IN THE CONSTITUTIONAL COURT OF ZAMBIA 2022/CCZ/006
HOLDEN AT LUSAKA
(Constitutional Jurisdiction)

IN THE MATTER OF: THE CONSTITUTION OF ZAMBIA, CHAPTER 1, VOLUME 1, OF THE LAWS OF ZAMBIA

AND IN THE MATTER OF: ARTICLES, 1,1(5), 128, 173 (1)(a), (c),(g), 180(7), 216 (c) AND 235 (b) OF THE CONSTITUTION OF ZAMBIA ACT, CHAPTER 1, VOLUME 1 OF THE LAWS OF ZAMBIA

AND IN THE MATTER OF: THE STATE PROCEEDINGS ACT, CHAPTER 71 VOLUME 6 OF THE LAWS OF ZAMBIA

AND IN THE MATTER OF: SECTION 8 OF THE CONSTITUTIONAL COURT ACT, 2016 OF ZAMBIA,

BETWEEN:

MILINGO LUNGU PETITIONER

AND

ATTORNEY GENERAL 1ST RESPONDENT
ADMINISTRATOR GENERAL 2ND RESPONDENT

Coram: Munalula, PC, Shilimi, DPC, Sitali, Mulonda, Mulenga, Musaluke, Chisunka, Mulongoti, Mwandenga, Kawimbe and Mulife JJC on 25th September, 2023 and 6th October, 2023.

For the Petitioner: Mr. S. Sikota, S.C. of Messrs Central Chambers

For the 1st Respondent: Mr. N. Mwiya, Principal State Advocate from Attorney General's Chambers, Mr. M. Nkunika and Mr. Mr. C. Ngoma both of Simeza Sangwa & Associates

For the 2nd Respondent: Mr. K. M. Kalumba Acting Assistant Administrator General

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RULING

Cases referred to:

1. Aubrey Cummings v The State CA 36/17
2. Chandiwira Nyirenda and Others v Deep Six Company Limited CAZ Appeal No. 105/2017
3. Council of Review, South African Defence Force and Others v Mönnig and Others (610/89) [1992] ZASCA 64; [1992] 4 All SA 691

4. Bernert v ABSA Bank Ltd 2011 (3) SA 92 (CC)
5. John Kasanga and Another v Ibrahim Mumba and two others Appeal No. 21 and 24 of 2005 [2008] ZMSC 45
6. Garuba v Omokhodion (2011) 15 NWLR (Pt.1269)
7. JCN Holdings Limited v Development Bank of Zambia SCZ Appeal No. 87 of 2013

Legislation referred to:

Constitution of Zambia as amended by Constitution of Zambia (Amendment) Act No. 2 of 2016

Constitutional Court Act No. 8 of 2016

Judicial (Code of Conduct) Act No. 13 of 1999

Official Oaths Act, Chapter 5 of the Laws of Zambia

Works referred to:

Halsbury's Laws of England, 5th edition, Vol.71

Black's Law Dictionary Eighth Edition

[1] When we heard this application, we sat as the entire Constitutional Court Bench. Due to the absence of our sisters Justice A.M. Sitali and M.S. Mulenga who have travelled out of jurisdiction, the Ruling is by the Majority.

[2] The Petitioner filed a notice of motion on 7th June, 2023 in which he sought the Court's determination of the following questions which we have recast for clarity:

1. **Whether Honourable Justice Mr. Arnold Mweetwa Shilimi, Honourable Justice Mr. Kenneth Mulife and Honourable Justice Mr. Mudford Zachariah Mwandenga can continue to sit on the panel to determine this matter in light of the fact that the Petitioner is involved as an Advocate in the matter under cause number 2023/CCZ/005 wherein the appointment of the said justices is questioned;**

2. **Whether Honourable Justice Mr. Arnold Mweetwa Shilimi, Honourable Justice Mr. Kenneth Mulife and Honourable Justice Mudford Zachariah Mwandenga can continue to sit on the panel to determine this matter in the light of the fact that the panel comprising Lady Justice Mrs. A. Sitali, Lady Justice Mrs. M. S. Mulenga, Justice Mr. P. Mulonda, Justice Mr. M. Musaluke and Justice Mr. M.K. Chisunka that sat and continued to sit had not recused themselves or put an order on the file to show why they will not continue to sit in this matter.**

[3] The notice of motion was given the return date of 25th September, 2023 for purposes of scheduling before the full Bench of the Court. When the matter came up on that day however, Mr. Sikota, S.C. Counsel for the Petitioner, rose to address the Court and made lengthy submissions objecting to the presence on the enlarged panel of additional Judges including the presiding Judge.

