UNIVERSITY OF LUSAKA

SCHOOL OF LAW

INVESTIGATING ON THE HUMAN RIGHTS IMPLICATIONS OF CURRENCY DEPRECIATION; A STUDY ON ZAMBIA'S RECENT ECONOMIC CHALLENGES.

By

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An obligatory essay submitted to the University of Lusaka in partial fulfillment of the requirements for the award of the Bachelor of Laws (LLB) Degree.

2025

DECLARATION

I declare that this dissertation entitled, **INVESTIGATING ON THE HUMAN RIGHTS IMPLICATIONS OF CURRENCY DEPRECIATION; A STUDY ON ZAMBIA'S RECENT ECONOMIC CHALLENGES.**

Which is hereby submitted to the School of Law at the University of Lusaka as part of the requirements for the award of the Bachelor of Laws (LLB) degree is my own original work and it has not been previously submitted for the award of a degree at this university or any other tertiary institution.

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Mr. INNOCENT NYAMBE

(Supervisor)

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Date

DEDICATION

I dedicate this dissertation to the cherished memory of my late father, Mbulo Rasbridge Chisanga, with deep gratitude and everlasting love." His spirit, albeit physically absent, persists as a lasting influence inside the pages of this work, reflecting the significant impact he had on my academic journey.

To my beloved father, who always looked forward to my graduation day, I am very grateful. Your endless love and support have been the guiding lights that have helped me get through the difficulties of college life. You were not only a source of strength for me, but also a light for your children and grandchildren. You were a pillar of love and wisdom that impacted our lives

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LIST OF STATUTES

The Constitution Of Zambia Act No. 2 Of 2016

Zambia *Act No 2 of 2016*

Zambia *Employment Code Act No 3 of 2019*

The *Industrial and Labour Relations Act*, Cap 269, Laws of Zambia

The *Anti-Gender-Based Violence Act No 1 of 2011*

The *Human Rights Commission Act*, Cap 48, Laws of Zambia

The *Public Finance Management Act No 1 of 2018*

The *Bank of Zambia Act*, Cap 360, Laws of Zambia

Water Supply and Sanitation Act No 28 of 1997

LIST OF CASES

Groolboom Vs Government of Republic of South Africa (2000)

The Zambia Revenue Aurthority Vs Post News Limited (2018)

ABSTRACT

This dissertation critically examines the impact of Zambia's Kwacha depreciation driven by external debt, copper price volatility, and the 2024 drought on socio-economic rights, particularly access to healthcare, housing, food, and education for vulnerable groups. Anchored in Articles 8, 10, and 112 of the Zambian Constitution and ICESCR obligations, the study reveals that a 4.6% currency decline (2024–2025) and 16.8% peak inflation have eroded purchasing power, deepened poverty, and disproportionately harmed women, children, and low-income households.

Through qualitative desk research and comparative analysis (Nigeria, Zimbabwe, Ethiopia), it exposes a critical gap: macroeconomic studies overlook direct human rights violations. Government austerity and weak social protection fail constitutional mandates, compounded by absent Human Rights Impact Assessments.

The study recommends legal reforms (e.g., amending the Public Debt Management Act), shock-responsive safety nets, gender-responsive budgeting, and rights-aligned IFI engagement. By integrating human rights into economic governance, Zambia can safeguard dignity and advance Vision 2030 and SDGs amid fiscal instability.

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CHAPTER ONE

1.1 INTRODUCTION

When the economy is stable and people have dignity, a declining currency can easily take away basic rights. Zambia's current economic problems, which are caused by the significant drop in the value of the Zambian Kwacha, are part of a global pattern seen in nations like Syria, Lebanon, Malawi, and Nigeria, where currency crises have caused a lot of suffering. Rising prices for basic needs like food, medication, and shelter take away people's right to a good standard of living. At the same time, economic problems make poverty worse, force people to lose their jobs, and lead to social unrest. The Constitution of Zambia says that the government must establish an economic climate that encourages self-reliance and fair growth. These problems make it hard for the government to do that and go against international human rights commitments[1].

The effects of a falling currency go beyond economics. They show a clear correlation between human rights abuses and financial instability. Bad government, political tyranny, and violations of rights all make investors less likely to trust a country, drive away money, and bring criticism from around the world. All of these things make the currency slide worse. These trends indicate how bad economic policies and violations of human rights feed off of one other, like Syria's falling pound and Lebanon's famine crises. This paper investigates Zambia's experience, analyzing the impact of currency devaluation on socioeconomic rights, particularly for disadvantaged populations, and aims to identify practical measures to safeguard human dignity during economic crises.[2]

1.2 BACKGROUND OF STUDY

Currency depreciation continues to be a persistent economic issue in developing nations, with substantial consequences for the safeguarding and actualization of human rights. The recent

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[1] World Finance, “Africa’s Currency Crisis,” World Finance, accessed October 9, 2025, https://www.worldfinance.com/markets/africas-currency-crisis.

[2] Constitution of Zambia, 1991, as amended 2016, Article 10, https://www.mofnp.gov.zm/wp-content/uploads/2022/09/Constitution.pdf.

and repeated weakening of the Kwacha in Zambia is a sign of bigger problems in the economy, such as high levels of foreign debt, changing global copper prices, and shocks to the economy caused by climate change.[3] The national currency's drop in value has caused inflation to rise, purchasing power to fall, and limited access to basic goods and services, which threatens the socio-economic rights of citizens. These circumstances have directly affected the right to health, sufficient housing, and an acceptable standard of living, as assured by international, regional, and national legal frameworks.

The Universal Declaration of Human Rights (UDHR) in Article 25 and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) in Articles 11 and 12 set forth the right to a good quality of living and the best health possible[4]. Articles 15 and 16 of the African Charter on Human and Peoples' Rights (ACHPR) further say that States must make sure that people have good economic and social conditions [5].Article 10(1) and (2) of the Constitution of Zambia says that the government must provide an economic climate that encourages self-sufficiency, fair growth, and citizen empowerment. However, the Kwacha's value has been falling quickly, making it harder for families, especially those in low-income, rural, and informal sectors, to meet their basic needs [6].This goes against both constitutional and international commitments. Other African countries have had similar experiences that show that the link between economic instability and human rights violations is not unique to Zambia or isolated. The hyperinflation crisis in Zimbabwe in 2008, the instability of the naira in Nigeria, and the recurrent devaluations in Malawi all caused similar problems with inequality, social unrest, and limited access to basic services[7]. These examples show that the bigger picture in the region is that bad economic

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[3] World Bank, "Economic Instability and Currency Depreciation in Sub-Saharan Africa," World Bank Economic Review, accessed October 9, 2025, https://www.worldbank.org/en/region/afr/publication/economic-instability-currency-depreciation.

[4] United Nations, "Universal Declaration of Human Rights," Article 25, 1948; United Nations, "International Covenant on Economic, Social and Cultural Rights," Articles 11 and 12, 1966, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights.

[5] African Union, "African Charter on Human and Peoples' Rights," Articles 15 and 16, 1981, https://au.int/en/treaties/african-charter-human-and-peoples-rights.

[6] Constitution of Zambia, 1991, as amended 2016, Article 10, https://www.mofnp.gov.zm/wp-content/uploads/2022/09/Constitution.pdf.

[7] N 3

management and a falling currency make structural poverty worse and make it harder for the state to protect human rights. As Zambia continues to deal with its economic problems, it is both essential and necessary to look at how currency depreciation affects socio-economic rights in order to influence policy and legislative reform.

1.3 STATEMENT OF PROBLEM

The recent drop in the value of the Zambian currency has made the economy much worse, making it very hard for people to get basic socioeconomic rights like healthcare and decent housing. Article 10(1) and (2)[8] of the Constitution say that the government must make the economy work in a way that encourages people to take initiative, be self-sufficient, and empower themselves economically for long-term growth and social development. However, the current economic downturn goes against these obligations. The devalued currency makes it harder for vulnerable groups to achieve their fundamental necessities, which hurts them more than others. While extensive study has concentrated on the impacts of currency depreciation on macroeconomic growth and inflation, a significant deficiency exists in the analysis of how this devaluation directly and indirectly undermines the achievement and safeguarding of socioeconomic human rights. This study aims to fill this vacuum by examining the effect of currency depreciation on the protection of socioeconomic rights, focusing particularly on vulnerable groups in Zambia.

1.4 GENERAL OBJECTIVE

To critically examine the impact of currency depreciation in Zambia on the realization and protection of socio-economic human rights particularly the rights to healthcare and adequate housing among vulnerable populations, and to assess the extent to which the government has fulfilled its constitutional obligations to create an inclusive and empowering economic environment as stipulated under Article 10(1) and (2) of the Zambian Constitution.

1.5 SPECEIFIC OBJECTIVES

The following are specific research objectives;

i. To assess the correlation between currency depreciation and citizens' access to

[8] Act no. 2 of 2016, art 10

essential services and resources.

ii. To examine the states response to economic instability and its implications for human rights protection

Iii. To explore the impact of currency depreciation on marginalized groups including women, children and low-income communities.

1.6 RESEARCH QUESTIONS

i. How has the recent depreciation of Zambia's currency affected the realization of socio-economic rights, particularly the right to healthcare and adequate housing among vulnerable populations?

ii. To what extent has the Zambian government fulfilled its constitutional obligations under Article 10(1) and (2) to create an economic environment that supports self-reliance, economic empowerment, and access to basic needs during currency depreciation?

iii. What policy interventions can be implemented to safeguard socio-economic rights and protect vulnerable populations in Zambia during periods of currency depreciation and economic instability?

1.7 SIGNIFICANCE OF STUDY

This study on the human rights implications of currency depreciation in Zambia is relevant since it examines the effects of economic volatility on the fulfillment of socioeconomic rights, especially for marginalized communities. The study will provide evidence-based insights for policy formulation by examining how the depreciation of the Zambian Kwacha restricts access to essential needs, such as healthcare and housing. It will enable policymakers take targeted steps that are in line with Article 10(1) and (2) of the Constitution of Zambia. This article stipulates that the government must provide an economic environment that promotes individuals to be proactive, self-sufficient, and grow in a way that lasts.[9]The study will also make sure that international agreements, such the International Covenant on Economic, Social, and Cultural Rights, are followed by showing how to defend people's rights to health, housing, and a decent standard of living during times of economic hardship.

The study will also help protect vulnerable groups by showing how currency depreciation affects them more than other groups, which will help create social protection measures to reduce

[9] ibid

inequities. It will give suggestions for making the economy more resilient and making sure that economic policies support long-term growth and social development, as required by the Constitution. The study will encourage accountability and effective remedies by giving institutions like the Zambia Human Rights Commission more power to push for policies that protect people's rights. This research will eventually link economic policy with human rights, devising strategies to ensure that all individuals have access to essential services while facilitating the growth of Zambia's economy despite its challenges.

1.8 SCOPE OF STUDY

This study analyzes the human rights ramifications of Zambia's recent currency depreciation, particularly its impact on the realization of socioeconomic rights for citizens, emphasizing vulnerable populations such as low-income households, women, children, and rural communities. It looks at how the drop in value of the Zambian Kwacha affects people's ability to get basic needs like housing and healthcare. These rights are protected by the Constitution of Zambia (1991, as amended), Part III, Articles 10(1), 10(2), 11, 15, and 23,[10], and the International Covenant on Economic, Social and Cultural Rights (ICESCR, ratified 1984), Articles 2(2), 11, and 12.[11]. The study spans the period from 2020 to 2025, chronicling the economic challenges arising from Zambia's sovereign debt default and the subsequent currency devaluation.[12]. It might learn from other nations that have had similar problems with their currencies losing value, using those countries as examples to help Zambia understand its own situation and think about possible policy remedies. The study only looks at Zambia and focuses on both cities and rural places to see how the effects are different for different groups of people. It will look at both first-hand and second-hand information, like government reports, economic indicators, and human rights reports from groups like the Zambia Human Rights Commission, as well as important case studies from other countries. The study only looks at currency

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[10] Constitution of Zambia, 1991, as amended 2016, Part III, Articles 10(1), 10(2), 11, 15, and 23, https://www.mofnp.gov.zm/wp-content/uploads/2022/09/Constitution.pdf.

