



REPUBLIC OF ZAMBIA

MINISTRY OF JUSTICE

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# PROPOSED ROADMAP FOR THE FINAL PHASE OF THE CONSTITUTION REVIEW PROCESS

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*Date of Release: 13<sup>th</sup> January 2015*

### FINAL PHASE OF THE CONSTITUTION REVIEW PROCESS

| No.         | Activities   | No. of Days | Responsibility                           | Tentative Time frames                                   |
|-------------|--|-------------|--|---|
| <b>1.0.</b> | <b>Institutional Set Up and Preliminaries</b>  |             |  |   |
| 1.1.        | Prepare Terms of Reference for the Constitution Implementation Team (CIT) – a small but representative Constitution Implementation Team to oversee the final phase   | 2           | Ministry of Justice                      | 12 – 13 January 2015                                    |
| 1.2.        | Draft Bill to protect and guide the remaining phases of constitution review process. Draft Bill will highlight the composition and functions of the Constitution Implementation Team                               | 3           | Ministry of Justice                      | 14-16 January 2015                                      |
| 1.3.        | Finalise the printing of copies of the Interim Final Draft Constitution and Interim Final Report for wide distribution to the public   | 14          | Government printers /Ministry of Justice | 27 Jan – 8 February 2015                                |
| 1.4.        | Continue with the distribution of the Interim Final Draft Constitution and Interim Final Report to all parts of the country, working with different stakeholders including the Church, NGOs, Parliamentarians etc. | 30          | CIT/ Ministry of Justice                 | 11 Feb- 10 March 2015 (on an on-going basis thereafter) |
| 1.5.        | Facilitate consideration of Draft Bill to protect and guide the remaining process by Cabinet   | 3           | Minister of Justice / Cabinet Office     | 9 -11 February 2015                                     |
| 1.6.        | Table Draft Bill for consideration and debate by the National Assembly   | 7           | Ministry of Justice                      | 17 -24 February 2015                                    |
| 1.7.        | Appoint a small but representative Constitution Implementation Team / Secretariat to oversee the final phase following the enactment of the Bill by Parliament   | 1           | Ministry of Justice                      | 27 February 2015  |
| 1.8.        | Prepare work plan and budget for the remaining phase of the constitution making process  | 5           | CIT / Ministry of Justice                | 3 – 7 March 2015  |
| 1.9.        | Publish Guidelines for Public Validation process on the Final Draft Constitution   | 7           | CIT / Ministry of Justice                | 2 -10 March 2015  |
| 1.10.       | Prepare communication and advocacy strategy for the public validation process  | 2           | CIT                                      | 10 – 11 March 2015                                      |

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|-------------|--|-------------|--|--------------------------|
| <b>2.0.</b> | <b>Public Engagement and Consensus Building</b>  |             |  |                          |
| 2.1.        | Identify and appoint an independent group of eminent persons to spearhead the consensus building process | 2           | CIT/Ministry of Justice                    | 16 – 17 March 2015       |
| 2.2.        | Hold orientation workshop for independent group of eminent persons                                       | 3           | CIT/Ministry of Justice                    | 22 – 24 March 2015       |
| 2.3.        | Facilitate public sensitisation on the Interim Final Draft constitution and report                       | 30          | CIT  | 20 March – 19 April 2015 |
| 2.4.        | Hold consensus building meetings with relevant stakeholders to arrive at a commonly accepted document    | 45          | CIT / Independent Group of Eminent Persons | 27 March -10 May 2015    |
| 2.5.        | Receive public comments and reactions to the Interim Final constitution and Interim Final Report         | 60          | CIT  | 20 March – 20 May 2015   |
| 2.6.        | Review and analyse comments received from members of the public and experts                              | 12          | CIT  | 25 May – 6 June 2015     |
| 2.7.        | Prepare Final draft constitution and Final Report to accompany the constitution                          | 45          | CIT  | 15 Jun – 31 Jul 2015     |

