COMMENTS ON THE 2027 NATIONAL BUDGET

HEAD 34 – HUMAN RIGHTS COMMISSION

SUBMITTED TO THE COMMITTEE ON LEGAL AFFAIRS, HUMAN RIGHTS AND GOVERNANCE OF THE NATIONAL ASSEMBLY OF ZAMBIA

BY

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1. PREAMBLE

On Friday, 6th November 2026, the Minister of Finance and National Planning, Hon. Dr Situmbeko Musokotwane, MP, presented the proposed 2027 National Budget to Parliament under the theme "Grow Zambia: From Stabilisation to Unlocking Opportunities, Creating Jobs and Improving Livelihoods for All". The Estimates of Revenue and Expenditure for the financial year 1st January to 31st December 2027 total K284.8 billion and include Head 34, the Human Rights Commission.

By letter reference NAS/11/19/13 Conf of 7th November 2026, the Office of the Clerk of the National Assembly invited the Jesuit Centre for Theological Reflection (JCTR) to comment on the 2027 allocation to Head 34. In line with that invitation, this memorandum covers (i) an overview of the allocation, (ii) its adequacy and ramifications for meeting set targets, (iii) its alignment with national and international commitments, and (iv) recommended variations. It draws on the 2027 Estimates (Yellow Book), the 2027-2029 Medium Term Budget Plan (Green Paper), JCTR's October 2026 submission on the Green Paper, and JCTR's own work: its chairing of the Access to Information Alliance, community social accountability under the Citizens' Voice Expanded, Diakonia and LIFT programmes, and its monitoring of the 2026 electoral cycle.

2. SUMMARY

Head 34 receives **K67.8 million** in 2027, up 20.1 percent on 2026 and about 13 percent in real terms. JCTR welcomes the Estimates' decision to fund the Commission above the Green Paper ceiling of K59.5 million. However, the increase is absorbed almost entirely by staff costs and administration. Personal emoluments rise 31.8 percent to K47.0 million, or 69 percent of the Head, while the operating money for the Commission's core rights work (goods and services under Programme 4140) is K7.8 million, lower than the K10.9 million provided in 2025.

The consequences show in the targets. Visits to places of detention are cut from 600 to 200. The Access to Information sub-programme falls 27.7 percent in 2027, the first full year in which the Commission must enforce the Access to Information Act against non-compliant information holders. The Commission has no output at all on business and human rights, although the Budget is built on tripling copper output and mining is projected to grow by an average of 14.7 percent a year. No State of Human Rights Report, public hearing or provincial legal clinic is planned for

2027, the year after an election in which a former Cabinet Minister died during a security operation and opposition figures were detained by the military. JCTR therefore recommends a targeted variation of about **K8.5 million**, funded from the Contingency Vote, to fund access to information enforcement, business and human rights monitoring in mining districts, detention monitoring, and an independent inquiry and report on human rights in the 2026 electoral period.

3. CONTEXT

The Human Rights Commission is established under Article 230 of the Constitution and now operates under the Human Rights Commission Act No. 4 of 2024. It is also the oversight body for the Access to Information Act No. 24 of 2023: it hears and determines appeals, issues guidelines and, from 2026, enforces the Act against information holders that fail to comply. Its mandate has therefore widened sharply at the same time as public demand on it has grown.

Three developments make 2027 a demanding year. The first is access to information, which has now moved from preparation to enforcement (Table 1). The two-year progressive compliance period under section 41 of the Act ended on 25th June 2026, and the Commission has announced that it will now apply administrative penalties. The Act binds not only public bodies but also private entities that use public funds or hold information of significant public interest.

Table 1: Implementation of the Access to Information Act No. 24 of 2023

Date	Milestone
December 2023	Act assented to
25th June 2024	Act comes into force (Commencement Order, Statutory Instrument No. 35 of 2024); two-year compliance period begins
29th August 2025	Access to Information Regulations published (Statutory Instrument No. 56 of 2025)
5th December 2025	Commission publishes Access to Information Guidelines (Gazette Notice No. 1624 of 2025)
25th June 2026	Compliance period ends; Commission to begin enforcing administrative penalties
2027	First full year of enforcement

Source: Human Rights Commission, Guidance to Information Holders on Progressive Compliance with the Access to Information Act, press release, 8th January 2026.

