



**PERMANENT MISSION OF THE REPUBLIC OF ZAMBIA  
GENEVA**

**NOTE: 416/2025**

The Permanent Mission of the Republic of Zambia to the United Nations Office and other International Organizations in Geneva and Vienna, presents its compliments to the Office of the High Commissioner for Human Rights, the Special Rapporteur on freedom of opinion and expression, the Working Group on Arbitrary Detention, and the Special Rapporteur on the Independence of Judges and Lawyers, and has the honour to forward a submission by the Government of the Republic of Zambia in response to the Joint Communication on allegations of judicial harassment of journalists, in particular the case of Mr. Thomas Allan Zyambo, proprietor of the online publication outlet " the Zambian Whistleblower.

The Permanent Mission of the Republic of Zambia to the United Nations Office and other International Organizations in Geneva and Vienna, avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the Special Rapporteur on freedom of opinion and expression, the Working Group on Arbitrary Detention, and the Special Rapporteur on the Independence of Judges and Lawyers the assurances of its highest consideration.

Geneva, 12 September, 2025

Officer-in-charge  
Special Procedures Branch  
Office of the High Commissioner for Human Rights  
**GENEVA**



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In reply quote

No.....



REPUBLIC OF ZAMBIA

## MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

OFFICE OF THE MINISTER  
P. O. BOX 50069  
LUSAKA

10<sup>th</sup> September, 2025

Excellencies,

I have the honour to acknowledge receipt of the Joint Communication dated 14<sup>th</sup> July, 2025 and referenced AL ZMB 1/2025 on allegations of judicial harassment of journalists, in particular the case of Mr. Thomas Allan Zyambo, proprietor of the online publication outlet "the Zambian Whistleblower."

The Government of the Republic of Zambia notes that the Joint Communication is a follow-up to the visit to Zambia from 20<sup>th</sup> to 31<sup>st</sup> January, 2025, of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, during which the mandate holder received numerous reports (source not disclosed) raising concerns about the judicial harassment of journalists in Zambia. Further, that the case of Mr. Zgambo is considered emblematic of broader issues, hence seeking explanations and clarification regarding Zambia's commitment to the protection of journalists and the safeguarding of media freedom.

Notwithstanding this, Zambia remains desirous of further engagement with the United Nations Human Rights Council, (UNHRC) on issues of mutual concern and the use of established diplomatic avenues to resolve any perceived irregularities while respecting the sovereign integrity of both the UNHRC and the Government of the Republic of Zambia.

In this regard, find attached hereto, a submission by the Government of the Republic of Zambia in response to the Joint Communication on allegations of judicial harassment of journalists, in particular the case of Mr. Thomas Allan Zyambo, proprietor of the online publication outlet "the Zambian Whistleblower."

Please accept, Excellencies, the assurances of my highest consideration.

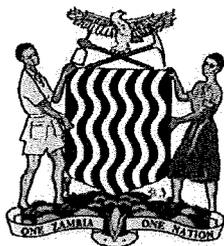
Reuben Phiri Mtolo, M.P.  
**ACTING MINISTER OF FOREIGN AFFAIRS  
AND INTERNATIONAL COOPERATION**



Ms. Ireen Khan  
Special Rapporteur on the Promotion  
and Protection of the Right to the Freedom  
of Opinion and Expression

Mathew Gillett  
Vice-Chairperson  
On Communication of the Working Group  
on Arbitrary Detention

Margaret Satterthwaite  
Special Rapporteur on the  
Independence of Judges and Lawyers



**REPUBLIC OF ZAMBIA**

**RESPONSE TO THE JOINT COMMUNICATION FROM THE UNITED  
NATIONS SPECIAL PROCEDURES ON THE ALLEGATIONS OF JUDICIAL  
HARASSMENT OF JOURNALISTS - MR. THOMAS ALLAN ZGAMBO**

**August, 2025**

## **Background**

The Government of the Republic of Zambia received a joint communication dated 14<sup>th</sup> July, 2025, from the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers. The communication details allegations of judicial harassment of journalists in Zambia, and in particular, the case of Mr. Thomas Allan Zgambo, proprietor of the online publication 'Zambian Whistleblower'.

The Government of Zambia notes that the joint communication is a follow-up to the visit to Zambia from 20<sup>th</sup> to 31<sup>st</sup> January, 2025, of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, during which the mandate received numerous reports (source not disclosed) raising concerns about the judicial harassment of journalists in Zambia. Further, that the case of Mr. Zgambo is considered emblematic of broader issues, hence seeking explanations and clarification regarding Zambia's commitment to the protection of journalists and the safeguarding of media freedom.

