PRESS STATEMENT BY THE HUMAN RIGHTS COMMISSION CHAIRPERSON, DR PAMELA TOWELA SAMBO, ON THE OUTCOME OF THE CASES REVIEW MEETING AND THE STATE OF HUMAN RIGHTS PRE - GENERAL ELECTIONS 2026

The Vice-Chairperson and Commissioners;
The Director-General and Members of Staff;
Members of the Press.

Good morning to you all.

The Human Rights Commission has invited you here today to share key human rights information with the general public. The specific information being shared relates to two issues:

(i) Update on the Commission Cases Review Meeting for July, 2026; and
(ii) Commission observations on the human rights environment during this pre-election period.

We wish to thank the media for responding to our invitation and for being an important medium for disseminating human rights education and awareness in the country. In line with section 6 (1) (c) of the Human Rights Commission Act, No. 4 of 2024, the Commission is mandated to periodically report to the general public on the observance of rights and freedoms in the country.

Allow me to first report on the outcome of the Commission Cases Review Meetings before briefly reflecting on human rights aspects of the pre-13 August 2026 General Election.

Ladies and Gentlemen,

During the Cases Review Meeting, the Commission considered a total of 105 allegations of human rights violations and abuses. These cases arose from different circumstances and involved various duty bearers, including law enforcement agencies, justice-sector institutions, and other public and private entities. The cases were categorised as follows:

(i) Maladministration of justice - 2 cases;
(ii) Labour and employment rights - 2 cases;
(iii) Right to education - 3 cases;
(iv) Right to health - 6 cases;
(v) Child protection - 8 cases;
(vi) Protection of personal liberty - 36 cases; and
(vii) Secure protection of the law - 48 cases.

Of these 105 cases reviewed, 62 were successfully resolved by facilitating appropriate remedies for the affected persons, through mediation, engagements with responsible institutions, referrals for legal assistance, corrective action and other forms of redress.

The remaining 43 cases are still under active consideration. For these cases, the Commission will continue engaging the relevant institutions to promote accountability and ensure that affected persons have access to effective remedies.

Beyond the statistics, all the cases affect real people, and reveal recurring patterns of human rights violations and institutional shortcomings that require urgent and sustained attention. These cases underscore the need for stronger compliance with constitutional safeguards, improved institutional coordination, accountability for violations and timely access to justice and effective remedies.

Ladies and Gentlemen,

The Commission has observed serious delays at different stages of the criminal justice process, such as delays in commencing trials, bringing suspects before court, delivering judgments and sentencing. For instance, in three of the cases, Complainants were remanded in Lusaka, Ndola and Mwembeshi correctional centres for approximately five to seven years while awaiting sentence. Following the Commission's intervention and engagement with the relevant authorities, the matters progressed to judgment and sentencing.

Such prolonged delays undermine the rights to personal liberty, a fair hearing and access to justice within a reasonable time; causing severe emotional, social and economic consequences for accused persons, victims, witnesses and their families.

In addition, the Commission is concerned about murder suspects who have remained in police custody for prolonged periods while authorities awaited post-mortem or pathologists' reports. In this regard, the Commission reviewed cases from Chinsali, Mansa and Lusaka which involved suspects accused of murder who had remained in police custody for varying periods of time up to 41 days, without being taken before court. Following the Commission's engagement with the relevant authorities, the affected persons were taken before court.

Delays in prosecuting cases was also observed in prosecuting sexual offences in which suspects were detained pending receipt of medical examination reports by law enforcement officers.

While post-mortem and medical reports may be important to criminal investigations, administrative delays cannot justify the indefinite holding of suspects without judicial oversight. A person arrested or detained on

suspicion of having committed an offence must be brought before a court without undue delay, in accordance with the strict constitutional and other legislative timelines.

Ladies and Gentlemen,

The Commission also reviewed eight cases involving children in conflict with the law. The Commission remains concerned that, in some instances, children do not receive the safeguards and protection guaranteed under the Children's Code Act, No. 12 of 2022.