The second is mining. The 2027-2029 Green Paper projects growth in the mining sector averaging 14.7 percent a year, towards a target of 3 million tonnes of copper, and commits Government to a

Critical Minerals Strategy and to Environmental, Social and Governance guidelines for the sector. Expansion on this scale brings land acquisition, resettlement, pollution, labour and community health risks. The State's duty to protect people from abuses by business, set out in the UN Guiding Principles on Business and Human Rights, falls in large part on the Commission, yet its 2027 output table contains no business and human rights indicator and only two engagement meetings on economic, social and cultural rights.

The third is the aftermath of the 2026 general elections, which tested the Commission's role more than any recent electoral cycle. JCTR's accredited monitors recorded the removal of monitors from counting halls, unsealed ballot boxes and polling stations without ramp access. The Electoral Commission of Zambia suspended the counting and announcement of results nationally on 14th August 2026. In the days that followed, the leading opposition presidential candidate and other political figures were reportedly detained and questioned by the Zambia Army, and Hon. Mutotwe Kafwaya, a former Minister, was fatally shot during a reported security operation. A coalition of civil society organisations, including JCTR, has called for an independent investigation. These events fall squarely within the Commission's investigative mandate, and the 2027 Budget is the first test of whether the Commission is resourced to discharge it.

4. OVERVIEW OF THE 2027 ALLOCATION

Table 2 shows the Head by economic classification. The Commission is funded above the Green Paper ceiling, but the composition of spending has shifted further towards salaries. Assets fall by about four-fifths, to K1.0 million.

Table 2: Head 34 by economic classification, 2025-2027 (K million)

Classification	2025	2026	2027	Change 2026-27	Share 2027
Personal emoluments	31.3	35.7	47.0	+31.8%	69.3%
Goods and services	18.4	15.8	19.8	+25.5%	29.2%
Assets	2.4	5.0	1.0	−79.7%	1.5%
Head total	**52.0**	**56.5**	**67.8**	**+20.1%**	**100%**

Source: Yellow Book 2027, Head 34. Green Paper ceiling for 2027: K59.5 million. Real change of about +13.0 percent uses inflation of 6.3 percent (October 2026).

By programme (Table 3), the main shift is towards Management and Support Services, which rises 34.5 percent and now absorbs 50.5 percent of the Head. In 2026 the core rights programme took

54.9 percent. For the first time, the Commission will spend more on running itself than on promoting and protecting human rights. The Yellow Book narrative states the reverse (that the rights programme takes 50.5 percent), which the figures in its own tables do not support.

Table 3: Head 34 by programme and sub-programme, 2025-2027 (K million)

Programme / sub-programme	2025	2026	2027	Change 2026-27
4140 Promotion and Protection of Human Rights	**27.7**	**31.0**	**33.6**	**+8.3%**
Human Rights Education and Awareness	5.3	5.6	8.0	+43.0%
Human Rights Advocacy	4.9	4.3	5.6	+31.2%
Human Rights Violations Investigations	11.7	12.9	14.0	+8.4%
Access to Information	5.7	8.2	5.9	−27.7%
4199 Management and Support Services	**24.3**	**25.5**	**34.2**	**+34.5%**
Human Resource Management and Administration	11.1	16.8	23.7	+41.2%
Executive Office, Accounting and Audit	13.2	8.7	10.6	+21.7%
Head total	**52.0**	**56.5**	**67.8**	**+20.1%**

Source: Yellow Book 2027, Head 34, Tables 2 and 3.

