



THE RIGHTS GUARDIAN

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Official Newsletter of the Human Rights Commission-Zambia

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Building a sustainable human rights culture together!

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EXECUTIVE NOTE



It is with great pride that I welcome you to this edition of our newsletter. As we reflect on our recent milestones, I am reminded of the

unwavering commitment that drives our work of protecting human rights, empowering communities, and strengthening accountability.

The appointment of new Commissioners for the Human Rights Commission Zambia (HRC-Z) marks a renewed chapter in our pursuit of justice, dignity, and accountability.

Their leadership arrives at a time when Zambia faces pressing human rights challenges; from the destructive consequences of illegal mining and environmental degradation, to the persistent reports of unlawful detentions

and torture by Law Enforcement Agencies. These issues demand bold, and coordinated action.

The Commission remains committed to investigating human rights abuses or violations, advocating for reform, and empowering communities to claim their rights. Together, we must build a society where development is just, policing is humane, and every citizen's rights are protected without compromise.

Happy Reading!

Mbololwa Wamunyima (Ms.)

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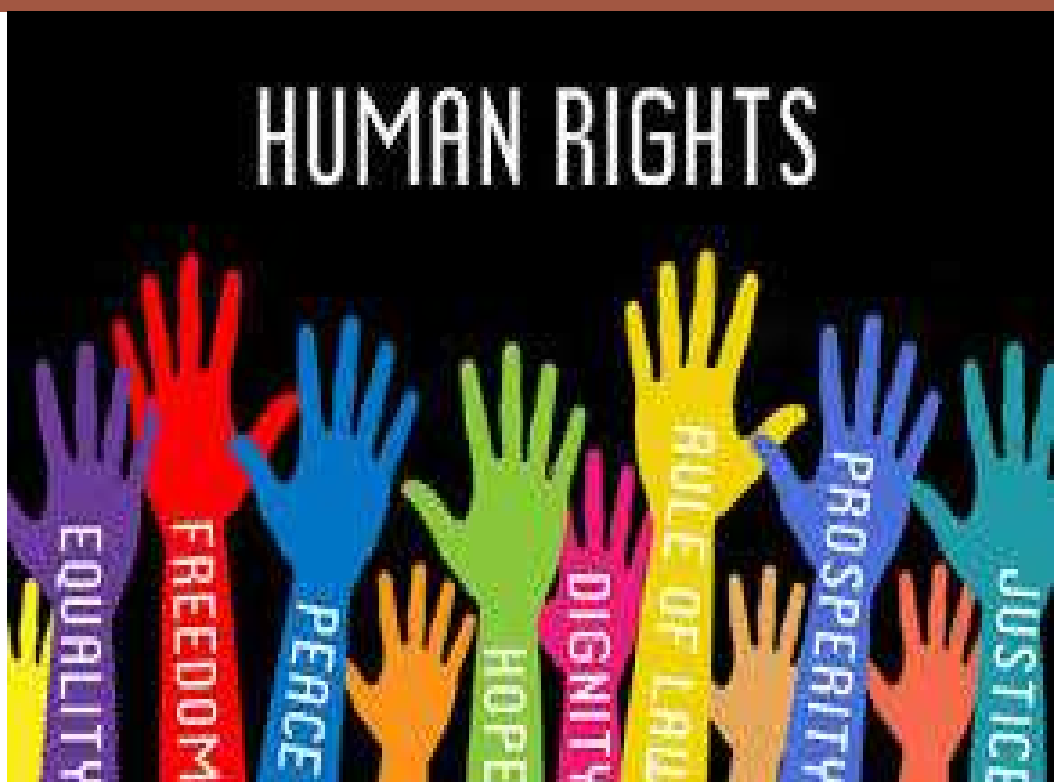
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President Hakainde Hichilema appoints Commissioners for Human Rights Commission–Zambia

State House announced the appointment of seven (7) Commissioners for the Human Rights Commission Zambia (HRC-Z) in a statement issued on 28th June, 2025.

The appointments were subject to ratification by the National Assembly in line with the provisions of Section 7 (1) of the Human Rights Commission Act No. 4 of 2024.

Dr. Pamela Towela Sambo was appointed as Chairperson of the Commission while Dr. Felicity Kayumba Kalunga

was Vice-Chairperson. The five appointed Commissioners are Bishop Emmanuel Yona Chikoya, Ms. Panic Malawo Chilufya, Ms. Laura Mary Miti, Father Joe Komakoma and Mr. Fred Wamundila Waliuya.

