

**Governance and Poverty Reduction:
Proposals for the Fifth National Development Plan-2006-2011:**

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ACRONYMS

FNDP	Fifth National Development Plan
ERTC	Electoral Reform Technical Committee
NGOs	Non-Governmental Organisations
DDCC	District Development Co-ordinating Committee
NEPAD	New Partnership for Africa's Development
MDGs	Millennium Development Goals
APRM	African Peer Review Mechanism
IBA	Independent Broadcasting Authority
ZNBC	Zambia National Broadcasting Corporation
HIV	Human Immunodeficiency Virus
AIDS	Acquired Immune Deficiency Syndrome

Governance and Poverty Reduction

Introduction

Zambia like many other African countries is making concerted efforts to respond to the poverty challenges. The country is currently drawing its Fifth National Development Plan (FNDP) which is expected to commence in 2006 and conclude in 2011. It is in view of the foregoing that governance has been identified as a key component to poverty reduction in the National Development Plan. The plan should therefore provide a framework for strengthening governance, promoting human rights and engaging civil society and other stakeholders to participate and take decisions in the resource allocation process and poverty delivery systems. This entails that the institutions that support governance need to be reformed and strengthened.

The Fifth National Development Plan (FNDP) in the governance sector must aim at the following in the short and long-term:

- Enable the poor to effectively participate in decision making and resource allocation;
- Improve the capacity of the poor by improving basic services;
- Provide economic opportunities for the poor by increasing access to markets; and
- Provide security from economic shocks and from corruption, crime, and violence.

The goal is to integrate governance in national planning through carefully formulated targets in the National Development Plan, as well as setting measurable indicators in the short-term. This is because if there are no monitoring mechanisms, bad governance will creep in and hurt the poor by systematically undermining the efforts to reduce poverty in the country.

From the governance perspective, poverty not only means little or lack of access to incomes through employment, but also exclusion from participation in institutions and processes that govern one's life, leading to voicelessness and powerlessness in these processes and institutions. Poverty also manifests itself in low educational opportunities, inadequate access to resources, and lack of freedom to exercise choice and participate fully in national development. Without good governance, available scarce resources are generally not put to good use in combating poverty due to lack of transparency, rampant corruption and an uncertain legal system that hinders economic growth.

In Zambia the most critical derogations to the Zambian people's assertions of democratic governance is not wholly a question of fiscal resources but lack of political will and fraudulent perpetuation of political hegemony. It is therefore important that certain critical areas of good governance are taken into consideration. These concerns can find a place in the current political and legal reforms being undertaken by way of the constitutional review process and the electoral reforms.

This document proposes some policy and action programmes for inclusion under the theme of governance and poverty reduction. The priority areas include the Constitution, the Electoral regime, Media laws, Parliamentary Reforms and Decentralisation of the local government system. In the long run, if these areas are taken into account, good governance will culminate into uplifting the standard of living for the people and thereby ameliorate poverty.

Civil Society Recommendations for the National Development Plan

Constitution

Zambia has had four constitutions in the past forty years. Namely: the independence constitution of 1964; the One Party State constitution of 1973; the 1991 Constitution; and the 1996 Constitution. This is an appalling record by any standards as a constitution must be durable and must stand the test of time (Chanda A.W, 2003).

For instance, the four constitutions that have been enacted in the last forty years have not been adequate in a number of ways. Firstly, they have not addressed the excessive powers of the President

which have obscured the principle of separation of powers. This in turn has led to mismanagement of the economy and failure to combat poverty. Secondly, Economic, Social and Cultural rights have never been addressed. This has led to inability of most citizens to access health care, education, employment, shelter, food and clean water.

Indeed any efforts to address poverty must ensure that the principle of separation of powers is enforced, as well as ensuring that Economic, Social and Cultural rights are made justiciable and enshrined in the Bill of rights.

It is therefore recommended that legal, financial, administrative and logistical requirements for the repeal and enactment of the Constitution should be addressed

Mode of adoption of the Constitution

In the past, the president has appointed Constitution Review Commissions under the Inquiries Act. This practice has been criticized for being undemocratic because the President has overwhelming powers to select persons of his or her choice to assist him or her with the constitution. Secondly, Under the Inquiries Act, the report in practice takes the form of recommendations or advice. The problem in this regard is that the President is at liberty to either accept or reject the recommendations, or advice rendered. This has produced constitutions that have suited those who have commissioned them.