In Chinsali and Mansa, for instance, the Commission reviewed matters involving children who had remained in custody for more than five days without appearing before court. In another matter, a child had been detained in the same cell with adult offenders and the Department of Social Welfare had not been notified or engaged. In some cases, the delay in disposing off cases involving children was attributed to the non-availability of officers from the Department of Social Welfare.

Children who come into conflict with the law must be treated in a manner that respects their dignity, age and potential for rehabilitation and reintegration into society. Their best interests must always remain a primary consideration in every decision affecting them.

The Commission is working with the Department of Social Welfare and other relevant institutions to resolve these matters, protect the affected children and ensure that all interventions are guided by the best interests of the child. Parents, guardians, schools and public authorities have a shared responsibility to create environments in which children are protected from violence, intimidation, humiliation and other forms of abuse.

Ladies and Gentlemen,

The Commission takes this opportunity to acknowledge the cooperation being received from the Zambia Correctional Service, the Department of Social Welfare, the Legal Aid Board and other relevant institutions during the process of investigating and resolving human rights cases.

Through these cooperative engagements with stakeholders, the Commission facilitated various forms of redress, including:

(i) Access to healthcare;
(ii) Release of incarcerated persons where appropriate;
(iii) Diversion of children in conflict with the law;
(iv) Access to legal assistance;
(v) Progression of delayed criminal matters; and
(vi) Resolution of complaints through mediation and institutional engagement.

These interventions demonstrate the importance of cooperation among duty bearers in promoting compliance with human rights standards, correcting violations and ensuring effective remedies for affected persons.

The Commission calls upon all stakeholders to embrace institutional cooperation so that workable measures can be implemented towards addressing the underlying systemic causes of recurring human rights violations.

In light of the identified concerns, the Commission will:

(i) Continue engaging justice-sector institutions to strengthen compliance with constitutional safeguards relating to arrest, detention, police bond, access to courts and the timely conclusion of criminal matters.
(ii) Strengthen engagement with law enforcement agencies to promote the lawful, necessary, reasonable and proportionate use of arrest and detention, while encouraging appropriate alternatives to detention, particularly for minor offences.
(iii) Continue collaborating with child protection institutions to strengthen compliance with the Children's Code Act, particularly regarding diversion, separation of children from adult detainees and protection of the dignity and best interests of children in conflict with the law.
(iv) Engage institutions responsible for labour, health, education, compensation and social services to promote compliance with applicable laws and facilitate access to effective remedies.
(v) Advocate for improved coordination and timely delivery of post-mortem reports and other forensic services to prevent unnecessarily prolonged detention.

Ladies and gentlemen,

Allow me to now reflect on the situation of human rights during this pre-election period.

Elections are an important expression of democracy, providing citizens with an opportunity to exercise their constitutional right to participate in public affairs and to freely choose their leaders. However, the value of an election is not only measured by the act of casting a ballot, but also the extent to which every person is guaranteed free, safe and dignified participation. A peaceful electoral process requires utmost respect for human rights, a high level of tolerance for divergent views and a total commitment to reject intimidation, violence and discrimination. This message goes out to all political actors and stakeholders without exception.

It is within the context of having a free, fair and peaceful electoral process that the Commission highlights concerns that may affect the enjoyment of human rights and undermine a peaceful, inclusive and rights-respecting electoral process.

The Commission has observed isolated incidents of political violence, intimidation, inflammatory language and intolerance among political actors and their supporters. Such actions have no place in a democratic society. Violence and threats of violence undermine fundamental human rights and freedoms, including the right to life, security of the person, freedom of expression, freedom of association and assembly and the right to participate in public affairs without fear or intimidation.

Of particular concern to the Commission, are the reported incidents of political violence that have resulted in loss of life. Examples include the deaths of Mr Nelson Chikumbi in Lusaka, Mr Stanley Sakala of Chivuna Village in Magoye East Constituency, Mazabuka District and Mr Humphrey Lwisha of Kaputa District. These unfortunate incidents underscore the need to uphold the right to life and ensure accountability for all acts of violence.

The Commission extends its condolences to the bereaved families and calls for thorough, impartial and timely investigations to establish the facts and ensure that all those responsible are held accountable in accordance with the law. Every life lost during an electoral period is one life too many. Further, the Commission will continue to monitor these incidents and conduct independent investigations in accordance with its constitutional and statutory mandate, and ensure that appropriate action is taken.