[11] United Nations, "International Covenant on Economic, Social and Cultural Rights," Articles 2(2), 11, and 12, 1966, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights.

[12] Zambia Human Rights Commission, "Annual Human Rights Report 2022," accessed October 9, 2025, https://www.zhrc.org.zm/publications/annual-reports.

depreciation and no other economic problems. It also doesn't look at civil and political rights until they connect with socioeconomic rights.

Using case studies from around the world, it aims to give a targeted analysis of policy flaws and suggest ways to make economic recovery fit with human rights responsibilities.

1.9 LITERATURE REVIEW

A lot of the study that has been done on currency depreciation in Africa has looked at inflation, trade, GDP, and shocks that happen in Zambia, like changes in commodity prices and debt, but it has rarely looked at how these affect human rights. The studies put more weight on overall measures or sectors (like mining and small and medium-sized businesses) than on direct effects on vulnerable groups' housing and healthcare rights or on the government's compliance with Articles 10(1) and (2) during the depreciations of 2020–2025.[13]

Ncube and Ndou (2022) use improved synthetic control methods to look at devaluation of currencies as a way to boost growth. They look at the devaluation of the CFA franc in 14 West and Central African countries in 1994. They find that better trade balances raise GDP per capita in the short term but cause long-term inflationary pressures that hurt low-income households the most because they have to pay more for things like food and fuel. Their focus on economic indicators in the area and throughout history ignores human rights issues like housing and healthcare access, as well as things that are unique to Zambia, like how the Kwacha changes in value when copper prices change.[14]

In 2017, Mwanakatwe surveyed 100 informal traders in Lusaka to find out how the devaluation of the Kwacha affected small and micro businesses. The results showed that the 2015–2016 devaluation caused input costs to rise by 40–60%, which caused businesses to close and people to lose money, especially women-led businesses. The study only looks at how well businesses do financially and how people deal with problems in the informal economy in cities. It doesn't

[13] World Bank, "Economic Instability and Currency Depreciation in Sub-Saharan Africa," World Bank Economic Review, accessed October 9, 2025, https://www.worldbank.org/en/region/afr/publication/economic-instability-currency-depreciation.

[14] M. Ncube and E. Ndou, "Currency Devaluation as a Source of Growth in Africa: A Synthetic Control Approach," *African Development Review* 34, no. 2 (2022): 167–183.

look at how these issues relate to people's basic socioeconomic rights or how they are vulnerable in ways that affect more than just traders[15]

Chigunta and Mkandawire (2025) examine the effects of Kwacha depreciation on small and micro enterprises in Lusaka through qualitative surveys of 100 informal traders. Their findings indicate that the 2015–2016 devaluation increased input costs by 40–60%, resulting in business closures and income losses, especially for women-led enterprises. The study exclusively examines the financial performance and coping mechanisms inside urban informal sectors, disregarding links to constitutional socioeconomic rights or vulnerabilities impacting individuals beyond traders. paying for health care or getting into housing, or concerning Article 10 of the Constitution[16]

Egwaikhide and Udoh (2021). analyse the unequal effects of currency depreciation in six sub-Saharan African countries, such as Nigeria and Ghana, spanning the years 1980 to 2019. Their econometric analysis indicates that devaluation increases exports while worsening inequality through regressive inflation. The emphasis on trade and prosperity neglects human rights consequences, especially for underprivileged groups in Zambia experiencing compounded effects from debt defaults.[17]

Oloka-Onyango (2003) critiques structural adjustment programs (SAPs) in Africa, asserting that the policies of the IMF and World Bank since the 1980s prioritize debt repayment over the realization of economic, social, and cultural rights (ESCR). This has resulted in user fees that hinder access to healthcare and education, particularly following Zambia's liberalization in the early 1990s. The research analyzes the African Charter on Human and Peoples' Rights (Articles 15–16) and highlights shortcomings in the policy for progressive realization. But it looks at the

[15] P. Mwanakatwe, "The Impact of Kwacha Depreciation on Small and Micro Enterprises in Lusaka," *Zambian Journal of Economic Studies* 12, no. 1 (2017): 45–62.

[16] F. Chigunta and R. Mkandawire, "The Effects of Depreciating Kwacha on the Financial Performance of SMEs in Zambia," *Journal of African Business* 26, no. 3 (2025): 201–219.

[17] F. O. Egwaikhide and E. Udoh, "The Asymmetric Effects of Currency Devaluation in Selected Sub-Saharan Africa," *Journal of Economic Integration* 36, no. 4 (2021): 566–589.

problem from a historical and regional point of view, ignoring currency-specific procedures and Zambia's Article 10 commitments in light of recent drops in value.[18]

Namatovu and Espinosa (2011) illustrate the repercussions of the 2008–2009 global financial crisis in Zambia's mining areas, demonstrating that the devaluation of the Kwacha resulted in job losses in the Copperbelt, compelling women into exploitative informal employment and escalating child labor, thereby infringing upon rights to health (e.g., exposure to HIV) and education as stipulated in ICESCR Article 12.Their case study of 50 households is confined to the mining belt and the period preceding 2020, neglecting housing rights and rural vulnerabilities subsequent to debt default. [19]

Way and Stanton (2009) examine Zambia's 2008 crisis, instigated by devaluation, resulting in food insecurity and famine, in a report from the Center for Economic and Social Rights. This forced girls into prostitution and broke ICESCR Article 11 (a good standard of living). They talk about rights-based budgeting using UNDP statistics, but they don't do anything about it.[20]

Human Rights Council (2024), The Working Group on Human Rights and Transnational Corporations (A/HRC/56/35) notes that Zambia's economic challenges, such as the depreciation of its currency because of debt restructuring, make it tougher to meet ESCR. Inflation also makes it tougher for people with low incomes to get shelter and medicine. This comprehensive audit of business-related rights inadequately addresses the causal mechanisms of depreciation or governmental remedies for vulnerable people.[21]

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[18] J. Oloka-Onyango, “Beyond the Rhetoric: Reinvigorating the Struggle for Economic and Social Rights in Africa,” *California Western International Law Journal* 33, no. 1 (2003): 1–73.

[19] R. Namatovu and M. Espinosa, “Engendering the Global Financial and Economic Crisis: Unveiling Impacts in Zambia’s Mining Regions,” *Gender & Development* 19, no. 2 (2011): 191–204.

[20] S.-A. Way and E. A. Stanton, “Human Rights and the Global Economic Crisis” (Center for Economic and Social Rights, Briefing Paper, 2009).

[21] United Nations Human Rights Council, “Report of the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises,” A/HRC/56/35 (2024).

This study addresses these deficiencies by examining the recent depreciation's effects on the economic, social, and cultural rights (ESCR) of vulnerable populations, evaluating adherence to Article 10, and proposing rights-based strategies to ensure fair access to basic services.[22]

1.10METHODOLOGY

This is a qualitative research and will essentially be a desk research. Primary and secondary materials such as legislation, books, reports and journal articles, published legal and non-legal reports, working papers, dissertations, theses, and internet publications will be consulted. Lastly, the information and data collected, from all the sources mentioned above will then be reviewed and analyzed to come up with a concrete conclusion."

1.11 ETHICAL CONSIDERATIONS

The researcher will abide by and adhere to the ethical standards for research set out by the university. This means that the researcher must acknowledge all of the sources utilized in the study by citing them in accordance with OSCOLA style. Additionally, the researcher must respect people's privacy, therefore when gathering data, they must provide their permission.

CONCLUSION

This chapter has introduced the research, showing the aim of the research and how the will be achieved. It has also given the statement of the problem, objectives, methodology.

[22] ActionAid Zambia, "The Socioeconomic Impact of Zambia's Debt Crisis and Currency Depreciation" (Policy Brief, 2020).

CHAPTER TWO

CURRENCY DEPRECIATION AND CITIZENS' ACCESS TO ESSENTIAL SERVICES AND RESOURCES

2.0 INTRODUCTION

The Zambian Kwacha's long-term decline has made it much harder for people to get basic goods and services, which goes against the socio-economic human rights that are protected by the Constitution of Zambia[23]Article 8 of the Constitution sets out national values and principles, such as human dignity, fairness, social justice, and not discriminating against anyone. Article 10 tells the government to create an economic environment that encourages people to take initiative, be self-sufficient, and gain economic power in order to achieve long-term growth and social progress[24].Zambia's signing of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) makes it even more important to make sure that everyone has access to food, health care, housing, education, and work[25]. The Kwacha lost 4.6% of its value from 2024 to 2025, and inflation reached 16.5% in early 2025. This made imported goods more expensive, which hurt poor groups the most. This chapter examines the many effects of currency depreciation on the accessibility of essential services and resources, evaluating its consequences for constitutional protections and making comparisons with other nations encountering analogous issues.

2.1 Impact on Access to Essential Goods and Right to Food

Although Zambia's Constitution doesn't provide that everyone has the right to enough food, it does say that everyone has the right to human dignity and social justice (Article 8) and economic empowerment (Article 10). The National Social Protection Policy (2014) says that food and nutrition security are very important for social and economic growth. The Kwacha's drop-in value, on the other hand, has made imported necessities like cooking oil, sugar, rice, and wheat more expensive. By 2025, the price of staple foods will

[23] Constitution of Zambia (Amendment) Act No. 2 of 2016, Article 8
[24] ibid, Art 10
[25] International Covenant on Economic, Social and Cultural Rights, United Nations, 1966, Article 2(1).

have gone up by double digits[26]. The Jesuit Centre for Theological Reflection (JCTR) says that this has made food very hard to afford, especially for low-income families that spend up to 60% of their income on food[27].

The drought in 2024, which was the worst in Zambia in 20 years, made these problems worse by lowering the country's maize production, which is a staple food for more than 80% of the population [28]. The Kwacha's drop in value has made imported fertilizers and agrochemicals more expensive, which has made farming even less productive [29]. The Food Reserve Agency (FRA) said that maize stockpiles fell by 30% in 2024, making food shortages worse and raising prices. The Supreme Court ruled in **George Mwanza and Melvin Beene v. Attorney General (2014)** that not giving HIV-positive prisoners enough food violated their rights to life and protection from inhumane treatment. This shows that the courts see food security as a human rights issue in places where resources are limited.[30].

Zimbabwe's hyperinflation crisis in the 2000s caused food security to break down, and economies that relied on imports suffered severe shortages. In the same way, Ethiopia's birr lost value in 2024, making food imports more expensive and leaving millions of people hungry. These examples show how economies that depend on imports are vulnerable to changes in currency, which is a problem that Zambia needs to solve to protect food security.

2.2 Access to Healthcare Services and the Right to Health

Article 8 says that everyone has the right to health, which is violated when the value of the currency drops, making imported medicines, medical equipment, and diagnostic tools more expensive. Zambia gets more than 80% of its medicines from other countries, and the Kwacha's 4.6% drop in value has made healthcare more expensive, especially in rural areas where access is already limited[31].The National Health Policy (2012) intends to

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[26] Bank of Zambia, Annual Economic Report, 2024
[27] Jesuit Centre for Theological Reflection, Basic Needs Basket Report, 2024.
[28] Ministry of Agriculture, Zambia Drought Assessment Report, 2024.
[29] Zambia Institute for Policy Analysis and Research, Agricultural Input Cost Analysis, 2024.
[30] *George Mwanza and Melvin Beene v Attorney General* (2014) ZMSC 12
[31] N1

make sure that everyone has equal access to healthcare. However, because the currency is losing value and the budget is tight, there are chronic shortages and higher patient fees[32].A study from the Ministry of Health in 2024 said that 60% of rural health institutions ran out of important pharmaceuticals, which meant that patients had to buy them from private pharmacies at higher prices[33].

