



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Zambia

17 January 2025

Context

Zambia has experienced a history of significant tests of its democratic institutions over the past 15 years, with power shifting from ruling parties to the opposition in both 2011 and 2021. These transitions, although smooth, were marked by tension, notably the [over 100 days of incarceration](#) on [trumped-up treason charges](#) and reported [torture](#) of current President Hakainde Hichilema by his predecessor Edgar Lungu, in the build up to the 2011 election.

The enabling environment for civil society organisations (CSOs) has evolved alongside these political changes. The [current government](#) consistently [reassures](#) the public of its commitment to restoring [the rule of law](#), fostering [good governance](#), and [fighting corruption](#). Despite facing multiple [accusations](#) of [using state machinery](#) and law enforcement to neutralise political opponents, the government [insists](#) it does not possess the authoritarian traits of the previous regime. There is a general belief amongst CSOs and citizens that there has been a positive shift to a more open and supportive environment for their activities that does not censure and intimidate their work to the extent experienced during the previous government.

A significant achievement for Zambian citizens and CSOs under the new government in 2021 that has allowed for a more enabling civic environment is [President Hichilema's ban](#) on "[cadre-ism](#)." This practice, involving political hooligans who, taking advantage of their affiliation with the [ruling party](#), [intimidated](#) citizens, civil society and the opposition with acts of violence. Anyone who did not align with the government of the day or was involved in holding them accountable was targeted and censored, thereby contributing to a detrimental civic environment for civil society work and the exercise of freedom of expression, assembly and association. Ultimately, "cadre-ism" significantly contributed to the downfall of the Patriotic Front (PF) regime. The subsequent ban by Hakainde Hichilema has allowed citizens and civil society to conduct their activities more freely, express themselves without fear, and associate with their political party of choice, holding government accountable and thereby enhancing the enabling environment for civic engagement.

1. Respect and protection of fundamental freedoms

The civic space in Zambia has seen both improvements and challenges. While the country [ranked 3rd](#) among nine countries that were recently in an episode of autocratisation and are currently democratising in the 2024 Varieties of Democracy (V-Dem) [report](#), indicating a positive shift from the previous [authoritarian regime](#) that [cracked down](#) on human rights and freedoms, [concerns](#) about the current government's [heavy-handed law enforcement](#) when dealing with citizens and opposition persist, as highlighted in the 2023 US Department of State [Human Rights report](#). These concerns include curtailing fundamental rights such as freedom of peaceful assembly, as guaranteed by the Zambian [Constitution of 1991](#). For example, in October 2024, Lusaka Archbishop Alick Banda was [barred](#) from holding morning prayers, and on 18 May 2024, [police disrupted a meeting](#) between Bishop Clement Mulenga and former President Edgar Lungu, claiming it was illegal. These actions demonstrate the government's continued use of law enforcement to suppress dissenting voices.

Opposition parties face restrictions on holding rallies and public gatherings, despite meeting legal requirements. The Public Order Act, a colonial law that was criticised by the current government while they were in opposition as it was equally used against them to curtail their campaign activities still remains in place. However, government [has stated clear intentions](#) of amending it into the Public Gathering Act.

The police often misinterpret the need for a seven-day notification for public gatherings as per Section 5(4) of the [Public Order Act](#) as requiring formal authorisation. Notable events include the [disruption](#) of the “Fix Zesco Protest” on 10 July 2024 against the public utility company led and organised by four civil society actors who were detained, and the [blocking](#) of a Socialist Party rally in Kitwe by [heavily armed security forces](#) on 8 June 2024 after following notification procedures.

These actions have created a [tense](#) and uncertain [environment for civil society actors, opposition, and human rights defenders](#), undermining their ability to freely express themselves and assemble. The 2023 Zambia Human Rights Commission [Report](#) of the US State Department highlights setbacks for government critics, with repressive laws such as the Public order Act and Penal Code curtailing fundamental freedoms. Despite the [government's claims](#) of upholding the [rule of law](#), the [reintroduction of repressive laws](#) like the Cyber Crimes and Cyber Security Bills has the potential to further [restrict](#) fundamental freedoms negatively [impacting the civic space](#) in Zambia. Freedom of Information is also a concern under watch as there have been pocketed cases of [targeted arrests](#) of journalists associated with covering opposition events. However, there has been a general openness of press freedom over the past year as private press houses have been allowed to operate freely without being specifically targeted.

2. Supportive legal framework for the work of civil society actors

Despite the entrenchment of freedoms of expression, peaceful assembly and association in articles 20 and 21 of the [Constitution](#) of Zambia (1991) as [amended in 2016](#), the legal framework for CSOs’ operations in Zambia remains ambivalent. The [Non-Governmental Organisations Act](#) of 2009 established the NGO Registration Board to oversee their registration and operations. It mandates annual reporting for transparency, which [can also be used](#) and manipulated to control and censure existing civil society groups and their advocacy actions through provisions such as re-registration every five years and severe penalties due to lack of compliance with several provisions and procedures. Ongoing [consultations](#) between the Ministry of Community Development and Social Services and CSOs aim to address [contentious clauses](#) such as NGO re-registration after five years, adherence to a government regulated central body and accompanying penalties, fines and risks of imprisonment in [the NGO Draft Bill](#) of 2024, expected to be tabled in 2025.