The Commission also condemns the reported incident in Mtendere Compound, Lusaka, in which a girl was injured during a police crowd-control operation following a political campaign activity. Reports indicate that the girl was struck on the leg by a pellet discharged from a tear-gas canister during the operation.

This incident raises serious concerns regarding the protection of children within the electoral environment. Children are among the most vulnerable members of society and have the right to protection from violence, abuse and situations that may place their safety and wellbeing at risk. The Commission is actively investigating this matter and will continue to monitor the situation.

As we all play our respective roles during this electoral period, let us remember that we share a collective responsibility to ensure that political activities and security operations safeguard the best interests of the child and protect the rights and dignity of every person.

Ladies and Gentlemen,

The Commission is also increasingly concerned about the use of hate speech, intimidating, threatening and inflammatory rhetoric and online abuse, particularly during campaigns and on social media platforms. Words have power. The language used during elections can either promote peaceful coexistence or deepen divisions within communities. Every person, without exception, must guard against hate speech.

Hate speech threatens the principles of equality, dignity and non-discrimination. Hate speech has the potential to fuel intolerance, create hostility and contribute to an environment where human rights violations may occur. Even though freedom of expression is a fundamental human right, it comes with responsibility. The exercise of this right by every person must always be balanced with respect for the rights and freedoms of others. The Commission is actively monitoring the use of hate speech and engaging stakeholders to instead promote more responsible and meaningful public discourse.

The Commission is further concerned by the continued low representation of women across all levels of elective office in the forthcoming General Election. Out of the 973 parliamentary candidates who have successfully been nominated, only 122, are women. This represents a meagre 12.5% of women participation.

Out of the 439 successfully nominated mayoral and council chairperson candidates, only 48 are women. At this level, women representation stands at only 10.9%.

Further, of the total 5,099 successfully nominated ward councillor candidates, only 433 are women. This reflects a percentage representation of women stands at only 8.5%.

These figures reveal a significantly high rate of gender imbalance. The Commission remains concerned because this situation limits the equal participation of women in public affairs. In this vein, the Commission is urging all stakeholders to take deliberate measures to promote the equal and meaningful participation of women and other vulnerable groups in political and public life. The Commission will continue to monitor women's participation throughout the electoral process. The 2025 constitutional introduction of the mixed member proportional representation system should not substitute the responsibility of political parties to adopt candidates from marginalised groups to represent them in elective positions.

The Commission is equally concerned about the growing spread of misinformation and disinformation, particularly in the digital space. In a democratic society, citizens must have access to accurate, reliable and timely information in order to make informed decisions; and meaningfully participate in the electoral process. False and unverified information has the potential to mislead citizens, increase tensions and undermine confidence in democratic institutions. The Commission is therefore encouraging all members of the public and stakeholders, including the media, to verify all information before sharing it on media platforms. Correspondingly, those who hold information should proactively disseminate relevant information in the public interest, in line with the provisions of the Access to Information Act No. 24 of 2023.

The highlighted developments should remind each one of us that elections are not merely a contest for political office; they are about people, their rights and freedoms; and their aspirations for the future. Ensuring peaceful elections is a shared responsibility among political parties, candidates, supporters, State institutions, civil society organisations, the media and everyone.

The Commission appreciates the interventions by relevant institutions, such as the Electoral Commission of Zambia and the Zambia Police Service, in addressing electoral concerns and incidents of violence. However, all actions taken during the electoral period must be timely and in a manner that upholds constitutional rights and freedoms, due process and respect for human dignity.

The Commission will continue to promote and protect all human rights and fundamental freedoms throughout the electoral cycle, through its Early Warning and Early Response (EWER) mechanism. This will include monitoring the electoral environment, investigating complaints, engaging relevant stakeholders and supporting timely interventions to prevent human rights violations and electoral violence.

Lastly, and importantly, the Commission urges all citizens to reject violence, respect divergent views and report any threats, intimidation or other human rights violations through its toll-free line, **8181**.

I thank you all.

Issued by:

Dr. Pamela Towela Sambo
Chairperson
Human Rights Commission