

# ZAMBIA 2020 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 prohibits religious discrimination and provides for freedom of conscience and belief. Government and ruling party officials politically attacked religious leaders who expressed dissenting views on governance issues. According to human rights organizations, during a period of aggressive implementation of the restrictions, police assaulted a group of religious leaders at a church in Mkushi and sometimes used excessive force while conducting arrests of religious leaders and congregants violating COVID-19 regulations. Police at times used the regulations to harass opponents, including religious leaders critical of the government, according to religious sources. In October, the government seized Horizon Schools in Lusaka associated with the Islamic Gulen movement and appointed a school chairperson and principal, according to local media. Horizon Education Trust, the schools' proprietor, applied for judicial review in the Lusaka High Court to challenge the government's decision to compulsorily acquire the school; the case remained pending at year's end. The government continued to take administrative measures to regulate religious affairs, such as the development of minimum standards for churches and other religious organizations. A 2019 moratorium on the registration of new churches and religious groups remained in force pending adoption of a new policy on minimum standards to replace the previously proposed regulatory framework for churches and religious groups. Proposed constitutional amendments that would have emphasized Christianity's role in the country failed to pass parliament in October. Prominent religious groups and civil society organizations continued to decry the government's involvement in religious affairs, including some boycotting of the October 18 National Day of Prayer and Fasting attended by President Edward Lungu.

Incidents of attacks and killings of individuals suspected of practicing witchcraft continued in various parts of the country. Victims were mostly elderly persons. Notable examples of attacks based on suspicions of witchcraft included the killing of a 79-year-old woman by unknown assailants and the stoning of a 62-year-old woman to death by a crowd. Religious leaders continued to hold regular meetings to promote mutual understanding of, and joint advocacy on, religious and other social issues.

The Charge d’Affaires met with government officials to discuss topics related to religious freedom and interreligious dialogue. The Charge d’Affaires also met with religious leaders to discuss issues of religious freedom, interfaith relations, the impact of the COVID-19 pandemic, and the proposed constitutional amendments that would emphasize the country’s declaration as a Christian nation and downplay its multireligious character.

## **Section I. Religious Demography**

The U.S. government estimates the population at 17.4 million (midyear 2020 estimate). According to Zambia Statistics Agency (ZamStats) estimates, 95.5 percent of the country’s population 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 ZamStats, approximately 2.7 percent of the population is Muslim, with smaller numbers of Hindus, Baha’is, Buddhists, Jews, and Sikhs. 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.

The Muslim community is predominantly Sunni, with small groups of Ismaili and Shia Muslims. Muslims, both Sunni and Shia, are primarily concentrated in Lusaka, Eastern, and Copperbelt Provinces. Many are immigrants or the children of 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 10,000 as of 2019. 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 also protects the freedom of individuals to change their religion or belief and states that 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 who profess knowledge of witchcraft may face up to two years' imprisonment. The law has an exception for those who report such allegations to police.

The Ministry of National Guidance and Religious Affairs (MNGRA) provides 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.

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 currently 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, a 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.

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.

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 is 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**

Religious leaders stated clergy who expressed dissenting views on governance issues were monitored by the government and seen as being “aligned” with the political opposition; they were subsequently targeted and harassed for opposing some government policies. According to local media, on October 18, Chingola district commissioner Agness Tonga, accompanied by police officers, “stormed into” a Life Gospel Overseas Ministries during a church service presided over by Bishop Joseph Kazhila. According to media reports, prior to the event, Bishop Kazhila in his preaching criticized the tradition of the National Day of Prayer and Fasting, stating that the government had no moral right to force anyone to pray. Media reported Kazhila’s remarks angered the district commissioner who reportedly “ordered” him to preach the “power point message” authorized by the government; authorities arrested Kazhila after his refusal to comply.

Ruling party officials and sympathizers also politically attacked Archbishop Telesphore Mpundu, the retired Catholic Archbishop of Lusaka, for criticizing the government and opposing President Lungu’s third-term bid. In October, ruling party Patriotic Front secretary general Davies Mwila reportedly condemned Archbishop Mpundu for his criticism of the government, stating the ruling party would “treat him as a political opponent, not as a bishop.”