[4] When pressed by the Court, he made the following application seeking:

1. **That the honourable judge who had recused herself should stay by that recusal and not reverse that which has already been decided by the recusal.**
2. **An adjournment be granted to allow the Petitioner in view of the changed circumstances to also challenge other officers who have since been added to the panel**
3. **That upon the Court sitting to hear the recusal application, life should be given to section 7 of the Judicial Code of Conduct Act in the sense that those officers whose potential for bias has been alleged should not sit and decide on whether or not they should be recused from this matter, otherwise those officers will be judging the matter themselves making the application for recusal an academic exercise.**

[5] Having heard the submissions of all the parties on the application, we adjourned the matter to a date to be advised. We now proceed to give our ruling on the application as our decision on the issues raised therein will determine the composition of the Court to hear the notice of motion.

[6] Before delving into the issues, we find it helpful to settle the law on recusal of a judge as it lies at the root of the three issues raised. In this regard we begin with impartiality of a judge. For purposes of understanding impartiality, we wish to cite the definition by the Royal Spanish Academy 2022, available at https://dte.rae.es/imparcial, that "impartiality means an absence of prejudice or bias in favour of or against someone or something which makes it possible to judge or proceed with rectitude".

[7] There is a presumption of impartiality which exists under our law. It is critical for the legitimacy of a judge's performance of his or her constitutional and legal functions. It flows from the understanding that the oath of office taken by judges coupled with their training and experience, equips them to make determinations on the merit in all manner of disputes before them.

[8] The Constitution as amended by the Constitution (Amendment) Act No. 2 of 2016 (henceforth "the Constitution") contains multiple provisions which relate to the presumptions including the constitutional requirement

under Article 141 that a person qualifies for appointment as a judge if they are of proven integrity.

[9] Further, before they perform their adjudicative functions, judges take an oath of office. The Judicial Oath which forms the 5th Schedule of the Official Oaths Act reads in part:

> **...that I will do justice in accordance with the Constitution of Zambia as by law established, and in accordance the Laws of Zambia, without fear, favour, or ill-will so help me God.**

[10] Judges are also enjoined to adjudicate in accordance with Articles 118 and 119 of the Constitution and the law. They must adjudicate in a just manner which promotes accountability. In our view, judges and judicial officers do not take their constitutional oaths casually and any deviation on their part is sanctioned by the very Constitution and the Judicial (Code of Conduct) Act, 1999 (henceforth "the Code of conduct") amongst other laws.

[11] Sections 6 and 7 of the Code of Conduct provide:

> **6. (1) Notwithstanding section seven a judicial officer shall not adjudicate on or take part in any consideration or discussion of any matter in which the officer or the officer's spouse has any personal, legal or pecuniary interest whether directly or indirectly.**
> **(2) A judicial officer shall not adjudicate or take part in any consideration or discussion of any proceedings in which the officer's impartiality might reasonably be questioned on the grounds that –**

(a) the officer has a personal bias or prejudice concerning a party or a party's legal practitioner or personal knowledge of the facts concerning the proceedings;
(b) the officer served as a legal practitioner in the matter;
(c) a legal practitioner with whom the officer previously practiced law or served is handling the matter;
(d) the officer has been a material witness concerning the matter or a party to the proceeding;
(e) the officer individually or as a trustee, or the officer's spouse, parent or child or any other member of the officer's family has a pecuniary interest in the subject matter or has any other interest that could substantially affect the proceeding; or
(f) a person related to the officer or the spouse of the officer –
(i) is a party to the proceeding or an officer, director or a trustee of a party;
(ii) is acting as a legal practitioner in the proceedings
(iii) has any interest that could interfere with a fair trial or hearing; or
(iv) is to the officer's knowledge likely to be a material witness in the proceeding.
7. (1) A judicial officer disqualified under section six shall, at the commencement of the proceedings or consideration of the matter, disclose the officer's disqualification and shall request the parties or the parties' legal representatives to consider, in the absence of the officer, whether or not to waive the disqualification.
(2) Where a judicial officer has disclosed an interest other than personal bias or prejudice concerning a party to the proceedings, the parties and the legal representatives may agree that the officer adjudicates on the matter.
(3) A disclosure or an agreement made under subsection (2) shall form part of the record of the proceedings in which it is made. (*Emphasis added)*

