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Human Rights Commission

Head Office

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Press Release
For Immediate Release

HUMAN RIGHTS COMMISSION URGES ACCOUNTABILITY FOR MISSING PERSONS AND DUE PROCESS OF THE LAW FOR DETAINEES

The Human Rights Commission is calling for strict accountability from the Zambia Police Service and all relevant law enforcement agencies regarding the whereabouts of persons who remain unaccounted for, following arrests and security operations that have been carried out in the past few weeks, and particularly in the aftermath of the General Elections held on 13th August, 2026. The Commission further appeals for all detained persons to be promptly charged and brought before a court of competent jurisdiction within the legally prescribed period, or released forthwith where there is no lawful basis for their continued detention.

In the run-up to the elections and thereafter, the Commission has been receiving reports of arrests, prolonged detentions and persons whose whereabouts could not immediately be established. In response, Commission investigators have been actively conducting visits, inquiries and spot checks at police stations across Lusaka, including Chelston, Matero, Lusaka Central and Kabwata.

As at Monday 17th August, 2026, the Commission had confirmed the whereabouts of several individuals, including Mr. George Chisanga, Bishop Trevor Mwamba and Mr. Patrick Mwansa, who remain in police detention facilities. As at the time of these visits, however, those who had been located had neither been charged nor brought before a competent court, thereby raising grave concerns regarding their rights to the protection of the due process of law enshrined in Article 18 of the Constitution of Zambia. The Commission calls for expeditious processing of all these cases in strict accordance with the law.

Notwithstanding the diligent efforts of the Commission, the whereabouts of Mr. Mutotwe Kafwaya remain unconfirmed. Commission investigators have

continued to follow up on reports concerning Mr. Kafwaya's whereabouts, but the Zambia Police Service Command has not provided any further information. The Commission demands that if Mr. Kafwaya is in state custody, his place of detention must be disclosed, in order to afford him unhindered access to his family and legal representatives. Further, the Zambia Police Service must promptly present Mr. Kafwaya before a competent court in strict accordance with constitutional and legal requirements.

Beyond cases reported in Lusaka, the Commission has continued monitoring election-related detentions, including that of musician Chester and 16 other NRPUP supporters in Mongu. Preliminary inquiries indicate that some of the detainees have remained in custody beyond the legal period within which they should have been brought before a competent court. This omission by the Zambia Police Service raises serious concerns relating to compliance with due process of law safeguards governing the deprivation of fundamental rights and freedoms.

Additionally, the Commission is also monitoring the case of Mr. Harry Vaulden Findlay, who was expected to appear before the court yesterday, but the habeas corpus application has now been adjourned to today, Wednesday 19th August, 2026.

In conclusion, the Commission strongly urges the Zambia Police Service and all other relevant authorities to urgently account for all persons whose whereabouts remain unconfirmed. The Zambia Police Service must promptly proceed to charge and bring before the courts all persons who have remained in detention beyond the legally stipulated period. The Commission appeals that where there is no lawful basis for their continued detention, the detainees must be released forthwith in line with protecting their fundamental rights and freedoms.

The Commission reiterates that the provisions of the Constitution of Zambia bind all state institutions to uphold the rule of law and respect the fundamental rights of each and every person. As the country enters the post-election period, any alleged unlawful arrests, detentions, disappearances or use of force must be promptly and independently investigated, and those responsible held accountable in accordance with the law.

About the Human Rights Commission

The Human Rights Commission is an independent National Human Rights Institution established under Article 230 of the Constitution of Zambia and operationalised through the Human Rights Commission Act, No. 4 of 2024. Its mandate includes promoting and protecting human rights, investigating human rights violations and abuses, monitoring the observance of human rights, and conducting human rights education. For more information, visit www.hrc.org.zm.

(Original Signed)

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CHAIRPERSON

HUMAN RIGHTS COMMISSION