Religious leaders critical of the government reported a lack of protection for those holding peaceful dissenting assemblies, leaving protesters vulnerable to physical assault and disruption of their meetings by sympathizers of the ruling party. They also reported “excessive” government restrictions on their right to participate in public discussion of political or social issues, such as corruption involving government officials, arrest of opposition political leaders, and unfair application of the law against political opponents.

On March 13, the government promulgated public health regulations to limit the spread of the COVID-19 pandemic. According to human rights organizations, police at times acted with impunity and used excessive force on religious groups as they enforced COVID-19 public health regulations. In April, local media reported that police “brutally” assaulted a small group of church leaders from the Bread of Life International Church in Mkushi who had gathered in numbers that exceeded COVID-19 restrictions.

In October, the government seized Horizon Schools in Lusaka, associated with the Islamic Gulen movement and appointed a school chairperson and principal, according to local media. This action followed the Ministry of Lands and Natural

Resources' September 24 notice of compulsory acquisition, in an exercise of executive power provided under the law. It was reported that the government intended to demolish the existing school building to pave the way for construction of a shopping mall. Horizon Education Trust, the schools' proprietor, applied for judicial review in the Lusaka High Court to challenge the government's decision to compulsorily acquire the school. The case remained pending at year's end.

In October, the government further restricted the use of school facilities for religious purposes to limit outside activities in schools in a bid to prevent the spread of COVID-19. The restriction affected mainly small churches that lacked infrastructure for congregating. The affected churches protested against the measures, and the government announced in September it would provide land to churches that met in classrooms, enabling them to build permanent structures.

During the year, the government modified the proposed regulatory framework for churches and religious organizations that was approved in 2019, moving away from self-regulation to setting minimum standards. The new approach aimed to prescribe standards for every church or religious organization operating in the country, including codes of conduct and basic qualifications of religious leaders, to ensure financial accountability and minimum rules of behavior of clergy. Under the proposed framework, all religious organizations would be required to register through the Office of the Registrar of Societies in the Ministry of Home Affairs. The proposed framework required formal theological training for clergy and stipulated that only religious organizations affiliated with recognized umbrella bodies may be registered to operate in the country. It also required each church and umbrella body to have mechanisms in place to ensure compliance with registration requirements. The proposed framework remained under review at year's end.

According to the MNGRA, the drive to regulate churches and religious organizations was necessitated by the proliferation of new churches and religious groups, the increasing frequency of self-ordination, insufficient transparency and accountability, lack of compliance by churches with the law, and abuse of power and authority by religious institutions. Religious leaders, however, continued to express concern regarding the regulatory framework. On June 12, for example, the state-run *Times of Zambia* reported that several religious leaders criticized the MNGRA's proposed framework to set minimum standards as not being inclusive and said that the framework would likely undermine the prominent role that some church umbrella bodies played in drawing the government's attention to social and governance issues. Religious leaders said that by regulating the internal affairs of

churches and religious groups, the government would not only undermine religious freedom but would usurp their exclusive jurisdiction on matters of faith and restrict their ability to effectively hold political leaders accountable on governance and social issues.

Catholic, Protestant, and Islamic mother bodies, along with leaders of other religious groups, continued to oppose the existence of the MNGRA, particularly for its perceived mandate to “actualize” the declaration of the country as a Christian nation. For example, Islamic Supreme Council of Zambia (ISCZ) and Zambia Messianic Fellowship leaders stated that the ministry’s mandate to protect all religions while at the same time promote Christianity was a conflict. The ISCZ stated the MNGRA was not inclusive of minority religious groups as it only represented Christianity, which was not compatible with its own name. “It is [the Ministry of] National Guidance and Religious Affairs and not Ministry of Christian Affairs,” Sheikh Shaban Phiri, ISCZ secretary general, stated. Religious groups further said the MNGRA’s establishment compromised true separation of state and religion to the extent that the government was now positioned to determine what was religiously proper and what was not.

