

# ZAMBIA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution declares the country a Christian nation but also has provisions that guarantee religious freedom and uphold the country's multireligious composition. It also prohibits religious discrimination and provides for freedom of conscience and belief. In June the government introduced legislation to amend the constitution that included provisions emphasizing the role of Christianity in the country. Prominent religious groups and civil society organizations continued to state the government should not be involved in religious affairs. On October 18, the Ministry of National Guidance and Religious Affairs (MNGRA), which is mandated to provide oversight on religious affairs and promote Christian values, coordinated the fifth annual National Day of Prayer and Fasting. Various religious groups continued to raise concerns over the government-managed event, stating it blurred the line between church and state. The government continued to take administrative measures to regulate religious affairs, such as approving a new regulatory framework for religious groups and churches that it said will be implemented beginning in 2020. The new framework requires religious groups to register, mandates formal theological training for clergy, and stipulates that only religious organizations affiliated with recognized umbrella bodies may be registered to operate in the country. Religious groups expressed concern that the regulatory framework will interfere with their internal governance. Religious leaders at times took stances critical of the government for alleged human rights violations and civil liberties restrictions. The government imposed a moratorium on the registration of new churches and religious groups pending implementation of the new regulatory requirements for religious organizations.

There were again incidents of mob attacks and killings of individuals suspected of practicing witchcraft throughout the country. Victims were often elderly persons reportedly associated with witchcraft. Numerous examples were reported by media during the year, and incidents occurred at rates similar to those reported in previous years, according to local media sources. Attacks based on suspicions of witchcraft activities included the following: in March unknown assailants reportedly killed a 58-year-old man; in August police intervened to prevent protesters from burning a 70-year-old woman alive; and in September police reported that a man killed his 75-year-old uncle he suspected of practicing witchcraft. Religious leaders continued to hold regular meetings to promote mutual understanding of and joint advocacy on religious and other social issues.

Among these were joint approaches in support of limiting government involvement in oversight of worship and religious practice.

U.S. embassy representatives met with government officials to discuss topics related to religious freedom, such as enforcement of registration laws and the regulation of new and existing religious groups. Embassy representatives also met with religious leaders to discuss issues of religious freedom, interfaith relations, and proposed constitutional amendments emphasizing the country's declaration as a Christian nation and downplaying its multireligious character.

## **Section I. Religious Demography**

The U.S. government estimates the population at 16.9 million (midyear 2019 estimate). The Zambia Statistics Agency estimates the population at 17.9 million. According to estimates, 95.5 percent of the country is Christian; of these, 75.3 percent identify as Protestant and 20.2 percent as Roman Catholic. Protestant groups with the largest numbers of adherents include the Anglican Church, evangelical Christians, and Pentecostal groups. According to official statistics, approximately 2.7 percent of the population is Muslim, with smaller numbers of Hindus, Baha'is, Buddhists, Jews, and Sikhs. Muslim leaders in the country contest these figures and provide estimates ranging from less than 1 percent to more than 20 percent. Small numbers of the population adhere to other belief systems, including indigenous religions and witchcraft, or hold no religious beliefs. Many persons combine Christianity and indigenous beliefs.

Muslims, both Sunni and Shia, are primarily concentrated in Lusaka, Eastern, and Copperbelt Provinces. Many are immigrants from South Asia, Somalia, and the Middle East who have acquired citizenship. Hindus, mostly of South Asian descent, are located largely in the Eastern, Copperbelt, and Lusaka Provinces and estimate the size of their community at approximately 10,000. There are small numbers of Jews, mostly in Lusaka and Northern Province.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution declares the country to be a Christian nation but upholds freedom of conscience, belief, and religion for all persons. It prohibits discrimination based on religion and provides for the right of individuals to manifest and propagate religion or belief in worship, teaching, practice, and observance. It protects the

freedom of individuals to change their religion or belief. It states no one shall be compelled to take an oath or perform acts contrary to his or her religious beliefs. The law prescribes legal recourse against, and penalties of fines and imprisonment for, violations of religious freedom.

Under the law, naming or accusing a person as being a witch or wizard is a criminal offense punishable either by fine or imprisonment of up to one year, while those that profess knowledge of witchcraft may face up to two years' imprisonment. The law has an exception for those who report such allegations to the police.

The MNGRA has a mandate to provide oversight on all matters relating to national guidance and religious affairs in the country. The ministry's functions include strengthening the declaration of the country as a Christian nation, developing self-regulatory frameworks for church and religious umbrella groups, promoting interdenominational dialogue, preserving religious heritage sites, and coordinating public religious celebrations, such as the commemoration of the declaration as a Christian nation (December 29), the National Day of Prayer (October 18), and World Prayer Day (first Friday in March). The ministry's mandate also includes ensuring Christian values are reflected in government, education, family, media, arts and entertainment, and business, as well as promoting church-state, interdenominational, and interfaith dialogue.

