Country File

ZAMBIA

Last updated: **December 2008**

Region	Africa
Legal system	Common Law
UNCAT Ratification/ Accession (a)/ Succession (d)	7 October 1998 (a)
Relevant Laws	• Constitution of 24 August 1991
Relevant Articles	• **Prohibition of Torture:** Article 15 of the Constitution • **Definition of Torture:** • **Penalties:** • **Others:** 1. **Compensation and Reparation:** Article 28 of the Constitution
Languages Available	• English (official language)
Other Relevant Information	

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Relevant Articles – ZAMBIA

ENGLISH

Constitution of 24 August 1991

Article 15 Protection from Inhuman Treatment
No person shall be subjected to torture, or to inhuman or degrading punishment or other like treatment.

Article 28 Enforcement of Protective Provisions
(1) Subject to clause (5), if any person alleges that any of the provisions of Articles 11 to 26 inclusive has been, is being or is likely to be contravened in relation to him, then, without prejudice to any other action with respect to the same matter which is lawfully available, that person may apply for redress to the High Court which shall:
(a) hear and determine any such application;
(b) determine any question arising in the case of any person which is referred to it in pursuance of clause (2); and which may, make such order, issue such writs and give such directions as it may consider appropriate for the purpose of enforcing, or securing the enforcement of, any of the provisions of Articles 11 to 26 inclusive.
(2) (a) If in any proceedings in any subordinate court any question arises as to the contravention of any of the provisions of Articles 11 to 26 inclusive, the person presiding in that court may, and shall if any party to the proceedings so requests, refer the question to the High Court unless, in his opinion the raising of the question is merely frivolous or vexatious.
(b) Any person aggrieved by any determination of the High Court under this Article may appeal therefrom to the Supreme Court: Provided that no appeal shall lie from a determination of the High Court under this Article dismissing an application on the ground that it is frivolous and vexatious.
(3) No application shall be brought under clause (1) on the grounds that the provisions of Articles 11 to 26 (inclusive) are likely to be contravened by reason of proposals contained in any bill which, at the date of the application, has not become a law.
(4) Parliament may confer upon the Supreme Court or High Court such jurisdiction or powers in addition to those conferred by this Article as may appear to be necessary or desirable of the purpose of enabling that Court more effectively to exercise the jurisdiction conferred upon it by this Article or of enabling any application for redress to be more speedily determined.

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