



ZAMBIA CONFERENCE OF CATHOLIC BISHOPS (Z.C.C.B)

CATHOLIC SECRETARIAT

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ZCCB STATEMENT

ON THE ONGOING DEBATE AROUND THE REVISED CONSTITUTION OF ZAMBIA (AMENDMENT) BILL NO. 7 OF 2025 AND THE APPOINTMENT OF NEW SUPERIOR COURTS JUDGES.

"Speak for those who cannot speak for themselves; ensure justice for those being crushed"

(Proverbs 31,8)

Dear brothers and Sisters in Christ and all people of good will.

We greet you in the name of our Lord Jesus Christ.

Preamble.

1. We, the undersigned, members of the Zambia Conference of Catholic Bishops (ZCCB), wish to add our voice to the ongoing debate in our country regarding the Government's intentions to re-introduce before the floor of the National Assembly of Zambia the Constitution of Zambia (Amendment) Bill No. 7 of 2025 and on the issue of the process of appointing new Superior Courts Judges.
2. We acknowledge the fact that it is within the divine mandate of the Church, inspired by the Word of God and the Catholic Social Teaching, to reverberate a prophetic voice in the world and advocate for the rights of people to participate in decision making when it comes to issues that will affect them. The Apostles of Jesus Christ demonstrated a flawless example of inclusivity at the time of electing the first seven deacons of the early Christian community in Acts 6:1-6.
3. While appreciating the efforts of Government in ensuring good governance of our great nation, including the desire to finalize the Constitution amendment process, we hereby express our firm and reasoned disapproval of the above-mentioned intentions of Executive and the National Assembly of Zambia Leadership to override the will and rights of the citizenry.



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Intention to revive the Constitution of Zambia (Amendment) Bill no. 7 of 2025

4. There are reports that the Speaker of the National Assembly of Zambia, Ms. Nelly Mutti, SC, MP intends to call for a special sitting of the National Assembly on Thursday, 2nd October 2025 to table the revised Constitution of Zambia (Amendment) Bill No. 7 of 2025.
5. Firstly, while approving that Constitutional reform is a vital exercise in strengthening democratic governance, we want to reaffirm our consistent appeal for a wholistic review and reform of Zambia's Constitution anchored on broad based citizens and stakeholder consensus¹.
6. Secondly, as alluded to in our November 2024 Pastoral Statement on the State of the Nation², the current process being undertaken by the government falls short of the standards required for legitimacy, inclusivity, and transparency. It is precisely for this reason that the Constitutional Court in the case of **Munir Zulu and Celestine Mukandila v Attorney General (2025/CCZ/009) 2025 ZMCC 12** found that a constitution amendment process cannot be initiated without the participation of the people of Zambia through wide consultations and declared the process leading to Bill No. 7 of 2025 unconstitutional. The Constitution Amendment Bill No. 7 of 2025 proposes sweeping changes to the composition of the National Assembly, the electoral system, and local government structures — including the expansion of constituency-based seats, the introduction of a mixed-member proportional representation system, and the removal of term limits for mayors and council chairpersons. These are not “non-contentious” issues, as claimed by all proponents of Bill No.7, but rather matters of deep national significance that demand broad-based consensus and public ownership as directed by the Constitutional Court of Zambia in the aforementioned Judgment.
7. Our disapproval of resubmitting the revised Constitution of Zambia (Amendment) Bill No. 7 of 2025 before the National Assembly is grounded on the following reasons:
 - a) **Lack of genuine public participation:** The current amendment process has been tightly controlled by the executive, with limited and sporadic consultation. Citizens, civil society, traditional leaders, and faith-based organizations have not been **meaningfully engaged**. Besides, no public reports have been issued to justify the proposed amendments or to reflect the outcomes of consultations. We therefore strongly believe that by relying on

¹ Statement of the Zambia Episcopal Conference (ZEC), 7th August 2007, paragraph 14.

² Cf. ZCCB Pastoral Statement on the State of the Nation, 14th November 2024, paragraph 1.4.



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Article 79 to justify bypassing the required broad-based consensus, the government risks enacting changes that lack popular legitimacy and may entrench partisan interests³.