Positive developments include the 2022 amendment of the [Defamation Act](#), which decriminalised defamation of the President, enhancing freedom of expression. Additionally, the [Access to Information Act](#) No. 24 of 2024, effective [from June 2024](#), allows citizens and civil society to access government-held information, promoting transparency and accountability.

However, the environment remains volatile. The proposed [Cyber Security Bill](#) of 2024 and [Cyber Crimes Bill](#) of 2024 faced [backlash](#) from [civil society actors](#) for potentially infringing on privacy and civil liberties, leading to their withdrawal from Parliament. Civil society continues [to advocate for amendments](#) to these bills to protect democratic safeguards. Overall, while there are supportive legal frameworks, ongoing reforms are needed to ensure a fully enabling environment for civil society in Zambia.

3. Accessible and sustainable resources

Funding for civil society in Zambia is generally accessible both locally and internationally, with support from international NGOs, foundations, embassies, and global philanthropies. Civil society organisations are [recognised](#) through legal registration under the Ministry of Community Development and Social Services ([MCDSS](#)) and the Patents and Companies Registration Agency ([PACRA](#)). Laws such as the Access to Information (ATI) Act and the [National Planning and Budgeting Act](#) of 2020 enable CSOs to conduct accountability actions through set provisions for consultations and dialogue and to participate in national development structures and discourse.

However, donor confidence has been eroded due to past instances of fund [mismanagement](#) by government and civil society organisations, leading to [withdrawal](#), [suspension](#) and scarcity of donor resources and a competitive environment among CSOs. Donor priorities are often uncoordinated, resulting in competition for limited resources. Most available funding is short-term and project-based, hindering long-term sustainability and strategic planning for CSOs. There is no tangible evidence of government interference in funding sources, but CSOs in the governance sector are closely scrutinised and on government's radar. Despite these challenges, the legislative framework provides some support for civil society to access funding.

4. State openness and responsiveness

The interaction between civil society and the government in Zambia is largely unstructured and reactive, often responding to issues that catch the president and his ministers' attention. In 2024, [CSOs met with the president](#), who [directed regular](#), structured engagement to address national issues. This led to the development of a comprehensive engagement framework aligned with National Development Plan Clusters. Zambia's 2024 [membership](#) in the Open Government Partnership (OGP) is expected to create more opportunities for CSO engagement.

CSOs, including youth, religious groups, community members and women, participate in [decision-making structures](#) like Provincial and District Development Coordinating Committees and Ward Development Committees. These platforms allow for observer participation in local government meetings. Specific CSOs also engage with the government through Cluster Advisory Groups under the [National Development Plan](#).

The government is more [responsive](#) to CSOs addressing “non-controversial issues”, such as [education](#), [water, and sanitation](#) and [food aid](#) rather than governance and accountability. Some CSOs, like [Transparency International Zambia](#) and the [Christian Churches Monitoring Group](#), have established strong relationships with state institutions, enhancing their influence on anti-corruption efforts and electoral policy reform.

5. Political Culture and Public Discourses on Civil Society

In Zambia, the perception of civil society in public discourse and political discussions has shifted with changes in government. Civil society actors aligned with the government are sometimes seen as executing the government's agenda, a sentiment that was [very high](#) among CSOs during the previous administration.

Recently, significant actors and social commentators believe civil society has weakened due to the appointment of notable leaders of civil society organisations to significant government positions and diplomatic service. Controversial historian [Sishuwa Sishuwa highlights](#) that these appointments benefit the government while disadvantaging civil society. For example, in January 2025, the President dissolved the Anti-Corruption Commission (ACC) Board and [appointed](#) two notable civil society leaders, which the public perceives as diminishing civil society's influence.

Overall, civil society's inclusion in public discourse and political participation has been mixed. While there are efforts to involve civil society in governance, such as appointing leaders to significant boards, these actions are often viewed as reducing civil society's independence and effectiveness. This has led to concerns about the true inclusivity and impact of civil society in Zambia's political landscape over the past year.

Challenges and Opportunities

Over the next four months, civil society in Zambia may face challenges in maintaining momentum to oppose oppressive laws, especially with the National Assembly resuming its legislative business in February 2025. The overwhelming number of bills, including the newly proposed NGO Bill of 2024 and Cyber Crimes and Security Bills, presents a significant challenge to concerting efforts and synergies to move swiftly and be proactive as these unfold. Other pieces of legislation that are cardinal and are still being challenged by civil society such as the Public Order Act are yet to gain proper traction as there has been a slowing down of

push back from civil society as there have been other competing reforms they have been challenging. CSOs risk stretching their limited resources and staff thin while trying to address multiple priority areas simultaneously.

However, these challenges also present opportunities for strengthening the enabling environment for CSOs. Properly managed and coordinated efforts could ensure the adoption of legislation that safeguards fundamental rights. With the 2026 elections approaching, civil society can leverage the political will to engage in public discourse on critical issues. Additionally, Zambia's recent membership in the Open Government Partnership (OGP) offers a platform for civil society to push for measures that enhance citizen participation and accountability. By leveraging this move, CSOs can advocate for the domestication of international instruments that promote an enabling environment for civil society actors.

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