



DISSEMINATION WORKSHOP SUMMARY

A REVIEW OF CRIME AND CRIMINAL JUSTICE IN ZAMBIA

Southern Sun Ridgeway Hotel, 27th January 2009

AHSI disseminated the findings of the Zambia crime and criminal justice country review on the 27th of January at the Southern Sun Ridgeway Hotel in Lusaka. The workshop was attended by participants (60) from various sectors: government, civil society, donors and more importantly, there were a number of actors from the APRM National Governing Council. The Director of FODEP in Zambia opened the workshop and emphasized that this was an opportunity to learn and share more on what the **African Peer Review Mechanism** (APRM) can do to change and improve the lives of Zambians as well as assessing its impact greatly on the criminal justice system in the country. He also pointed out that with the APRM underway, Zambia was eager to see continuous dialogue, more networking and the free exchange of information among citizens, the APRM National Governing Council Members (NGC), and the government. An unhindered review of the country's social, political and economic structures was an essential ingredient to meaningful development and competent governance.

Apart from reviewing crime, there was consensus amongst the participants that a peer review equally presents Zambia with a rare chance to strengthen and improve its governance systems and structures by encouraging a comprehensive and open audit of our current governance practices and policies by Zambians themselves.

Deliberations revealed that:

- There has to be emphasis that a good legal system (criminal justice) is not only accessible to all citizens but must also be accountable for

its activities and ensure that justice is done when separating the innocent from the guilty

- The crime review findings revealed that criminal activities are concentrated in the cities [include murder, corruption and assault]. Studying crime was a big challenge as much of the statistical information was inaccessible due to bureaucratic hurdles and recommendations were on the need for a Freedom of Access to Information Act that would allow the public to get much of the currently 'classified information'. On human trafficking, not much research has taken place to ascertain the prevalence of the phenomenon but people have been arrested and caught whilst transiting through Zambia. Money laundering and drug trafficking evidence was also scarce and this pointed to the need to conduct more research.
- Corruption was highlighted as a major problem that is practiced by people from all walks of life even though the late President Mwanawasa had established a task force and pronounced a zero tolerance attitude to corruption. Corruption in the electoral process was also seen as a problem. The participants recommended that the Anti-Corruption Act must be reviewed to provide protection to whistle blowers and the Anti-Corruption Commission must be present at district level
- The Department of the Public Prosecutor remains an integral part of the Executive and no new institutions have been set up to reflect the tasks it should be carrying out. It has very limited organizational capacity and is not present in all areas hence there is a high level of ignorance among the general public on the role of the DPP. The DPP lacks prosecutorial power in cases involving high ranking officers. The DPP is also not obliged to give reasons for its actions and levels of secrecy are a source of concern to most people. The office is not funded directly, but through the Ministry of Justice. Direct funding would facilitate effective planning and expenditure.
- There is a general lack of investigative capacity and this has negative impact on the delivery of justice. The result is that cases where perpetrators are supposed to be severely punished are often released.
- The parole system was recommended to ease congestion in prisons.

Conclusion

The concluding remarks expressed that Civil Society and other stake holders hope to see a 'correct reflection' of Zambia's state of affairs (in political, corporate, economic and social governance) in AHSI's work. The participants also pointed out that they hoped the APRM's traditional thematic themes would become strongly linked to other urgent social problems such as crime and the criminal justice system in the countries being reviewed.

The chair of the National governing Council made the following concluding remarks:

The APRM's benefits face a lot of danger and risks of failure if stakeholder and citizen capacity and awareness are not fully generated and supported. After this Dissemination Meeting, as the CSO Secretariat we are eager to witness all sectors of the country (media, business, women groups, CSOs,) getting involved in the process by analyzing the efficacy of the process in Zambia and monitoring its level of evaluating key problems (such as crime, unemployment, food security, and sustainable corporate social responsibility). For the overall mandate of the APRM, this will become inevitable, particularly if the results of the country research and the report itself are to be recognized.

The APRM is thus visualized by Zambian CSOs as a platform for bringing together all stakeholders and citizens and allowing them to chart the country's way out of these problems and coming up with lasting solutions. In line with the APRM Founding Protocol, technical competence, transparency, and openness must thus be sustained to encourage a 'give and take' atmosphere when resolving problems.

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Hotel, 27th January 2009

	8:30-9:00	Arrival and Registration of Participants	FODEP/AHSI
	9:00-9:10	Welcoming and Opening Remarks	FODEP Director
	9:10-9:30	Study Methodology	Dr. Annie B. Chikwanha
	9:30-10:30	Crime and prosecution	Dr. Peter Lolojih
	10:30-10:45	Tea Break	
	10:45-13:00	Policing	Dr. Henry Musenge
		The Judiciary	Dr. Margaret Munalula
		The Prison System	Mr. Raphael Mungole
SESSION II Moderator: (FODEP)	13:00-14:00	LUNCH BBREAK	
	14:00-15:30	Access to Justice and Juvenile Justice in Zambia	Dr. Patrick Matibini
		Customary Law in Zambia	Ms Matrine Chulu
	15:30-16:30	Conclusions and recommendations	Ms Yvonne Chibiya
		Closing Remarks	Ambassador Ochieng Adala