## **Responses**

Below are responses to the allegations of judicial harassment of journalists in Zambia, and in particular, the case of Mr. Thomas Allan Zgambo, proprietor of the online publication 'Zambian Whistleblower'.

### **1. Provide any additional information and/or comment(s) you may have on the above-mentioned allegations.**

The characterisation of Thomas Allan Zgambo as a victim who is targeted for ill-treatment for exercising his alleged freedom of expression is incorrect. Mr. Zgambo is charged with acts which constitute criminal offences in terms of the Penal Code Act, Chapter 87 of the Laws of Zambia. There are court documents which set out the facts of the cases recounted in the Joint Communication. Further, the charge sheets of all the matters that Mr. Zgambo is being prosecuted for are hereto attached, for ease of reference. It must be noted that the charges are unequivocal – devoid of broadness or vagueness. It must also be stated that the charges are in no way intended to weaponise the law against Mr. Zgambo.

### **2. What measures has the Government of Zambia taken to ensure that laws are not misused to silence critical voices, particularly journalists and media workers?**

The Government of Zambia recognises the cardinal role that journalists and the media play in a democratic society by disseminating information to the public, holding governments and public institutions accountable for their actions, and fostering discourse on various matters of public interest. The Government also recognises the independence of all journalists and the media

from political interference, and that journalists and the media should not be unduly pressured to present or suppress particular points of view or facts.

Critical to independence of the media is the protection of freedom of expression which is entrenched in the Bill of Rights set out in Part III of the Constitution of Zambia. In particular, Article 20(2) of the Constitution proscribes, in general, the promulgation of a law that derogates from freedom of the press. Entrenchment entails that the Bill of Rights can only be altered or amended through a national referendum. This is a clear demonstration of Zambia's commitment to upholding human rights, and to ensuring that the rights contained in the Bill of Rights cannot capriciously be amended or altered.

The Government further recognises the corollary duty placed on journalists and the media to maintain high ethical standards as they enjoy their right to freedom of expression. It is also recognised that in maintaining high ethical standards, and in their enjoyment of the right to freedom of expression and of the press, journalists and the media remain subject to the law in force in the Republic. One such law is the Penal Code which applies to all persons, without regard to their sex, race, creed, social status or political affiliation, among others. In this regard, any person who violates the provisions of the Penal Code is arrested, charged and subsequently, arraigned, in accordance with the Criminal Procedure Code Act, Chapter 88 of the Laws of Zambia, before courts of competent jurisdiction.

Suspects are, in accordance with the Constitution, considered innocent until proven guilty, and accorded the right to a fair trial which entails, *inter alia*, the right to be afforded a fair hearing within a reasonable time by an independent and impartial court established by law, to be informed as soon as reasonably practicable, in a language that the suspect understands and in detail, of the nature of the offence charged, to be given adequate time and facilities for the preparation of their defence, to be allowed legal representation and an opportunity to examine any witnesses called by the prosecution before the court, and to call and examine, before the court, their own witnesses on the same conditions as those applying to witnesses called by the prosecution.

It must be stated that the Government has promulgated laws that are intended to, among others, promote freedom of expression, and in so doing, prevent the misuse of laws to silence critical voices. Article 13 (1)(e) of the Constitution provides that, "*No person shall be deprived of his personal liberty except as may be authorised by law-*

- (e) *upon reasonable suspicion of his having committed, or being about to commit, a criminal offence under the law in force in Zambia;...*"

In execution of the foregoing provision, the Police cannot wantonly or on the premise of trumped-up charges, deprive a journalist, or indeed any other

person, of their liberty. The Police must only act on reasonable suspicion of the commission of an offence. Where a police officer abuses the police officer's authority and harasses or detains a journalist (or person) without reasonable cause, or with intent to unlawfully limit or restrict the exercise of the journalist's (or person's) freedom of expression, the affected journalist is at liberty to lodge a complaint against the erring officer pursuant to the Police Public Complaints Commission Act No. 18 of 2016.