In order to achieve the required legitimacy and durability of the constitution, it is desirable that the constitution is people driven. This is because experience has shown that parliament is not representative enough of all the various social interests in the country, and the formulation of a new constitution should be more inclusive, broad based, gender representative and encourage the participation of citizens.

It is therefore recommended that the Constitution should be adopted by a Constituent assembly, Constitutional conference, or any popular body and a National referendum.

Electoral Regime

It is important that those in power should govern with the consent and by the will of the governed expressed in periodic, genuine, open, free and fair elections, where the results reflect the exercise of free choice. The electoral process in Zambia has flaws and defects.

As a commitment to poverty eradication and good governance in Zambia, the government and Zambians have identified the need for electoral reform as a cornerstone to achieving the objectives set forth in such plans. Consequently, government appointed the Electoral Reform Technical Committee (ERTC), to undertake the Electoral Reforms. The ERTC has since published the final report (August, 2005). Therefore, there is need to translate the various recommendations into legislative enactments. An improved electoral process will ensure that political power should be seized and exercised by a political leadership of integrity; and a product of the will of the people.

There is also need to ensure that disputes are minimized in the electoral process that more time is devoted for programmes of poverty reduction than proving the legitimate winner of elections. In this regard, aspects recommended by the ERTC such as making the Chairperson of the Electoral Commission the Returning Officer instead of the Chief Justice, setting up of Election Tribunals or a Constitutional court are positive initiatives that must get immediate attention in the development plan. Further there is need for the Electoral Commission of Zambia to be decentralized to provincial and district centres. The decentralization of the commission will enhance the capacity of the commission to manage the electoral process effectively.

It is therefore recommended that the Fifth National Development Plan must cater for the implementation of the various recommendations of the Electoral Reform Technical Committee as agreed or endorsed by all the stakeholders.

Media Laws

Freedom of expression is not only the lifeblood of democracy, but also one of the essential foundations of a democratic society. Freedom of expression entails the rights to express one's thoughts, wishes and criticisms by words and actions without fear of reprisal. Freedom of expression is also vital for the exposure of corruption, human rights violations, abuse of political power and economic mismanagement. This one freedom is critical and indispensable for the existence of all other freedoms and one of the basic conditions for the progress and development of man.

The public media in Zambia however is beset by inadequate funding and lack of independence in the way they execute their functions. Although there are various recommendations made on media reforms in Zambia these are rarely acted upon by government. It is due to the apparent lack of political will that the media fraternity have been promoting initiatives on the freedom of information law, introduction of the independent Broadcasting Authority Act and extensive amendments to the Zambia National Broadcasting Authority Act have been made. However, the freedom of information bill was withdrawn from the National Assembly at committee stage. *Therefore there is need to enact the freedom of information law, as well as, to reform various laws that impede press freedom.*

Judiciary

It is important that the judiciary is autonomous. The autonomy of the Judiciary also in turn ensures the separation of Judiciary from the executive and the legislature. However, there are several constraints that undermine the smooth operations of the Judiciary. First, there is a shortage of human resources. The Judicial system is unable to recruit or retain the services of qualified staff. The basic problem in this respect is that salaries on the bench compare unfavourably with those available in the private sector. Secondly, there are excessive delays in the processing of cases through the courts of law. Court proceedings are increasingly slow and laborious. Lastly, the courts do not function in an efficient and expeditious manner.

In this regard there is need to include in the plan measures such as improving conditions of service for judiciary workers, recruiting more personnel, creating more court rooms and establishing juvenile courts throughout the country to cater for the increasing number of juvenile offenders.

