



# Zambia

## KEY FACTS

Joined Commonwealth:	1964
Population:	13,089,000 (2010)
GNI p.c.:	US\$1,070 (2010)
UN HDI 2011:	world ranking 164

## Geography

Area:	752,614 sq km
Coastline:	none
Capital:	Lusaka

Zambia is a landlocked, fertile and mineral-rich country on the Southern African plateau. It is bordered by: (clockwise from the north) the United Republic of Tanzania, Malawi, Mozambique, Zimbabwe, Botswana, Namibia (via the Caprivi Strip), Angola and the Democratic Republic of Congo.

The country comprises ten provinces (from south to north): Southern, Western, Lusaka, Central, Eastern, North-Western, Copperbelt, Northern, Muchinga (whose creation was announced in October 2011) and Luapula.

## Constitution

Status:	Republic with executive president
Elections organisation:	Electoral Commission of Zambia
Legislature:	Parliament

The 1996 constitution provides for an executive president, who is head of state and commander-in-chief of the armed forces. The president is limited to a maximum of two five-year terms. The vice-president and the cabinet are appointed by the president from the National Assembly. The cabinet is responsible for formulating policy and for advising the president on policy. It is accountable to the National Assembly.

The legislative powers of the republic are vested in parliament, which consists of the president and the National Assembly, whose 150 members are elected every five years from single-member constituencies. The president has the power to nominate eight special members of the National Assembly, five of whom can serve in the cabinet.



Both the president and the National Assembly are elected by universal adult suffrage. The election regulations are drawn up by an Electoral Commission, which may also prescribe and review the limits of constituency boundaries. The constitution contains a bill of rights, setting out the fundamental rights and freedoms of the individual, and providing protection from discrimination on the grounds of race, tribe, gender, place of origin, marital status, political opinions, colour or creed.

The most controversial of the recommendations of the draft report of the National Constitutional Conference, published in July 2009, concerned limiting the powers of the president and changing the basis of presidential elections so that presidents are elected by at least 50% of the electorate, rather than the simple majority required by the 1996 constitution, thus introducing the potential for multiple rounds of voting. Supporters of this change believed that this would strengthen the prospects of a fragmented opposition, while detractors argued it would increase the cost of elections.

## Judicial system

Supreme court:	Supreme Court of Zambia
Ministry:	Justice



## Office of the Attorney General, Zambia

# Making the Judiciary accountable

The position of Attorney General is that of public office and is appointed by the President, subject to ratification by Parliament.

The person appointed Attorney General should not be an appointed Minister or hold any other public office.

The Attorney General is required to be:

- an ex-officio member of the Cabinet
- a person qualified to be appointed a Judge of a superior court

### Functions

- the signing of all Government Bills to be presented to the National Assembly
- being the principal legal adviser to the Government
- representing the Government in the courts or any other legal proceedings to which Government is a party
- any other functions assigned to the Attorney General by the President or by any other law

The Attorney General is entirely independent from any political influence and is therefore not subject to the direction or control of any other person or authority.

The Attorney General is also a member of the Judicial Service Commission, Chairperson of the Anti-Money Laundering Authority, Chairperson of the Council of Legal Education and Chairperson of the Legal Practitioners' Disciplinary Committee. He is also the competent authority for mutual legal assistance in criminal matters and extradition.

### Contact

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### Judicial independence and judicial accountability must be sufficiently balanced so as to strengthen judicial integrity for effective judicial impartiality.

*An extract from Attorney General Mumba Malila's speech when he officially opened the Law Association of Zambia Conference on 26 April 2012 at Zambezi Sun Hotel, Livingstone.*

The constitution provides for independence of the judiciary. The Supreme Court and the High Court are both presided over by the chief justice. The Supreme Court is the constitutional court and the final court of appeal. The High Court has unlimited civil and criminal jurisdiction and appellate jurisdiction in respect of appeals from the lower courts.

The subordinate courts are magistrates' courts and have limited jurisdiction in civil and criminal cases. The local courts are only concerned with cases of customary law and very minor criminal matters. Other courts include the Industrial Relations Court and small claims courts.

Judges of the Supreme Court and High Court are appointed by the President on the advice of the Judicial Service Commission, subject to ratification by the National Assembly. Judges have tenure of office until they retire.

### Government and politics

Last elections:	September 2011 (presidential and legislative)
Next elections:	2016 (presidential and legislative)
Head of state:	President Michael Sata
Head of government:	the president
Ruling party:	Patriotic Front

In May 2001 Vice-President Christon Tembo and more than 80 senior members of the Movement for Multiparty Democracy (MMD) left the party to form the Forum for Democracy and Development (FDD). Since, under the 1996 constitution, Frederick Chiluba could not stand for a third term of office and he was unable to muster enough support for constitutional change, Levy Patrick Mwanawasa was chosen in August as MMD's candidate for the 2001 presidential election, the third since the restoration of multiparty politics in July 1990.

In a very close contest and with only 29% of the votes Mwanawasa won the December 2001 presidential election, Anderson Mazoka of the United Party for National Development (UPND) came second with 27%, Tembo (FDD) secured 13%, Tilyenji Kaunda (United National Independence Party – UNIP) 10% and Ben Mwila (Republican Party) 5%. In the simultaneous general election the MMD won 69 seats, the UPND 49, UNIP 13 and the FDD 12, but, even with its eight nominated members, the MMD was short of an absolute majority. The opposition was, however, fragmented and during 2003 Mwanawasa encouraged further fragmentation by bringing several individual opposition members into positions in his government.