Further, Article 18(4) of the Constitution provides that-

- (4) *No person shall be held to be guilty of a criminal offence on account of any act or omission that did not, at the time it took place, constitute such an offence, and no penalty shall be imposed for any criminal offence that is severer in degree or description than the maximum penalty that might have been imposed for that offence at the time it was committed.*

The foregoing provision prevents the courts of law from making findings of guilt against an accused journalist (or person) for any act or omission that is not prescribed by any law in force in the Republic as an offence. In addition, in accordance with the provision, where a court makes a finding of guilt, the court is, at all times, in imposing a penalty on the journalist (or person), bound to impose a penalty which is not more severe than that prescribed by law for that particular offence. A journalist (or person) who is aggrieved by the penalty may appeal to a higher court against the penalty. Also, where a journalist (or person) has reasonable cause to believe that a judge has engaged in acts or omissions which amount to judicial misconduct is at liberty, pursuant to Article 143 of the Constitution of Zambia, to lodge into the Judicial Service Commission a complaint against the judge.

Other laws which recognise freedom of expression are the Cyber Security Act No.4 of 2025, and the Cyber Crimes Act No. 3 of 2025. The Government reiterates, in this regard, paragraphs 21 and 22 of Zambia's Comments on the Advanced Unedited Report of the UN Special Rapporteur on the Promotion and Protection of the Right To Freedom of Opinion and Expression that these laws ensure an alignment with the required human rights standards as provided in the Constitution of Zambia, and protect members of the public from false information disseminated with the intention to cause damage to the reputation of another person or for purposes of subjecting another person to public ridicule, contempt, hatred, or embarrassment. To further guarantee citizens' freedom of expression and speech, the Cyber Security Act, 2025, and the Cyber Crimes Act, 2025, have not retained the offence of hate speech that was provided for in the repealed Cyber Security and Cyber Crimes Act No. 2 of 2021.

**3. What safeguards are in place to protect journalists from judicial harassment and to ensure that they can carry out their work without fear of reprisal?**

The Government is cognisant of the fact that judicial harassment has a negative effect on the enjoyment of the right to freedom of expression. Acts of judicial harassment such as the abuse of the legal and judicial system to intimidate or punish journalists and the media, among others, result in self-censorship, suppression of dissent or criticism against the government and civic participation in public discourse on matters of national interest, and, ultimately, undermines the rule of law. The Government, which esteems, highly, the rule of law has consistently expressed its respect for the freedom of expression and of the press.

Article 193(2) of the Constitution of Zambia enjoins the Zambia Police Service to uphold the Bill of Rights. This entails that the Police are obligated to uphold the right to freedom of expression and opinion as guaranteed under Article 20 of the Constitution, and as a consequence, to refrain from engaging in acts or omissions that amount to judicial harassment. Accordingly, where a police officer unlawfully restricts the enjoyment of that right, journalists are at liberty to lodge a complaint against the erring officer pursuant to the Police Public Complaints Commission Act, as highlighted under Question 2 above. Also available to journalists and the media, is the option to lodge a complaint against a judge as highlighted under Question 2 above. Further to the measures reported above, the Government, in 2022, abolished from its Statute Book, the provisions that criminalise defamation of the President.

The Government also wishes to draw the attention of the mandate holders and the Working Group to paragraphs 30, 31 and 32 of Zambia's Comments on the Advanced Unedited Report of the UN Special Rapporteur on the Promotion and Protection of the Right To Freedom of Opinion and Expression. In those paragraphs, the Government submitted that the new cyberlaws referred to under Question 2 introduce explicit safeguards to ensure that regulatory powers are exercised in a manner consistent with Zambia's obligations under Article 19(3) of the ICCPR. These safeguards include judicial oversight for any significant restrictions on digital communications, such as requirements for court orders before lawful interception of communications, transparent procedures for the designation and protection of critical information infrastructure, now under the responsibility of the Zambia Cyber Security Agency, and clear thresholds and criteria for any actions that may affect access to information or freedom of expression, with an emphasis on proportionality, necessity, and respect for fundamental rights. In line with Article 19(3) of the International Covenant on Civil and Political Rights, any limitations on digital freedoms are subject to a strict test of legality, necessity, and proportionality.

Also protective of the right to freedom of expression is the Public Interest (Protection of Whistleblowers) Act No. 4 of 2010 which allows for the making of anonymous public interest disclosures to investigating authorities. The

investigating authorities, where those sources have opted to remain anonymous, are duty – bound to maintain the anonymity.

**4. Does the Government of Zambia intend to review and amend its legal framework to bring it into full compliance with international standards on freedom of expression, including by incorporating specific guarantees and protections for the media?**

The legal framework of the Republic of Zambia is compliant with international standards on freedom of expression. While the Constitution of Zambia guarantees the freedom of expression, particularly in Article 20, the country also adheres to international instruments like the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights. Further, Article 20(2) of the Constitution of Zambia guarantees the freedom of media. In addition, Zambia enacted the Access to Information Act No. 24 of 2023 which enhances the work of journalists by providing everyone with the right to access to information held by public bodies. It also suffices to note that the Government, is undertaking consultations with journalists and the media on alternative dispute resolution mechanisms in respect of disputes involving journalists.