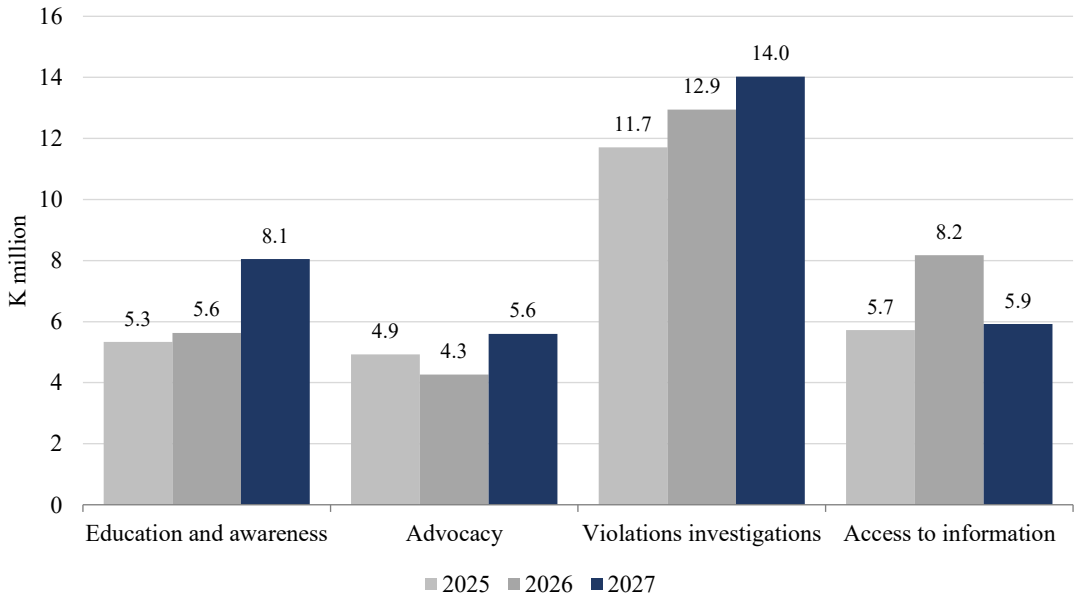


Figure 1: Promotion and Protection of Human Rights by sub-programme, 2025-2027 (K million)

Source: Yellow Book 2027, Head 34.

The gains in education and advocacy are welcome. The investigations sub-programme, which funds the Commission's response to complaints and its detention monitoring, grows by 8.4 percent, which is about 2 percent in real terms. Access to Information is the only sub-programme to be cut.

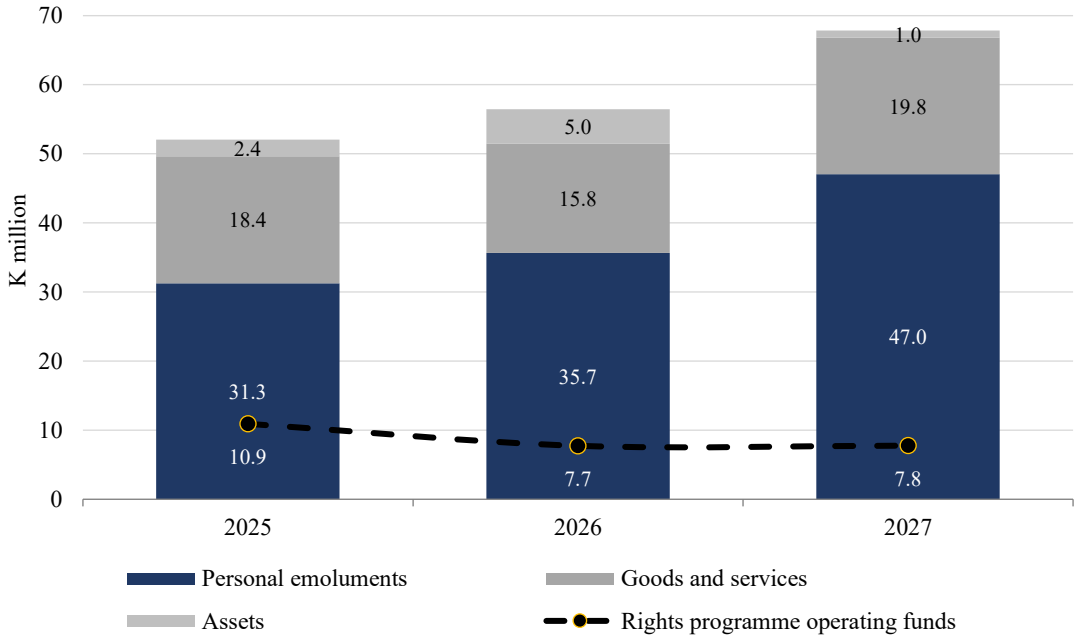


Figure 2: Head 34 by economic classification, and operating funds for the rights programme (K million)

Source: Yellow Book 2027, Head 34, Table 1 and Programme 4140 Table 4. The line shows goods and services under Programme 4140 only.