In a fiercely contested presidential election in September 2006, Mwanawasa won a second term substantially increasing his share of the votes to 43%. Michael Sata of the Patriotic Front came second with 29% of the votes;

Hakainde Hichilema of United Democratic Alliance came third with 25%. In the simultaneous parliamentary elections Mwanawasa's MMD gained 72 seats and with the eight nominated members a narrow overall majority over the Patriotic Front (46 seats) and the United Democratic Alliance (27).

President Levy Mwanawasa suffered a stroke in June 2008 and died in August of that year. Vice-President Rupiah Banda became acting president in June 2008 and was sworn in as president in November, shortly after he won the October 2008 presidential by-election with 40.6% of votes. He defeated Sata of the Patriotic Front (38.6%) and Hichilema of the UPND (20%). Turnout was 45%.

Presidential, parliamentary and local elections were held on the same day in September 2011. Michael Sata (Patriotic Front) won the presidential election, securing about 43% of the votes cast; the incumbent Banda (MMD) took about 36% and Hichilema (UPND) about 18%. In the parliamentary elections the Patriotic Front won 60 seats, MMD 55 and UPND 28. A Commonwealth observer group led by former Nigerian president General Yakubu Gowon affirmed that the elections represented further progress for Zambia in strengthening its democratic processes and that voters were able to express their will freely.

## Local government

Ministry:	Local Government
Association:	Local Government Association of Zambia

Local government is provided for by the Local Government Act 1991 and the Local Government Elections Act 1992, and it is enshrined in Part 8 of the constitution. The Ministry of Local Government is responsible for local government, which comprises four city councils, 14 municipal councils and 55 district councils. Local elections are held every five years.

The local authorities have revenue-raising powers, as well as receiving transfers from national government. They are responsible for a range of infrastructure and services, including policing; water and sanitation; fire services; roads; and agricultural support services.

## National development plan

The National Long Term Vision 2030, Zambia's first long-range plan, was launched in December 2006, following a broad national consultation process. This expresses the aspirations of Zambians to be realised by the year 2030, while the concurrent five-year plan and annual budgets set out shorter-term targets for the achievement of these aspirations. The current plan is the Sixth National Development Plan (2011–2015).

The vision is to become a prosperous middle-income country by the year 2030, underpinned by the principles of

gender-responsive sustainable development; democracy; respect for human rights; good traditional and family values; a positive attitude to work; peaceful coexistence; and public–private partnerships.

## Policy

The principal goals of Vision 2030 are a common and shared destiny, united in diversity, equitably integrated and democratic in governance; and devolved political systems and structures.

The Vision presents three development scenarios, namely 'baseline', 'preferred' and 'optimistic'. The socio-economic development objectives enshrined in the preferred scenario were:

- annual real growth of at least 6% during 2006–10, 8% 2011–15, 9% 2016–20, and 10% 2021–30
- annual inflation rate of less than 5%
- the proportion of the national population living in poverty reduced to less than 20%
- income inequalities measured by a Gini coefficient reduced to less than 40
- access to an improved water source and adequate sanitation facilities delivered to 100% of the population
- education for all
- equitable access to quality health care for all.

The priorities of the Sixth National Development Plan (2011–2015) are to:

## Governance institutions

Electoral Commission of Zambia:  
[www.elections.org.zm](http://www.elections.org.zm)

Parliament: [www.parliament.gov.zm](http://www.parliament.gov.zm)

Judiciary: [www.judiciary.gov.zm](http://www.judiciary.gov.zm)

Governance Secretariat: [www.governance.gov.zm](http://www.governance.gov.zm)

Anti-Corruption Commission: [www.acc.gov.zm](http://www.acc.gov.zm)

Office of the President: [www.statehouse.gov.zm](http://www.statehouse.gov.zm)

Office of the Auditor-General:  
[www.auditorgeneral.gov.zm](http://www.auditorgeneral.gov.zm)

Ministry of Commerce, Trade and Industry:  
[www.mcti.gov.zm](http://www.mcti.gov.zm)

Local Government Association of Zambia: [www.lga-zambia.org.zm](http://www.lga-zambia.org.zm)

Bank of Zambia: [www.boz.zm](http://www.boz.zm)

Lusaka Stock Exchange: [www.luse.co.zm](http://www.luse.co.zm)

Zambia Bureau of Standards: [www.zabs.org.zm](http://www.zabs.org.zm)

Securities and Exchange Commission:  
[www.sec.gov.zm](http://www.sec.gov.zm)

- accelerate infrastructure development, economic growth and diversification
- promote rural investment and accelerate poverty reduction and enhance human development.

## Governance

Leading governance bodies include the Governance Secretariat; Office of the Auditor-General; and Anti-Corruption Commission.

Good governance is seen as essential to ensuring that development outcomes benefit all Zambians. The focus during the current five-year plan period is on building capacity in and decentralisation of the governance institutions.

Other governance objectives and initiatives include incorporation of the provisions of the international human rights instruments into domestic law; implementation of parliamentary reforms; the Access to Justice Programme; the National Anti-Corruption Policy; and the African Peer Review Mechanism National Plan of Action.

The Anti-Corruption Commission was established in 1980. It has been given more teeth over the years and derives its present mandate from the 2012 Anti-Corruption Act. The Commission is the lead institution in the fight against corruption; it establishes corruption-prevention mechanisms; it investigates and prosecutes suspected offenders; and it raises public awareness through community education programmes.

## Further information

Zambia Online: [www.zambia.co.zm](http://www.zambia.co.zm)

Commonwealth Secretariat:  
[www.thecommonwealth.org](http://www.thecommonwealth.org)

Commonwealth Governance:  
[www.commonwealthgovernance.org](http://www.commonwealthgovernance.org)