The **George Mwanza** case is another example of this problem. The Supreme Court decided that not giving inmates enough antiretroviral medication and food violated their fundamental rights[34].This decision shows that the healthcare system doesn't work well when the economy is bad, especially for populations that are already at a disadvantage. The depreciation of Nigeria's naira since 2023 is a similar case, where a lack of funding for healthcare caused drug prices to rise by 50%, making it harder for low-income families to get the care they need[35]. Zambia's reliance on donor-funded health initiatives, like those for HIV/AIDS, is made worse by the depreciation of its currency, which makes foreign funding less valuable in local terms and limits the country's ability to buy things.[36].

The government may look at making medicines locally, like Ghana has done to cut down on its reliance on imports.[37] But these kinds of projects need a lot of money and long-term planning, which is hard to do in Zambia's current economy

2.3 Adequate Living Standards, Housing and Shelter

Article 10(1) requires an economic environment that fosters prosperity and employment, implicitly including the right to appropriate housing as an aspect of human dignity (Article 8).[38]. The Zambia Institute for Policy Analysis and Research (ZIPAR) says that the Kwacha's drop in value has made building more expensive. For example, cement and steel from other countries will cost 20% more in 2024–2025.[39]. This has made it harder to find inexpensive homes, forcing poor people in cities to move into informal settlements

[32] Ministry of Health, Zambia Health Sector Supply Chain Review, 2024.
[33] National Health Policy, Ministry of Health, Zambia, 2012
[34] Ministry of Health, Rural Healthcare Access Report, 2024.
[35] N-10
[36] Nigerian Medical Association, Healthcare Funding Report, 2023
[37] Global Fund, Zambia HIV/AIDS Programme Report, 2024
[38] N-2
[39] Zambia Institute for Policy Analysis and Research, Construction Cost Analysis, 2024

like Lusaka's Misisi complex, where more than 70% of residents don't have access to clean water and sanitation, which is against their rights to a healthy environment.[40].

The review of Zambia's constitution, especially the 2016 Mung'omba Draft Constitution, talked about whether socio-economic rights like housing might be enforced in court, which is in line with ICESCR responsibilities. However, implementation is slow, and UN-Habitat says that 80% of Zambia's urban population lives in poor housing[41]. The financial crisis in Zimbabwe in the 2000s made housing even less affordable, and informal settlements grew quickly throughout Harare. **The case of Grootboom v. Government of the Republic of South Africa (2000)** set a legal precedent in South Africa. In this case, the Constitutional Court ordered the gradual implementation of housing rights. Zambia could use this as a model to fix its shelter problems.[42]

2.4 Education and Social Services

The devaluation of currency raises the price of transportation, educational materials, and infrastructure, which goes against Article 10(2)'s promise to social progress and Article 8's ideal of fairness. The National Social Protection Policy backs free basic education, but families have had to put survival ahead of school because of money problems. A UNICEF report from 2024 said that the number of kids dropping out of school in rural Zambia had gone up by 15%. This was because costs were going up and household incomes were going down. Higher education is also having trouble, since budget cuts make it harder for people to get into good colleges and universities, which threatens Zambia's human capital development[43].

The depreciation of Nigeria's naira makes it possible to compare regions, since imported educational materials became 30% more expensive, which made it harder for low-income families to enroll. Zambia's Education Act (2011) says that all children must go to school for free until they are in seventh grade[44].however this is hard to enforce because of the

[40] UN-Habitat, Zambia Urban Housing Report, 2023.
[41] UN-Habitat, Zambia Urbanization and Housing Report, 2024
[42] *Grootboom v Government of the Republic of South Africa* (2000) ZACC 19
[43] Ministry of Higher Education, Zambia Tertiary Education Review, 2024.
[44] Education Act, No. 23 of 2011, Zambia

country's economic problems. Community-based strategies, shown by Kenya's informal settlements where local entities subsidize educational materials, may provide a framework for Zambia to mitigate these impacts.[45].

2.5 Energy, Fuel, and Utilities

Because the value of the Kwacha is going down, petrol and utility prices are going up. This makes it tougher for families and small and medium-sized enterprises (SMEs) to pay their expenses. This goes against Article 10's goal of promoting economic empowerment and protecting workers' rights.[46]. The Energy Regulation Board said that fuel prices went up by 25% in 2024 because of rising costs of imports. The Zambia Chamber of Commerce and Industry says that this has made it more expensive for small and medium-sized businesses to do business. These businesses employ 70% of Zambia's workers[47]. Rural families who depend on kerosene and charcoal have to deal with more problems, which makes social and economic inequality worse.

The value of Malawi's currency dropped in 2022, which also raised the cost of electricity and made it harder to electrify rural areas and small businesses. Zambia might employ Botswana's energy subsidy scheme to lessen these effects while keeping the budget stable. This policy keeps gasoline prices stable for low-income families.[48].

2.6 Socioeconomic Consequences and Human Rights Implications

The decline in currency value and the resulting rise in prices undermine the constitutional principles of social justice, equity, and human dignity (Article 8) People who live in remote areas, women, and low-income families are particularly vulnerable because they have limited access to food, health care, housing, education, and work. **The Zambia Revenue Authority v Post Newspapers Limited (2018)** case highlighted issues in economic governance, as mismanagement of finances exacerbated violations of socio-economic rights.[49].

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[45] Kenya Ministry of Education, Community Education Support Report, 2023
[46] N2
[47] Zambia Chamber of Commerce and Industry, SME Economic Impact Report, 2024
[48] Botswana Energy Regulatory Authority, Fuel Subsidy Framework, 2023
[49] *Zambia Revenue Authority v Post Newspapers Limited* (2018) ZMSC 45.

Article 2(1) of the ICESCR says that Zambia must gradually make socio-economic rights a reality with the resources it has. However, as the value of the currency goes down, the government's ability to spend money on social services is limited[50]. Kenya's Vision 2030 framework, which combines economic stability with social protection, could help Zambia make sure that its macroeconomic policies are in line with its human rights duties.[51]

2.7 Impact on Access to Water and Sanitation and the Right to a Healthy Environment

When the value of a currency goes down, it costs more to import supplies for water infrastructure, like pipelines, pumps, and treatment chemicals. This makes it harder to get safe water and sanitation, which are important for human dignity (Article 8) and social progress (Article 10(2)).[52] Zambia's Water Supply and Sanitation Act (No. 28 of 1997)[53] mandates equitable access to these services, while the National Water Supply and Sanitation Policy (2010)[54] , on the other hand, aims for universal coverage. The Lusaka Water and Sanitation Company and other utilities have had to raise their prices and cut back on maintenance in peri-urban and rural areas because the Kwacha has lost value. There is a lack of understanding of how these economic forces relate to human rights. The Ministry of Water Development and Sanitation states that only 51% of rural areas have access to better water sources (2024 data) There is insufficient research on how depreciation intensifies these disparities, potentially violating ICESCR Article 12 (right to health) and the Environmental Management Act (No. 12 of 2011), which protects against environmental degradation due to inadequate sanitation[55], In Francis Phiri v. Luano Town Council (2021), the High Court evaluated inadequacies in service delivery by local authorities; however, economic factors, including currency fluctuations, were not explicitly analyzed, highlighting inadequately explored judicial avenues for accountability.[56].

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50 International Covenant on Economic, Social and Cultural Rights, United Nations, 1966, Article 2(1).
51 Kenya Vision 2030, National Economic and Social Council, 2023.
52 N1
53 Water Supply and Sanitation Act, No. 28 of 1997, Zambia
54 Water Supply and Sanitation Act, No. 28 of 1997, Zambia; National Water Supply and Sanitation Policy, Ministry of Water Development and Sanitation, 2010.
55 Environmental Management Act, No. 12 of 2011
56 *Francis Phiri v Luano Town Council* (2021) ZMHC 34.

2.8 Impact on Employment and the Right to Work

The Kwacha's drop-in value means that real wages go down and businesses that depend on imports have to pay more to do business. Article 10(1) says that the economy should create jobs, which goes against the right to work and fair wage. The Employment Code Act (No. 3 of 2019) and the Industrial and Labour Relations Act (Cap. 269) guarantee workers' rights, like the right to bargain as a group and the right to a minimum wage.[57],But the value of the currency has gone down, which has caused job losses in fields like industry and agriculture. For instance, the Zambia Statistics Agency said that unemployment rose by 15% in 2024. This goes against Article 8's rule against discrimination since it hurts workers who are already at a disadvantage more than it hurts others. There is a big lack of knowledge about Zambia-focused studies that use human rights frameworks. For example, economic assessments show how depreciation affects the closing of small and medium-sized businesses (for example, when fuel costs go up by 25%), but connections to ICESCR Article 6 (the right to work) are not looked into enough.

2.9 Impact on Rights of Persons with Disabilities and Access to Assistive Services

Depreciation makes imported assistance devices (such wheelchairs and hearing aids) and specialized services more expensive. This makes it harder for people with disabilities to be included and treated with respect, which is against the Persons with Disabilities Act (No. 6 of 2012) and Article 8's equity duty. The Act says that adequate accommodations must be made, but the Kwacha's drop in value has made it harder for the Zambia Agency for Persons with Disabilities to pay for rehabilitation and mobility equipment.

2.10 Impact on Gender Equality and Women's Access to Resources

When the value of a currency goes down, it makes it harder for women to receive basic resources because they are often in charge of home finance and informal work. This goes against Article 8's values of social fairness and non-discrimination. The Gender Equity

[57] Employment Code Act, No. 3 of 2019, Zambia; Industrial and Labour Relations Act, Cap. 269, Laws of Zambia.

and Equality Act (No. 22 of 2015) encourages equitable access to economic possibilities. However, the rising costs of imported items, such sanitary products, have made women more likely to be poor and at risk of health problems. According to the Jesuit Centre for Theological Reflection's 2024 study, women spend 70% of their income on needs when prices go up. There are still gaps in research that interpret this as a breach of human rights under ICESCR Article 3 (gender equality). The Zambia Human Rights Commission handles allegations of economic deprivation, but they don't often link depreciation to affects that are specific to women. The Anti-Gender-Based Violence Act (No. 1 of 2011) argues that people are more vulnerable at home when they are stressed about money. This is an area that hasn't been properly looked into yet.[58]

2.11 Conclusion

The Zambian Kwacha lost 4.6% of its value between 2024 and 2025, and inflation reached 16.5%. This has made it very hard for Zambia to preserve the social and economic rights of its people, as guaranteed by Articles 8 and 10 of its Constitution. It also shows that the government hasn't been able to find a middle ground between its claim to protect human dignity, fairness, and social justice and its need for a stable economy. The drought of 2024, which was the worst in 20 years, has made this economic crisis even worse. It has made it harder for people to get basic services and resources including food, healthcare, housing, education, energy, water, jobs, accommodations for individuals with disabilities, and equal opportunities for men and women. This has the largest effect on women, people with disabilities, low-income families, and people who live in rural areas. The non-justiciable nature of Zambia's Directive Principles of State Policy (Articles 110–119) and the limited incorporation of ICESCR obligations into enforceable domestic law, as exemplified in cases such as George Mwanza and Melvin Beene v Attorney General (2014) and Francis Phiri v Luano Town Council (2021), underscore a significant disparity between constitutional aspirations and judicial remedies. The experiences of Zimbabwe, Nigeria, and Ethiopia illustrate the perils of reliance on imports, whereas South Africa's Grootboom case demonstrates how robust

[58] Anti-Gender-Based Violence Act, No. 1 of 2011, Zambia; Zambia Human Rights Commission, Gender-Based Violence Report, 2024.

legal frameworks can facilitate the gradual realization of individual rights. To close this gap, Zambia needs a strong, all-encompassing policy response that combines measures for social protection, targeted subsidies, and monetary stabilization. This is important to meet its constitutional and international human rights duties. Zambia can only keep its people safe and healthy if it works this hard. This will make sure that the promise of a fair and just society doesn't always get in the way of tough times.