5. ADEQUACY AND RAMIFICATIONS FOR SET TARGETS

The adequacy test is whether the allocation lets the Commission do what its mandate and its own targets require. Table 4 compares targets and results. Three features stand out. First, results have fallen short of targets for two years running in the Commission's most demanding field work. Second, rather than funding the gap, the 2027 Budget lowers the targets. Third, the outputs that give Parliament and the public a view of the national human rights situation are absent from the 2027 plan.

Table 4: Selected Head 34 output targets and results, 2025-2027

Output	2025 target	2025 actual	2026 target	2026 actual (June)	2027 target
Places of detention visited	600	432	600	146	200
Reports on places of detention	10	2	10	–	10
Reported violations investigated (%)	70	68	70	60	70
Public interest cases litigated	–	–	12	–	10
Access to information appeals determined (%)	–	–	75	50	80
Institutions monitored for compliance with the Act	7	3	–	–	–
Public hearings conducted	2	–	2	1	–
Legal desks/clinics per province	2	1	2	2	–
State of Human Rights Report	1	–	1	1	–
Human rights training workshops in provinces and districts	20	8	20	9	9

Source: Yellow Book 2027, Head 34, Programme 4140 output table. A dash means no target or result was reported.

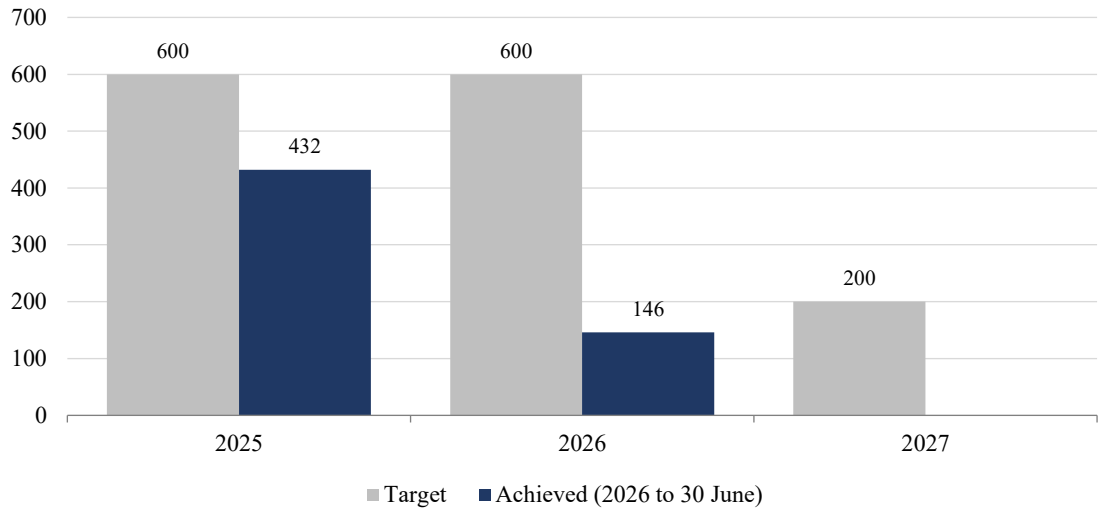


Figure 3: Visits to places of detention, targets and results

Source: Yellow Book 2027, Head 34.

5.1 Detention monitoring

The cut in detention visits from 600 to 200 is the most serious change in the Head. Monitoring of police cells, correctional facilities and other places of detention is the Commission's principal

preventive tool against torture and arbitrary detention. The reduction comes after a period in which political figures were detained by the military and in which the circumstances of a death in a security operation remain unexplained. Lowering the target to fit the money, rather than funding the target, means the Commission will reach fewer detainees in the year they are most likely to need it.

5.2 Access to information: enforcement without a budget

The Commission's 2026 target was to determine 75 percent of access to information appeals; it determined 50 percent by June. The 2027 target rises to 80 percent while the sub-programme's budget falls by K2.3 million, to K5.9 million. A higher target on a smaller budget is not credible unless the Commission can show efficiency gains, which the Estimates do not.