During the year, there was a moratorium on the registration of new churches and religious groups until the ministry fully operationalizes a new regulatory framework for religious organizations, which it said it would launch in 2020. All religious groups are required to affiliate with an umbrella body, often referred to as a "mother body," which gathers individual churches and denominations under one administrative authority. There are 14 mother bodies: seven Christian and seven non-Christian. These are the Zambia Conference of Catholic Bishops (ZCCB), Council of Churches in Zambia (CCZ), Evangelical Fellowship of Zambia (EFZ), Independent Churches of Zambia, Apostles Council of Churches, Seventh-day Adventist Church, Christian Missions in Many Lands, Islamic Supreme Council of Zambia, Hindu Association of Zambia, Guru Nanak Council of Zambia, Jewish Board of Deputies Zambia, Rastafarians, Council for Zambia Jewry, and Baha'i Faith in Zambia. The largest are ZCCB, EFZ, and CCZ.

The minister of home affairs retains the discretion to register any religious entity. To register, a group must have a unique name, recommendation letter from its mother body, and a document of the clergy's professional qualifications from a

“recognized and reputable” theological school, but the government provides no specific definition or list of qualifying institutions. The Office of the Chief Registrar of Societies then conducts a preliminary assessment of the applicant’s authenticity and religious purpose as well as a security check. Religious groups must pay a one-time fee of 3,000 kwacha (\$210) to establish registration and 100 kwacha (\$7) every first quarter of the year to retain it. They are also required to adhere to laws pertaining to labor, employment practices, and criminal conduct.

All religious groups holding a public event outside of normal worship or prayer services are required to obtain prior clearance from the MNGRA. The religious group must prove membership in a mother body and submit a validation letter and documentation of its activities to the ministry. After granting approval, the ministry instructs law enforcement authorities under the Ministry of Home Affairs to allow the religious group to hold an event or activity.

The minister of home affairs has the legal authority to revoke the registration of religious groups. Grounds for revocation include failure to pay registration fees or a finding by the minister that the group has professed purposes or has taken or intends to take actions that run counter to the interests of “peace, welfare, or good order.” Groups may appeal this finding in the courts. The government has the authority to levy fines and prison sentences of up to seven years against unregistered religious groups and their members; there were no reported cases involving prison sentences or fines levied during the year.

The MNGRA may make a recommendation to the tax authority for consideration of tax exemptions for religious groups. The recommendation is based on a group’s long-term record and profile of community social work. The law provides for privileged tax treatment for public benefit organizations, including religious groups, provided they are established for the promotion of religion, education, and relief of poverty or other distress.

The constitution allows religious groups the right to establish and maintain private schools and provide religious instruction to members of their religious communities. The government requires religious instruction in all schools from grades one through nine. Students may request education in their religion and may opt out of religious instruction only if the school is not able to accommodate their request. Religious education after grade nine is optional and not offered at all schools. The religious curriculum at this level focuses on Christian teachings but also incorporates comparative studies of Islam, Hinduism, and traditional beliefs.

The MNGRA must approve the entry into the country of foreign missionaries or clergy. The ministry, in collaboration with the Immigration Department, may approve or deny permits and visas for travelers coming into the country for religious activities. For any foreign clergy entering the country, religious groups must provide their proof of legal registration as a religious group in the country, a recommendation letter from their aligned umbrella body, and clearance from clergy in the country of origin. This documentation is presented to the Ministry of Home Affairs, Immigration Department, and the MNGRA.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

The MNGRA approved a new regulatory framework for churches and religious organizations, which it said it will begin implementing in 2020. Under the new framework, all religious organizations will be required to register through the Office of the Registrar of Societies in the Ministry of Home Affairs. The framework requires formal theological training for clergy and stipulates that only religious organizations affiliated with recognized umbrella bodies may be registered to operate in the country. It also requires that each church and umbrella body have mechanisms in place to ensure compliance with registration requirements.

According to the MNGRA, the framework was necessitated by the proliferation of new churches and religious groups, the increasing phenomenon of self-ordination, insufficient transparency and accountability, lack of compliance by churches with the law, and abuse of power and authority by religious institutions. In August Minister of National Guidance and Religious Affairs Godfridah Sumaili said the framework would help make churches more financially accountable and regulate the conduct of clergy.

Religious and civil society leaders had mixed reactions to the government's regulatory framework. Some representatives of religious groups stated they considered the move as a form of interference, noting that individual churches have codes of conduct and other internal disciplinary guidelines for their clergy. Others said they believed the requirement for clergy to undergo some form of theological training was "long overdue." According to the MNGRA, introducing the framework would provide a "self-regulation" mechanism that will help churches and other religious umbrella bodies manage their respective affiliates and ensure

compliance with acceptable codes of conduct and practices consistent with their teachings.

In June the government presented a bill of proposed constitutional amendments to parliament; it remained pending in parliament at year's end. The draft bill included provisions that aim to "strengthen" the country's status as a Christian – rather than multireligious – nation and includes "Christian morality and ethics" as a guiding constitutional principle. Legal and religious observers, including the Muslim community and the ZCCB, expressed concern the proposed amendments could fuel religious intolerance. National Guidance and Religious Affairs Minister Godfridah Sumaili said the proposed amendments were intended to codify the declaration of the country as a Christian nation and would not affect non-Christians.

