

**REMARKS BY THE HUMAN RIGHTS COMMISSION
CHAIRPERSON, DR. PAMELA TOWELA SAMBO, DELIVERED
AT A PRESS BRIEFING HELD AFTER THE CONCLUSION OF
THE CASES REVIEW MEETING ON 5TH DECEMBER, 2025, AT
GRAND PALACE HOTEL, LUSAKA**

Colleagues from the Media, Ladies and Gentlemen,

Good morning.

We have invited you this morning to brief you and, through you, the general public, on matters of public interest arising from human rights violations and abuses that the Human Rights Commission has addressed during the course of this year.

It has been some time since our last media briefing on 24th January 2025. As you may be aware, the Commissioners' previous terms of office lapsed in January, 2025, following the repeal of the Human Rights Commission Act, No. 39 of 1996. The Commissioners resumed office on 2nd October, 2025, after their reappointment and ratification by the National Assembly pursuant to the Human Rights Commission Act, No. 4 of 2025.

The Human Rights Commission Act, No. 4 of 2024 places enhanced functions, powers and obligations on the Commission. Among these is the statutory duty to report to the public, from time to time, on matters concerning the enjoyment, promotion and protection of human rights in Zambia. This press briefing is therefore part of our fulfilment of that mandate.

Before proceeding, please allow me to state that the Commission has been closely following recent national developments that have generated intense public debate. We will issue our considered position on these matters in due course.

For today, we wish to report that this week, the Commission held its inaugural Cases Review Meeting. A total of 193 cases were considered. Of all these, 148 cases were closed after having been effectively resolved, while 45 cases were recommended for further action to ensure remedies for the victims of human rights violations are fully realised. These figures reflect more than just statistics: they represent some of the lived realities of human rights violations occurring daily throughout the country and requiring the attention of all stakeholders.

I now proceed to give a breakdown of some of the thematic human rights violations that the Commission considered.

1. Unlawful Detention

A significant proportion of cases, 150 out of 193 (77.7%) were reflective of unlawful detention of suspects by law enforcement officers. This is deeply worrying.

The right to personal liberty is guaranteed under Article 13 of the Constitution and various international human rights instruments which Zambia has ratified. Yet, this fundamental right continues to be violated with impunity by law enforcement officers. Many detainees are held in conditions far below minimum acceptable human habitation standards, with little attention being paid to

their health needs. Some have developed severe health complications, including death, while in police custody.

The law clearly stipulates the circumstances under which a person may be deprived of their liberty. However, the Commission found widespread non-compliance with these legal safeguards, with many suspects being detained for varying prolonged periods before being taken to court.

In the course of investigating these cases, we have established that one of the reasons for the prolonged detention of suspects is the denial of police bond to suspects, largely due to stringent and often unrealistic bond conditions. This problem appears particularly rampant in rural areas, where the police tend to demand for sureties who are in the civil service or other formal employment. Such categories of employees are scarce in some of these areas in Zambia. This makes it practically impossible for most suspects to secure appropriate sureties. As a result, many ordinary citizens continue to be unlawfully detained.

The Commission is also alarmed by the persistent practice of arresting suspects whilst investigations are being carried out. This practice is illegal. Suspects should only be arrested once the law enforcement officers have sufficient evidence to charge the person with an offence, within the legally prescribed period of 24 hours.

The Commission has also noted a pattern of prolonged detention in relation to murder suspects on account of delays in receiving post-mortem and medical reports which are processed in Lusaka. A similar concern was also noted in relation to drug related

allegations where officers tend to wait for laboratory analyses from Lusaka. Other compounding factors relate to slow docket processing between the Police and National Prosecutions Office, unavailability of court interpreters, and, in some instances, challenges relating to transportation of suspects from holding cells to the courts. These systemic bottlenecks undermine the right to liberty and must be urgently addressed.

2. Cases Affecting Children

Children remain among the most vulnerable groups in need of special protection in the country. While the enactment of the Children's Code Act, No. 12 of 2022 represents significant progress, violations of children's rights continue to surface.

This year, the Commission reviewed 27 cases involving children. Three key areas of concern include the following:

i. Deprivation of Liberty of Children in Conflict with the Law

The Commission intervened in 23 cases where children in conflict with the law were detained in police custody. Detention of children should only occur as a matter of last resort and for the shortest possible time. The Children's Code Act limits child detention to 48 hours, irrespective of the offence alleged to have been committed by the child. This legal standard must be upheld without exception.

ii. Child Diversion

The Commission further observed that children were being detained without the involvement of their parents and/or social welfare officers, contrary to the law. Such practices deny children access to rehabilitative alternatives. Through the Commission's intervention, 11 children were released from police custody and placed on diversion programmes in line with the law.

iii. Disposal of Children's Matters

While the Children's Code Act provides for specialised courts for children, many children's cases are still being delayed. The law requires disposal of such cases within six months of first court appearance. There is need to increase the number of judicial officers dedicated to children's matters throughout the country.

iv. Violence Against Children in Schools

The Commission is concerned about rising violence in schools, including corporal punishment, which is prevalent, despite its prohibition under Article 15 of the Constitution and section 22 of the Children's Code Act. Allow me to report that the Commission also intervened in cases involving bullying and gang violence especially in boarding schools.

We call on the Ministry of Education to take decisive action in addressing these vices. We also urge the Zambia Police Service and other partners to proactively address school-based violence, delinquency and other vices which adversely affect the enjoyment of human.

3. Next Steps by the Commission

Ladies and Gentlemen, please allow me to conclude by outlining some of the immediate actions the Commission will undertake towards addressing some of these worrying human rights concerns:

(a) Engagement with the Zambia Police Service to enforce strict measures against unlawful police conduct and ensure accountability for individual officers involved in human rights violations;

(b) Continue monitoring the implementation of the Children's Code Act and strengthening collaboration with the Judiciary, Social Welfare Department, law enforcement agencies and other partners in matters involving children;

(c) Engagement with the Ministry of Health with proposals for decentralised food and drug laboratory services to provincial level, with a view towards expediting analysis reports, particularly in drug-related cases, thereby reducing some of the prolonged detention cases.

(d) Close liaison with the Judiciary to promote timely disposal of children's cases, especially in areas without easy access to Children's Courts.

(e) Where necessary, pursue strategic public interest litigation to challenge some entrenched practices, administrative actions or policies that violate human rights in the country, in accordance

with section 21(5) of the Human Rights Commission Act, No. 4 of 2024.

In conclusion, the Commission deeply appreciates the support of all our collaborating partners, including the media. In this vein, we wish to specifically commend the media for the critical role they continue to play in exposing human rights violations in the country.

On behalf of the Human Rights Commission – management and the Board of Commissioners, we hereby reaffirm our unwavering commitment towards ensuring that every person in Zambia enjoys equal protection of the law, and that all duty-bearers uphold human rights and remain accountable for their obligations.

I thank you.