The larger gap is enforcement. From 25th June 2026 the Commission is responsible for penalising information holders that have not complied, yet the 2027 output table contains no indicator for the number of information holders monitored, notices issued or penalties applied. The only compliance indicator, institutions monitored for compliance, last had a target in 2025 (seven, of which three were monitored). The 2027 outputs are limited to five engagement meetings with information holders and requesters and a review of minimum standards. Enforcement against public bodies, councils and private entities across ten provinces cannot be done for K5.9 million.

JCTR's field experience (case study 1) shows why this matters. The barriers our partners meet are refusals to accept request forms, denial that requests were received, and requests to justify why information is wanted, which the Act does not require. These are compliance failures that only an active regulator can correct. The first years of a statute decide whether public bodies take it seriously; an under-funded enforcement function now risks making the Act a dead letter.

5.3 Business and human rights in the extractive sector

Government is investing heavily in expanding and regulating mining. Under Head 14, the transfer to the Minerals Regulation Commission doubles from K75.9 million in 2026 to K149.9 million in 2027, more than twice the entire Human Rights Commission budget. Over the same year, the transfer to the Zambia Extractive Industries Transparency Initiative falls from K40.7 million to K6.0 million. The State is therefore building its capacity to license and regulate mining while

reducing its spending on transparency in the sector and providing nothing for the human rights oversight of mining's impact on communities.

Mining-affected communities need an independent body that can receive complaints, investigate and mediate between companies, regulators and residents. The Commission is that body, and the Access to Information Act gives it a second lever, since mining companies hold information of significant public interest on environmental impact, resettlement and community agreements. A modest, dedicated business and human rights function in the Commission would cost a fraction of the Minerals Regulation Commission's increase and would help ensure that the growth the Budget plans for does not come at the expense of the people living closest to it.

5.4 Public accountability for the 2026 electoral period

No State of Human Rights Report, public hearing or provincial legal desk is planned for 2027. After an election period marked by violence, detentions and a killing, these are precisely the instruments through which the Commission informs Parliament and gives citizens a place to be heard. Their absence leaves a gap that no other public body is mandated to fill.

5.5 Where the increase goes

JCTR does not object to fair remuneration of Commission staff, and the 31.8 percent rise in personal emoluments may reflect recruitment for the access to information function. But Parliament should ask what the additional K11.4 million in salaries buys in outputs. On the Commission's own tables, the answer is fewer detention visits, fewer workshops and no hearings. Administration (Human Resource Management and Administration) rises 41.2 percent to K23.7 million, more than the Commission spends on investigations.

6. EVIDENCE FROM JCTR'S WORK

JCTR chairs the Access to Information Alliance, trained community journalists on the Act from June 2024, and has used the Act alongside social audits and community score cards in its programmes. The case studies below draw on that work.

Case study 1: Testing the Access to Information Act in communities
Under the Citizens' Voice Expanded project with BBC Media Action, JCTR's partner radio stations have submitted formal ATI requests (Form 1, Regulations 3(1) and 5) on electoral transparency, service

delivery and public procurement. Radio Mano in Kasama asked the National Assembly for the official voting record on Bill 7 after public statements on the outcome conflicted; the National Assembly acknowledged receipt and then asked for more time. Zambezi FM in Livingstone requested procurement records on a council garbage truck, and the council responded. The Anti-Corruption Commission, approached on the same matter, declined to accept the form. In Katete, Mphangwe FM tried to submit a request to the Town Council about a market ablution block closed since 2018; the council refused to accept the form and later denied receiving it.

Under the Diakonia-supported CDF project in Kitwe and Kabwe, community monitors conducting social audits were sent to the wrong offices, asked for letters explaining why they wanted information, and refused Bills of Quantities and financial records for CDF projects, even with JCTR introductory letters. JCTR sought the support of the Commission's Kabwe office, which was too stretched to take part. JCTR's ATI position paper has called on the Commission to issue citizen-friendly appeal rules, require accessible formats for persons with disabilities, and enforce proactive disclosure. Each of these is a funded enforcement task, not a matter of goodwill.