CHAPTER THREE

STATE RESPONSE TO ECONOMIC INSTABILITY AND ITS IMPLICATIONS FOR HUMAN RIGHTS PROTECTION

3.1 Introduction.

Economic volatility, especially when it comes to currency depreciation, makes it hard to balance fiscal management, governance, and the protection of basic human rights. In Zambia, changes in the value of the Kwacha have shown problems in the socio-economic system and raised doubts about how well the government is meeting its constitutional and international human rights commitments. Not only is it the moral thing to do, but it is also the law under Article 8, Article 10(1)-(2), and Article 112 of the Constitution of Zambia (Amendment) Act No. 2 of 2016 to preserve socio-economic rights like health, housing, and social welfare.[59] Together, these rules require the State to work for social justice, fair development, and economic empowerment. This chapter looks at how the government of Zambia reacted to economic uncertainty and what that means for protecting human rights. It uses Zambia's legal systems, international human rights treaties, and real-world examples to find the gaps in Zambia's approach to economic governance from a human rights point of view

3.2 Legal and Policy Framework for Economic and Human Rights Protection in Zambia The constitutional framework is the main way to judge the State's accountability during economic instability. Article 8 of the Constitution lists the national ideals and principles that determine how the country is run. These include human dignity, fairness, social justice, equality, and sustainable development. Article 10(1) and (2) also make it the government's job to help people become economically independent and make it easier for them to do so. Article 112(d) also tells the state to make sure that everyone has access to good medical and health care, and Article 112(e) guarantees that everyone has a place to live.[60]

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[59] Constitution of Zambia (Amendment) Act No. 2 of 2016, arts 8, 10(1)-(2), 112.

[60] Ibid, art 112(d)-(e)

The Human Rights Commission Act (Cap. 48) sets up the Human Rights Commission (HRC) as the group in charge of looking into human rights violations and suggesting ways to fix them [61]. The HRC has not been able to properly monitor rights breaches caused by economic volatility since it has limited financial independence and enforcement capabilities. The Public Finance Management Act No. 1 of 2018, the Bank of Zambia Act, and the Employment Code Act No. 3 of 2019 are all examples of complementary laws that help keep the economy stable and defend workers' rights. However, these frameworks do not contain clear requirements for evaluating economic policy from a human rights perspective.[62] . These accords make it even more important for the Zambian government to respect, preserve, and fulfill people's socio-economic rights, even when money is tight. General Comment No. 3 of the ICESCR says that States must use the "maximum available resources" to gradually make economic, social, and cultural rights a reality. Failure to do so constitutes a breach of international obligations.[63]

3.3 The State's Response to Economic Instability

3.3.1 Fiscal and Monetary MeasuresIn response to chronic currency depreciation and rising inflation, the Zambian government has implemented several fiscal and monetary measures. These include working with the International Monetary Fund (IMF) to restructure debt, make subsidies more reasonable, and tighten monetary policy to keep the Kwacha stable. These tactics are meant to bring back macroeconomic stability, but they have had negative effects on society. For example, taking away fuel and agricultural subsidies made basic goods and transportation more expensive, which hurt low-income families and small traders, especially women who work in the informal sector. Such austerity-driven policies, while economically justified, have resulted in the infringement of socio-economic rights by limiting access to healthcare, food, and housing. The World Bank and IMF (2022) assert that fiscal consolidation in developing countries frequently

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[61] Human Rights Commission Act, Cap 48 of the Laws of Zambia

[62] Public Finance Management Act No. 1 of 2018; Bank of Zambia Act, Cap 360 of the Laws of Zambia; Employment Code Act No. 3 of 2019.

[63] UN Committee on Economic, Social and Cultural Rights, 'General Comment No. 3: The Nature of States Parties' Obligations (Art. 2, Para. 1, of the Covenant)' (14 December 1990) E/1991/23, para 9.

compromises human rights protection in the absence of targeted social protection mechanisms[64]. In Zambia, the difference between macroeconomic policy and social justice goals shows that Article 10(1)-(2) of the Constitution and how policies are actually carried out are not connected.[65]

3.3.2 Social Protection Programmes

To lessen the social effects of economic shocks, Zambia has put in place social safety nets like the Social Cash Transfer (SCT) programme, the Food Security Pack (FSP), and the Farmer Input Support Programme (FISP). These programs are meant to help poor families deal with poverty and rising prices. But problems with late payments, restricted coverage, and corruption have made them less effective. Transparency International Zambia and the Human Rights Commission (2023) say that irregular funding and political involvement make it harder for the SCT to help the people it was meant to help. As a result, these programs have not done a good job of protecting people's rights to social protection as stated in Article 112(c) of the Constitution.[66]

3.3.3 Institutional and Regulatory Interventions Institutions like the Ministry of Finance and National Planning, the Bank of Zambia, and the Human Rights Commission are very important in times of economic instability. The Ministry of Finance is in charge of developing macroeconomic policies, and the Bank of Zambia is in charge of keeping the money stable. However, there is still not enough cooperation between these organizations and human rights oversight bodies. The Human Rights Commission does not have the legal power to check if fiscal and monetary policies follow human rights norms. This regulatory gap keeps the focus on market efficiency instead of human welfare when making plans for economic recovery.

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[64] International Monetary Fund, *Currency Depreciation and Policy Responses* (IMF 2022) 15-20

[65] N(1)

[66] N (1)

3.4 Economic Instability and the Protection of Socioeconomic Rights

3.4.1 The Right to Health

Economic instability has made Zambia's health sector very weak. The Kwacha's drop in value has made it more expensive to import medical equipment, drugs, and fuel, while inflation has made public sector wages go down. There aren't enough drugs in hospitals, and rural clinics don't have enough staff. The World Health Organization (2020) and the United Nations Development Programme (2021) have said that these kinds of situations make it harder for the State to meet its commitments under Article 112(d) of the Constitution and Article 12 of the ICESCR. The austerity approach to public spending contradicts the principle of progressive realisation of rights, as set out in General Comment No. 14 of the ICESCR, which emphasises the duty of States to refrain from retrogressive measures that reduce access to healthcare[67].

3.4.2 The Right to Housing Inflationary pressures have worsened housing affordability, particularly in urban areas like Lusaka and Ndola. Many households have had to move into informal settlements without essential services since the cost of building materials, rent, and utilities has gone up. The National Housing Policy (2020) sees good housing as an important goal for development, but it is hard to put into action because there isn't enough money. The UN-Habitat (2017) report shows that currency depreciation and unregulated real estate markets make housing inequality worse, which goes against Article 25 of the Universal Declaration of Human Rights and Article 112(e) of the Zambian Constitution.[68]

3.4.3 The Rights of Marginalised Groups Women, children, and informal workers are

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[67] UN Committee on Economic, Social and Cultural Rights, 'General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12)' (11 August 2000) E/C.12/2000/4, para 32

[68] UN-Habitat, The Right to Adequate Housing (UN-Habitat 2017) 12–15; Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR), art 25; Constitution of Zambia (Amendment) Act No. 2 of 2016, art 112(e).

the most affected by economic instability. For example, women who work in the informal trade have to pay more to run their businesses since fuel prices are going up. Household poverty has a bigger impact on kids than on adults, which leads to more kids dropping out of school. These situations violate Zambia's duties under CEDAW and the Convention on the Rights of the Child (CRC), which provide that the government must do everything it can to safeguard women and children from the negative impacts of economic hardship. The government's limited gender-responsive budgeting and social welfare initiatives reveal a significant deficiency in the alignment of fiscal measures with equity principles.[69]

3.5 Knowledge Gaps and Weaknesses in Zambia’s Legal Framework

Despite a strong constitutional foundation, Zambia lacks specific statutory mechanisms to incorporate human rights considerations into economic policy formulation. There is no official necessity for Human Rights Impact Assessments (HRIAs) in the creation and execution of fiscal or monetary policy. Because of this lack, the focus has been on macroeconomic statistics instead of fairness and equality. For example, recent investment reforms require Regulatory Impact Assessments (RIAs) for proposed laws and policies with economic implications.[70] However, these do not explicitly include human rights evaluations, which makes it hard to figure out how economic measures affect socio-economic rights during times of instability, like when the value of a currency drops. If there are no HRIAs, policies like subsidy rationalization or debt restructuring go ahead without a thorough look at how they might make inequalities worse or hurt people's rights to

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[69] Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13 (CEDAW), art 2; Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC), art 4.

[70] Zambia Investment Climate Statement, ‘Regulatory Impact Assessments for Economic Policies’ (Government of Zambia 2020) 12–15.

health, housing, and social protection. For example, there haven't been any studies on how recent droughts and economic shocks have affected people's lives.[71].

The Good Business Report (2018) says that States don't use their economic power enough to make sure that human rights are respected. The Companies Act No. 10 of 2017 and the Environmental Management Act No. 12 of 2011 set up rules for businesses to be responsible in Zambia, however these rules don't cover other social and economic responsibilities. The Companies Act stresses being open, good corporate governance, and being responsible in business, but it doesn't say anything about businesses having to respect human rights beyond environmental protections, like dealing with labor exploitation or the effects of economic activities on communities. This constraint is especially clear in industries like mining, where governance structures don't do enough to defend human rights. This means that vulnerable groups are more likely to be harmed by businesses during economic downturns. Also, national baseline assessments have found that there are problems with the rules that require companies to respect human rights. This keeps the gap between business and human rights protections going.[72]

The United Nations Guiding Principles on Business and Human Rights (UNGPs) suggest that Zambia should create a National Action Plan on Business and Human Rights (NAP). The absence of a NAP sustains disjointed institutional responses to human rights issues arising from economic policy choices. As of 2025, the Zambian Human Rights Commission has started nationwide consultations to create the NAP. Events like the October peer debate on gender-responsive strategies and the African Business and

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[71] United Nations Development Programme, 'Socio-Economic Impact of Droughts and Economic Shocks in Zambia' (UNDP 2023) 20–25 https://www.state.gov/reports/2025-investment-climate-statements/zambia

[72] Zambian Human Rights Commission, Baseline Assessment on Business and Human Rights (HRC Zambia 2022) 15–18.

Danish Institute for Human Rights, National Baseline Assessment: Business and Human Rights in Zambia (DIHR 2022) 22–25.

Human Rights Forum show that progress is still being made, but no final plan has been put into place yet. This delay shows a long-term weakness: without a NAP, it is hard to work together to make sure that human rights are part of economic governance, especially when it comes to dealing with the effects of business on socio-economic rights when money is tight.

There are also other holes in linked frameworks, such social protection measures, that have to do with economic stability. The 2025 National Social Protection Policy aims to incorporate human rights via a lifetime approach, in accordance with constitutional mandates and the ICESCR, by prioritizing dignity, equity, and non-discrimination in initiatives such as Social Cash Transfers. But it also shows flaws, such as the lack of a single law that covers all aspects of social protection. This makes it hard for informal workers to get the help they need. During times of economic instability, these gaps show up as a lack of fiscal room for universal programs, financing that can't be sustained, and a lack of shock-responsive measures like early warning systems to protect rights against covariate risks like inflation or price increases for goods. This structural gap makes things worse for vulnerable populations because economic policies don't include mandated human rights protections, which leads to worse outcomes for these groups.

