



DCAF Geneva Centre
for Security Sector
Governance

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Reforming Oversight and Management of Public Assemblies and Public Order in Zambia

CONTEXT

While citizens’ right to freedom of (peaceful) assembly is protected by the Zambian Constitution, in practice, successive governments have used the overly broad and vague provisions of the 1955 Public Order Act to restrict this fundamental right. Authorities’ abuse of the Public Order Act has led to calls by the Zambian public to reform the law.

In recent years, Zambia has witnessed a growing number of protests, demonstrations and public assemblies. Due to poor management of these public order events by the Zambia Police Service (ZPS), the frequency of police public order operations involving excessive and at times deadly use of force has also increased.

After years in opposition, the United Party for National Development (UPND) and its long-time leader, Hakainde Hichilema, won the 2021 general election on a progressive reform platform, including the stated commitment to reform the Public Order Act.

The coming to power of a government committed to reforming the Public Order Act amid growing calls for reform by the Zambian public present a generational opportunity to amend a repressive piece of legislation but also to concurrently enhance the management and oversight of public order policing operations.

THE PROJECT

In 2022, with funding from the Swedish International Development Cooperation Agency, DCAF-Geneva Centre for Security Sector Governance and its Zambian partner Southern African Centre for Constructive Resolutions of Disputes (SACCORD) launched the project Reforming Oversight and Management of Public Assemblies and Public order in Zambia, in partnership with the Zambia Police Service.

The objectives of this 14-month project are three-fold:

- I. Ensuring that the legal framework is amended to more effectively protect the right to peaceful assembly, while legal or procedural barriers for applying for permits or convening a peaceful assembly are effectively reduced;
- II. Strengthening oversight of and accountability for management by the ZPS of public assemblies and police use of force during public assemblies;
- III. Ensuring that the ZPS apply a more proportionate and systematic approach to planning, risk assessment, and communication with assembly organizers, in line with international best practices.

PROJECT PILLARS AND ACTIVITIES

The project is based on three pillars: I) Revision of the Public Order Act; II) Enhanced Oversight and Accountability; and III) Improved Police Management of Public Assemblies.

I. Revision of the Public Order Act

- Organization of consultations with Zambian stakeholders on the Public Order Act in all ten provincial capitals and Kitwe;
- Submission to the Government of a position paper—based on the national consultations—on the Public Order Act;
- Participation in the Public Order Act Reform Technical Committee of the Zambia Law Development Commission and the Ministry of Home Affairs;
- Awareness raising activities and engagement with the media to increase the population and all stakeholders' understanding of the new Act.

II. Enhanced Oversight and Accountability

- Training for Parliament on oversight of police public order operations;
- Training for civil society organizations on oversight of police public order operations;
- Support for media on reporting on and providing oversight of police public order operations;
- Support to the Zambia Human Rights Commission on oversight of police public order operations;
- Advising and training for internal and external police oversight institutions, including the Police Public Complaints Commission and the Zambia Police Service Integrity Committee and Legal & Professional Standards Unit on oversight of police public order operations;
- Development of an e-learning course for oversight actors on human rights and accountability in the context of public assemblies.

III. Improved Police Management of Public Assemblies

- Assistance to the Zambia Police Service in assessing the governance of their use of force practices and systems;
- Development of tools for the Zambia Police Service to more effectively manage public assemblies;
- Training for senior and mid-level officers and Training of Trainers for the Zambia Police Service on managing public assemblies in a human rights-compliant manner;
- Development of an e-learning course for frontline officers of the Zambian Police Service on human rights and accountability in the context of managing public assemblies.

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