Case study 2: Contact without consequence in social accountability

JCTR's July 2026 community score card round under Citizens' Voice, covering 145 governance reports from eight districts, found that 87 percent of citizens who raised an issue had contacted a duty bearer, up from 75 percent the month before, but only 6 percent received a full response, down from 13 percent. Local councils were the duty bearer named most often. In Choma, Monze, Mazabuka and Nkeyema, community score cards with WaterAid Zambia on 25 water points found access for persons with disabilities scoring as low as 1.25 out of 5.

Citizens are using the accountability tools the law gives them. What is missing is a responsive institution behind them. The Commission's education, advocacy, legal desk and ATI functions are what turn citizen evidence into redress. The removal of provincial legal desks from the 2027 plan and the cut to ATI weaken that link.

Case study 3: Mining districts and community rights in Sinazongwe

Under the LIFT programme supported by Norwegian Church Aid and DanChurchAid, JCTR has worked since July 2025 in Sinazongwe and Nkandabwe wards in Sinazongwe District, a coal mining district. At the district launch, council, government and community representatives singled out emerging mining-related governance and service delivery challenges. Community monitors trained by JCTR then used score cards on water and sanitation and documented severe water scarcity and inconsistent supply; at the time of reporting, duty bearers had not acted on the findings.

Communities consulted by JCTR in Sinazongwe, Lufwanyama and Kalulushi for the 2027 Budget raised environmental degradation and pollution from mining and weak monitoring and enforcement. JCTR's June 2026 budget proposals called for higher funding for environmental monitoring and a community benefit-sharing levy. These communities have no dedicated channel for rights complaints against mining operations; a Commission presence in mining districts would provide one.

Case study 4: Voting rights in correctional facilities, and the 2026 elections

At JCTR's policy engagement of 18th June 2026, the Zambia Correctional Service Commission confirmed that in 2021, 13,540 inmates registered and 90.5 percent voted, but access for voter educators and registration officers still rests on discretionary letters. The Human Rights Commission could not attend and later requested a briefing, which shows both the demand for its oversight in places of detention and the limits of its reach on a budget sized for 200 visits.

During the elections, JCTR's monitors recorded removal of monitors from counting halls, unsealed ballot boxes and polling stations without ramp access. On 20th August 2026 JCTR joined other civil society organisations in calling for an independent investigation into the death of Hon. Mutotwe Kafwaya during a reported security operation. The Commission is the constitutional body best placed to lead or support such an inquiry, and the 2027 Estimates contain no line, output or target that would let it do so.

7. ALIGNMENT WITH NATIONAL AND INTERNATIONAL COMMITMENTS

Table 5 assesses the 2027 allocation against the commitments that frame the Commission's work.

Table 5: Alignment of the 2027 allocation with national and international commitments

Commitment	What it requires	What the 2027 Budget does	Assessment
Constitution, Article 230; Human Rights Commission Act No. 4 of 2024	An effective Commission able to investigate violations and visit places of detention	Raises the Head but cuts detention visits to 200 and funds no public hearings	Partly aligned
Access to Information Act No. 24 of 2023; African Commission Declaration of Principles on Freedom of Expression and Access to Information (2019); SDG target 16.10	Functioning appeals mechanism, proactive disclosure and enforcement against non-compliant information holders	Cuts the Access to Information sub-programme by 27.7% in the first full year of enforcement; no enforcement outputs	Not aligned
UN Guiding Principles on Business and Human Rights; Green Paper commitments on ESG guidelines and the Critical Minerals Strategy	State protection against business-related abuses; access to remedy for affected communities	No business and human rights output; EITI transfer cut from K40.7m to K6.0m while mining regulation doubles	Not aligned
UN Convention against Torture; UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)	Regular independent inspection of places of detention	Reduces inspections by two-thirds against the 2026 target	Not aligned
Paris Principles on national human rights institutions; SDG indicator 16.a.1	Adequate funding that secures independence and the ability to set its own programme	Above the Green Paper ceiling, but 69% of the Head is salaries and operating funds are below 2025	Partly aligned
African Charter on Democracy, Elections and Governance; ICCPR Articles 6, 9 and 25	Investigation of violations linked to elections; protection of life and liberty	No inquiry, hearing or State of Human Rights Report planned for 2027	Not aligned
National Development Plan: Improved Rule of Law, Human Rights and Constitutionalism	Strengthened human rights institutions and access to justice	Removes provincial legal desks from 2027 outputs	Partly aligned

Source: JCTR analysis of Yellow Book 2027, Head 34.