The government did not register any new mother bodies during the year. A moratorium imposed in 2019 on the registration of new churches and religious groups remained in force pending adoption of a new policy on minimum standards for churches and religious groups that would be included in the government’s framework for registering churches. At year’s end, the MNGRA stated it was still consulting on whether to make it mandatory for all religious groups to affiliate with a mother body.

During the year, there were no new legislative actions that more clearly specified the MNGRA’s role and responsibilities. Instead, the ministry continued to rely on other laws, such as the Societies Act and the Immigration and Deportation Act, to carry out its mandate. In October, the ministry held consultative meetings with the Christian church mother bodies and other religious groups on policy issues, such as the proposed minimum standards for clergy and financial accountability for churches and other religious groups.

In October, a government-proposed constitutional amendment that, among many other changes, included language emphasizing the country’s status as a Christian, rather than multireligious, nation failed to marshal the required two-thirds parliamentary majority needed for passage. Legal and religious observers,

including the Muslim community and the ZCCB, expressed their belief that the proposed amendments could have fueled religious intolerance.

Religious leaders stated the clearance procedures for foreign clergy entering the country remained laborious and bureaucratic, impeding some activities of religious groups. According to the Zambia Messianic Fellowship, in September, after “reluctantly” extending her religious visa, the government informed a missionary conducting charitable work that to receive a further extension, she would have to apply for a business visa.

On October 18, the government held the sixth National Day of Prayer and Fasting. President Lungu and other senior government officials attended the event. The three main church mother bodies – the ZCCB, EFZ, and CCZ – did not attend, in opposition to the government’s involvement in religious affairs, but some of their members attended in their individual capacities. Clergy from Catholic and Protestant churches presided over the prayers.

Prominent religious groups continued to state the government should not be involved in building the 10,000-seat Interdenominational House of Prayer, which remained unfinished at year’s end. In 2015, President Lungu laid the foundation stone to start construction and appointed an advisory board in addition to fundraising and technical committees to spearhead the project. The project was being constructed by the Zambia Army and the Zambia National Service and would replace the Anglican Cathedral of the Holy Cross as the “national cathedral” once completed.

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

Incidents of violence against, and killings of, suspected practitioners of witchcraft continued, particularly against elderly citizens. In June, a crowd reportedly killed a 79-year-old woman in Kasama on suspicion that she was a witch. Local media reported a related incident on October 19 in which a crowd stoned to death a 62-year-old woman in Kitwe, whom they suspected of practicing witchcraft. According to reports, the killing was instigated by the woman’s two sons, who accused her of practicing witchcraft. At year’s end, police were still pursuing the assailants in both cases.

On September 30, mourners and other individuals vandalized some sections of the Anglican Cathedral of the Holy Cross in Lusaka, a key national symbol of religious significance. The vandalism occurred during the funeral service of



musician David Phiri, also known as Daev, which was held at the cathedral. The *Daily Mail* reported that a near-stampede occurred as a large crowd of attendees attempted to force their way into the cathedral, and police were called to restore order. The incident occurred after many individuals appeared for the funeral, defying restrictions organizers placed on attendance. According to local media, the destruction included damaged stained glass windows, doors, gates, and other key features of the building. The cathedral, which was constructed between 1960 and 1962, was built to fulfill a legal requirement for granting Lusaka city status before the country attained its independence in 1964.

The main church mother bodies – the ZCCB, EFZ, and CCZ – continued to hold regular meetings to promote mutual understanding of, and joint advocacy on, religious issues. These included collaborating with the government to enforce COVID-19 regulations in churches.

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

Embassy officials held virtual meetings with government officials, including 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 in the regulation of churches and other religious groups.

The Charge d’Affaires met frequently with religious leaders, including a May 21 meeting with Muslim leaders on a wide range of issues that covered the impact of COVID-19 on religious freedom, government regulations, religious tolerance, governance, human rights, and the proposed constitutional amendments. On June 4, the Charge d’Affaires held a similar discussion with Christian leaders from the three main church mother bodies.