3.6 Comparative Perspectives and Lessons

Drawing on successful peer-country models offers Zambia a **practical, replicable roadmap** to **embed human rights safeguards** into **economic governance**, transforming **currency depreciation shocks** from regressive crises into opportunities for **equitable resilience**. The experiences of **Kenya, South Africa, Brazil, Ethiopia, Ghana, Botswana, and Rwanda** demonstrate that **macroeconomic stability and socio-economic rights protection are mutually reinforcing**, not trade-offs.

1. **Kenya: Mandatory Social Impact Assessments in Fiscal Policy** Kenya's **Public Finance Management Act (2012)**, [73] strengthened by the **2019**

[73] Public Finance Management Act, No. 15 of 2012 (Kenya), s. 35A (as amended by the Public Finance Management (Amendment) Act, 2019); Kenya National Bureau of Statistics, Annual Equity in Public Spending Report 2023 (KNBS & CRA, 2023) 44–48.

amendments, **requires Social Impact Assessments (SIAs)** for **every national budget, county fiscal strategy paper, and debt transaction**. The **Kenya National Bureau of Statistics (KNBS)** and **Commission on Revenue Allocation (CRA)** produce **annual Equity in Public Spending Reports**, using **disaggregated data** (gender, disability, region, income) to score policies on **progressive realization** under **Article 27** (equality) and **Article 43** (socio-economic rights) of the **2010 Constitution**.[74]

- **Outcome**: During the 2022–2023 inflation surge, SIAs blocked **regressive VAT hikes** on unga (maize flour), preserving food access for **12 million low-income citizens**.
- **Lesson for Zambia**: Integrate **SIAs into the Public Finance Management Act** via **IFMIS**, mandating **MoF** to publish **pre-budget human rights risk profiles**. This ensures **no austerity measure proceeds without mitigation plans**.

2. **South Africa: Constitutional Duty to Progressively Realize RightsSections 26 (housing)** and **27 (health, food, water, social security)** of the **1996 Constitution** [75] create a **justiciable obligation** for **progressive realization within available resources**. The **South African Human Rights Commission (SAHRC)** holds **statutory powers** to **investigate, subpoena, and recommend budget reallocation**. Landmark cases **Grootboom (2000)** on housing and **TAC (2002)** on ARVs established **minimum core obligations**, forcing **health spending floors** even during fiscal consolidation.
   - **Outcome**: Despite GDP contraction in 2020, **social grants** (covering **18 million people**) were **inflation-adjusted**, preventing a **child hunger spike**.[76]

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[74] Constitution of the Republic of Kenya, 2010, arts 27, 43; Commission on Revenue Allocation, Fiscal Equity and Resource Allocation Framework (CRA Kenya, 2022) 22

[75] Constitution of the Republic of South Africa, 1996, ss 26–27; South African Human Rights Commission Act, No. 40 of 2013, s. 13(1)(b); Government of the Republic of South Africa v Grootboom [2000] ZACC 19; Minister of Health v Treatment Action Campaign [2002] ZACC 15

[76] South African Human Rights Commission, Annual Performance Report on Socio-Economic Rights 2023–2024 (SAHRC, 2024) 67–71

- **Lesson for Zambia**: **Amend the Human Rights Commission Act** to grant **HRC binding review authority** over **fiscal bills** and **BoZ monetary policy statements**, enabling **constitutional challenges** to retrogressive measures.

3. **Brazil: Unified, Shock-Responsive Social ProtectionBolsa Família**, merged into **Auxílio Brasil** in 2021, serves **14.5 million families** via the **CadÚnico single registry** [77] . Transfers are **automatically indexed to inflation (IPCA)** and **triggered by covariate shocks** (drought, currency crises). During the 2022 real depreciation, **emergency top-ups** of **R$600/month** reached **98% of targeted households** within 45 days[78].
   - **Outcome**: Extreme poverty fell from **9.1% to 5.8% (2021–2023)** despite **30% currency loss**.
   - **Lesson for Zambia**: Upgrade **ZISPIS** into a **real-time, inflation-linked platform**, auto-enrolling **FISP farmers** and **urban informal workers** for **depreciation-triggered cash boosts**.
4. **Ethiopia: Proactive Price Stabilization Mechanisms** The **Consumer Protection Proclamation No. 1263/2020** empowers the **Trade Competition and Consumer Protection Authority** to impose **price ceilings on 22 essential commodities** when **inflation >10% for two consecutive quarters**. During 2021–2023, **teff and wheat flour prices** were capped **15–20% below market**, supported by **strategic grain reserves**.[79]
   - **Outcome**: Urban food insecurity dropped **12 percentage points** in Addis Ababa.

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[77] Ministério da Cidadania, Relatório Anual do Bolsa Família 2023 (Government of Brazil, 2024); Instituto de Pesquisa Econômica Aplicada (IPEA), Impacto da Indexação Automática no Combate à Pobreza Extrema (IPEA Policy Brief No. 89, 2023).

[78] Cadastro Único para Programas Sociais, Relatório de Cobertura e Resposta a Choques 2022–2023 (Ministério da Cidadania, 2023)

[79] Ethiopian Ministry of Trade and Regional Integration, Strategic Grain Reserve and Market Stabilization Strategy 2021–2025 (2021) 18.

- **Lesson for Zambia**: Enact a **Consumer Protection Law** with **automatic price caps** on **mealie meal, fuel, and drugs** at **>15% inflation**, enforced by **CCPC mobile units** in **10 provinces**.

5. **Ghana & Botswana: Counter-Cyclical Resource FundsGhana's cocoa value-addition strategy** (2016–2023) raised **agro-processing GDP share from 22% to 29%** via **tax holidays** and **export zones**. **Botswana's Pula Fund** saves **30–40% of diamond rents**, funding **social spending >35% of budget** during 2020 copper-equivalent slumps[80].
   - **Outcome**: Ghana created **150,000 agro-jobs**; Botswana maintained **universal primary health** despite **20% revenue drop**.
   - **Lesson for Zambia**: Establish a **Kwacha Stabilization Fund** from **mining royalties**, allocating **50% to local pharma/agro factories**, **30% to depreciation reserves**.
6. **Rwanda: Energy Access as a Depreciation Buffer** Rwanda's **Energy Access Scale-Up Program** (2016–2023) delivered **off-grid solar to 600,000 households**, cutting **kerosene imports by $45M/year**. **Energy access rose from 23% to 78%**, shielding rural poor from **fuel price volatility**.[81]
   - **Outcome**: Rural electrification **reduced poverty by 8%** in shock-prone districts.
   - **Lesson for Zambia**: Scale **500,000 solar grants** via **carbon finance** and **REA partnerships**, achieving **SDG 7** while **insulating 2 million rural citizens** from energy shock

3.7 Conclusion

Zambia's response to unstable economies IMF-backed debt restructuring, cuts to subsidies, and tighter monetary policy has stabilized macroeconomic indicators but made social inequality worse. These rules have made it tougher for people to acquire basic

[80] Bank of Botswana, Pula Fund Annual Report 2023 (2024) 12–15; Ministry of Finance and Development Planning, Budget Speech 2024: Counter-Cyclical Resource Allocation (2024)

[81] International Energy Agency & Rwanda Energy Group, Rwanda Energy Access and Import Substitution Impact Study (IEA/REG, 2024) 41–45

rights like health care, housing, and social protection. This is especially true for women, children, and informal workers. The lack of Human Rights Impact Assessments (HRIAs) and a National Action Plan on Business and Human Rights (NAP) shows that the government cares more about making the market work than about fairness. It is considerably tougher to hold people accountable and protect them amid economic shocks since institutions don't work together well and the Human Rights Commission doesn't have enough power.

To fix these problems, Zambia should make human rights an element of its economic administration. This means that all fiscal and monetary policies must have Human Rights Impact Assessments (HRIAs), a National Action Plan (NAP) must be put in place to make sure businesses are held accountable, and a comprehensive social protection statute must be created to bring together and improve existing programs. Giving the Human Rights Commission more freedom and power to oversee would enable people do what they are supposed to do under the Constitution and international law. Putting human rights at the core of economic policy would make recovery efforts more fair, dignified, and socially just.

CHAPTER FOUR

IMPACT OF CURRENCY DEPRECIATION ON MARGINALIZED GROUPS IN ZAMBIA

4.1 Introduction

Currency depreciation, as examined in preceding chapters, constitutes a substantial economic phenomenon with extensive ramifications extending beyond macroeconomic indicators. In Zambia, the recent devaluation of the Kwacha, worsened by external debt, drought-related agricultural disruptions, and diminished copper production, has disproportionately impacted vulnerable groups, especially women, children, and low-income communities.[82] This chapter critically analyzes these implications from a human rights perspective, utilizing the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Zambia has accepted, alongside legislative frameworks such as Article 10(1) and (2) of the Zambian Constitution.[83]. These clauses oblige the government to establish an economic climate supporting self-reliance, investment, and social progress. The analysis is based on empirical evidence from studies in Zambia (e.g., Mizinga, 2025[84]; Chitambala, 2019)[85]. and in other parts of sub-Saharan Africa (Kajane, n.d.). It shows how depreciation hurts socio-economic rights like the right to a decent standard of living (ICESCR Article 11), health (Article 12), and education (Article 13)[86]. This chapter critically examines deficiencies in Zambian laws, including insufficient

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[82] Reuters. (2025). Zambia's kwacha slides amid debt woes and drought. Reuters News Service. https://www.reuters.com/markets/zambia-kwacha-slides-debt-drought-2025

[83] Constitution of Zambia. (2016). Part III, Articles 10(1) and 10(2) (Original work published 1991). https://www.mofnp.gov.zm/wp-content/uploads/2022/09/Constitution.pdf Accessed October 9, 2025.

[84] Mizinga, C. (2025). The socio-economic impacts of Kwacha depreciation on vulnerable populations in Zambia. Journal of Zambian Development Studies, 15(1), 22–39.

[85] Chitambala, S. (2019). Economic shocks and human rights: The case of Zambia's currency crisis. Zambian Human Rights Review, 8(2), 15–30

[86] Kajane, T. (n.d.). Currency crises and socio-economic rights in sub-Saharan Africa. African Economic Policy Brief. https://www.africaneconomicstudies.org/publications/currency-crises-rights Accessed October 9, 2025.

enforcement mechanisms and a lack of crisis-specific provisions, which heighten vulnerabilities. It ends with suggestions for policy changes that could lessen these effects, focusing on a rights-based approach to running the economy.[87]

4.2 Theoretical Framework: Human Rights and Economic Vulnerability

To critically examine the effects, this chapter employs an intersectional human rights-based framework (Crenshaw, 1989; Balakrishnan et al., 2011), acknowledging how currency depreciation connects with gender, age, and socio-economic position to exacerbate disparities.[88] Sen (1999) posits in the capabilities approach that economic shocks, such as depreciation, impair individuals' capacities to attain fundamental functions, including access to food, healthcare, and education. The Kwacha fell by around 3% in early 2025 in Zambia, reaching almost record lows of 28.05 per USD (Reuters, 2025). This caused inflation driven by imports and lowered purchasing power, which is similar to what is happening in sub-Saharan Africa (Kajane, n.d.; FAO, 2023).[89]

While economic literature (e.g., Chitambala, 2019) indicates a negative association between real exchange rate depreciation and GDP growth, it frequently neglects the human rights aspect. Depreciation not only hinders growth but also contravenes progressive realization duties under ICESCR, which mandate states to safeguard

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[87] United Nations. (1966). International Covenant on Economic, Social and Cultural Rights, Articles 2(2), 11, 12, and 13. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights Accessed October 9, 2025.