The Government reassures the mandate holders and the Working Group that it continues to review laws and regulations governing the online space to ensure full alignment with Article 19(3) of the International Covenant on Civil and Political Rights, which requires any limitations on digital freedoms to be subject to a strict test of legality, necessity, and proportionality. These tests ensure transparency and accountability in the manner that agencies such as the Zambia Information and Communications Technology Authority ("ZICTA") and the new Cyber Security Agency implement the laws relating to the online space.

**5. Please provide detailed information on the legal basis for the arrest and prosecution of Mr. Zyambo, including the specific charges brought against him, the evidence relied upon, and the current status of the proceedings.**

The Government wishes to draw the attention of the mandate holders and the Working Group to the detailed court documents, annexed hereto, which set out the specific charges brought against Thomas Allan Zgambo. The cases were submitted to the courts of law for hearing after thorough investigations by the law enforcement agencies and a determination, by the Director of Public Prosecutions (DPP), that there is sufficient evidence to warrant the prosecution of Thomas Allan Zgambo. Considering the sufficiency of evidence against Mr. Zgambo, to drop the charges against him would suggest that he is not subject to the law. Further, dropping charges against an accused person, despite the sufficiency of evidence gathered by law enforcement agencies, erodes the confidence of the public in the criminal justice system and may lead to a wanton disregard of the law.

**Conclusion**

The Government recognises that the successful operation of democratic systems has, at its core, free and independent media. The Government reiterates that journalists and the media comprise an effective tool for disseminating information to members of the public, holding those in power accountable, promoting political participation, and facilitating the public discourse necessary for the functioning of democratic systems. A free, independent and protected media society is, therefore, critical to fostering, strengthening and protecting democracy. The Government is committed to ensuring an environment which assures the freedom, independence and protection of journalists and the media.

The Government also recognises the indomitable influence that journalists and the media have in shaping public opinion. This ability to hold sway over members of the public places on journalists and the media a duty to preserve their integrity and disseminate, in an impartial manner, accurate information to members of the public. The Government, accordingly, emphasises the importance of ensuring that the right to freedom of expression is exercised with due responsibility, by carefully balancing the exercise of the right with public safety, particularly in the context of a past marred with political violence and civic intolerance.

The Government takes this opportunity to assure the mandate holders and the Working Group of its commitment to the full realisation of the full enjoyment of the right to freedom of expression, among other human rights, as enshrined in the Constitution of Zambia, and the international human rights instruments to which Zambia is party.

REPUBLIC OF ZAMBIA

S.C. Criminal no. 33

CASE NO.

NPA:CASE NO. D:6899/10-2024

IN THE SUBORDINATE COURT of the First class for the LUSAKA District, holden at LUSAKA. Before:  
Chief Resident Magistrate on the 31st day of October 2024 at 12:00 o'clock in the FORE noon.

THE PEOPLE versus: THOMAS ALLAN ZGAMBO

Full Name: THOMAS ALLAN ZGAMBO  
Residential Address: PLOT 25311 MOSIO TUNYA ROAD WOODLANDS, LUSAKA,  
LUSAKA PROVINCE, ZAMBIA  
Sex: Male  
Age: 52  
Occupation: INVESTIGATIVE JOURNALIST  
Tribe:  
Chief:  
Village:  
District:

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Accused was served on the Summons dated

Accused was arrested with Warrant on under Warrant dated

Accused was arrested without Warrant on 21/10/2024

Accused was released on bail on his own recognizance on

**CHARGE**  
(if space insufficient, continue overleaf)

**COUNT: 1**

**Statement of Offence**

Libel Contrary to Section 191 of the Penal Code Chapter 87 of the Laws of Zambia.

**Particulars of Offence**

THOMAS ALLAN ZGAMBO on the 5th of May, 2022 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together with other persons unknown, with intent to defame, unlawfully did publish defamatory matters against LAWRENCE MWANANYANDA on a facebook page called ZAMBIAN WHILSTLE BLOWER stating as follows; "The state House Aide and Chance Kabaghe plan to single source capital fertilizer company to supply government. Let the public be informed that state House aide Lawrence Mwananyanda who is frequently found at the fertilizer company is working with Chance Kabaghe who happens to be both IAPRI Executive, Director and Board chairman for United Capital Fertilizer Zambia Company Limited to single source the supply of 100,000 metric tons of D compound fertilizer at \$2,100=00 per ton for RISP 2022/2023 season. The gentleman from state House and chance Kabaghe stand to pocket a total of \$10 million from United Capital Fertilizer company and information coming from the fertilizer company is that a down payment of \$2.5m million dollars has been paid to them, through marcopolo files company (a member of the IDC Group of Companies)."