[12] Recusal is defined by **Black's Law Dictionary Eighth Edition** as removal of oneself as a judge in a particular matter especially because of a conflict of interest. In broad terms, the requirement for recusal arises in cases where there is a reasonable fear that a judge may not act impartially in the determination of a matter before them. The standard for recusal is

an objective one and the bar is high because preserving the presumption of impartiality is necessary for the effective functioning of courts of law and to prevent forum shopping. Where a judge fears that he may not be impartial, then that judge must recuse him or herself from hearing a matter. Simply stated, recusal is triggered when the presumption of impartiality (the presumption that judges and judicial officers will be impartial in adjudicating upon any matter before them) is rebutted.

[13] Our understanding of the law on recusal is fortified by jurisprudence from other jurisdictions. Recusal is described in the Australian case of **Aubrey Cummings v The State**[1] as follows:

> **[11] Recusal is the stepping aside, or disqualification of a judicial officer from a case on the ground of personal interest in the matter, bias, prejudice, or conflict of interest. It is a rule of natural justice...Thus a judicial officer who has cultivated an interest in a matter before him or her, be it financial, personal or whatever else, is required by the rules of natural justice that he or she should recuse himself or herself.[17] A matter may have several facets, such as this one, requiring judges to make interim decisions or orders, before the main dispute is adjudicated upon. Therefore, every case will naturally have to be dealt with on its own merits.** *(emphasis added)*

[14] Furthermore, the applicable test is one of reasonableness and the burden lies with the one making the allegations to meet this standard. It was thus espoused by the Court of Appeal in the case of **Chandiwira Nyirenda and Others v Deep Six Company Limited**[2] citing from **Halsbury's Laws of England** that:

> **The test applicable in all cases of apparent bias, whether concerned with justices, members of inferior tribunals, jurors or with arbitrators, is whether, having regard to all the relevant circumstances, there is a real possibility of bias on the part of the relevant member of the tribunal in question, in the sense that he might unfairly regard with favour, or disfavour, the case of a party to the issue under consideration by him. In considering this question, all the circumstances which have a bearing on the suggestion that the judge or justice is biased must be considered. The question is whether a fair minded and informed observer, having considered the fact, would conclude that there was a real possibility that the tribunal was biased...** *(emphasis added)*

[15] It is not enough to merely allege that there is a danger of bias without producing credible evidence, neither is it enough for the person alleging to merely have suspicions or apprehensions. Thus, in the South African case of **Council of Review, South African Defence Force, and Others v Mönnig and Others**[3] it was held that:

> **[45] The test for apprehended bias is objective and the onus of establishing it rests upon the Applicant. An unfounded or unreasonable apprehension concerning a judicial officer is not a justifiable basis for such an application. The apprehension of the reasonable person must be assessed in the light of the true facts as they emerge at the hearing of the application. It follows that incorrect facts which were taken into account by an Applicant must be ignored in applying the test.***(emphasis added)*

[16] Another South African Constitutional Court authority, **Bernert v ABSA Bank Ltd**[4] states that:

> **[35] The presumption of impartiality and the double requirement of reasonableness underscore the formidable nature of the burden resting upon the litigant who alleges bias or its apprehension. The idea is not to permit a disgruntled litigant to successfully complain**

> **of bias simply because the judicial officer has ruled against him or her. Nor should litigants be encouraged to believe that, by seeking the disqualification of a judicial officer, they will have their case heard by another judicial officer who is likely to decide the case in their favour. Judicial officers have a duty to sit in all cases in which they are not disqualified from sitting. This flows from their duty to exercise their judicial functions. As (it) has been rightly observed, judges do not choose their cases; and litigants do not choose their judges'. An application for recusal should not prevail, unless it is based on substantial grounds for contending a reasonable apprehension of bias. (sic)***(emphasis added)*

[17] We adopt the South African Constitutional Court's conclusion as our own by reiterating that judges do not choose their cases, and litigants do not choose their judges. We do so because court proceedings must be distinguished from arbitration where parties submit themselves to an arbitrator of their choice.