- b) **Absence of transparency and accountability:** The roadmap for constitutional reform lacks clarity on how public submissions will be incorporated. There is no mechanism to ensure that the voices of ordinary Zambians influence the final text of the Bill. This undermines the legitimacy of the process and risks producing a constitution that serves political interests rather than the **common good**.
- c) **Technical and democratic concerns:** Several provisions in the Bill suffer from technical defects and lack popular support. The removal of term limits for local leaders, the reconfiguration of council composition, and the ambiguous handling of vacancies and nominations raise serious concerns about **democratic accountability and institutional integrity**.
- d) **Precedent of failed reform processes:** The current approach mirrors past failed attempts at constitutional reform, such as the Mung'omba Commission and the National Constitutional Conference, where executive dominance and lack of inclusivity led to public rejection.
- e) **Breakdown of rule of Law:** Proceeding to re-introduce before the floor of the National Assembly of Zambia the Constitution Amendment Bill No. 7 of 2025 without complying with the express directives of the Constitutional Court in the case of **Munir Zulu and Celestine Mukandila v Attorney General (2025/CCZ/009) 2025 ZMCC 12** which directives include the requirement for Government to ensure a people driven process led by independent body experts in conducting wide consultations with the people, would represent an unfortunate but dangerous breakdown of rule of law in the country, at the instance of those charged to govern the people. It would signal a sad departure from the sacred principle that everyone, including those governing, are subject to the law and must at all times strictly comply with pronouncements of duly constituted courts of law.

³ Cf. ZCCB Statement on Constitution Amendment (Bill No. 10 of 2019), 9th June 2020, paragraph 10.



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Process of appointing New Judges of the Superior Courts

8. It has also been reported that the Zambia's Judicial Service Commission (JSC) conducted interviews for judges between September 22 and September 26, 2025 with the intention to fill vacancies in the superior courts. This is on a backdrop of a petition before the Constitutional Court by the Legal Resources Foundation (LRF) Limited to halt the process, to ensure that any process is transparent and subject to public accountability.
9. We are alive to the fact that under Article 140 of the Constitution, appointment to higher judicial office is to be done by the President, on the recommendation of the Judicial Service Commission but subject to ratification by the National Assembly. Because of the justified vested interest, the public has in a credible and accountable judiciary, it is imperative that the process of judicial appointments must be transparent, merit based and devoid of partisan or tribal considerations to assure the long-term integrity and legitimacy of our judiciary.

Furthermore, though lately there was an advertisement inviting applications for Judicial Office positions by the Judicial Service Commission, the broader appointment process remains opaque. Vacancies are not publicly advertised, and the criteria for selection are hidden from public scrutiny. This lack of transparency fosters perceptions of executive overreach and judicial partiality, eroding public confidence in our courts.

Our Call for action

10. Based on the foregoing, the Zambia Conference of Catholic Bishops (ZCCB) makes the following recommendations:
 - a) that Members of Parliament should heed the voice of their conscience and reject the re-introduction of the Constitution (Amendment) Bill No. 7 of 2025 during the sessions of the house until a truly inclusive, transparent, and participatory process is undertaken. Constitutional reform must be a reflection of the people's will — not a tool of political expediency. We look forward to building a constitution that unites, empowers, and protects all Zambians.
 - b) that the President, the Judicial Service Commission and the National Assembly, all charged with a role in judicial appointments should reconsider the process implemented in the process of appointing the new judges to the superior Courts so that the process is done transparently and publicly accountable. Judicial independence is the cornerstone of any democracy. It must not be compromised.



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by expedient political interests or procedural shortcuts. We equally urge civil society, legal professionals, and faith-based institutions to demand a more transparent, merit-based, and constitutionally faithful process for judicial appointments.

Conclusion

11. We, the Catholic Bishops of Zambia reaffirm our principled disapproval of the revised Constitution Amendment Bill No. 7 of 2025. The said Bill, in its current form, does not uphold the foundational values of participatory democracy, transparency, and constitutional integrity. There is need to initiate a genuinely inclusive, consultative process that respects the voices of all stakeholders — citizens, civil society, faith-based institutions, traditional authorities, and legal experts.
12. Further, in the spirit of constitutional fidelity and national unity, we strongly urge that the ongoing judicial appointments process be reconsidered. The process must at all times and stages meet the standards of transparency, merit, and public accountability that our democracy demands.
13. We exhort all Zambians to remain united as *One Zambia One Nation* in ensuring the steady growth of our young democracy for a better Zambia that will be a pride of future generations.

Given and signed at Kapingila House in Lusaka on 1st October 2025, Memorial of St. Therese of the Child Jesus.

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Most Rev. Ignatius Chama
Archbishop of Kasama & ZCCB President

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Rt. Rev. Charles Kasonde
Bishop of Solwezi & ZCCB Vice President

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Most Rev. Dr. Alick Banda
Archbishop of Lusaka

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Most Rev. Dr. Benjamin Phiri
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Rt. Rev. Patrick Chisanga, OFM Conv.
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