President Hakainde Hichilema urged the Commissioners to carry out their responsibilities “with integrity, dedication and a deep commitment to the nation.”

The appointment of Commissioners was also in tandem with international standards,

such as the United Nations Paris Principles, which emphasise that appointees should be selected from various societal groups to ensure pluralism of the institution.

The appointees reflect diverse representation from the legal fraternity, civil society, faith-based organisations, women’s movement and disability fraternity.

This is critical to ensure that the Commission fulfils its mandate in an effective and inclusive manner.

Suspect hospitalised after being tortured by Police

A 32-year-old man of Kanyama Compound was on 3rd August, 2025 admitted to Kanyama Level One Hospital after sustaining serious injuries inflicted on him by a named Police Officer at Kanyama Police Station.

The victim told Human Rights Commission Zambia (HRC-Z) investigators, who visited him in hospital on 21st August 2025 after receiving a report from an anonymous complainant, that he was verbally abused and severely beaten by the police officer during interrogation for refusing to confess to stealing a laptop belonging to his housemate. The officer hit him with a short button all over his body and inflicted a deep wound on his right buttock.

The police refused to issue the victim with a medical report, a critical document required to assist the victim access medical attention redress and bring the perpetrator of torture to book. HRC-Z worked tirelessly in helping the victim obtain the medical report which was issued after it engaged the police command.

At the time of publishing this article, no action was taken

against the officer accused of torture while the victim was still admitted in hospital receiving treatment for the injuries inflicted.

The Commission has resolved to take legal action on behalf of the victim to secure redress for the violation and subject the perpetrator to the due process of the law.

HRC-Z has for many years noted that acts of torture among police officers remain unabated despite being serious crimes against humanity, resulting in serious injuries, permanent disabilities and in extreme cases, loss of life of the victims.

It is against this backdrop that HRC-Z has continued to advocate for the enactment of a legislation to criminalise torture in Zambia and give effect to Article 15 of the Constitution of Zambia as well as domesticate the UN

Convention against Torture and Other Cruel, Inhuman and degrading treatment or Punishment (UNCAT) which Zambia ratified in 1998.

HRC-Z reiterated its call for the criminalisation of torture in a message of solidarity with torture survivors shared during the commemoration of the United Nations Day in support of victims of torture which falls on 26th June.

"Currently, the Zambian Courts of Law largely rely on assault related offences to punish perpetrators of torture, which falls far below the threshold provided under the UNCAT, which obligates State Parties to prescribe stiffer penalties that are proportionate to the gravity of the offences of torture," read the statement issued by HRC-Z spokesperson Mr. Mweelwa Muleya.



Diversion: A Safer Path for Children in Conflict with the Law



Child diversion is an intervention designed to assist child offenders to get rehabilitated away from the criminal justice system. This approach provides significant benefits for children in conflict with the law, as it insulates them from the negative consequences of being involved in the criminal justice system, which may have long-lasting negative effects on their lives such as trauma and stigmatisation.

The diversion option is consistent with international human rights standards and has been provided for in Section 58 of the Children's Code Act, No. 12 of 2022.

However, having a law in place that speaks to child diversion is, by itself, not enough to make it work as it was intended. This has been observed by the Human Rights Commission (HRC-Z) based on the cases it has been handling in securing the release of children from detention at

Police posts and stations. For instance, in May 2025, two boys aged 12 and 15, accused of theft, spent two weeks in cells at Garden Compound Police Post in Lusaka and were only released after the intervention of the Social Welfare Department working in collaboration with HRC-Z.

"The major challenge around diversion is that there are no readily available guidelines to guide officers of the law on how it should be applied. This has resulted in situations where children are locked-up before diversion is considered," explained Mr. Kebby Malila, who is Investigations Manager and a Children's Rights Focal Point Person at HRC-Z.

"Diversion sees a child as one who needs assistance, rather than one who needs punishment and those handling a child offender should always act in best interest of that child at all times," Mr. Malila added.

He pointed out that the option of diversion may not be available if a child is facing serious offences such as murder or aggravated robbery. In such circumstances, the child offender should be held in an appropriate place of safety, away from adult detention facilities.

