



In reply please quote:

No. ....

## REPUBLIC OF ZAMBIA THE JUDICIARY

communication should be addressed  
to the Chief Administrator, to the Judiciary  
not to any individual by name  
Telephone: +260 211 252016  
Fax: +260 211 251743  
Electronic address: JUDICIAL

CENTRAL ADMINISTRATION  
PLOT No. 438 INDEPENDENCE AVENUE  
P.O. BOX 5006  
LUSAKA, ZAMBIA

### PRESS RELEASE

#### **FALSE REPORTING REGARDING RECUSAL OF JUDGES**

**Lusaka, 31st October 2023** –The Judiciary is deeply concerned by the publication of an article in the Daily Nation Newspaper of Thursday, 12th October 2023, which falsely stated that Judges of the Constitutional Court had recused themselves from hearing an appeal on the Kabushi and Kwacha constituencies by-election. The information contained in the article is entirely erroneous and misrepresents the judicial process of the matter in question.

Contrary to the assertions made in the article, it should be noted that the two Judges who recused themselves were Justice Professor Margaret Munalula and Justice Palan Mulonda. These judges provided reasons for their respective recusals to the involved parties. Additionally, Justice Anne Sitali was outside the jurisdiction, Justice Mugeni Mulenga was indisposed, and Justice Judith Mulongoti had a bereavement. It is crucial to clarify that these three judges did not recuse themselves, as indicated in the report.

The Publisher was duly contacted and provided with the accurate information, along with a request to retract the misleading article. Despite the Daily Nation's assurance to the Judiciary that they would rectify the situation, this request has not been fulfilled.

The Judiciary upholds the principle of judicial independence and emphasizes that adjudicators are never under any directive to adjudicate or act in a predetermined manner at any point in time.

The Judiciary firmly believes in upholding its responsibilities with the utmost professionalism, impartiality, and dedication to the rule of law. Our judges adhere to strict ethical standards and recuse themselves from cases only when it is necessary and in full accordance with the law.

We take this opportunity to remind the media of the vital role it plays in our democratic society and the responsibility that comes with reporting on legal matters. Accurate and responsible court reporting is essential to the preservation of the rule of law and the public's trust in the justice system. At the same time, sensationalisation can have serious consequences, distorting the truth, and undermining the principles of justice. The doors of the Judiciary are open to the media and the public where need for clarification on any matter arises.

The Judiciary assures the public of our commitment to providing a fair and transparent legal process, free from any undue influence or bias. We take allegations of misconduct or impropriety seriously and investigate them thoroughly through appropriate channels.

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Contact

**(Original Copy Signed)**

Kalumba Chisambisha-Slavin

[info@judiciaryzambia.com](mailto:info@judiciaryzambia.com)

[www.judiciaryzambia.com](http://www.judiciaryzambia.com)

