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Human Rights Commission

Head Office

24th August, 2026

PRESS RELEASE For Immediate Release

HUMAN RIGHTS COMMISSION CONCERNED ABOUT CLOSURE OF COURT PREMISES

The Human Rights Commission is deeply concerned about the widely reported countrywide closure of court premises today, 24th August 2026.

The Constitution of the Republic of Zambia decrees that the Judiciary is the guardian of human rights and the rule of law. In Article 122, the Constitution asserts the functional independence of the Judiciary to the effect that it is “subject only to this Constitution and the law and shall not be subject to the control or direction of a person or an authority.” Further, “the independence, dignity and effectiveness” of the Judiciary shall be protected by every person and a person holding public office. Therefore, any disruption to the normal scheduled operations in the Judiciary must be balanced against the constitutional guarantees of the rule of law; the right to a fair hearing within a reasonable time before an independent and impartial court; and the guarantees to secure protection of the law as guaranteed under Article 18 of the Constitution of Zambia.

In this post-election period, litigants are seeking urgent remedies for electoral disputes. Some matters are subject to constitutional, statutory or court-imposed deadlines. The Commission calls upon the Judiciary, as an autonomous constitutional body, to immediately announce measures to ensure that urgent and time-bound cases are facilitated, and that no person is subjected to prolonged detention or other prejudice solely because of this unscheduled closure of court premises. When normal scheduled judicial operations are disturbed, even temporarily, several fundamental rights are negatively impacted; the right to a fair trial is delayed, there is increased risk of arbitrary detentions, and access to remedies is effectively blocked.

While it is possible that the countrywide closure of court premises may be necessary in order to safeguard all court users, it is the legitimate expectation

of the Commission that the Judiciary, as an autonomous information holder, will clearly and promptly communicate the scope and expected duration of the closure. In this period of uncertainty, the Commission calls upon the Judiciary to make alternative arrangements for essential and urgent proceedings in order to guarantee continued access to justice and forestall tensions.

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)

Dr Pamela Towela Sambo

CHAIRPERSON

HUMAN RIGHTS COMMISSION