8. RECOMMENDATIONS FOR VARIATIONS

JCTR proposes the following variations to Head 34. The amounts are modest and can be met from the Contingency Vote under Head 21, which rises from K571.3 million in 2026 to K1.37 billion in 2027. The total proposed below is about 1 percent of that increase. Amounts other than the restoration of the Access to Information sub-programme to its 2026 level are indicative and should be costed with the Commission.

Table 6: Proposed variations to Head 34 (K million)

Line	2027 Estimate	Proposed	Variation	Purpose
Access to Information sub-programme	5.9	9.2	+3.3	Restore to the 2026 level (K8.2m) and add K1.0m for compliance monitoring and enforcement against information holders
Business and human rights monitoring (new output)	–	1.5	+1.5	Monitoring, complaints handling and mediation in mining districts, starting with the Copperbelt, North-Western and Southern provinces
Human Rights Violations Investigations	14.0	16.0	+2.0	Restore detention visits to at least 400 and produce the ten planned detention reports
Inquiry into human rights in the 2026 electoral period	–	1.2	+1.2	Public hearings and a published report, including on deaths and detentions in August 2026
State of Human Rights Report 2027 and provincial legal desks	–	0.5	+0.5	Reinstate the annual report and one legal desk per province
Total			**+8.5**	**Funded from the Contingency Vote (Head 21)**

Source: JCTR proposals. The Contingency Vote figures are from Yellow Book 2027, Head 21.

In addition, JCTR recommends that the Committee:

1. Ask the Commission to explain what the additional K11.4 million in personal emoluments delivers in outputs, and require that higher staffing be matched by higher detention-monitoring and complaints-handling targets from 2028.

2. Require the Commission to reinstate a 2027 State of Human Rights Report and to table it before the National Assembly, with a dedicated chapter on the 2026 electoral period.

3. Correct the Yellow Book narrative, which states that the rights programme takes 50.5 percent of the Head when the tables show it takes 49.5 percent, and ask that programme spending be restored above administration.

4. Recommend to the Expanded Planning and Budgeting Committee that the Commission's goods and services for rights work be protected from in-year cuts, given that its operating budget has fallen from K10.9 million in 2025 to K7.8 million in 2027.

5. Recommend that the Commission, the Electoral Commission of Zambia and the Zambia Correctional Service Commission develop a statutory instrument guaranteeing access to correctional facilities for voter education and registration, building on the 2021 experience.

6. Require the Commission to add 2027 output indicators on access to information enforcement, including the number of information holders monitored for compliance, compliance notices issued and penalties applied, and to publish an annual compliance report covering public and private information holders.

7. Ask the Commission to finalise citizen-friendly rules for its access to information appeals and to require information to be provided in formats accessible to persons with disabilities.

8. Require the Commission to add a business and human rights output, and recommend a working arrangement between the Commission, the Minerals Regulation Commission and the Zambia Environmental Management Agency so that community complaints about mining operations reach an independent body.

9. Recommend to the Expanded Planning and Budgeting Committee that the transfer to the Zambia Extractive Industries Transparency Initiative under Head 14 be restored towards its 2026 level, so that transparency in the sector keeps pace with its expansion.

10. Request that the Ministry of Finance and National Planning release the Commission's funds on schedule, since detention monitoring, investigations and enforcement depend on timely operational funding rather than on salaries.

9. CONCLUSION

The 2027 Budget treats the Human Rights Commission better than the Green Paper did, and JCTR acknowledges that. But a larger budget is not the same as a stronger Commission. On the figures before the Committee, the increase pays mainly for salaries and administration, while detention monitoring, access to information enforcement and public accountability are cut back in the very year they are most needed, and the human rights side of the mining expansion is left unfunded. A variation of about K8.5 million, small against the K1.37 billion Contingency Vote, would let the Commission enforce the Access to Information Act, begin monitoring business and human rights in mining districts, meet its own detention targets, and give Parliament and citizens an independent account of the human rights situation after the 2026 elections. JCTR commends these proposals to the Committee.