REPUBLIC OF ZAMBIA

PRESS RELEASE

TERMS OF REFERENCE FOR THE TECHNICAL COMMITTEE ON AMENDMENTS TO THE CONSTITUTION OF ZAMBIA, 2025

The Government of the Republic of Zambia has constituted a **Technical Committee on Constitutional Amendments** to undertake a consultative and inclusive process of reviewing provisions of the Constitution of Zambia that may require reforms. This process is intended to strengthen constitutional democracy, enhance citizen participation, and ensure that the supreme law of the land reflects the aspirations, diversity, and evolving governance needs of the Zambian people.

The public is hereby informed of the Terms of Reference for the Technical Committee as follows:

1. PURPOSE OF THE COMMITTEE

The primary purpose of the Technical Committee is to consult the people of Zambia and to review, and benchmark best constitutional practices from within and outside Zambia and to propose amendments to the Constitution with a view to consolidate democracy and constitutionalism, enhance equitable and balanced representation and distribution of resources across the Republic and to promote inclusivity, accountability, and effective representation in governance systems and structures.

2. SCOPE OF WORK AND DELIVERABLES OF THE COMMITTEE

The Committee shall:

2.1 Facilitate **nationwide consultations** with citizens, civil society, political actors, religious and traditonal leaders, professional bodies, and all key stakeholders to gather views on proposed constitutional amendments.

2.2 Conduct a **technical and legal review** of relevant constitutional provisions in light of the submissions received, comparative practices, and constitutional principles.

2.3 Draft **proposed constitutional amendments** and provide justifications for each proposal.

2.4 Draft a report on the overall findings of the work of the Technical Committee and make recommendations.

2.5 Ensure that all recommendations are guided by the principles of **democracy, good governance, inclusivity, and national unity**.

3. TERMS OF REFERENCE

In order to amend the Constitutional provisions that have a bearing on the political, economic and social development of the country, the Technical Committee's specific Terms of Reference are as follows: -

3.1 Receive submissions from the people of Zambia with respect to provisions relating to the electoral process and the electoral system as a whole, and specifically provisions relating to:

3.1.1 The delimitation and delineation of Constituencies and Wards with a view to ensure fair, equitable and balanced representation and distribution of resources across the Republic.

3.1.2 The promotion and enhancement of effective participation of Women, Youths and persons with diabilities in elective positions and governance institutions in accordance with the principles of inclusivity, equality and equity.

3.1.3 By-elections, considering various factors such as the cost of by-elections.

3.1.4 The number of nominated Members of Parliament.

3.1.5 The filing in of fresh nominations after the resignation of a candidate in Presidential, Parliamenatry and local government elections.

3.1.6 Transitional and statutory mechanisms with a view to ensure predictability and clarity in the term of office of all elected respresentatives.

3.2 Receive submissions from the people of Zambia with respect to provisions of the Constitution relating to the term of Member of Parliament and office of Minister.

3.3 Receive submissions from the people of Zambia with respect to provisions of the Constitution relating to the hearing of Presidential, Parliamentary and local government election Petitions with a view to enhance the adminstration of justice in such election Petitions.

3.4 Receive submissions from the people of Zambia with respect to the composition of local governement and the tenure of office of local government officials.

3.5 Receive submissions from the people of Zambia with respect to the definition of *Youth, Child* and *Adult.*

3.6 Receive submissions from the people of Zambia with respect to Constitutional Office holders, specifically the tenure of office of Attorney General and Solicitor General, and the qualifications of the Secretary to the Cabinet.

3.7 Receive submissions from the people of Zambia with respect to provisions of the Constitution that are connected or incidental to the above areas.

4. Guiding Principles and Values

In the exercise of its duties, the Technical Committee shall be guided by Article 8 and Article 198 (d) of the Constitution with emphasis on:

a) Morality and ethics;
b) Patriotism and national unity;
c) Democracy and constitutionalism;
d) Human rights, equality, social justice and non-discrimination;
e) Good governance and integrity;
f) Sustainable development; and
g) Prudent and responsible use of public resources.

In the process of receiving submissions at National, Provincial and District levels, and drafting the Constitutional amendments, the Technical Committee shall observe, apply and cause to be observed and applied, the following policy guidance:

a) Efficiency and cost-effectiveness;
b) Accountability and responsibility to the People of Zambia; and
c) Confidence-building, trust and developing national consensus for the Constitutional amendment process.

5. Methodology

5.1 Conduct literature review in relation to the specific Terms of Reference.

5.2 Consult with local and international experts on Constitutional Law and Practice.

5.3 Consult with local stakeholders and citizens at Provincial And District levels.

5.4 Review the Reports and draft Constitutions of previous Constitutional Review Commissions, Technical Committee, National Constitutional Conference, and Electoral Reforms Committees with regard to the specific terms of reference.

5.5 To review and benchmark the progressive Constitutional provisions of other countries that are suitable comparators to the Republic of Zambia, taking into consideration the context, design and purpose of their Constitutions, the values and principles enshrined therein and, the vision and ideals reflected in those Constitutions as it relates to the specific Terms of Reference.

The Government of the Republic of Zambia wishes to encourage the citizens across the breadth of the country to make submissions to the Technical Committee and participate in the process.

Original Signed

By

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SECRETARY TO THE CABINET

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