[18] With this in mind, we stand by the notion that an application for recusal founded on allegations of bias against a litigant before a court cannot be taken lightly nor grounded in mere suspicion. That it is incumbent on the party raising the allegation to show that it is based on a reasonable fear that a particular judge is not impartial and therefore not acting in allegiance to the supreme law of the land, and with the utmost diligence and integrity at all times. That the impugned judge has departed from their duty to apply the law with a blind eye and without fear or favour.

[19] The fact that this is the Constitutional Court raises this standard for recusal even higher. The Constitutional Court has a special mandate

under Article 128 (as subjected to Article 28) to only interpret and vindicate the Constitution. Its decisions are weighty, involving matters of serious public policy concerns. Everyone has a stake, hence the collegial approach to decision-making.

[20] A litigant's allegation of bias directed at himself personally, must therefore be weighed in the light of all these special considerations and safeguards. We are mindful of this as we return to the issues raised by the application.

[21] The issues as we see them are firstly, whether the presiding Judge recused herself from the entire case; secondly, whether an adjournment ought to be granted to enable the Petitioner to amend his notice of motion to include more judges alleged to be biased; and thirdly, whether the judges whose presence on the panel has been objected to in the notice of motion may hear the said notice of motion. For convenience we will deal with the first and third issues before attending to the second issue.

[22] The first issue is whether the presiding Judge recused herself from the entire case and is thereby bound by the recusal and excluded from hearing the notice of motion. It was Mr Sikota, S.C.'s submission that when the said Judge earlier recused herself at the scheduled hearing of several applications, she thereby recused herself from the main matter. He argued at length that perception of bias is not like a light switch which

can be turned on and off especially in light of the fact that the judicial officer herself raised the issue of bias. He submitted that in the interest of justice the Court should reconstitute itself and reverse the reversal of the recusal.

[23] Before we consider the submission, we cannot overlook the fact that it was made in a language and tone that which we consider offensive and unbefitting a senior member of the Bar. Accordingly, we caution State Counsel to remember that he is an officer of the court who must act in a manner that promotes the dignity of this Court.

[24] It was the 1st Respondent's brief response, that the said Judge had recused herself from the applications and not the main matter. That as such, there is no order on file to the effect that she recused herself from the main matter.

[25] We have given all due consideration to the issue and find that it is both a matter of fact and law. The brief facts of the alleged recusal are as follows. The main matter in this case was set for hearing on 31st January, 2023. As that date approached, the Petitioner filed two applications whilst the 1st Respondent filed one application. When the matter was called, both parties sought to have the applications heard before the main matter. The presiding Judge indicated that she would not stand down the main matter in order to hear the applications which could be dealt with at any time. The

majority of the Judges on the panel took a different view and gave directions on how the hearing of the pending applications would proceed.

[26] What transpired at the hearing of the applications on 9th February, 2023 is as follows:

> **Court: Before we begin the proceedings, I recall that at the last sitting, I had indicated that I would not have entertained the applications that are scheduled to be heard today, given my position, are the parties comfortable with my presiding over these proceedings?**
>
> **Mr S. Sikota S.C: Obliged my Ladies and my Lord. Speaking for the Petitioner, we would not be at ease in view of that and in addition to that, there is a matter that we wish to address the Court on in Chambers....**

[27] The Court rose to attend to the Chamber issue. When it resumed sitting, the 1st Respondents made lengthy submissions which were echoed by the 2nd Respondent the gist of which was that the circumstances did not warrant a recusal as the facts did not fall within the provisions of the Code of Conduct. For that reason, they declined the recusal. In reply the Petitioner's advocates maintained their stance that the presiding Judge recuse herself. The presiding Judge then stated as follows:

> **Having heard the parties on the question that I posed about whether I ought to recuse myself <u>from the hearing of the two applications that are before the Court,</u> my brief response is that the question emanated from myself. I will therefore recuse myself accordingly.** *(emphasis added)*

[28] It is evident from the above that the presiding Judge recused herself from the hearing of the applications on the basis of a unique ground unrelated to the issue of bias. Our review of the record in the light of the law on recusal shows that the circumstances that led to the recusal do not fall within the provisions of section 6 of the Code of Conduct. The recusal stemmed from the presiding Judge's desire to prioritise the hearing of the properly scheduled main matter, which is a legitimate objective on her part given the requirement in Article 118 for accountability in the execution of the judicial function. This is not a ground for recusal in the Code of Conduct. Personal bias which is what is proscribed by the Code of Conduct, or bias generally for that matter, was not in issue. The applications before the Court came from both sides of the aisle and both sides were equally affected by the Judge's position. Furthermore, at no point did she refer to a perception of bias. If that were the case seeking a waiver would have been untenable given its exclusion by section 7 of the Code of Conduct. This further, underscores that bias was not in issue when the presiding Judge recused herself.