Parliamentary Reforms

The legislative power of the President is vested in parliament. Among the ways in which the National Assembly holds the executive accountable are as follows:

- i. through questions put to ministers by members of parliament;
- ii. through motions submitted by back benchers; and
- iii. through reviews of performance and operations of government ministries, and departments, state owned enterprises and other public bodies(Chanda,AW, 2002: 16)

There is however need to enhance the oversight role of parliament. Zambian parliamentarians are still far from being effective participants in the governance of the country. Floor crossing on opportunistic grounds is rampant and voting is mostly on partisan basis. Further, parliamentarians are not active participants in the budgeting process, as most of the work is done by Cabinet and in particular, the Minister of Finance. Parliament, to date, largely remains a rubber stamp institution.

In addition, proceedings of parliament are not easily accessible to the public and do not provide for the participation of the public in the legislative process. In line with the Mungomba recommendations

It is therefore recommended that:

- a) *there should be two weeks notification for bills other than constitutional bills through both the gazette and other easily accessible media;*
- b) *that the language of all bills and legislation should be plain and easy to understand;*
- c) *Parliament should take appropriate measures to facilitate utmost accessibility by the people to parliamentary proceedings; and*
- d) *that MPs must be accountable to the electorate in terms of their views and positions in parliament. This could be enhanced through introduction of the power to recall MPs whose performance is below expectation*

Funding of political parties

The Interim Report of the ERTC (2004: 67) notes that the development and Institutionalization of political parties requires substantial resources. Such resources are not easily available to political parties due to several factors. Some of the major factors constraining the financial viability and sustainability of political parties include widespread poverty. Given the above constraints and the need to develop effective Political parties in order to secure multi-party democracy, the Interim Report notes that it is imperative that political parties receive public funding. Public funding is justified on the following grounds:

- a) It helps in safeguarding the various political parties against undue influences from private and foreign sponsors, since such sponsors interest may be at variance with the will of the people;
- b) availability of public finances ensures that diverse political parties survive and defeats any moves towards single party dominance.
- c) regulations governing public accountability for political party funds discourage abuse of public resources by the party in power; and
- d) Public party financing boosts the capacity of political parties to develop and articulate their policies, thereby promoting competitiveness and quality of consultation with the electorate.(Ibid:68)

It is therefore recommended that political parties be funded by the state. The Criteria for funding will be based on the ERTC recommendations which apportion the funds in relation to the number of seats attained in an election

Transparency and Accountability

The constitution of the republic of Zambia states in the preamble that the people resolve to uphold the values of democracy, transparency, accountability and good governance. Article 34 (5) (b) requires a Presidential candidate to make a statutory declaration of his assets and liabilities, which shall be open to public inspection, at such time and place as may be prescribed by or under an Act of parliament. The said statutory declaration is lodged with the Chief Justice who is the returning officer for Presidential elections, at the time when candidates are filing in their nomination papers. However, there is no provision for the returning officer to carry out an investigation to determine the accuracy or truthfulness of the statutory declaration (Chanda, AW.2005:5). In fact, the proviso to section 9 (1) of the Electoral Act states that the contents of such documents referred to in the section shall be accepted prima-facie as complying with the law as to qualification for election as President.

Furthermore, Article 52 of the constitution goes on to provide that all Ministers and Deputy Ministers shall conduct themselves during their tenure of office in accordance with a code of conduct promulgated by parliament. The said code is also applicable to members of parliament. In this connection, parliament enacted the Parliamentary and Ministerial Code of Conduct Act. Breach of the code results in the affected member or minister losing his seat in the National Assembly. However, backbenchers are not required by law to make similar declarations of assets and liabilities.(Ibid) This is a serious lacuna in the law as members of parliament play a very influential role in the operations of government(Ibid). Other institutions must also be included as recommended in the Mungomba Commission.

The public have a right to know whether their members of parliament are acquiring their wealth legitimately or whether their effectiveness and probity will be compromised by their indebtedness (Ibid). Yet another major shortcoming in these provisions is that they are virtually unenforceable. The Chief Justice is not vested with power to investigate the veracity of the information contained in the declarations (Ibid).

There is therefore need to review mechanisms for ensuring transparency and accountability. This review should be extended to institutions like the Judiciary, Zambia National Tender Board and all other public institutions. For instance disclosure of Sources of funding of political parties and restrictions on campaign funds are important issues that need attention.