**COUNT: 2**

**Statement of Offence**

Libel Contrary to Section 191 of the Penal Code Chapter 87 of the Laws of Zambia.

Particulars of Offence

THOMAS ALLAN ZGAMBO on the 5th of May, 2022 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together with other persons unknown, with intent to defame, unlawfully did publish defamatory matters against CILANCE KABAGHE on a Facebook page called ZAMBIAN WHISTLE BLOWER stating as follows, "The state House Aide and Chance Kabaghe plan to single source capital fertilizer company to supply government. Let the public be informed that state House aide Lawrence Mwanayanda who is frequently found at the fertilizer company is working with Chance Kabaghe who happens to be both IAPRI Executive Director and Board chairman for United Capital Fertilizer Zambia Company Limited to single source the supply of 100,000 metric tons of D compound fertilizer at \$2, 100=00 per ton for FISP 2022/2023 season. The gentleman from state House and chance Kabaghe stand to pocket a total of \$10 million from United Capital Fertilizer company and information coming from the fertilizer company is that a down payment of \$2.5m million dollars has been paid to them, through maropolo tiles company ( a member of the WIG Group of Companies). "

COUNT: 3

Statement of Offence

Libel Contrary to Section 191 of the Penal Code Chapter 87 of the Laws of Zambia.

Particulars of Offence

THOMAS ALLAN ZGAMBO on the 5th of May, 2022 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together with other persons unknown, with intent to defame, unlawfully did publish defamatory matters against UNITED CAPITAL FERTILIZER ZAMBIA on a Facebook page called ZAMBIAN WHISTLE BLOWER stating as follows, "The state House Aide and Chance

Kabaghe plan to single sourcing capital fertilizer company to supply government. Let the public be informed that state House aide Lawrence Mwananyanda who is frequently found at the fertilizer company is working with Chance Kabaghe who happens to be both IAPRI Executive Director and Board chairman for United Capital Fertilizer Zambia Company Limited to single source the supply of 100,000 metric tones of D-compound fertilizer at \$2,100=00 per ton for FISP 2022/2023 season. The gentleman from state House and chance Kabaghe stand to pocket a total of \$10 million from United Capital Fertilizer company and information coming from the fertilizer company is that a down payment of \$2.5m million dollars has been paid to them, through marcopolo tiles company (a member of the IDC Group of Companies).

COUNTRY

Statement of Offence

Particulars of Offence

Libel Contrary to Section 191 of the Penal Code Chapter 87 of the Laws of Zambia.

THOMAS ALLAN ZGAMBO on the 5th of May, 2022 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together with other persons unknown, with intent to defame, unlawfully did publish defamatory matters against MARCOPOLO TILES ZAMBIA LIMITED on a Facebook page called ZAMBIAN WHISTLE BLOWER stating as follows, "The state House Aide and Chance Kabaghe plan to single sourcing capital fertilizer company to supply government. Let the public be informed that state House aide Lawrence Mwananyanda who is frequently found at the fertilizer company is working with Chance Kabaghe who happens to be both IAPRI Executive Director and Board chairman for United Capital Fertilizer Zambia Company Limited to single source the supply of 100,000

metric tones of D compound fertilizer at \$2, 100=00 per ton for FISP 2022/2023 season. The gentleman from state House and chance Kabaghe stand to pocket a total of \$10 million from United Capital Fertilizer company and information coming from the fertilizer company is that a down payment of \$2.5m million dollars has been paid to them, through marcopolo files company (a member of the IDC Group of Companies).

.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR

REPUBLIC OF ZAMBIA

S.C. Criminal no. 33

CASE NO.  
NPA CASE NO. D-4790/04-2024

IN THE SUBORDINATE COURT of the First class for the LUSAKA District, holden at LUSAKA, Before:  
Chief Resident Magistrate on the 25th day of April 2024 at 12:00 o'clock in the FORE noon.

