



REPUBLIC OF ZAMBIA

**MINISTERIAL STATEMENT TO THE
NATIONAL ASSEMBLY
ON THE CONSTITUTIONAL MAKING PROCESS**

BY

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MINISTER OF JUSTICE**

MR SPEAKER

In our manifesto we promised the Zambian people that the Patriotic Front government would:

“Establish in consultation with stakeholders a Committee of Experts to review the recommendations of all previous Constitutional Review Commissions in order to present a constitution which will reflect the will and aspirations of the people”.

We went ahead to campaign on this expression of intent during the 2011 elections. As a party we were of the view and sincerely believed that through the four previous Constitutional Review Commissions, starting with the Chona Commission in 1972, the Mvunga Commission in 1991, the Mwanakatwe Commission and most recently the Mung’omba Commission, the Zambian people had spoken consistently and made it abundantly clear what is it they wanted then to see in their constitution. From our stand point all that remained as we saw it was the appointment of a small group of

experts solely for the purpose of reviewing and condensing these recommendations and drafting the constitution for enactment by parliament.

That, Mr Speaker, is the reason why this government, in consultation with other stakeholders proceeded to appoint a Technical Committee on Drafting the Constitution and not another Constitutional Review Commission.

MR SPEAKER

As far as we were concerned since the bulk of the work had already been undertaken by the previous Constitutional Review Commissions, we believed that it was possible for such a committee of experts to come up with a draft constitution within ninety days.

MR SPEAKER

As a Party, we did recognize the fact that the government was only one of the many stakeholders in the constitutional making process.

Moreover, Mr Speaker, we were mindful of the fact that previous attempts at constitutional making in Zambia had eluded the Zambian people principally because the governments in power then had taken the driving seat. The Patriotic front government this time around did not want to tread the same parochial path and fall in the same pitfall which went against the expectations of our people.

MR SPEAKER

We wanted to be fair to the Zambian people by ensuring that under our watch as government, the constitutional making process this time would not only be people driven but be seen to be people driven without any modicum of interference from the government.

MR SPEAKER

At the risk of repeating myself, I wish to stress that although we as Patriotic Front believed that the constitution could be delivered within ninety (90) days, we left the entire process to the Technical Committee to draw their programme of work.

Since we viewed ourselves as only a stakeholder it was not our intention to dictate the pace of the process lest we be accused of manipulating the process. There is no doubt Mr Speaker, that had we insisted or prevailed on the Technical Committee to draft the constitution within ninety (90) days the other stakeholders would have been the first to accuse us of attempting to manipulate the process.

MR SPEAKER

Be that as it may, we did ensure that the constitution making process got underway within ninety (90) days of our assuming office but the entire programme of work and its pace were left to the stakeholders through the Technical Committee to determine ultimately.

In this regard, the Technical Committee decided that it would further consult the people by holding district and provincial conventions and finally the national convention in April, 2013.

MR SPEAKER

Members of the public and some groups of stakeholders have in the recent week expressed anxiety about the progression of the on-going constitutional making process. We have now agreed that the Technical Committee will wind up its programme of work within the approved 2013 budgetary provision without any supplementary budget. The Committee will, therefore, work expeditiously with the Drafting Team to ensure this winding up process within a reasonable period of time.

Mr Speaker, let me conclude by reiterating that the Patriotic Front government is fully committed to a people driven constitution.

I thank you.