Another area that can help strengthen accountability is the decentralisation of the auditor general's office. The Auditor General audits public accounts. However, while the Auditor General is supposed to submit his or her report within 12 months the lag currently stretches up to 24 months. The public accounts Committee in parliament reports to the House on the report but neither parliament nor the Auditor general has any power to hand cases over for prosecution and ensure that corrective action is taken.

It is further recommended that the office of the Auditor General be decentralised. Decentralisation of the Auditor general's office could reduce the backlog of work and ensure timely reporting. There is also need to implement the parliamentary reforms to make this possible.

Prisons

The Zambia Prisons Service has cited the Prisons Act as a hindrance to providing rehabilitation programmes to inmates in the country. The government has since embarked on reviewing the Prisons Act, Cap 97, which would provide for more rehabilitation programmes to prisoners. The law in its current form is unfavourable for rehabilitation initiatives. For instance, the current law does not provide for community service as an alternative to imprisonment. Furthermore, prison congestion remains a very complex issue and challenge for government. The congestion of prisons has resulted in the outbreak of communicable diseases among prisoners. It is for this reason that the government initiated the Prisons Amendment Bill, aimed at establishing a Prison Health Facility.

It is therefore recommended that the proposed amendment to establish a prison Health Facility be implemented. This will enhance observance of human rights and assist decongest the prisons. There is also clearly a need for the expansion of prison structures, as the current ones were built during the colonial period when the population was low. The government must also consider provision of transport to carry remandees to court.

In addition, at the 2002 Ouagadougou Declaration in the Burkina Faso on Accelerating Prison and Penal Reform in Africa, delegates resolved that prisons be self-sufficient (Sunday Mail, March 6,2005).

It is further recommended that the prison service should contribute to the country's food basket. Zambia has several prison farms and 33 open prisons that are contributing to the effort of self-sufficiency of food in the prison service. Therefore, with the Millennium Development Goal of reducing by 50 percent the number of people living in extreme poverty and hunger by the year 2015, the responsibility of prisons service should be extended to the nation's food security.

Decentralization of the Local Government system

Currently, Zambia has a decentralisation policy which was launched in 2004, to give direction to the local government sector. In an effort to reduce poverty, the Zambian Government has attempted a variety of methods such as central government control, contracting out to the private sector and involvement of non-governmental organisations (NGOs), community participation, and direct transfers to households.

However, there remains need to synchronise the role of the Councils and the District Commissioner's offices to avoid a multiplicity of decentralisation efforts taking place with insufficient co-ordination. For example, the Councils run in parallel with District Commissioners' offices. Similarly, various Ministries, e.g., Health, Education and Agriculture have set up their sector specific co-ordination units (Boards), at the districts level that run parallel to the District Development Co-ordinating Committees (DDCC) and are independent of the Councils. In addition, the councils are run by elected councillors who in most cases lack capacity to effectively address the needs of the local people due to their partisan interests, lack of knowledge and comprehension of their roles.

There is hence need to remove the absolute control by the centre through transferring the authority, functions and responsibilities, with matching resources to the lower levels so that some degree of autonomy is given to provincial, district and sub-district levels, as well as Councils to empower these entities. (The National Decentralisation Policy: Towards Empowering the People, 2002:5)

It is therefore recommended that the national decentralisation policy is implemented. This will require putting in place a new local government act which will be in line with the new decentralisation policy. Further, there is need to ensure co-ordination by aligning development committees to line ministries. Capacity building both in financial and human resources is required. In addition DDCCs and PDCCs should be institutionalised and funding to Local Government be increased. Furthermore, the dual roles of the Council Secretary and the District Commissioner to minimise duplication of duties.

The Zambia Police Force

The importance of police service is that when the police discharge their duties with relative civility, professionalism and a substantial measure of independence, citizens enjoy their basic rights and freedoms to the full. However, part of the problem in Zambia has been the police brutality and abuse of human rights and allegations of corruption among the police.

With continued efforts that have been waged by civil society organisations as well as the international community, there has been a lot of pressure on the government to curb the corruption scourge and eradicate police brutality. As such, if the police force was professional the country would save substantial amounts of money paid to victims of police brutality or violation of human rights. The savings resulting there from could be directed towards poverty reduction in the country.