THE PEOPLE versus: THOMAS ALLAN ZGAMBO

Full Name:	THOMAS ALLAN ZGAMBO
Residential Address:	LUSAKA, LUSAKA PROVINCE, ZAMBIA
Sex:	Male
Age:	50
Occupation:	JOURNALIST
Tribe:	TUMBUKA
Chief:	MAGODI
Village:	EMUSA
District:	LUNDAZI

Accused was served on the Summons dated  
Accused was arrested with Warrant on under Warrant dated  
Accused was arrested without Warrant on 30/11/2023  
Accused was released on bail on his own recognizance on

**CHARGE:**  
(If space insufficient, continue overleaf)

**COUNT:**

**Statement of Offence**

Seditious practice Contrary to Section 57(1)(c)  
ARW 60 (1) (e) & (f) of the Penal Code Chapter  
87 of the Laws of Zambia.

**Particulars of Offence**

THOMAS ALLAN ZGAMBO on 18th day of  
October 2023, at Lusaka in the Lusaka District  
of the Lusaka Province of the Republic of  
Zambia, did publish on social media namely  
Zambian whistle-blower that Government to  
feed Zambians [ SA] GMO mealie meal for the  
next 10 months dated 26th October 2023, in  
order to bring into hatred or contempt or to  
excite disaffection against the administration of  
justice in Zambia.

.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR

REPUBLIC OF ZAMBIA

S.C. Criminal no. 33

CASE NO.

NPA CASE NO. D-4790/04-2024

IN THE SUBORDINATE COURT of the First class for the LUSAKA District, holden at LUSAKA. Before:  
Chief Resident Magistrate on the 25th day of April 2024 at 12:00 o'clock in the FORE noon.

THE PEOPLE versus: THOMAS ALLAN ZGAMBO

Full Name: THOMAS ALLAN ZGAMBO  
Residential Address: LUSAKA, LUSAKA PROVINCE, ZAMBIA  
Sex: Male  
Age: 50  
Occupation: JOURNALIST  
Tribe: TUMBUKA  
Chief: MAGODI  
Village: EMUSA  
District: LUNDAZI

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Accused was served on the Summons dated

Accused was arrested with Warrant on under Warrant dated

Accused was arrested without Warrant on 30/11/2023

Accused was released on bail on his own recognizance on

**CHARGE:**  
(if space insufficient, continue overleaf)

**COUNT:**

**Statement of Offence**

Seditious practice Contrary to Section 57(1)(c) ARW 60 (1) (e) & (f) of the Penal Code Chapter 87 of the Laws of Zambia.

**Particulars of Offence**

THOMAS ALLAN ZGAMBO on 18th day of October 2023, at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, did publish on social media namely Zambian whistle blower that Government to feed Zambians | SA | GMO mealie meal for the next 10 months dated 26th October 2023, in order to bring into hatred or contempt or to excite disaffection against the administration of Justice in Zambia.

.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR

REPUBLIC OF ZAMBIA

S.C. Criminal no. 33

CASE NO.

NPA CASE NO. D-6897/10-2024

IN THE SUBORDINATE COURT of the First class for the LUSAKA District, holden at LUSAKA, Before:  
Chief Resident Magistrate on the 31st day of October 2024 at 09:00 o'clock in the FORE noon,

THE PEOPLE versus: THOMAS ALLAN ZGAMBO AND STEVEN ZIMBA

Full Name: THOMAS ALLAN ZGAMBO  
Residential Address: E 311 LUSAKA, LUSAKA, LUSAKA PROVINCE, ZAMBIA  
Sex: Male  
Age: 52  
Occupation: INVESTIGATIVE JOURNALIST  
Tribe:  
Chief:  
Village:  
District:

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Full Name: STEVEN ZIMBA  
Residential Address: MUSIO TUNYA ROAD CHALALA, LUSAKA, LUSAKA PROVINCE,  
ZAMBIA  
Sex: Male  
Age: 31  
Occupation: REISTRY CLERK  
Tribe:  
Chief:  
Village:  
District:

Accused was served on the Summons dated

Accused was arrested with Warrant on under Warrant dated

Accused was arrested without Warrant on 06/08/2024

Accused was released on bail on his own recognizance on

CHARGE:  
(if space insufficient, continue overleaf)

COUNT:

Statement of Offence

Seditious Practice Contrary to Section 57 as read with 60(1)(e) of the Penal Code Chapter 87 of the Laws of Zambia.

