

THE REFUGEES BILL, 2017

MEMORANDUM

The objects of this Bill are to—

- (a) establish the office of the Commissioner for Refugees and provide for its functions;
- (b) provide for the recognition, protection and control of refugees;
- (c) provide for the rights and responsibilities of refugees;
- (d) establish the Refugees Fund;
- (e) domesticate the United Nations Convention relating to the Status of Refugees, 1951, and its Protocol of 1967, and the Organisation of African Unity Convention Governing the Specific Aspects of Refugees Problems in Africa, 1969;
- (f) repeal and replace the Refugees (Control) Act, 1970; and
- (g) provide for matters connected with, or incidental to, the foregoing.

L. KALALUKA,
Attorney-General

THE REFUGEES BILL, 2017

ARRANGEMENT OF SECTIONS

PART I
PRELIMINARY

Section

1. Short title
2. Interpretation

PART II
THE COMMISSIONER FOR REFUGEES

3. Establishment of Office of Commissioner for Refugees
4. Functions of Commissioner
5. Establishment of Refugee Status Determination Committee
6. Functions of Committee
7. Sub-committees
8. Authorised officers

PART III
RECOGNITION OF REFUGEES

9. Designation of refugee resettlements
10. Restrictions relating to refugees settlements
11. Application for recognition as refugee
12. Consideration of application by Committee
13. Recognition of refugees
14. Exclusion or refusal to grant recognition as refugee
15. Appeal against refusal of grant of recognition as refugee
16. Declaration of refugee status by statutory order
17. Cancellation or revocation of recognition
18. Appeal against cancellation or revocation of recognition
19. Effect of cancellation or revocation of recognition
20. Cessation of recognition

21. Expulsion of recognised refugee
22. Detention of refugee pending expulsion
23. Prohibition of expulsion, extradition or refusal of entry of asylum seeker or refugee
24. Register of Refugees

PART IV

RIGHTS AND DUTIES OF RECOGNISED REFUGEES

25. Rights and duties of recognised refugees
26. Provisional measures for national security
27. Maintenance of public order
28. Right to life
29. Non-discrimination
30. Freedom of person
31. Security of person and protection from inhuman treatment
32. Protection from slavery, servitude and forced labour
33. Protection of privacy of person, home, property and communication
34. Freedom of conscience, belief and religion
35. Freedom of expression
36. Freedom of association and assembly
37. Personal status
38. Settlement
39. Acquisition of moveable and immovable property
40. Access to courts
41. Employment and study permits
42. Self-employment
43. Practice of professions
44. Rationing of supplies

45. Residence in Zambia
46. Prohibition of proceedings against refugees
47. Administrative assistance
48. Fiscal charges
49. Naturalisation
50. Travel documents
51. Identity documents
52. Transfer of assets
53. Refugee women and children
54. Vulnerable groups

PART V

THE REFUGEES FUND

55. Establishment of Refugees Fund
56. Administration of Fund
57. Accounts and audit
58. Annual report and statement of income and expenditure

PART VI

OFFENCES AND PENALTIES

59. Restrictions on possession of weapon, firearm or ammunition by refugee
60. Sending of offensive messages on radio apparatus and electronic communication
61. Prohibition of inciting or engaging in war activity
62. False declaration
63. Residence outside refugee settlement and illegal residence
64. Failure to apply for recognition
65. Forging, alteration, destruction and unlawful possession of identification documents
66. Alteration and destruction of register
67. Obstruction of officer
68. Disclosure of confidential information
69. General penalty

PART VII

GENERAL PROVISIONS

- 70. Places of entry or departure
- 71. Requirement to reside in reception area or refugee settlement
- 72. Regulations
- 73. Repeal of Cap. 120

SCHEDULE