PRESS STATEMENT BY THE CHAIRPERSON OF THE HUMAN RIGHTS COMMISSION, DR PAMELA TOWELA SAMBO, ON THE OUTCOME OF THE THIRD COMMISSION CASES REVIEW MEETING HELD FROM 27 TO 28 OCTOBER 2026 AT SAROVAR HOTEL

The Vice-Chairperson and Commissioners;
The Director-General and members of staff;
Members of the press;

Good morning.

The Human Rights Commission has convened this briefing pursuant to Section 6(1)(c) of the Human Rights Commission Act No. 4 of 2024, which mandates the Commission to report to the public on the observance of rights and freedoms.

The Commission acknowledges the vital role of the media in raising public awareness, bringing concerns to light and promoting accountability, and we value your continued partnership.

In the last two days, the Commission reviewed 100 cases of alleged human rights violations involving law enforcement agencies, justice sector institutions and other public and private entities. The cases are categorised as follows:

- 47 concerned the right to secure protection of the law;
- 36 relating to the right to personal liberty;
- 8 on protection from child abuse;
- 2 on labour and employment rights;
- 2 social security matters;
- 2 freedom from torture, inhuman or degrading treatment; and
- 1 each relating to social protection, access to information and education.

Cases concerning protection of the law and personal liberty accounted for 83 of the 100 cases, highlighting persistent human rights concerns around arrest, detention and administration of justice.

Of the total cases reviewed, 66 have been successfully resolved through mediation, engagement with responsible institutions, referrals for legal assistance and other interventions securing corrective action and redress. The remaining 34 remain under active consideration and the Commission will continue to pursue their resolution to ensure accountability and access to effective remedies.

The review identified significant delays contrary to the provisions of Article 13(3) of the Constitution which requires persons arrested or detained to be brought before a court without undue delay, and Section 33(1) of the Criminal Procedure Code concerning detention after arrest without warrant, release on bond and appearance before a competent court.

In one matter, three persons were detained at Shang'ombo Central Police for approximately one year and seven months before their first court appearance and remained in custody for a further two months and eight days after a court ordered their release, due to failure by the prosecution to serve the order on the detention facility. In another, a person was detained for approximately nine months on a charge of murder before being released for insufficient evidence.

Prolonged delays were also noted after matters were before court. In one case a convicted person waited approximately four years for sentencing after committal to the High Court, while judgment in a separate murder trial remained outstanding for more than seven years after conclusion of trial. Following Commission engagement with the Judiciary, both matters have been resolved. Such delays adversely affect accused persons, victims and families and undermine public confidence in justice delivery, contrary to Article 18(1) which guarantees a fair hearing within a reasonable time before an independent and impartial court.

Ladies and gentlemen,

The Commission has also observed continued barriers to accessing police bond, largely due to onerous conditions such as requiring two serving civil servants as sureties. In many instances, suspects were unable to meet these conditions after being transferred from their homes and losing contact with relatives, and it required Commission intervention to secure release some suspects on their own

recognisance. The Commission calls upon the Zambia Police Service to impose bond conditions that are lawful, reasonable, proportionate and responsive to the circumstances of each case, and where bond is permitted by law, to ensure conditions are facilitative rather than restrictive of human rights and freedoms.

The review further found some cases of foreign nationals detained for extended periods without court appearance, owing to the non-availability of interpreters. Article 18(2)(f) of the Constitution provides for free interpretation where an accused cannot understand the language at trial. The Commission calls upon the Judiciary to make timely arrangements so that language does not obstruct access to justice.

The treatment of children in conflict with the law remains a concern, with eight cases found to have been handled in a manner that is contrary to the dictates of the Children's Code Act No. 12 of 2022, compounded in some instances by abandonment by parents and the social welfare department. For example, a 14-year-old child in Choma was detained for 54 days on allegations of theft, while two 17-year-old children in Namwala were held for 16 and 58 days respectively, all detained alongside adults without being brought before a court or granted police bond. The Commission calls upon the Zambia Police Service, Department of Social Welfare, National Prosecution Authority and Judiciary to fully implement the safeguards in the Children's Code Act, ensuring detention is used only as a last resort, children are separated from adults and diversion is considered in accordance with the law.

The Commission is also concerned about unlawful exercise of traditional authority, including a case where a traditional leader detained a man at his palace for 20 days in relation to the conduct of his son, a person with a disability. This raises serious concerns regarding respect for human dignity and the Commission enjoins all traditional authorities to exercise power within the law.

The review further noted cases of alleged removal of beneficiaries from Social Cash Transfer lists due to administrative lapses, and continued violations of workers' rights including delayed payment of wages and non-compliance with the prescribed minimum wage.

The Commission acknowledges the cooperation of all relevant institutions, most notably the Judiciary, Social Welfare Department and office of the Labour Commissioner in responding expeditiously to human rights queries and recommendations and facilitating access to remedies.

It merits mention, however, that the numerous recurring human rights concerns that have been identified require sustained corrective action in partnership with the Commission. The Commission will continue to pursue remedies in individual cases, follow up on outstanding matters and use findings to guide institutional engagement, monitoring and public reporting in line with the Constitution, the Human Rights Commission Act and the Access to Information Act.

Lastly, the Commission calls upon members of the public with any concerns relating to alleged human rights violations to report to the Commission through the toll-free line 8181.

I thank you.