



Joint Civil Society Organisation Statement on Constitutional Reforms in Zambia – 17th July 2025

We, the undersigned Civil Society Organisations, convened on the 14th and 15th of July 2025 to deliberate on the recent developments on the matter of constitutional reforms in Zambia. Our convening followed an engagement meeting with the President, Mr Hakainde Hichilema, on this subject. While we commend the President's guidance, which has prompted the deferment of the Constitution of Zambia (Amendment) Bill No. 7 by the Ministry of Justice, our considered view is that the deferment of the Bill is not enough to align the process with the Constitutional Court's judgment, which declared the government's initiation of the constitutional amendment process without extensive prior consultations with the Zambian people to be unconstitutional. The Court unequivocally mandated that any constitutional review must adhere to the spirit of the Constitution, requiring a people-driven process led by an independent body of experts.

The Constitutional Court's ruling is categorical: the decision to initiate the amendment process leading to Bill 7 was unconstitutional. This finding strikes at the very foundation of the Bill, rendering it irredeemably tainted. Suggestions that post hoc consultations could remedy this fundamental defect are disingenuous and undermine the principles of constitutionalism, the rule of law, and democratic governance. An inherently unconstitutional process cannot be cured by adjustments; it is void ab initio. Bill 7, as a product of an unconstitutional decision, cannot serve as a legitimate vehicle for constitutional reform. To persist with it would be to subvert the judiciary's authority and erode public confidence in the constitutional order.

A constitutional review process is not merely procedural; it is the bedrock upon which legitimate content is constructed. The process shapes not only the final text of a constitution but also the framing of the issues and challenges it seeks to address. A robust, inclusive, and transparent process ensures that the objectives of constitutional reform are met by anchoring the exercise in the collective will of the people. It guarantees that the resulting framework reflects the nation's aspirations and safeguards the democratic ideals enshrined



within it. A flawed process, conversely, produces a flawed outcome, undermining the legitimacy and durability of the constitutional order. A legitimate constitutional review must begin with a clear, participatory framing of the issues, not a pre-determined agenda imposed by those in power.

We call for the immediate withdrawal of Bill 7 and the initiation of a genuine, people-centered constitutional review process. A people-centered process prioritises the active participation of citizens at every stage, from agenda-setting to final adoption. It is transparent, ensuring that all relevant information is accessible to the public. It is accountable, with clear mechanisms to ensure that the process reflects the will of the people rather than the interests of a select few. It is inclusive, embracing diverse voices from across Zambia's social, economic, and political spectrum, including marginalised communities, women, youth, and persons with disabilities. Finally, given the inherent risks that constitutional review poses, it should be independent, led by a credible body free from political influence, ensuring impartiality and fidelity to the public interest. To this end, the government must start by making public all previous constitutional review reports, including the Delimitation Report of 2019 and other governance reform proposals. These documents are indispensable for a people-driven process, as they provide a historical and analytical foundation for identifying the challenges facing Zambia's constitutional framework. Access to this information empowers citizens to frame the issues authentically, ensuring that the reform process addresses the root causes of governance challenges rather than superficial symptoms.

Following the dissemination of these reports, the government must facilitate a national dialogue to forge a joint vision for constitutional reform. This vision should serve as the lodestar for the process, guiding both the procedural framework and the substantive content of the reforms. Such a dialogue must be inclusive, structured, and deliberative, allowing Zambians to articulate their aspirations for a constitutional order that reflects their democratic values and governance priorities.

The undersigned CSOs have long advocated for comprehensive constitutional reforms to consolidate democratic governance in Zambia. Zambia's current constitutional framework,



heavily influenced by colonial centralisation, entrenches power imbalances that stifle inclusive governance. The excessive concentration of authority in the executive, coupled with weak checks and balances, undermines accountability and perpetuates systemic inefficiencies. Piecemeal reforms, such as those proposed in Bill 7, tend to entrench these imbalances, addressing symptoms rather than causes and perpetuating Zambia's governance challenges. Comprehensive reforms are therefore essential to recalibrate Zambia's power structures and foster a governance model that is participatory, equitable, and responsive to the needs of its people. Such reforms must address critical areas, including the separation of powers, the independence of key institutions such as the judiciary and electoral bodies, devolution of authority to local levels, and the protection of fundamental rights and freedoms. Only a holistic review can dismantle the vestiges of colonial centralisation and establish a constitutional framework that promotes inclusive and sustainable development.

