,  
Social and Cultural Rights (E/1990/5/Add.60)**

## **I. GENERAL LEGAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED**

1. Please provide detailed information on the status of the autonomous human rights board referred to in chapter XII of the Constitution, particularly as regards its membership, the appointment of its members and its methods of operation, in light of the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134, annex).
2. Please clarify whether the State party intends to adopt a national plan of action for the protection of human rights in accordance with the Vienna Declaration and Programme of Action of 1993.
3. Please indicate which of the rights set forth in the Covenant are justiciable, and provide examples of existing case law.
4. Please indicate the position of the State party on the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights.
5. Please indicate whether non-governmental organizations were consulted in the preparation of the report.

## **II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

### **Non-discrimination (art. 2, para. 2)**

6. The Committee requests information on measures the State party has taken to combat discrimination against elderly persons accused of witchcraft.
7. Please provide information on the results of measures that the State party has taken to combat discrimination against persons with disabilities.

### **Equality between men and women (art. 3)**

8. Please indicate policies adopted by the State party to reduce the flagrant inequalities resulting from cultural and traditional factors and their impact on the equality of opportunities for men and women.
9. Please provide information on the results of the National Gender Policy adopted in March 2000, particularly with respect to the review of legislation that discriminates against women on the issue of ownership of land and in the context of the family.

### **III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)**

#### **The right to work (art. 6)**

10. According to paragraph 14 of the report, the current law in the State party does not recognize the right to work, the right to equal opportunity in employment, the right to fair conditions at the workplace or the right to leisure time or to working hours. Please provide detailed information on the steps taken to ensure the enjoyment of these rights.
11. The Committee would like to receive up-to-date unemployment figures disaggregated by sex, age and urban/rural areas.
12. Please provide information on what measures have been taken to create employment opportunities, especially for women.
13. Please indicate the recent results to date of the State party's policy to combat child labour.

#### **Right to just and favourable conditions of work (art. 7)**

14. According to the report, the efforts to ensure just and favourable conditions of work currently concern only the public sector. Does the State party envisage measures to extend those efforts to the private sector?
15. Please indicate what concrete steps have been taken to give effect to the principle of equal pay for work of equal value, in accordance with International Labour Organization Convention No. 100, which the State party has ratified.
16. Please provide information on the results of the State party's national policy to promote equality of opportunity and treatment in employment with a view to eliminating all discrimination in respect thereof, as required by International Labour Organization Convention No. 111.
17. According to paragraph 119 of the report, there is no written policy on the system of the minimum wage. Please provide detailed information on how the minimum wage is established and on whether the level of the minimum wage provides for a decent living of workers and their families.
18. Please state whether the investigations into occupational accidents referred to in the report have been made and, if so, what were the results.

#### **Trade union rights (art. 8)**

19. Please specify what categories of workers are prohibited by law from forming or joining trade unions.
20. Does the State party envisage measures to further protect workers' right to strike as a means to ensure job security and just and favourable working conditions?

**Right to social security (art. 9)**

21. Please indicate what measures are being taken to combat inefficiencies in the processing and payment of pension benefits, especially for pensioners living in remote or isolated areas.

22. The Committee requests detailed information on the results of the State party's food-for-work programme and on whether the State party intends to extend the programme to all 73 districts (E/1990/5/Add.60, para. 156).

23. Please provide information on how effective the National Pensions Scheme Authority has been in providing better services and wider coverage to include the informal sector (ibid., para. 159).

**Protection of the family, mothers and children (art. 10)**

24. Please indicate whether and what progress has been made in revising legislation relating to child rights, in compliance with the Convention on the Rights of the Child.

25. Please provide information on steps taken to combat the traditional practices which permit the marriage of children from the onset of puberty.

26. Please also provide information on the legislative and other measures, referred to in paragraph 173 of the report, to protect the family.

27. Please indicate what measures the State party is undertaking to deal with the growing number of orphans whose parents die from HIV/AIDS.

28. Please state what has been done to create institutions for juvenile delinquents that, according to paragraph 184 of the report, the country lacks.

29. Please provide detailed information on the scale and nature of domestic violence in the State party, and on measures taken to combat this problem.

**Right to an adequate standard of living (art. 11)**

30. The Committee would like to receive information on the results achieved by the Agricultural Sector Investment Programme (ASIP) mentioned in paragraph 192 of the report as well as on concrete measures that have been taken in pursuit of the objectives referred to in paragraph 197 of the report.

31. Please provide information on the progress made in implementing the Poverty Reduction Strategy Paper, referred to in paragraph 186 of the report, with a view to improving the standard of living of the population living in abject poverty.

**Right to physical and mental health (art. 12)**

32. According to the report (para. 25), health legislation provides neither for the enjoyment of the highest attainable standard of physical and mental health nor for the creation of conditions that would ensure to all medical service and medical attention in the event of sickness. Please indicate the measures taken to implement the guidelines of State policy set out in the Constitution (ibid.).

33. Please provide information on the results of the measures undertaken by the State party to combat the spread of HIV/AIDS, given the fact that the State party is one of the countries worst affected by HIV/AIDS in sub-Saharan Africa and projections indicate that the mortality rate is still increasing and will peak by the year 2005.

34. Please indicate what recent measures have been taken by the State party to ensure basic food for the population as well as progress made in providing safe drinking water to rural communities.

**Right to education (arts. 13 and 14)**

35. Does the State party intend to withdraw its reservations to article 13, paragraph 2 (a), of the Covenant concerning free and compulsory primary education, in accordance with the Committee's general comments Nos. 11 (1999) on plans of action for primary education and 13 (1999) on the right to education?

36. Please indicate what concrete measures the State party has initiated to free girls from household chores in order to enable them to attend school.

37. Please provide information on the proportion of the State party's budget that has been allocated to free primary education and public secondary education during the last five years.

38. The Committee would like more detailed information on the proposed income-generating activities for schools referred to in paragraph 220 of the report.

39. Please indicate how the Public Service Reform Programme, referred to in paragraph 241 of the report, has improved the conditions of teaching staff.

**Cultural rights (art. 15)**

40. Please provide information on progress achieved with regard to the drafting of a national cultural policy (para. 249).

-----