[29] The only reason advanced by State Counsel Sikota for seeking the presiding Judge's recusal *in casu,* is that she should stand by the previous recusal. She did stand by it throughout the hearing and determination of the related applications, as the record will show. If what he actually seeks

is that she now, recuse herself in relation to the entire matter, he has adduced no evidence to support a reasonable apprehension that the presiding Judge harbours any bias, personal or otherwise.

[30] As observed, State Counsel's allegation that the presiding Judge's recusal related to the whole matter and was motivated by bias belies the facts on record, hence it creates no reasonable basis upon which the Judge can recuse herself. We are fortified in so saying, by the case of **John Kasanga and Another v Ibrahim Mumba and two others**[5] in which the trial judge declined to recuse himself, and the Supreme Court held that there ought to be reasonable grounds on which to base the perception of bias. That the facts and circumstances, presented no basis on which the trial judge could have recused himself. In the circumstances at hand, we too are of the considered view that the presiding Judge's recusal is not tenable either in fact or in law, for the reason that the peculiar circumstances of the impugned recusal do not fall within the purview of the Code of Conduct.

[31] We take note that a recusal from applications as opposed to the main matter is permissible is supported by the case of **Aubrey Cummings v The State**[1] already alluded to, wherein it was stated that a matter may have several facets, each requiring judges to determine interlocutory

applications before the main dispute and that each case will need to be dealt with on its merits.

[32] And yet perusal of the entire record also shows that the Petitioner has not at any stage before the applications arose presented nor substantiated an application before the Court seeking the presiding Judge's recusal from the main matter, or otherwise, on an allegation of bias even as she presided over the hearing and determination of various applications in the matter. As State Counsel Sikota submitted in his reply, the notice of motion *in casu* constitutes the first application by the petitioner for recusal of any judge of the Court.

[33] Having weighed the facts on record and the law on recusal against the constitutional duty placed upon the presiding Judge to adjudicate on matters properly before her, we are of the firm view that the presumption of impartiality enjoyed by the presiding Judge has not been rebutted. For the foregoing reasons we find that the application that the presiding Judge recuse herself has no merit and it is dismissed.

[34] Before we move to the next issue, we note that related to the challenge to the presence of the presiding Judge at these proceedings, is the implicit challenge to the constitution of the Court *en banc* as an 11-Judge Bench which differs from the status quo at the time when the notice of motion was filed.

[35] Mr Sikota S.C.'s expressed view is that the issue of reconstitution of the panel set to hear the notice of motion should be left to the hearing of the notice of motion itself. That position is not tenable as the objection to the full complement of 11 Constitutional Court Judges, must be settled before the notice of motion against the previously re-constituted panel can be heard.

[36] Our unequivocal response to the objection to the Court as presently constituted is to dismiss it. This is so because, the reconstitution of the panel is an administrative function of the President of the Court. Reconstitution is done routinely as necessary and as is evident from a perusal of case records. The function is framed thus in section 4 (2) of the Constitutional Court Act No. 8 of 2016 (henceforth "the Act"):

> **Subject to the provisions of this Act, the Court shall, at any sitting, be composed of such judges of the Court as the President may direct.** *(emphasis added).*

[37] Under section 2 of the Act, "President" means the "President of the Court appointed under Article 127 of the Constitution". The decision in our considered view is purely administrative as was stated in the Nigerian case of **Garuba v Omokhodion,**[6] that administrative decisions are not judicial determinations.

[38] The provisions of section 4 (2) of the Act are consonant with Article 138 of the Constitution which provides that the President of the Constitutional Court shall be the head of the Court and responsible for the administration of the Court under the direction of the Chief Justice. Furthermore, Article 138 of the Constitution must be read with other constitutional provisions that shed light on its meaning. Indeed Article 122 (3) of the Constitution states that the Judiciary, shall not, in the performance of its administrative functions be subject to the control or direction of any person or an authority. Further, under Article 122 (4) of the Constitution, a person shall protect the independence, dignity and effectiveness of the Judiciary.

[39] Our firm view therefore is that the composition of the Court for purposes of hearing an application or substantive matter is an administrative function that rests upon the President of the Court. A challenge to the composition of the Court outside of a recusal application is therefore not tenable.