Zambia's constitutional history is marred by missed opportunities and piecemeal reforms that have entrenched executive dominance, weakened accountability, and stifled democratic consolidation. President Hakainde Hichilema and his administration stand at a pivotal juncture in Zambia's constitutional history. Unlike predecessors who may have approached constitutional reforms through narrow, often partisan lenses, the President has the opportunity to distinguish himself as a leader who heeds the long-standing cries of the Zambian people. By championing a transparent, inclusive, and people-driven constitutional review, the President can cement his legacy as the architect of a legitimate, enduring constitution—one that unites the nation and withstands the test of time. Such a constitution would not only reflect the democratic aspirations of Zambians but also serve as a beacon of good governance for the region.

We, the undersigned CSOs, resolutely oppose both the process and content of Bill 7. A constitutional review predicated on limited consultation, transparency, and accountability cannot yield a framework that advances democracy, good governance, or accountability. The interconnected nature of governance and power necessitates a comprehensive, rather than fragmented, approach to reform. Piecemeal amendments, such as those proposed in



Bill 7, risk exacerbating divisions and entrenching existing inequities, contrary to the unifying purpose of constitution-making.

Constitution-making should be a unifying endeavour, fostering national cohesion and consensus. Persisting with a divisive process and content, as exemplified by Bill 7, is antithetical to the aims of constitutional reform. A constitution born of exclusion and opacity cannot command the legitimacy required to serve as the foundation of Zambia's democratic order. The undersigned CSOs will only support a constitutional review process that adheres to the highest standards of democratic practice. Such a process must be:

Citizen-Centered: Prioritising the active participation of Zambians in defining the scope, process, and content of the reforms.

Participatory: Ensuring meaningful engagement of all stakeholders, including marginalised groups, through accessible and inclusive platforms.

Transparent: Providing full disclosure of all relevant information and ensuring that the process is conducted openly.

Accountable: Establishing clear mechanisms to ensure that the process reflects the will of the people and is free from undue influence.

Independent: Led by a credible, impartial body insulated from political interference.

Consensus-Driven: Fostering national dialogue to build agreement on the vision and objectives of the reform process.

We stand ready to collaborate with all stakeholders to ensure that Zambia achieves a constitutional framework that consolidates democratic governance, fosters national unity, and secures a prosperous future for all. We further take this opportunity to inform the nation that civil society will launch the “Constitution we Want Campaign” in the coming days to outline its key objectives in partnership with other like minded coalitions to ensure a national consensus on the process of delivering a constitution that is fit for purpose for the Zambian people.





Josiah Kalala (Mr)

Executive Director

Chapter One Foundation

Signed on and behalf of the Undersigned Civil Society Organisations:

1. ActionAid Zambia
2. Advocates for Democratic Governance Foundation
3. Alliance for Accountability Advocates Zambia
4. Alliance for Community Action
5. Bloggers of Zambia
6. Chapter One Foundation
7. Christian Churches Monitoring Group
8. Civil Society for Poverty Reduction
9. Disability Rights Watch
10. Free Press Initiative
11. Jesuit Centre for Theological Reflection
12. Law Association of Zambia
13. MISA Zambia
14. Muchinga Corridors
15. Nakonde Forum for Persons with Disabilities
16. Nakonde Human Rights Defenders Network
17. Non-Governmental Gender Organisations' Coordinating Council
18. Operation Young Vote
19. PANOS Institute Southern Africa
20. People's Action for Accountability and Good Governance Zambia
21. Transparency International Zambia
22. Zambia Council for Social Development