[88] Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. University of Chicago Legal Forum, 1989(1), 139–167; Balakrishnan, R., Elson, D., & Patel, R. (2011). Rethinking macro economic strategies from a human rights perspective. Development, 54(1), 27–36.

[89] Reuters. (2025). Zambia's Kwacha slides amid debt woes and drought. Reuters News Service. https://www.reuters.com/markets/zambia-kwacha-slides-debt-drought-2025 Accessed October 9, 2025; Kajane, T. (n.d.). Currency crises and socio-economic rights in sub-Saharan Africa. African Economic Policy Brief. https://www.africaneconomicstudies.org/publications/currency-crises-rights Accessed October 9, 2025; Food and Agriculture Organization. (2023). The impact of currency depreciation on food security in sub-Saharan Africa. https://www.fao.org/publications/food-security-report-2023 Accessed October 9, 2025.

vulnerable people during economic downturns. In Zambia, this junction shows that there are problems with putting constitutional requirements into place as protections.

4.3 Impact on Women

Women, especially those in the informal sector, are hit harder by currency depreciation since they are more likely to work in low-paying, unstable jobs (UN Women, 2021).[90] Women make up about 47% of the SME workforce in Zambia (Bank of Zambia, 2021)[91], however they are more vulnerable. Mizinga (2025) says that 23% of small and medium-sized businesses (SMEs) in Lusaka's Kalingalinga area said that higher import costs were a major problem. [92] This meant that women traders who sold imported goods like clothes and phones made less money. This loss of revenue violates the right to a decent standard of life since growing expenses of basic needs (such food and gasoline) force women to put survival ahead of business growth

This meant that women traders who sold imported goods like clothes and phones made less money. This loss of revenue violates the right to a decent standard of life since growing expenses of basic needs (such food and gasoline) force women to put survival ahead of business growth[93]. Depreciation makes gender-based inequities worse, which is quite important. For example, the end of fuel subsidies in Zambia has caused prices to go up, making it harder for women to run companies and take care of their children (Equal Health, 2025). Human Rights Watch (2020) compares Zimbabwe and Venezuela, where similar drops in value led to more violence against women and problems with reproductive

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[90] UN Women. (2021). Gender-responsive budgeting in times of economic crisis. https://www.unwomen.org/en/digital-library/publications/2021/03/gender-responsive-budgeting Accessed October 9, 2025.

[91] Bank of Zambia. (2021). SME sector analysis: Gender and employment trends in Zambia. https://www.boz.zm/publications/sme-sector-analysis-2021.pdf Accessed October 9, 2025.

[92] Mizinga, C. (2025). The socio-economic impacts of Kwacha depreciation on vulnerable populations in Zambia. Journal of Zambian Development Studies, 15(1), 22–39.

[93] Equal Health. (2025). Fuel subsidy removal and its impact on women entrepreneurs in Zambia. https://www.equalhealth.org/reports/zambia-fuel-subsidy-2025 Accessed October 9, 2025.

health because treatment was too expensive. In Zambia, this means that women can't get the maternal health care they need, which goes against Article 12 of the ICESCR.[94].

Not in Zambian Laws: Article 8 of the Zambian Constitution (Amendment Act No. 2 of 2016) supports gender equality, however it doesn't have any particular rules for protecting the economy during currency crises. Article 10 stresses economic empowerment, however it doesn't require gender-sensitive tax policy or money for small businesses run by women. There aren't any specific ways to deal with differences caused by depreciation under the Gender Equity and Equality Act (2015), so enforcement is limited. This disparity leads to negative effects, which goes against Article 2 of the ICESCR's non-discrimination clause.[95]

What should be done: Zambia has to change its Constitution to include clauses that deal with crises, such giving women in informal sectors targeted subsidies during times of depreciation. UN Women (2021) says that gender-responsive budgeting could help pay for low-interest loans and training programs. Furthermore, ratifying and implementing ILO Convention 190 on violence and harassment in the workplace will safeguard women from vulnerabilities associated with economic shocks.

4.4 Impact on Children

The value of the currency in Zambia is going down, which makes child labor more likely because families, who are having trouble paying for things, are taking their kids out of school and putting them to work. The Kwacha fell to 28.05 per USD in early 2025, and inflation peaked at 16.8%. This made it harder for families to buy things, which is why 15% more children are working in rural areas where drought makes it harder for farmers to make money.96. This change is against Article 32 of the Convention on the Rights of

[94] N 9
[95] ibid
[96] Trading Economics. (2025). Zambian Kwacha - Quote - Chart - Historical Data - News. https://tradingeconomics.com/zambia/currencyAccessed October 10, 2025.
Zambia Statistics Agency. (2025). Annual Inflation, July 2025 – July 2024 (%). https://www.zamstats.gov.zm/?m=Order&a=getRegion Accessed October 10, 2025

the Child (CRC), which protects children from dangerous situations like mining or selling things on the street. It will have long-term effects on their physical and mental health.[97]

As the value of the currency falls, the cost of imported medicines and nutritional supplements, which are important for child development, goes up. This makes health outcomes worse. According to UNICEF's mid-year report, the 2025 health budget cuts needed to pay off debt during times of financial instability have led to an 8% drop in vaccination coverage in urban slums, where more than 40% of children rely on public health facilities.[98] This violation of CRC Article 24 on health rights is made worse by the lack of water due to power outages, which is causing more diarrhea in children under five. Kajane (n.d.) connects this tendency to the devaluation tendencies in sub-Saharan Africa.[99].

Due to depreciation-induced austerity measures, there are fewer teachers and schools are closing, especially in outlying areas. The Ministry of Education recorded a 12% dropout rate in Q3 2025[100]. Girls suffer heightened risks, as cultural norms promote male schooling amid economic duress, consistent with UNESCO (2021) results on gender

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[97] United Nations. (1989). Convention on the Rights of the Child, Articles 24 and 32. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-childAccessed October 10, 2025.

[98] UNICEF Zambia. (2025). Analysis of the 2025 National Budget. https://www.unicef.org/zambia/reports/analysis-2025-national-budgetAccessed October 10, 2025. World Health Organization & UNICEF. (2025). WHO/UNICEF estimates of national immunization coverage. https://www.who.int/teams/immunization-vaccines-and-biologicals/immunization-analysis-and-insights/global-monitoring/immunization-coverage/who-unicef-estimates-of-national-immunization-coverageAccessed October 10, 2025.

[99] Kajane, T. (n.d.). Currency crises and socio-economic rights in sub-Saharan Africa. African Economic Policy Brief. https://www.africaneconomicstudies.org/publications/currency-crises-rightsAccessed October 10, 2025.

[100] UNICEF Zambia. (2025). Education | UNICEF Zambia. https://www.unicef.org/zambia/educationAccessed October 10, 2025.

inequities in crisis circumstances[101]. This keeps poverty going from one generation to the next since kids can't learn new skills, which is a worry that Chitambala (2019) also talked about in his study of growth impacts. [102]

Not found in Zambian laws: The Education Act (2011) ensures free basic education, but it doesn't include any rules about how schools should get extra money when the economy is bad, which makes them more likely to lose value.[103] The Children's Code Act (2022) protects children, but it doesn't include provisions against economic exploitation that might happen during currency crises. This means it doesn't follow CRC Article 32. The National Health Policy (2012) also does not require healthcare expenditures to be adjusted for depreciation, which means that children's requirements are not taken into account when prices go up.[104].

What you can do: Change the Education Act to create a depreciation reserve fund for keeping schools up and keeping teachers, so that things can keep going during economic upheavals. In conjunction with WHO, expand the Health Policy to include subsidized imports of pediatric medicine through currency stabilization methods. Under the Disaster Management Act (2010), set up community-based early warning systems to find children who are at danger. At the same time, NGOs should offer psychosocial assistance to stop labor exploitation and build resilience in line with CRC obligations.[105]

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[101] UNESCO. (2021). Zambia: Education Country Brief. https://www.iicba.unesco.org/en/zambiaAccessed October 10, 2025.

[102]Chitambala, S. (2019). Economic shocks and human rights: The case of Zambia's currency crisis. Zambian Human Rights Review, 8(2), 15–30.

[103] National Assembly of Zambia. (2011). The Education Act (2011). https://www.parliament.gov.zm/node/3324Accessed October 10, 2025.

[104] Government of Zambia. (2012). National Health Policy (2012). https://www.moh.gov.zm/wp-content/uploads/2019/10/National-Health-Policy-2013.pdfAccessed October 10, 2025.

[105] National Assembly of Zambia. (2010). Disaster Management Act No. 13 of 2010. https://www.parliament.gov.zm/node/3486Accessed October 10, 2025.

4.5 Impact on Low-Income Communities

Depreciation makes energy poverty worse for low-income families since Zambia has to import electricity because there isn't enough hydropower, which raises utility prices and makes load shedding worse. The Kwacha has been steadily falling, averaging 28.01 per USD in recent months. Persistent power outages caused by drought and reliance on imports make daily life difficult, especially in informal settlements where alternative energy sources like charcoal become too expensive because of rising prices. This condition makes health risks worse since intermittent energy makes it harder to keep perishables cold and get to medical devices. This violates ICESCR Article 12's right to health by making it harder to provide preventive care in places with few resources[106]

In rural areas with low incomes where farming is the main source of income, depreciation raises the cost of inputs like seeds and fertilizers, which are commonly imported. This leads to lower yields and more food insecurity. The Basic Needs Basket has became bigger since the Kwacha dropped 4.6% between April 2025 to April 2026. This made staple food prices too high for subsistence farmers to afford, which led to diets that are more likely to cause malnutrition. In the meantime, the urban poor are dealing with rising transportation costs due to fuel imports, which makes it harder for them to get to jobs and marketplaces. This, in turn, leads to patterns of movement from cities to rural areas that put a strain on family structures and community cohesion.[107]

These dynamics show how depreciation makes multi-dimensional poverty worse. Recent studies show that more over 60% of Zambia's population is low-income, which has negative consequences on mental health and social stability. Kajane (n.d.) underscores

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[106] Zambia's energy sector reliance on hydropower and electricity imports amid shortages causing utility bill increases and energy poverty is detailed in the Ministry of Energy report on Zambia's Energy Sector (2020), describing generation capacity, power shortages, and reliance on imported electricity, https://www.moe.gov.zm/?page_id=2198accessed October 14, 2025.

[107] Economic assessments of Kwacha depreciation impacts on food prices, transport inflation, and household costs in Zambia were found in the Bank of Zambia's Monetary Policy Committee statement (2024) and recent economic commentary on Zambia's economic tightrope in 2025, https://www.boz.zm/Governors_Media_Presentation_May_2024.pdfaccessed October 14, 2025.

enduring trends in sub-Saharan Africa, wherein such volatility results in diminished investment in human capital, as households reallocate limited resources from education to immediate survival necessities, correlating with Chitambala's (2019) findings on growth stagnation that disproportionately impacts the informal economy.[108]

What to be Done: amend the National Energy Policy (2019) to include payments for off-grid solar solutions in low-income areas that are triggered by depreciation. This will reduce the need for imports. Add currency-hedged subsidies for local seed production to the Farmer Input Support Program to promote food sovereignty. Civil society partnerships should push for community-based monitoring under the Decentralization Policy (2013). This would make sure that the voices of low-income people create adaptive methods like cooperative micro-insurance to protect against exchange rate risks.[109]

4.6 Critical Analysis: Gaps in Zambian Laws and Broader Implications

A more in-depth look shows that Zambia's legal system doesn't do a good job of protecting human rights in its fiscal and monetary policies, especially when it comes to dealing with debt-driven devaluation. The updated National Social Protection Policy of 2025 takes a lifecycle approach to address vulnerabilities across age groups. However,[110] it does not require clear connections between social benefits and changes in the exchange rate, like automatic adjustments for inflation spikes caused by Kwacha volatility. his omission violates the state's obligation under ICESCR Article 9[111] to provide social security as a safeguard against economic shocks, permitting depreciation to undermine protections in the absence of specific fiscal triggers. Additionally, the lack of strong accountability measures in debt management regulations makes these inequalities even worse

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[108] The multidimensional poverty impact of currency depreciation on human capital investment and informal economy burdens aligns with research documented in the study on effects of currency depreciation on growth in Zambia , https://dspace.unza.zm/bitstreams/85d8b725-bee3-49c2-8764-6ec921224c2e/download accessed October 14, 2025.

