



REPUBLIC OF ZAMBIA

**SPEECH BY THE LEARNED ATTORNEY-GENERAL, MR. MULILO
D. KABESHA, SC**

**DURING THE COURT SESSION IN HONOUR OF THE
RETIREMENT OF HON. MR. JUSTICE EVANS HAMAUNDU,
JUDGE OF THE SUPREME COURT, ON 16TH JANUARY, 2025**

- HIS LORDSHIP THE HONOURABLE CHIEF JUSTICE;
- YOUR LORDSHIPS, RETIRED HONOURABLE CHIEF JUSTICES PRESENT;
- HIS LORDSHIP THE HONOURABLE DEPUTY CHIEF JUSTICE;
- YOUR LORDSHIPS, RETIRED HONOURABLE DEPUTY CHIEF JUSTICES PRESENT;
- HER LADYSHIP THE PRESIDENT OF THE CONSTITUTIONAL COURT;
- HONOURABLE JUDGES OF THE SUPERIOR COURTS PRESENT;
- THE LEARNED SOLICITOR-GENERAL;
- THE DIRECTOR OF PUBLIC PROSECUTIONS;
- THE CHIEF ADMINISTRATOR, JUDICIARY;
- THE DIRECTOR, LEGAL AID BOARD;
- PRESIDENT OF THE LAW ASSOCIATION OF ZAMBIA;
- STATE COUNSEL PRESENT;
- ALL ADVOCATES PRESENT;
- THE MEDIA;
- DISTINGUISHED LADIES AND GENTLEMEN.

WE ARE GATHERED HERE TODAY TO HONOUR THE LONG AND DISTINGUISHED SERVICE, OF HONOURABLE MR. JUSTICE EVANS HAMAUNDU, IN THE JUDICIARY.

MY POINT OF DEPARTURE IS TO ASSERT THAT BEING A JUDGE IS AN ACHIEVEMENT THAT VERY FEW PEOPLE GET TO ACCOMPLISH IN LIFE, AND MORE SO, BEING A JUDGE OF THE SUPREME COURT. HONOURABLE MR. JUSTICE EVANS HAMAUNDU MANAGED TO ACHIEVE THAT MILESTONE, AND THAT DID NOT HAPPEN BY COINCIDENCE. IT HAPPENED BECAUSE HE POSSESSES VERY SPECIFIC AND HIGH QUALIFICATIONS AS WELL AS VERY PROFOUND AND RARE ATTRIBUTES THAT ARE INTEGRAL TO THE OFFICE OF A JUDGE, SUCH AS INTEGRITY, IMPARTIALITY, INDEPENDENCE AND FAIRNESS, AMONG OTHERS.

MY LADIES, MY LORDS, DISTINGUISHED LADIES AND GENTLEMEN,

AS LEADER OF THE BAR IN THE REPUBLIC, THE PRODIGIOUS JOURNEY OF A DISTINGUISHED AND OUTSTANDING JUDGE LIKE HONOURABLE MR.

JUSTICE EVANS HAMAUNDU REMINDS ME OF THE SYMBIOTIC DUTIES THAT ARE BESTOWED ON ALL KEY PLAYERS IN THE JUSTICE SYSTEM, WHO AMONG OTHERS, ARE JUDGES AND ADVOCATES.

ON THE PART OF ADVOCATES, WE HOLD HONOURABLE MEMBERS OF THE BENCH IN VERY HIGH ESTEEM, BUT MOST IMPORTANTLY, WE HAVE A NUMBER OF PROFESSIONAL EXPECTATIONS, WHICH AMONG OTHERS, INCLUDE THE FOLLOWING:

- (A) THAT HONOURABLE JUDGES WILL AT ALL TIMES BE NEUTRAL, ENSURING THAT BOTH PARTIES IN ANY GIVEN CASE HAVE AN EQUAL OPPORTUNITY TO PRESENT THEIR ARGUMENTS AND EVIDENCE.
- (B) THAT HONOURABLE JUDGES SHALL BE INDEPENDENT AND FREE FROM EXTERNAL PRESSURE, WHICH IS VITAL FOR MAINTAINING PUBLIC CONFIDENCE IN THE JUDICIARY.

FROM AN ADVOCATE'S POINT OF VIEW, HONOURABLE MR. JUSTICE EVANS HAMAUNDU POSSESSES ALL THE NECESSARY ATTRIBUTES THAT EMBODY THE EXPECTATIONS OF AN ADVOCATE VIS-À-VIS THE HONOURABLE JUDGES. IN OTHER WORDS, HONOURABLE MR. JUSTICE EVANS HAMAUNDU IS A PARAGON OF AN HONOURABLE JUDGE OF THE SUPREME COURT WHO UNDERSTANDS THE NATURE OF THE COMPLEX AND HEAVY RESPONSIBILITIES ATTACHED TO THE OFFICE OF A SUPREME COURT JUDGE, AND HAS CONSISTENTLY AND ADEQUATELY DELIVERED ON THOSE RESPONSIBILITIES.

AGAINST THAT BACKDROP, AND AS I PROUDLY REMINISCE ON THE VARIOUS OCCASIONS THAT I APPEARED BEFORE HONOURABLE MR. JUSTICE EVANS HAMAUNDU, I FIRMLY ENCOURAGE ALL ADVOCATES TO ASPIRE TO SUBSCRIBE TO THE PROFESSIONAL IDEALS THAT HAVE BEEN EMBODIED BY HONOURABLE MR. JUSTICE EVANS HAMAUNDU, THROUGH OUT HIS CAREER AS AN OUTSTANDING JUDGE, IN ORDER TO UPHOLD VERY HIGH STANDARDS OF THE LEGAL PROFESSION.

AND THAT REMINDS ME OF WHAT THE 7TH PRESIDENT OF THE UNITED STATES, ANDREW JACKSON, ONCE SAID, THAT: **“ALL THE RIGHTS SECURED TO THE CITIZENS UNDER THE CONSTITUTION ARE WORTH NOTHING, AND A MERE BUBBLE, EXCEPT GUARANTEED TO THEM BY AN INDEPENDENT AND VIRTUOUS JUDICIARY.”**

HONOURABLE MR. JUSTICE EVANS HAMAUNDU HAS STRONGLY AND REMARKABLY CONTRIBUTED TO UPHOLDING AN INDEPENDENT AND

VIRTUOUS JUDICIARY, AND BY EXTENSION, HAS FAITHFULLY UPHELD HUMAN RIGHTS AND THE RULE LAW IN THE REPUBLIC.

MY LADIES, MY LORDS, DISTINGUISHED LADIES AND GENTLEMEN,

AS I CONCLUDE, I WISH TO FIRMLY INDICATE THAT HONOURABLE MR. JUSTICE EVANS HAMAUNDU, THROUGH HIS WORK, FOSTERED AND CONTRIBUTED TO A JUSTICE SYSTEM THAT WE CAN ALL BE PROUD OF BECAUSE IT, AMONG OTHERS, EMBODIES PRINCIPLES OF INDEPENDENCE, IMPARTIALITY, AND INTEGRITY. A JUSTICE SYSTEM WHOSE DECISIONS NOT ONLY RESOLVE INDIVIDUAL CASES BUT ALSO CREATE PROFOUND JURISPRUDENCE, PROVIDE CLEAR INTERPRETATION OF LAWS, UPHOLDS JUSTICE AND PROTECTS THE RIGHTS OF ALL INDIVIDUALS, INCLUDING THE VULNERABLE AND WEAKEST MEMBERS OF OUR SOCIETY.

MY LADIES, MY LORDS, I AM OBLIGED.