"It is unfortunate that, as a country, we do not have these safe space detention centers. That is why it is important that, regardless of the crime committed, children are given police bond and bail. This is, of course, with the protection of the child in mind, as they are released," Mr. Malila said.

It is crucial that when a child offender is taken to a police station or post, or before court, parents, guardians or any person having parental responsibility for the child or Child Welfare Inspector should inquire if the matter involving the child is one that could be addressed through diversion.

HRC-Z probes Kikonge Gold Mine shooting

The Human Rights Commission -Zambia (HRC-Z) has been conducting independent investigations into allegations of human rights violations following violent clashes between Police officers and illegal miners at Kikonge Gold Mine in Mufumbwe District, North-Western Province. Immediately after reports of the clashes emerged, the Commission dispatched a team of investigators to Mufumbwe to establish the facts surrounding the incident, which left several community members injured and raised concerns about the excessive use of force by law enforcement agencies. This was in accordance with Section 18(1)(a) of the Human Rights Commission Act No. 4 of 2024, which empowers the institution to investigate alleged human rights violations on its own initiative. Preliminary findings of the Commission indicated that the discovery of the gold deposits in May 2025 sparked the gold rush in the area and attracted scores of illegal miners. The sudden influx of illegal miners caused serious concern about

illegal activities and human rights abuses in the area, prompting the deployment of security personnel to control the situation. The violent behaviour of some illegal miners triggered the shooting by police and resulted in the unfortunate loss of lives and injuries. Some officers also suffered severe injuries which was an indication of the severity of the clashes between the police and the illegal gold miners. In a press statement issued soon after the clashes broke out, the Commission through its Spokesperson, Mr. Mweelwa Muleya expressed grave concern over reports of the violent clashes which resulted into deaths.

The Commission noted that while the fight against illegal mining is necessary, it must never be pursued at the expense of fundamental rights and freedoms. The Commission further reminded law enforcement agencies of their obligation to uphold the principles of proportionality, necessity, and accountability when carrying out operations. It further stressed that

preserving life and protecting human dignity must remain central to policing. At the same time, HRC-Z acknowledged the challenges posed by illegal mining, including safety risks, child labour, and the loss of revenue to the State. However, it urged government and corporate stakeholders to adopt a human right-based approach in addressing these challenges by promoting inclusive dialogue, safeguarding livelihoods, and ensuring that affected communities are not subjected to further marginalisation. "The right to life is so sacred and fundamental that its protection must be prioritised in all circumstances, especially during law enforcement. Therefore, the Commission is calling for thorough investigations and subject the perpetrators of the grave violation of the right to life to the due process of the law in line with Article 12 of the Constitution of Zambia, Chapter I of the Laws of Zambia and other written laws and procedures," the statement read in part. The events at Kikonge Gold Mine are, but a stark reminder of the urgent need for an integrated government response to combating illegal mining that is rooted in human rights principles. Well received with thanks.



HRC-Z secures release of unlawfully detained nine months pregnant woman



The Human Rights Commission-Zambia (HRC-Z) secured the release of a pregnant woman of Garden House Compound in Lusaka who was unlawfully detained by Police at Leonard Cheelo Police Post in Kanyama Compound for an offence allegedly committed by her husband.

Ms. Yvonne Simpamba, aged 32, was nine months pregnant when officers from Leonard Cheelo Police Post picked her from her home around 01:00 hours on 24th July, 2025. This was after police officers could not find Ms. Simpamba's husband whom they were looking for in connection with an alleged fraudulent land transaction case. She was picked up in order to force her husband to turn himself in to the police.

Ms. Simpamba explained to the Commission that on the day of her arrest, police officers stormed her house and ordered everyone inside to wake up.

"I was humiliated," Ms. Simpamba wept as she recounted her ordeal at the hands of seven police officers, who could not allow her to get dressed properly in private, but instead threatened to take her by force in a wrapper (locally known as chitenge) she was covering herself with.

"I don't know what would have happened to me if it was not for the Human Rights Commission," added Ms. Simpamba as an expression of her appreciation of the HRC's intervention to secure her right to liberty and protection from arbitrary detention.

HRC-Z acted promptly on a report received from a concerned citizen via its toll-free line 8181 and secured Ms. Simpamba's release at 12:00 hours the same day after conducting its own investigations and engaging the Police.

