

Zambia

Zambia is a landlocked country with a total area covering 752,614 km² bordering eight countries in the southern African region: Angola, Democratic Republic of Congo (DRC), Malawi, Mozambique, Zimbabwe, Botswana, Namibia and Tanzania. Zambia's population is estimated to be around 11 million.

Zambia was a British protectorate until 1964 when she gained independence. The country was granted self-rule on 24th October 1964, and its first president was Dr Kenneth David Kaunda. Zambia had a multiparty system with two political parties; the ruling United National Independence Party (UNIP) and the African National Congress (ANC) represented in parliament.

Zambia has 73 tribes with seven major languages; Bemba, Tonga, Nyanja, Lozi, Lunda, Kaonde and Luvale, and English being the official language. Lusaka is the capital city, and other major towns include Ndola, Kitwe and Livingstone – the tourist capital. There are nine provinces (Lusaka, Copperbelt, Southern, Western, Eastern, Northern, Luapula, Central and Northwestern) with 63 districts. Each district has locally elected government officials that administer and control the funds allocated to it.

Zambia's economy is largely dependant on a single source of foreign revenue – copper and cobalt mining; while agriculture accounts for 16% of the wealth. Zambia's total outstanding external debt is USD 5,884 million. The recent reduction in debt is partly attributed to debt relief provided through an IMF scheme known as HIPC. Zambia is among the poorest countries in the world placed 153 out of 173 countries. The liberalized economy has ushered in harsh policies. Poverty is so prevalent that even middle classes have difficulties in surviving on their salaries.

Literacy rates are at 78.1% for the population as a whole. For women, the rate is 71.5% and malnutrition is spreading among the population, especially children.

A detrimental factor to the development of Zambia is the high prevalence of HIV/AIDS which is currently at 16% of the population in age group 15-49 years.

Zambia's first experience with multiparty democracy lasted for a period of nine years, from 1964 to 1972. From 13th December 1972 until 1990, Zambia was a one-party state, with UNIP the only legal party, but after eighteen years it returned to plural politics.

By the late 1980's and early 1990's, economic hardships had seriously undermined the legitimacy of one party rule. The economic situation in Zambia was deteriorating, bringing low standards of living, lack of basic foodstuffs, rising unemployment rates, poor social infrastructure and the rapid depreciation of the local currency.

In May 1990 food riots in Lusaka and the Copperbelt area seriously undermined the political stability. In June a soldier broadcast on Radio Zambia that the government of President Kaunda had been overthrown. Riots at the University of Zambia, and pressure for change within UNIP itself prompted President Kaunda to set a referendum date to decide whether to return to multiparty democracy or to maintain the one party state.

At about the same time, the Movement for Multiparty Democracy (MMD) was formed to mobilize public opinion to support the return to plural politics. In July 1990, with clear public opinion support in favour of restoration of multiparty democracy, President Kaunda cancelled the referendum and instead announced constitutional changes for the third republic by changing Article 4 of the Zambian Constitution.

In 1991, free elections were held which brought the Movement for Multiparty Democracy (MMD) to power. The MMD led by Dr Chiluba was elected to promote democracy and human rights in the country.

However, the human rights situation got worse during the Chiluba era. He managed to change the constitution prior to the 1996 presidential elections, to bar the former president, Kaunda from participating. In 2001 MPs from his own party blocked Chiluba's attempt to change the constitution to allow for a presidential third term. Instead he hand-picked Levy Mwanawasa as his successor, and Mwanawasa became President after a disputed election which saw the MMD retain power, albeit with a slim majority in parliament.

Zambia has a dual legal system consisting of the general law (statutory and common law) on the one hand and customary law on the other. Customary law is unwritten, mostly regulates matters of personal law and is subordinate to the general law. Thus any rule of customary law which is in conflict with the general law or contrary to natural justice and morality is invalid. The justice sector may be classified into various categories; investigative agencies, prosecutors, adjudicative, legal assistance, custody, human rights institutions and training. Justice delivery is provided by the Judiciary, composed of Supreme Court, High Court, Industrial Relations Court, Magistrates Court and Local Courts.

In order that everyone can benefit by being able to access justice, the constitution provides that legal aid to the poor is an obligation of the government. However, there are fewer than 1000 lawyers registered under the Law Association of Zambia in the entire country, making the provision of legal services supported by government impossible. A number of NGOs through collective efforts are trying to fill the gap and since the late 1990's have begun to provide legal aid services to the poor through the use of paralegals.