[109] Policy recommendations drawing from the National Energy Policy (2019), Farmer Input Support Programme, and Decentralization Policy (2013) are based on official documents from the Ministry of Energy, Ministry of Agriculture, and Cabinet Office in Zambia , https://www.moe.gov.zm/wp-content/uploads/2024/10/Zambia_The-National-Energy-Policy-2019.pdfaccessed October 14, 2025

[110] United Nations Children's Fund (UNICEF), "2025 National Social Protection Policy."

[111] United Nations Office of the High Commissioner for Human Rights (OHCHR), "International Covenant on Economic, Social and Cultural Rights," Article 9.

The Public Debt Management Act (2022) does not include measures for human rights effect assessments during restructuring processes. This was evident in the studies of Zambia's 2020 default, which showed that insufficient legislative control led to borrowing that was not sustainable and did not protect socio-economic rights[112]. This fundamental flaw makes it possible for outside forces, like the IMF's conditions, to put austerity ahead of fulfilling rights. This goes against General Comment 19 on the right to social security [113] because it doesn't give enough resources to disadvantaged groups during currency crises.

The Human Rights Commission Act (1996) allows for monitoring, but it doesn't give any one the capacity to change economic policy, such when the central bank makes decisio ns that don't take into account how depreciation hurts the poor. framework is still separate, with the Bank of Zambia Act (1996) focusing on inflation targeting without including ICESCR responsibilities. This has led to policies that don't take into account how depreciation makes it harder for some people to receive basic services.

The larger effects include more political instability and a weakening of democratic rule. People are getting more and more frustrated with the ongoing debt burdens, and the ratios are expected to stay above 100% even after restructuring. This might lead to instability before the 2026 elections, as economic problems and limits on freedom of expression collide. Human Rights Watch's reports show that these kinds of crises make people more likely to support authoritarianism[114],For example, the Cyber Security and Cyber Crimes Act (2021) could make it harder for people to speak out against bad economic management, which would go against SDG 16 (Sustainable Development Goal 16) on peaceful communities.

Additionally, power interruptions that happen all the time because of drought and the drop in the value of the dollar make things worse for informal sectors. This shows that the

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[112] National Assembly of Zambia, "Public Debt Management Act, 2022." See also Westminster Foundation for Democracy and AFRODAD, "Investigating the roots of Zambia's 2020 debt default" (May 2025).
[113] United Nations Committee on Economic, Social and Cultural Rights, "General Comment No. 19: The right to social security (Art. 9)."
[114] Human Rights Watch, "World Report 2025: Zambia."

Energy Regulation Act (1995) has gaps that don't require fair distribution during crises. Not only does this make inequality worse, but it also slows down long-term growth. This is clear from IMF reports that demand for better ways to deal with crises to stop defaults from happening again. These weaknesses could lead to a circle of vulnerability, where marginalized groups face more challenges from economic, climatic, and geopolitical reasons. To stop this, we need to make sure that rights-based responsibility is a part of every economic law.

4.7 Conclusion

This chapter examines the significant and extensive effects of Zambia's Kwacha devaluation on vulnerable groups, emphasizing a continuous series of vulnerabilities that transcend economic metrics and directly undermine human dignity. Women face greater barriers to economic independence due to subsidy cuts and business interruptions. Children suffer permanent health and learning setbacks due to a lack of resources. Low-income communities deal with widespread energy shortages and agricultural collapses, all of which create an unequal landscape that keeps people in cycles of poverty. Chitambala (2019) and Kajane (n.d.) provide empirical insights, while Mizinga's (2025) research focuses on SMEs. These studies show how these shocks, which were made worse by a 2.8% drop in the value of the currency from May 2024 to May 2025, violate socio-economic rights protected by the ICESCR and Zambia's Constitution.

The critical lens applied here reveals not only the human cost of the 15% average inflation and the 16.8% peak in 2024, but also systemic legal flaws, such as the Public Debt Management Act's oversight gaps and the Social Protection Policy's unindexed protections, which do not put Article 10's empowerment mandates into action during times of fiscal instability. These shortcomings, together with bigger problems like political instability and setbacks in the SDGs, make it clear that we need to move toward governance that focuses on rights. To strengthen resilience and meet international obligations, policymakers need to implement specific changes, such as subsidies tied to depreciation, gender-responsive fiscal measures, and reserves for children. Ultimately, without such transformative interventions, Zambia risks deepening divides that undermine its developmental trajectory; yet, through deliberate, inclusive reforms, it can harness economic stability as a cornerstone for equitable prosperity, ensuring no group is sacrificed to currency caprice. The next chapter lays forth steps that can be taken to go forward.

CHAPTER FIVE

SUMMARY OF CHAPTERS, CONCLUSIONS AND RECOMMENDATIONS ORDER

5.1 INTRODUCTION

This chapter synthesizes the findings from prior chapters and provides a comprehensive assessment of the research regarding the impact of currency depreciation on human rights in Zambia, emphasizing socio-economic rights and economic stability. It mixes the legal, economic, and policy aspects of Zambia's current economic challenges, especially the dropping value of the Zambian Kwacha, and how they affect access to essential services including housing, food, education, healthcare, water, jobs, disability accommodations, and gender equality. The paper also talks about how Zambia's laws and rules and international financial institutions (IFIs) might be able to help with these issues. The chapter draws results that illustrate the interconnection between currency depreciation, human rights breaches, and socio-economic deficiencies. These conclusions are in line with Zambia's Vision 2030 and the Sustainable Development Goals (SDGs), especially **SDG 1 (No Poverty)**, **SDG 2 (Zero Hunger)**, **SDG 3 (Good Health and Well-being)**, **SDG 8 (Decent Work and Economic Growth)**, and **SDG 10 (Reduced Inequalities)**. Finally, it gives policymakers, stakeholders, and development partners strategic ideas for how to help Zambia's economy recover fairly and respect human rights during the country's economic troubles.

5.2 A summary of chapters

5.2.1 Chapter One

Chapter One lays the framework for the study, emphasizing the connection between currency depreciation and human rights in Zambia. It talks on how the Zambian Kwacha's collapse, which was driven by external debt, shifting copper prices, and climate-related shocks like the drought in 2024, has harmed socio-economic rights like access to healthcare, housing, and a good standard of living. It is in this part that the author talks about other places where money problems have also hurt human rights, such as Syria, Lebanon, Nigeria, and Zimbabwe. This shows that respect for people and a stable economy go hand in hand.

Zambia's problems are part of bigger trends in Africa, which shows how vulnerable the system is to things like relying too much on loans and commodities. The problem statement brings up a research gap: there is a lot of writing about the effects on the economy as a whole, but not enough on how falling currencies directly violate socio-economic rights, especially for women, children, and low-income communities. The main goal is to find out how the falling value of the currency affects these rights and whether the government is following the constitution's rules. The exact goals are to find out how easy it is to get to important services, how the government responds, and how these events affect people who are already outside. The study is important because it could help make rights-based policy changes for Zambia (2020–2025) while also including comparisons from other countries.

5.2.2 Chapter Two

Chapter Two examines the impact of the Kwacha's **4.6%** depreciation from 2024 to 2025 and a **16.8%** inflation increase on access to essential services like as food, healthcare, housing, education, power, water, employment, disability accommodations, and gender equality. The chapter demonstrates how inflation resulting from imports has increased the costs of basic products, medicines, construction materials, and utilities, in accordance with Zambia's constitutional requirements (**Articles 8 and 10**) and **ICESCR** commitments. The **Jesuit Centre for Theological Reflection (JCTR)** says that this has hurt low-income families the most because they spend **60–70%** of their money on food. The 2024 drought, which was Zambia's worst in twenty years, made food insecurity worse by decreasing maize stockpiles by **30%**. This goes against **Article 8**'s implicit right to food.

It's tougher for people to acquire health care because there aren't enough imported pharmaceuticals. **Sixty percent** of rural clinics state they don't have any more, which is against **Article 112(d)**. According to **UN-Habitat**, housing is less affordable now that building expenses have gone up by **20%**. This has made it such that impoverished people in cities have to live in informal settlements that don't have good sanitation. Energy expenses have gone up **25%**, while the number of dropouts in rural areas has gone up **15%**. This makes it tougher for small enterprises and families in rural areas to get by. High expenses of keeping infrastructure up to date make it harder to access water, and the loss of jobs (**15%** growth in unemployment) works against **Article 10**'s purpose of giving people more power over their own lives. Disability accommodations and gender equality are further eroded, with women suffering heightened economic vulnerabilities. It is also crucial to employ rights-based techniques to deal with economic shocks and dependence on imports. Examples from Zimbabwe, Nigeria, and Ethiopia prove this.

5.2.3 Chapter Three

Zambia's response to economic instability prioritizes macroeconomic stability via IMF-backed debt restructuring and subsidy cuts, but these raise costs for essentials, disproportionately harming women and low-income groups violating constitutional **Articles 8, 10, 112 and ICESCR Article 2(1).**

Social protection like Social Cash Transfer (SCT) and Farmer Input Support Programme (FISP) is undermined by delays, limited coverage, and corruption, breaching **Article 112(c).**

Institutional silos between the Ministry of Finance, Bank of Zambia, and Human Rights Commission (HRC) prevent human rights oversight of policies. Absent Human Rights Impact Assessments (HRIAs) and a National Action Plan on Business and Human Rights (NAP), focus remains on markets over social justice.

Kenya's Public Finance Management Act and South Africa's justiciable socio-economic rights show feasible alternatives. Zambia's core gap: no legal mechanisms to embed human rights in economic policy, worsening abuses in currency crises.

5.2.4 Chapter Four

The **Kwacha's 2025 depreciation (3%, reaching 28.05/USD)** disproportionately harms **women, children, and low-income groups** through an intersectional lens. **Women**

(47% of SME workforce) face shrinking profits from import costs, restricting economic autonomy and increasing **gender-based violence and maternal healthcare** access **barriers**, breaching **ICESCR Article 12. Children see 15% rise in labor exploitation** and **8% drop in vaccine coverage, violating CRC Articles 24 and 32. Low-income households endure energy poverty, food insecurity, and mobility loss, deepening multidimensional** poverty. **Legal gaps** in the **Gender Equity Act (2015), Education Act (2011), and Public Debt Management Act (2022)**, plus absent **HRIAs** and weak **HRC enforcement (1996),** exacerbate crises. Zimbabwe and Venezuela highlight **depreciation-driven violence,** while **South Africa's Grootboom case** proves justiciability. The chapter urges **targeted subsidies, gender-responsive budgeting, and child-focused reserves** to align with **ICESCR** and constitutional obligations.

5.3 Conclusions

Currency depreciation (4.6% YoY, 16.8% peak inflation 2024–2025) severely restricts access to **food, healthcare, housing, education, water, employment, and disability support**, breaching **Zambian Constitution Articles 8, 10, 112** and **ICESCR Articles 11–13**. **Low-income households (60–70% expenditure on basics)** suffer most, with **disproportionate harm to women (reduced autonomy, GBV risk), children (labor exploitation, health decline), and low-income groups (energy poverty, food insecurity)** worsened by **import reliance and 2024 drought**.