HRC-Z was dismayed with the conduct of male police officers who opted to handle a vulnerable and pregnant woman instead of allowing the female officers who were part of the police team that stormed into Ms. Simpamba's house in the wee hours of the night.

The officers' conduct deviated from the established guidelines which emphasise that suspects should be handled by officers of the same gender to ensure respect for their rights and dignity.

HRC strongly condemns all forms of human rights violation such as arbitrary arrest, detention and invasion of privacy.

To this end, HRC intends to take steps towards securing redress for the victim in accordance with its constitutional and legislative mandate.

Zambia Commemorates African Anti-Corruption Day

Zambia joined the African community in commemorating the African Anti-Corruption (AAC) Day, which falls on 11th July.

This year's AAC Day commemoration was under the theme: "Promoting human dignity in the fight against Corruption"

The Anti-Corruption Commission led various stakeholders, which included HRC-Z, in commemorating the AAC Day in Kafue, Lusaka Province.

HRC-Z seized the opportunity to sensitise the public on its role in ensuring the anti-corruption crusade aligns with human rights principles, particularly human dignity, equality and non-discrimination.

The sensitisation efforts highlighted how corruption negatively impacts the enjoyment of human rights and fundamental freedoms, such as freedom from discrimination, torture and inhuman or degrading treatment.

Corruption, if not prevented and fully combatted, also hinders the progressive realisation of economic, social and cultural rights by taking away resources from essential public services,



such as health, education and social protection programmes, thereby crippling the government's capacity to meet its human rights obligations.

The AAC Day commemorates the adoption of the African Union Convention on Preventing and Combating Corruption on 11th July 2003, in Maputo, Mozambique,

which came into force on 5th August 2006, 30 days after the deposit of the 15th instrument of ratification

To date, 48 African States are signatories to the Convention. Zambia ratified the Convention on 30th March, 2007, committing herself to corruption prevention and eradication in both the public and private sectors.



Director General calls for robust measures to tackle child delinquency



Human Rights Commission Zambia (HRC-Z) Director General, Ms. Mbololwa Wamunyima, has called for robust measures to enhance child protection in light of the rising cases of substance abuse and delinquency in children. The Director General made the call when she paid a courtesy call on Northern Province Permanent Secretary Mr. Bernard Mpundu, on Tuesday 9th September, 2025 at Muchinga provincial Administration.

Ms. Wamunyima's call came after Mr. Mpundu, raised concern about increased cases of children abusing alcohol and banned substances leading to a surge in criminal offences being committed by young people.

She expressed concern at the gravity of the situation and noted that it needed

stronger interventions and policy measures at the national level.

The Director General, accompanied by staff at the Commission's Kasama Provincial Office, also paid courtesy calls on Zambia Police Service Northern Province Commanding Officer, Mrs. Lucky Munkondya, Zambia Correctional Service Regional Commander, Mrs. Evelyn Simoonga, among other stakeholders.

The engagements revealed systemic challenges affecting access to justice, such as the prolonged detention of persons accused of murder or drug-related non-bailable offences due to delays in securing pathologists or expert analysis reports.

HRC-Z will continue collaborating with State and Non-Actors to ensure these challenges are effectively addressed.



Sinazongwe Communities demand Mining Justice

Residents of Sinazongwe District in Southern Province are calling for greater accountability and fairness in mining operations, following a Business and Human Rights monitoring visit by the Human Rights Commission Zambia (HRC-Z) from 28th July to 2nd August 2025. The visit coincided with the District Alternative Mining Indaba (DAMI), held under the theme “Sinazongwe mining: who is benefiting from it?” a question that captured growing concerns over the social and environmental impacts of mining in the area.

During the engagement, community members, traditional leaders, government officials, and other stakeholders voiced concerns about displacement from ancestral and farmland, health complications linked to dust and pollution, and the ero-



sion of cultural heritage.

While acknowledging benefits such as infrastructure development and job creation, residents stressed that these gains should not come at the cost of their well-being and livelihoods. Frustration was also expressed over limited community participation in decision-making and exclusion from the economic benefits of mining. In re-

sponse, the Commission reaffirmed its commitment to monitoring mining-related human rights impacts and advocating for stronger corporate and governmental accountability to ensure host communities are not left behind. The Commission will continue monitoring human rights impacts of mining activities in the country to ensure stronger corporate and governmental accountability.

