

FRIDAY, 23 MARCH, 2018

MINISTERIAL STATEMENT

**THE OUTCOME OF THE NATIONAL VALIDATION MEETING FOR THE DRAFT
NATIONAL LAND POLICY**

The Minister of Lands and Natural Resources (Ms Kapata)

Madam Speaker, thank you very much for giving me this opportunity to make a ministerial statement to this august House on the outcome of the National Validation Meeting for the Draft National Land Policy which was held on Wednesday, 28th February, 2018, in Lusaka.

Madam Speaker, it is important to note from the onset that Zambia has not had a comprehensive National Land Policy since independence. Land administration and management has been guided by various pieces of legislation, administrative circulars, pronouncements and other guidelines.

An overall comprehensive policy framework is critical to effective and efficient land administration and management. It is for this reason, that in September 2015, Government through the Ministry of Lands and Natural Resources restarted the land policy making process which has stalled in 2006, on account of the Constitutional Review Process, whose outcomes were considered critical to guide land policy development.

Madam Speaker, an extensive consultation process was undertaken to ensure why stakeholder participation in the process was necessary. Ten provincial consultative meetings were held, stakeholders such as civil society, academia, subject experts, cooperating partners and ordinary citizens also formed part of the consultations. Three meetings were convened where the House of Chiefs was engaged, and in addition, a meeting was convened where three Parliamentary Committees were invited to provide comments on the draft document.

Following a careful analysis of various stakeholder comments, the draft document was revised accordingly to take on board the comments that would indeed improve the document and were

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seen to be line with the requirement of a policy document. Madam Speaker, it is important to emphasise that not each and every comment or suggestion provided could be taken on board. Those that had merits were considered and those without were not. This was done through careful analysis by a technical committee comprising technocrats from different line ministries.

Madam Speaker, the National Validation Meeting was, therefore, a culmination of this long consultative process. The purpose of convening the meeting was to promote dialogue and beneficiary participation in finalising the land policy making process, while the expected outcome was an endorsement in general of the draft policy measures subject to consideration of comments and clarification of issues raised in the meeting.

Present at the meeting were members of the House of Chiefs, represented by Chairperson of the House of Chiefs and two Chiefs from each province. In addition, stakeholders representing civil society, national provincial district and local government, cooperating partners, members of academic community and others were invited to participate in the validation.

Madam Speaker, the meeting started with presentation on the contents of the draft land policy. Where the policy proposed policy measures were presented in detail. Following the presentation, the Traditional Leaders were all given an opportunity to provide their comment and observations.

Individual Chiefs spoke and each of them expressed a sentiment that a draft policy document was not acceptable. The main reason cited was that it was proposing to take away powers from the Chiefs and did not indicate their roles, functions and place in land administration and management.

The Chairperson of the House of Chiefs was the last speaker who summarised the feedback from the Traditional Leaders with the conclusion that the House of Chiefs rejected the draft policy document mainly for the following reasons:

- (a) there was no mention of Chiefs in the draft policy document, thereby implying that the institution of chieftaincy was being abolished;

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- (b) the document was copied in exact form from the land policy in another country where Chiefs had no role in land administration and management;
- (c) none of the comments that were previously provided by the Traditional Leaders in their comprehensive submission of 8th September, 2016 had been taken on board in the current draft;
- (d) generally, the Traditional Leaders had not been consulted throughout the process; and
- (e) the Traditional Leaders did not understand how only twenty-two of them were invited to the National Validation Meeting when the country had 288 Chiefs.

Madam Speaker, the Chiefs, led by the Chairperson proceeded to walk out of the meeting without providing Government an opportunity to respond to the points raised by way of clarifying the matters raised and clearly pointing out how the draft policy document had actually addressed them.

It must be noted, Madam Speaker, that the ministry, led by myself, made an appearance before the House of Chiefs on the 11th of November, 2017, and the purpose of this meeting was to avail the draft policy document to the House and receive further comments prior to the National Validation Meeting.

The meeting was also intended to provide an opportunity for the Chiefs to make observations on how the revised draft had responded to the feedback raised in the meeting of May, 2016 and the comprehensive submission of 8th September, 2017. The meeting of 11th November, 2017 was positive and cordial, with the Chiefs indicating that the draft presented was an improvement from the previous draft shared in May, 2016.

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It was concluded that any further and specific comments and suggestions would be communicated in writing to the Ministry of Lands and Natural Resources for consideration. Having not received further written comments from the House of Chiefs following the November 2017 meeting, my ministry proceeded to plan for the National Validation Meeting.

Therefore, Madam Speaker, the reaction by the Traditional Leaders during the National Validation Meeting was saddening. To this end, the objective of validating the document with key stakeholders was not achieved.

Madam Speaker, despite this setback, my ministry remains committed to finalising this process, and shall continue to seek opportunities to engage with the Traditional Leaders who are key stakeholders to the process. I am positive that we shall engage in positive dialogue and iron out any misunderstandings that may have occurred so as to ensure that we collectively come up with a national land policy that shall stand the test of time and be a critical enabler of the socio-economic development of this our great country Zambia, under the leadership of His Excellency the President, Mr Edgar Chagwa Lungu.

Madam Speaker, I thank you.