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| No.         | Activities   | No. of Days | Responsibility                                    | Tentative Time frames     |
|-------------|--|-------------|---|---------------------------|
| <b>3.0.</b> | <b>Referendum Process</b>  |             |   |                           |
| 3.1.        | Facilitate the Presidential appointment of a Referendum Commission   | 1           | Minister of Justice /<br>Republican President     | 12 February 2015          |
| 3.2.        | Hold an experts planning workshop to consider different technical solutions for establishing an electoral college for the referendum | 45          | CIT / Ministry of Justice                         | 16 March - 15 May 2015    |
| 3.3.        | Draft amendments to the Referendum Act   | 5           | Ministry of Justice                               | 23 - 27 March 2015        |
| 3.4.        | Consideration of the amendments to the Referendum Act by Cabinet   | 2           | Secretary to the Cabinet /<br>Ministry of Justice | 9 April and 13 April 2015 |
| 3.5.        | Facilitate consideration of the amendments to the Referendum Act by the National Assembly  | 10          | Ministry of Justice                               | 9 - 19 June 2015          |
| 3.6.        | Prepare work plan and budget for the referendum process  | 10          | Referendum Commission                             | 25 June - 4 July 2015     |
| 3.7.        | Hold consultative meetings with Civil Society, professional bodies, the Church and political parties                                 | 5           | Referendum Commission                             | 13 - 17 July 2015         |
| 3.8.        | Hold media training workshops throughout the country   | 30          | Referendum Commission                             | 22 July - 30 August 2015  |
| 3.9.        | Facilitate public sensitization and awareness on the referendum and its modalities   | 120         | Referendum Commission                             | 1 Sept - 31 Dec 2015      |
| 3.10.       | Facilitate preparation of the voters roll taking into account the agreed upon voting age population                                  | 90          | Referendum Commission                             | 1 Oct - 31 Dec 2015       |
| 3.11.       | Draft the Constitution of Zambia Bill  | 5           | Ministry of Justice                               | 10 - 14 Aug 2015          |
| 3.12.       | Present the Constitution of Zambia Bill and the Final Draft constitution to Parliament for first reading                             | 2           | Minister of Justice                               | 20 - 21 Oct 2015          |

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|-------------|---|-------------|-----------------------|-----------------------|
| <b>3.0.</b> | <b>Referendum Process</b>   |             |                       |                       |
| 3.13.       | Publication of the Final Draft Constitution in the Government Gazette   | 30          | Ministry of Justice   | 27 Oct – 30 Nov 2015  |
| 3.14.       | Hold National Referendum  | 1           | Referendum Commission | 21 January 2016       |
| 3.15.       | Compile results and officially declare the results of the National Referendum   | 7           | Referendum Commission | 22 – 27 January 2016  |
| 3.16.       | Second and Third Reading of the Constitution Amendment Bill after the Referendum during the 1 <sup>st</sup> legislative session of 2016 | 12          | National Assembly     | 9 – 26 February 2016  |

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### FINAL PHASE OF THE CONSTITUTION REVIEW PROCESS

| No.         | Activities  | No. of Days | Responsibility | Time Frame                |
|-------------|---|-------------|----------------|---------------------------|
| <b>4.0.</b> | <b>Preparation of Consequential legislation</b>   |             |                |                           |
| 4.1.        | Consideration of consequential Legislation <ul style="list-style-type: none"> <li>• review of Final Draft Constitution and written laws to determine extent of consequential legislation to be drafted</li> <li>• create a schedule of legislation to be drafted immediately and over period of time</li> </ul>   | 7           | Draftspersons  | 17 -23 Aug 2015           |
| 4.2.        | Drafting of immediate legislation to accompany the Constitution and Constitution of Zambia Act, including the following: <ul style="list-style-type: none"> <li>• Electoral Acts and Regulation (National and Local Government)</li> <li>• Acts establishing Commissions</li> <li>• Local Government Bill</li> <li>• Public Protector Bill</li> <li>• Budget Bill</li> <li>• Public Audit Bill</li> <li>• Public Finance Bill</li> <li>• National Assembly (Powers and Privileges) Bill</li> <li>• Judicature Bill</li> <li>• Constitutional Court Bill</li> <li>• Court of Appeal Bill</li> <li>• Judicial (Code of Conduct) Bill</li> </ul> | 120         | Draftspersons  | 1 Sept 2015 – 31 Dec 2015 |
| 4.3.        | Consideration of draft consequential legislation by the National Assembly   | 45          | Draftspersons  | 9 Feb – 29 March 2016     |