Particulars of Offence

THOMAS ALLAN ZGAMBO and STEVEN ZIMBA on the 28th day of July 2024 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together, using Zambia Whistle blower - ZWB Facebook page, did publish an article that "... It is for this reason that this evening we pose some questions to everyone including dictator Hichilema. It is common knowledge that Inkajjo Hichilema is linked to a company called African Life which also manages Saturnia Regus Pension Zambia a Pension Trust Company that owns a lot of properties in Zambia and beyond. The Government of Zambia which is headed by an executive President has under its structures the Zambia National Public Health Institute (ZNPHI) an Institute under the Government of Zambia which is not only funded by the Zambian Government but bilateral and multilateral Donors as well. Then the chief executive officer of the ZNPHI Institute also happens to be the special Assistant to the Republican President on Covid and Health in general. This Presidential Aid even drives a state house vehicle. Then you discover that the ZNPHI is renting offices along Addis Ababa Road in Lusaka which people tell you was constructed at former Coin Security Zambia offices and that Coin once belonged to late politician and businessman who was also founding president of the ruling party the UPND Anderson Mazoka and that the current Republican President is the Administrator of the Mazoka estate. Then someone tells you that actually the building ZNPHI is renting is owned

by Saturnia..” in order to raise discontent or  
disaffection among the people of Zambia.

.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR

REPUBLIC OF ZAMBIA

S.C. Criminal no. 33

CASE NO.  
NPA CASE NO. D-6897/10-2024

IN THE SUBORDINATE COURT of the First class for the LUSAKA District, holden at LUSAKA. Before:  
Chief Resident Magistrate on the 31st day of October 2024 at 09:00 o'clock in the FORE noon.

THE PEOPLE versus: THOMAS ALLAN ZGAMBO AND STEVEN ZIMBA

Full Name: THOMAS ALLAN ZGAMBO  
Residential Address: E 311 LUSAKA, LUSAKA, LUSAKA PROVINCE, ZAMBIA  
Sex: Male  
Age: 52  
Occupation: INVESTIGATIVE JOURNALIST  
Tribe:  
Chief:  
Village:  
District:

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Full Name: STEVEN ZIMBA  
Residential Address: MUSIO TUNYA ROAD CHALALA, LUSAKA, LUSAKA PROVINCE,  
ZAMBIA  
Sex: Male  
Age: 31  
Occupation: REISTRY CLERK  
Tribe:  
Chief:  
Village:  
District:

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Accused was served on the Summons dated  
Accused was arrested with Warrant on under Warrant dated  
Accused was arrested without Warrant on 06/08/2024  
Accused was released on bail on his own recognizance on

**CHARGE:**  
(if space insufficient, continue overleaf)

**COUNT:**

**Statement of Offence**

Seditious Practices Contrary to Section 57 as read with 60(1)(c) of the Penal Code Chapter 87 of the Laws of Zambia.

**Particulars of Offence**

THOMAS ALLAN ZGAMBO and STEVEN ZIMBA on the 28th day of July 2024 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, jointly and whilst acting together, using Zambia Whistle blower - ZWB Facebook page, did publish an article that " . It is for this reason that this evening we pose some questions to everyone including dictator Hichilema. It is common knowledge that Inkainde Hichilema is linked to a company called African Life which also manages Saturnia Regna Pension Zambia a Pension Trust Company that owns a lot of properties in Zambia and beyond. The Government of Zambia which is headed by an executive President has under its structures the Zambia National Public Health Institute (ZNPHI) an Institute under the Government of Zambia which is not only funded by the Zambian Government but bilateral and multilateral Donors as well. Then the chief executive officer of the ZNPHI Institute also happens to be the special Assistant to the Republican President on Covid and Health in general. This Presidential Aid even drives a state house vehicle. Then you discover that the ZNPHI is renting offices along Addis Ababa Road in Lusaka which people tell you was constructed at former Coin Security Zambia offices and that Coin once belonged to late politician and businessman who was also founding president of the ruling party the UPND Anderson Mazoka and that the current Republican President is the Administrator of the Mazoka estate. Then someone tells you that actually the building ZNPHI is renting is owned

by Saturnia... in order to raise discontent or  
disaffection among the people of Zambia,

.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR

D-4790/04 -2024

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REPUBLIC OF ZAMBIA

CASE No. 1 /2024 Of 2024.

IN THE SUBORDINATE COURT of the .....FIRST..... Class for the  
.....LUSAKA.....District, Holden at ..... LUSAKA.....Before: C. R. M.  
On the 24<sup>TH</sup> day of May, 2024 at 0900 hours in the fore noon

THE PEOPLE versus: THOMAS ALLAN ZGAMBO

Residential address: H/NO.....LUSAKA

Sex MALE.....

Age: 50 YEARS.....