HRC-Z intensifies Human Rights Sensitisation at Traditional Ceremonies



The Human Rights Commission Zambia (HRC-Z) engaged various communities on human rights by carrying out sensitisation activities during celebrations of different traditional ceremonies held across the country in the last three months.

The ceremonies accorded HRC-Z a unique platform to interact with diverse communities, raise awareness and developed partnerships for the promotion and protection of human rights in the country.

In July, HRC-Z participated in two traditional ceremonies. These included Lwiindi Gonde Ceremony of the Tonga speaking people held in Monze, Southern Province and Mutomboko Ceremony of the Lunda-speaking people held in Mwansabombwe, Luapula Province.

These Ceremonies presented a great opportunity for HRC-Z to sensitise traditional leaders and the local communities on human rights and the important roles they should play in promoting positive cultural beliefs and ending harmful practic-

es such as early marriages, which violate the rights of children.

Few weeks down the line, HRC-Z joined in the celebrations of three other major traditional ceremonies which took place in August 2025. These were the Lunda-Lubanza Ceremony of the Lunda people held in Zambezi, North-Western Province; Ukusefya Pangwéna Ceremony of the Bemba speaking people held in Mungwi, Northern Province and the Kulamba Ceremony of the Chewa people held in Katete, Eastern Province.

The traditional ceremonies, which brought together traditional leaders and communities from other countries including Angola, Malawi and Mozambique, were special fora for raising human rights awareness beyond Zambia's borders and promoting collective action towards addressing human rights challenges affecting the communities around transnational boundaries.



HRC-Z investigates allegations of violation of Chishimba Kambwili's Right to Health



The Human Rights Commission – Zambia (HRC-Z) carried out, on its own volition, investigations into alleged deteriorating health of Dr Chishimba Kambwili who was serving a five months sentence for hate speech.

HRC-Z's findings were announced in a press statement issued by HRC-Z spokesperson, Mr. Mweelwa Muleya, on 18th August, 2025.

"The Human Rights Commission visited him at

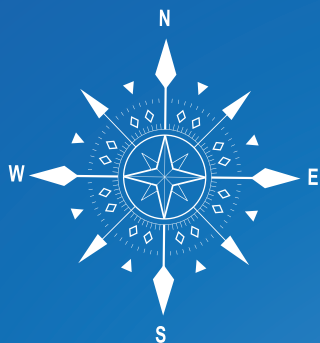
Lusaka Central Correctional Service Facility on 13th August, 2025. ... The findings of the Commission were that Dr. Kambwili was brought to the Lusaka Central Correctional Service Facility from Kasama Central Correctional Service Facility on 5th August, 2025, in order to attend to some pending court matters in Lusaka," read the statement in part.

During the visit, officers from HRC-Z had an opportunity to interact with Dr. Kambwili, Correctional Service Officials and medical personnel to

appreciate the state of his health condition and recommend appropriate remedial measures to ensure his right to health was upheld.

According to HRC-Z findings, Dr. Kambwili was admitted to a clinic within the Lusaka Central Correctional Service Facility where his health requirements were routinely assessed by medical officers.

"The public may wish to know that the finding of the Commission was that the Zambia Correctional Service was facilitating medical access to Dr. Kambwili and so far, the Commission was not privy to any report indicating that his health needs were beyond the capacity of the medical personnel that were attending to him," Mr. Muleya said in a statement, adding that "the Commission will continue monitoring the situation relating to Dr. Kambwili's health and will only take appropriate action, within its mandate, based on the advice of the medical personnel."



MAP OF ZAMBIA SHOWING LOCATION OF HUMAN RIGHTS COMMISSION - ZAMBIA'S PROVINCIAL OFFICES



CONTACT DETAILS FOR HUMAN RIGHTS COMMISSION-ZAMBIA'S PROVINCIAL OFFICES

1 Lusaka Province
Lusaka: +260 251 327 / 251 357

2 Central Province
Kabwe: 0958 122 372

3 Copperbelt Province
Ndola: 0958122371

4 Eastern Province
Chipata: 0958122367

5 Luapula Province
Mansa: 0958 122 370

6 Muchinga Province
Chinsali: 0958122368

7 Northern Province
Kasama: 0958122369

8 Northwestern Province
Solwezi: 0958 122 373

9 Southern Province
Livingstone: 0958 122 375

10 Western Province
Mongu: 0958 122 374