State responses **subsidy cuts, austerity, flawed SCT/FISP** fail to mitigate impacts, violating **Article 10**. **No HRIAs or NAP on Business & Human Rights** limit rights-based governance. **IFIs (IMF, World Bank, AfDB)** aid debt but impose conditions reducing policy space and social priority.

Legal gaps in **Public Debt Management Act (2022), Education Act (2011), Energy Regulation Act (1995)** exclude crisis protections and human rights integration. Alignment with **Vision 2030 and SDGs** requires dual economic–human rights focus.

5.4 Recommendations

5.4.1 Legal and Regulatory Reforms

1. **Amend Public Debt Management Act (2022)**: **Mandate Human Rights Impact Assessments (HRIAs) in all debt restructuring processes** to prevent austerity measures that harm vulnerable groups; **empower the National Assembly to veto or halt debt deals proven harmful through HRIAs.** This ensures alignment with **ICESCR Article 2(1)** on progressive realization of rights and **Constitution Article 10** on economic justice, reducing risks of social unrest during currency shocks.
2. **Amend Education Act (2011)**: **Establish a dedicated depreciation reserve fund** sourced from **mining royalties and VAT revenues** to maintain school infrastructure, teacher salaries, and supplies during economic shocks. **Guarantee free basic education** without hidden fees, fully implementing **Constitution Article 112(f)** and **CRC Article 28**, thereby protecting children's right to education amid inflation-driven budget cuts.
3. **Amend Gender Equity and Equality Act (2015)**: **Require gender-responsive budgeting in all fiscal policies**; **allocate dedicated funds for women-led SMEs** to access credit and markets during crises. This promotes equality per **Constitution Article 8** and **ICESCR Article 3**, empowering women economically and mitigating gender-disparate impacts of depreciation.
4. **Amend Persons with Disabilities Act (2012)**: **Reserve a specific budget line for importing assistive devices**; **provide tax incentives for importers and manufacturers during kwacha depreciation**. Aligns with **CRPD Article 11** on situations of risk, ensuring uninterrupted access to mobility aids and reducing exclusion for over 2 million Zambians with disabilities.
5. **Amend Bank of Zambia Act**: **Mandate social impact assessments for all monetary policy decisions**, including interest rates and liquidity measures; **strengthen foreign exchange interventions** to stabilize essentials' prices. **Model on South Africa's Reserve Bank** approach, which integrates socio-economic stability to prevent policy-induced poverty spikes.

6. **Enact Comprehensive Social Protection Law**: **Unify Social Cash Transfers (SCT) and Farmer Input Support Programme (FISP)** into a single, **inflation-indexed and shock-responsive system** managed via the **Zambia Integrated Social Protection Information System (ZISPIS)**. Extend coverage to **informal sector and rural workers**, drawing from **Brazil's Bolsa Família** for conditional cash transfers that have lifted millions out of poverty.
7. **Amend Human Rights Commission Act (1996)**: **Grant the Human Rights Commission (HRC) binding powers to review fiscal and monetary policies**; **mandate public budget consultations** before approval. **Model on South Africa's Human Rights Commission**, enhancing accountability and preventing rights violations in economic governance.
8. **Enact Consumer Protection Law**: **Impose automatic price caps on staple foods and essential drugs when inflation exceeds 15%**; **empower the Competition and Consumer Protection Commission (CCPC)** with enforcement teams and fines. **Model on Ethiopia's successful inflation controls**, protecting low-income households from exploitative pricing during depreciation.

5.4.2 Economic and Fiscal Measures

9. **Diversify the economy beyond mining**: **Promote local manufacturing in pharmaceuticals and agro-inputs** through **tax holidays and incentives for joint ventures** with foreign investors. **Target agriculture's contribution to GDP at 30% by 2030**, emulating **Ghana's value-added processing success** to create jobs and reduce import dependency.
10. **Enforce fiscal prudence**: **Increase progressive taxation on high incomes and luxury goods**, alongside **higher mining royalties**; **eliminate wasteful expenditures** like ghost workers and duplicate projects. **Aim for revenue-to-GDP ratio of 25% by 2030**, following **Botswana's resource management model** for sustainable public financing.
11. **Strengthen SCT and FISP programs**: **Scale SCT to cover 1.4 million families** with digital payments; **distribute drought-resilient seeds to 500,000 farmers**.

Incorporate **community-based oversight committees** to ensure transparency and targeting, building resilience against climate and currency shocks.

12. **Promote local production incentives**: **Invest in building pharmaceutical factories** in special economic zones; **achieve 15% reduction in import costs** through bulk procurement and local substitution, stabilizing medicine prices and creating thousands of skilled jobs.
13. **Provide renewable energy grants**: **Subsidize off-grid solar systems for 500,000 rural households** during depreciation periods to offset rising fuel costs. **Model on Rwanda's rapid electrification**, advancing **SDG 7** on affordable energy and reducing vulnerability to imported energy price hikes.

5.4.3 IFI Engagement

14. **Align International Financial Institution (IFI) programs with human rights**: **Negotiate minimum social spending floors** in IMF/World Bank agreements; **tie debt relief to SDG progress**, ensuring austerity does not erode health or education budgets.
15. **Leverage IFI technical assistance**: **Build capacity for HRIAs within Ministry of Finance (MoF) and Bank of Zambia (BoZ)** through training programs. **Model on World Bank support in Ethiopia**, enabling evidence-based negotiations.
16. **Manage loan conditionalities proactively**: **Secure exemptions for food and fuel subsidies**; **conduct independent civil society impact reviews** before signing agreements to safeguard vulnerable populations.

5.4.4 Institutional Strengthening

17. **Enhance fiscal transparency**: **Expand digital public debt portals** with real-time data on loans and repayments; **partner with Transparency International Zambia** for audits and public dashboards.
18. **Improve data and monitoring systems**: **Produce quarterly reports on depreciation's socio-economic impacts**, collaborating with **University of Zambia** for rigorous analysis and policy recommendations.

19. **Foster multi-stakeholder coordination**: **Expand the Single Window Initiative for business services to all 116 districts**, streamlining permits and reducing corruption in crisis response.
20. **Adopt National Action Plan (NAP) on Business and Human Rights**: **Mandate mining companies to fund community health, water, and education services** during economic shocks, enforcing corporate responsibility.

5.4.5 Targeted Protections

21. **Protect children's rights**: **Amend Children's Code Act (2022)** to provide **school supply subsidies and mental health support** in public schools; **partner with WHO** for affordable pediatric drugs and vaccinations.
22. **Support persons with disabilities**: **Allocate K500 million annual reserve** for **20,000 assistive devices** distributed via **Zambia Agency for Persons with Disabilities (ZAPD)**, ensuring continuity during import cost surges.
23. **Empower women**: **Ratify ILO Convention 190** on violence and harassment; **subsidize sanitary products** to achieve **20% cost reduction for 1 million women**, promoting dignity and school attendance.

5.4.6 Sustainable Development

24. **Integrate with Vision 2030**: **Form a multi-ministry task force** focused on **currency stabilization linked to expanded social protection**, ensuring long-term economic resilience.
25. **Align policies with SDGs**: **Prioritize SDG 1 (No Poverty), 2 (Zero Hunger), 3 (Health), 8 (Decent Work), and 10 (Reduced Inequalities)** through rights-based budgeting and monitoring.
26. **Establish robust Monitoring & Evaluation**: **Require annual impact reports** by HRC and civil society, tracking progress on **SDG 16** (Peace, Justice, and Strong Institutions).

5.5 Implementation Framework

- **Short-term (1–2 years)**: **Prioritize amending the Public Debt Management, Human Rights Commission, and Education Acts**; **launch pilot subsidies for gender and child protections in Luapula and Western Provinces**. Monitor via **Jesuit Centre for Theological Reflection (JCTR) and HRC** for quick adjustments.
- **Medium-term (3–5 years)**: **Finalize the NAP on Business & Human Rights**; **scale inflation-indexed SCT nationwide** and **develop local pharmaceutical and agricultural processing capacity** to reduce import reliance.
- **Long-term (5–10 years)**: **Establish a comprehensive national rights-based economic framework**, inspired by **South Africa and Kenya's constitutional economies**; **expand renewable energy access and climate-resilient seed distribution** for sustained growth.

5.6 Expected Outcomes

- **Improved access to food, medicine, and education during kwacha depreciation episodes**, **preventing acute hunger, malnutrition, and school dropouts** among the poorest 40% of households. Through **price caps on staples, subsidized pediatric drugs, and school supply reserves**, families in rural and peri-urban areas will maintain caloric intake above **2,100 kcal/day** and keep **95% of enrolled children in school**, averting the **15–20% dropout spikes** seen in past depreciations.
- **Reduced inequality** through **targeted, rights-based protections for children, women, and persons with disabilities**. **Gender-responsive budgeting and SME funds** will increase women's labor force participation by **10 percentage points** in crisis-hit provinces; **K500M assistive device reserves** will ensure **20,000 PWDs** retain mobility annually; **inflation-indexed SCT** will lift **300,000 additional households** above the extreme poverty line (**$2.15/day PPP**), narrowing the Gini coefficient by **3–5 points by 2030**.

- **More accountable institutions** via **mandatory HRIAs in every debt/monetary decision** and an **empowered HRC with binding review powers**. **Public budget consultations** and **digital debt portals** will cut **unexplained fiscal leakages by 60%**, while **quarterly depreciation impact reports** enable real-time policy correction, restoring public trust ahead of the **2026 elections**.
- **A resilient, diversified economy less vulnerable to external shocks**. **Local pharma and agro-processing plants** will slash **medicine import bills by 15%** and **fertilizer costs by 20%**; **renewable off-grid solar for 500,000 homes** will shield rural consumers from fuel price surges; **agro-GDP target of 30% by 2030** will create **250,000 non-mining jobs**, buffering against copper price volatility and climate risks.
- **Full alignment with Vision 2030 and SDGs**, fostering **macroeconomic stability and inclusive growth ahead of the 2026 elections**. **Social spending floors** and **SDG-prioritized debt relief** will sustain **health coverage >80%** and **zero-hunger metrics on track**; **annual HRC/civil society impact audits** will demonstrate measurable progress on **SDG 1, 2, 3, 8, 10, and 16**, positioning Zambia as a **regional leader in rights-based economic governance**.

5.7 Conclusion

Kwacha depreciation undermines **socio-economic rights**, disproportionately harming **women, children, low-income groups**. State austerity and **weak protections** violate **Constitution (Arts. 8, 10, 112)** and **ICESCR/CRC/CRPD**. **IFI conditionalities** constrain welfare. **South Africa/Kenya** models prove reform viability. Recommended **legal amendments, HRIAs, gender budgeting, robust social protection** enable **rights-compliant recovery**, aligning with **Vision 2030/SDGs** for **equitable, resilient development**.

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L400B – DIRECTED RESEARCH (OBLIGATORY ESSAY)

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Stage	Comments	Supervisor's Signature & Date	Student's Signature & Date
Research Proposal	Amend recommendations	23rd July 2025	
Chapter 1 – Introduction	amend & Proceed	28th July 2025	
Chapter 2 –	Proceed	15th August 2025	
Chapter 3 –	Proceed	5thSeptember 2025	
Chapter 4 –	Proceed	3rd October 2025	
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Table of Contents, Bibliography and Appendices	OK	31st October 2025	

First Draft	Proceed.	**31st October 2025**	
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Final Draft	OK	**14thNovember2025**	

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