[40] We now turn to the third issue which is whether a judge that has been asked to recuse themselves should sit to determine the application. In our view, this issue is implicit in the demand to have the presiding Judge recuse herself and it will therefore be considered from that perspective. The issue must be settled at this stage in order to establish, albeit

indirectly, whether the presiding Judge should have been present as Mr. Sikota S.C. demanded her recusal. Furthermore, we must settle the question whether the Judges impugned in the notice of motion, should be part of the panel to hear the motion.

[41] State Counsel Sikota anchored his objection on sections 6 and 7 of the Code of Conduct. We are mindful of the submission made by Mr Nkunika and conceded by Mr Sikota S.C., that it is the practice that judges in the High Court do in fact deal with an application for recusal put before them.

[42] To begin with the word recusal speaks for itself. It is the removal of oneself. The manner in which an application for recusal is to be made is not spelt out as section 6 of the Code of Conduct provides the grounds under which impartiality may reasonably be questioned resulting in a judge being prohibited from hearing a matter. The grounds include among other things, personal bias or prejudice. It is in the course of seeking a waiver of the disqualification under section 7 of the Code of Conduct that there is a requirement that the request should be made at the beginning of the proceedings and in the absence of the judge concerned.

[43] The import of this is that a judge must in fact hear the application for his or her recusal and thereby place the recusal on record. This determination is what precedes the re-allocation of the matter to another

judge. We are fortified in so saying by the case of **JCN Holdings Limited v Development Bank of Zambia**[7] in which the Supreme Court stated as follows:

> **Evidently, section 7 obliges a judge who is disqualified under section 6 to disclose his or her disqualification at the commencement of proceedings. The requirement placed on a judge by section 7, to disclose a disqualification, is a mandatory requirement; section 7(1) uses the word "shall" as opposed to "may". Section 7(1) mandatorily obliges the judge to request the parties or their legal representatives to decide whether or not to waive the disqualification. Section 7(3) makes it obligatory that the disclosure of the disqualification or the agreement to waive the disqualification should form part of the record of proceedings.**

[44] The lower courts' established practice and the impracticality and unreasonableness of having another judge hear the application for recusal in place of the judge hearing the case in which the application arose further lend credence to the need for the judge concerned to hear the application for recusal. Furthermore, nowhere in the two sections of the Code of Conduct is the said lower court practice impugned or stopped from applying to a collegial court.

[45] Accordingly, sections 6 and 7 of the Code of Conduct need to be given their correct import. They require a judge who suffers from a disqualification specified in section 6 (the details of which need not be disclosed) to refrain from adjudicating in a matter affected by that impediment and to make that recusal on record. Section 7 of the Code of Conduct allows the impediment (other than personal bias) to be waived

by the parties, something which also forms part of the record. In our considered view this entails that where a judge is unaware of the impediment and it is raised by a party seeking the judge's recusal, it is necessary for the judge to hear the allegation and decide whether or not to recuse themselves, and to do so on record.

[46] For the said reason, we find that the argument seeking the exclusion of the impugned Judges (and indirectly the presiding Judge) from the hearing of the notice of motion, has no merit and we dismiss it.

[47] We now turn to the second issue, in which an adjournment is sought by the Petitioner to amend his notice of motion to include more Judges for recusal. We find the application unacceptable. In the interests of justice and protecting the dignity of the Court, and indeed of the judiciary as a whole, we cannot allow the application for an adjournment to enable the petitioner to amend his notice of motion in order to add more judges to the list of those to recuse themselves. It is dismissed.

[48] Our orders are as follows:

1. The application for an adjournment to enable the petitioner to amend the notice of motion for the reasons given, is dismissed.

2. We will proceed to hear the notice of motion as constituted.

3. We make no order as to costs.

M.M. Munalula (JSD)
Constitutional Court President

A.M. Shilimi
Constitutional Court Deputy President

A.M. Sitali
Constitutional Court Judge

P. Mulonda
Constitutional Court Judge

M.S. Mulenga
Constitutional Court Judge

M. Musaluke
Constitutional Court Judge

M.K. Chisunka
Constitutional Court Judge

J.Z. Mulongoti
Constitutional Court Judge

M.Z. Mwandenga
Constitutional Court Judge

M.M. Kawimbe
Constitutional Court Judge

K. Mulife
Constitutional Court Judge