During the year, the MNGRA continued to expand the number of umbrella bodies, an action it said was intended to allow more minority groups to join existing umbrella bodies or form their own. While some religious groups welcomed the expansion, others viewed it as a strategy to undermine the prominent role that some church mother bodies play in drawing attention to social and governance issues.

Catholic and Protestant church mother bodies, along with leaders of numerous minority religious groups, continued to oppose the existence of the MNGRA, whose mandate they said remained unclear. They stated that guiding religious groups should not be the province of politicians or the government. There were no new legislative actions during the year that more clearly specified the ministry's role and responsibilities.

According to some religious groups, administrative regulations and requirements continued to impede the process of obtaining a permit to hold a religious gathering. These included obtaining a recommendation letter from a mother body and clearance from the MNGRA and Ministry of Home Affairs. Minority religious groups with no representative mother body stated they continued to have difficulty complying with regulations instituted by the MNGRA requiring all religious groups to associate with a mother body. While minority groups generally welcomed the idea of having their own umbrella groups, some said they felt pressured by the government to identify themselves with larger groups whose faith may not align well with theirs or may not adequately represent their interests. The ministry continued to hold consultative meetings with a range of Christian and minority religious groups on this issue during the year.

Other subjects discussed in the ministry's consultations with religious groups included the commemoration of the constitutional amendment establishing the country as a Christian nation, the National Day of Prayer, the ministry's strategic plan, legislation to support ministry policies such as the self-regulatory framework, and the proposed constitutional amendments.

Religious leaders stated the clearance procedures for foreign clergy entering the country remained laborious and bureaucratic, and posed an impediment to some activities of the religious groups.

Religious leaders reported pressure from both political representatives and, at times, politically aligned clergy members to maintain positive commentary about the government. Religious groups said some clergy members practiced self-censorship of comments on governance issues. According to religious leaders, clergy members who expressed dissenting views on governance or human rights were monitored by the government and labeled as "aligned" with the political opposition or publicly discredited.

On October 18, the government sponsored and organized the fifth National Day of Prayer and Fasting. President Edgar Lungu and other senior government officials, as well as representatives of the three main church mother bodies – the ZCCB, EFZ, and CCZ – attended the event. The government declared the day a national holiday, and businesses were encouraged to allow employees to attend prayer events. Although not explicitly stated, some government heads of departments and other senior government officials reportedly perceived attendance as mandatory. As in previous years, during the event, authorities banned liquor sales until 6 p.m.; sales are normally legal at 10 a.m. MNGRA officials said that the 2019 National Day of Prayer was more successful and inclusive than previous events in that it was well attended and that the clergy took the lead in organizing and leading the prayers. Some religious leaders said the event was politicized and "hijacked" by the government and military chaplains. In December, for example, retired Lusaka Catholic archbishop Telesphore Mpundu criticized the event, saying, "The president has no right to tell people when to go and pray or how they should pray."

Prominent religious groups continued to state the government should not be involved in religious affairs, such as the national prayer days and building a 10,000-seat Interdenominational House of Prayer, which remained unfinished at the end of the year. The ZCCB stated it did not support construction of the National House of Prayer. The CCZ similarly observed that the Cathedral of the

Holy Cross – which was built as a requirement to grant Lusaka city status prior to independence and has traditionally served as a site for interdenominational prayers – was sufficient and saw no need for a separate building for this purpose. According to MNGRA officials, the government remained resolute on completing construction by 2021 and during the year established an interministerial technical committee to oversee the project.

### **Section III. Status of Societal Respect for Religious Freedom**

Incidents of mob violence against and killings of suspected practitioners of witchcraft continued, particularly against elderly citizens. In January the Livingstone local court fined a man for accusing a 75-year-old man of practicing witchcraft at his house at night. In March unknown assailants killed a 58-year-old man in Muchinga Province for suspected witchcraft, according to local media reports. On August 13, according to media reports, police arrested 30 individuals in Kitwe in Copperbelt Province after police rescued a 70-year-old woman whom members of the public reportedly threatened to burn alive for practicing witchcraft. In September media reported a 22-year-old man in Mafinga District in Northern Province killed his 75-year-old uncle, whom he suspected of practicing witchcraft. Police arrested the suspect and charged him with murder; the trial remained pending at year's end.

The main church mother bodies, particularly the ZCCB and CCZ, continued to hold regular meetings to promote mutual understanding of and joint advocacy on religious issues. Among these were joint approaches in favor of restricting government oversight of worship and religious practice.

### **Section IV. U.S. Government Policy and Engagement**

Embassy officials held regular meetings with government officials, including officials from the MNGRA, to discuss topics related to religious freedom, such as government-sponsored religious observances, interfaith relations, and the use of religion as a tool in the political arena, as well as the role of the MNGRA.

Embassy officials met with Christian, Muslim, Baha'i, and other religious groups to discuss government regulations, religious tolerance, governance, human rights, and the proposed constitutional amendments emphasizing the country's declaration as a Christian nation and downplaying its multireligious character. Embassy officials met with local religious leaders during travels throughout the country.