Occupation: JOURNALIST.....

Tribe: TUMBUKA.....

Village: EMUSA.....

Chief: MAGODI.....

District: LUNDAZI.....

Accused was served on.....the Summons dated.....

Accused was arrested without Warrant on..... under Warrants dated.....

Accused was arrested without Warrant on ...30<sup>TH</sup> NOVEMBER, 2023

Accused was released on bail or on his own recognizance ori.....

COUNT 1

*(if space insufficient, continue overleaf)*

Statement of Offence: SEDITIOUS PRACTICE contrary to section 57 (1)(c) as read together with section 60(1)(e) of the penal code Chapter 87 of the Laws of Zambia.

Particulars of Offence: THOMAS ALLAN ZGAMBO on the 17<sup>th</sup> day of October 2023 at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, did publish on social media namely Zambia whistleblower that "Evidence shows ZNS Mealie meal is GMO" dated 17<sup>th</sup> October 2023 in order to raise discontent or disaffection among the people of Zambia.

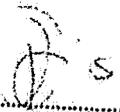
COUNT 2

Statement of Offence:

**SEDITIONOUS PRACTICE** contrary to section 57 (1)(c) as read together with section 60(1)(e) of the penal code Chapter 87 of the Laws of Zambia.

Particulars of Offence:

**THOMAS ALLAN ZGAMBO** on the 26<sup>th</sup> day of October 2023, at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, did publish on social media namely **Zambian whistleblower** that "**Government to feed Zambians [SA] GMO mealie meal for the next 10 months**" dated 26<sup>th</sup> October 2023 in order to raise discontent or disaffection among the people of Zambia.



.....  
SIGNATURE OF MAGISTRATE OR PUBLIC PROSECUTOR



IN THE SUBORDINATE COURT OF THE FIRST CLASS  
OF THE LUSAKA DISTRICT  
HOLDEN AT LUSAKA  
(Criminal Jurisdiction)

THE PEOPLE

VS

THOMAS ALLAN ZGAMBO

---

CONSENT TO PROSECUTE

---

WHEREAS, THOMAS ALLAN ZGAMBO stand charged with the following offences of **SEDITIONOUS PRACTICES** contrary to section 57(1) (c) read together with section 60(1) (e) of the Penal Code Chapter 87 of the Laws of Zambia.

**COUNT 1**

**STATEMENT OF OFFENCE:** seditious practice contrary to section 57(1) (c) read together with section 60(1) (e) of the Penal Code Chapter 87 of the Laws of Zambia.

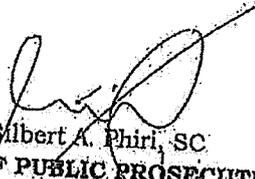
**PARTICULARS OF OFFENCE:** being that THOMAS ALLAN ZGAMBO, on the 17<sup>th</sup> October 2023, at Lusaka, in the Lusaka District of the Lusaka Province of the Republic of Zambia, did publish on social media namely Zambian whistleblower that "*Evidence shows ZNS Mealie meal is GMO*" dated 17<sup>th</sup> October 2023 in order to raise discontent or disaffection among the people of Zambia.

**COUNT 2**

**STATEMENT OF OFFENCE:** seditious practice contrary to section 57(1) (c) read together with section 60(1) (e) of the Penal Code Chapter 87 of the Laws of Zambia.

**PARTICULARS OF OFFENCE:** being that **THOMAS ALLAN ZGAMBO** on the 26<sup>th</sup> day of October 2023, at Lusaka, in the Lusaka District of the Lusaka Province of the Republic of Zambia, did publish on social media namely Zambian whistleblower that "**Government to feed Zambians [SA] GMO mealie meal for the next 10 months**" dated 26<sup>th</sup> October 2023 in order to raise discontent or disaffection among the people of Zambia.

**NOW, THEREFORE, I, GILBERT A. PHIRI, SC, DIRECTOR OF PUBLIC PROSECUTIONS,** for the Republic of Zambia, in exercise of the powers conferred upon me by Section 58 of the Penal Code Chapter 87 of the Laws of Zambia, do hereby give consent to prosecute **THOMAS ALLAN ZGAMBO** for the counts of **SEDITIONOUS PRACTICE** contrary to section 57(1) (c) read together with section 60(1) (e) of the Penal Code Chapter 87 of the Laws of Zambia.

  
Mr. Gilbert A. Phiri, SC  
**DIRECTOR OF PUBLIC PROSECUTIONS**

Dated at Lusaka this 23<sup>rd</sup> day of May 2024