It is therefore recommended to improve conditions of service for the police in order to reduce incidences of corruption. The independence and professionalism of the police service can best be guaranteed by reviewing the appointment process of the police command as well as their security of tenure. For instance, the appointment of the Inspector General should be in line with what is obtaining for the Judges.

Social Rights- Gender and HIV/AIDS Policy

Social rights in Zambia have never been given a special place in both policy and legal frameworks that guide national planning. As a result, minorities such as women, youth, disabled and children have remained marginalised. With the advent of HIV/AIDS virtually all sectors of society have been affected by the pandemic. The scourge however has had its heaviest toll on women. Most organisations are now developing HIV/AIDS policies at their work places and these will hopefully assist stabilise the infection rates. HIV/AIDS cuts across gender lines and links to the relationship with poverty. The relationship between HIV/AIDS and poverty is not one of cause and effect, but more of a kind of unholy reverse symbiosis where the two feed off each other to make each worse (Phiri 2005:18). In the presence of AIDS, poverty is worsened, and in the presence of poverty, AIDS is made worse. Poor people, especially poor women, are at much higher risk of infection with HIV. Because of poverty and lack of means of sustaining themselves and their dependants, some women are driven to seek income from commercial sex activities. Thus, while poverty might not cause AIDS

in itself, it is a major driver of the pandemic, and the AIDS pandemic is a driver of poverty. Under such circumstances it is difficult to effectively protect or promote social rights.

Poverty reduction programmes must therefore necessarily incorporate HIV/AIDS prevention, control, treatment, care and support plus mitigation. Similarly, in order to be effective, HIV/AIDS programmes must take into account poverty reduction.

It is therefore recommended that there is need for effective leadership and political will to ensure that the fight against HIV/AIDS is mainstreamed. In particular, there is an urgent need to finalise the HIV/AIDS draft policy and provide a legal framework for implementation of the HIV/AIDS policy.

The Gender Policy and strategy should be operationalised with sufficient budgetary allocation. The SADC Gender Protocol of 30% women representation should be effected during the plan cycle.

There is need to rehabilitate and increase social amenities for the physically challenged e.g. health and education. It was further recommended that all new public constructions should be user friendly to persons with disabilities.

Equity in Resource Distribution

Equitable distribution of resources is crucial in national development. This is because it determines whether a particular country will enjoy harmonious accord. The manner in which national resources are allocated have an impact on perceptions of fairness and ownership as well as participation in both economic and political efforts.

Social vices such as corruption retard the practice of equitable distribution of resources. The same holds true for the debt burden that Zambia is struggling to liquidate. The most evident impact of the heavy debt burden is on the availability of resources for both investment in capital expenditure and provision of social services like health care, education etc.

Most people are very poor. According to the Poverty Reduction Strategy Paper 2002-2004 future plans and programmes face a large financing deficit that will have to be filled by external as well as domestic resources (Munalula 2003:5). In short, the heavy debt burden, which constrains equity in resource distribution, has reduced resources for poverty reduction, significantly crowding out social expenditure (Ibid.). Therefore, equity in resource distribution is important when it comes to the reduction of poverty.

It is therefore recommended that there be a policy on equitable distribution of national resources. This equity must address the urban -rural disparities which are currently severe.

The New Partnership for Africa's Development (NEPAD)

NEPAD is a vision and a socio-economic development framework for Africa, informed by the recognition that instability, underdevelopment and exclusion from the global economy continue to characterise the continent. Furthermore, that African countries and people have experienced chronic decline in a wide range of social and economic indicators over the last two decades, and that vast regions of the continent are still devastated by political governance failures such as authoritarian regimes and inter-and intra-country conflict (Verwey, 2005:5).

NEPAD's primary objectives are the eradication of poverty, the attainment of sustainable growth and development, the integration of Africa into the global economy, and the acceleration of the empowerment of women. In order for these primary objectives to be attained, the NEPAD framework documents articulate a set of broad principles which should inform the development process. These are: Good governance; African leadership and ownership; people-centeredness; Partnership between and amongst African people; Regional and continental integration; Building the competitiveness of

countries and the continent; New international relationships; Linkages of the NEPAD to the Millennium Development Goals (MDGs) and other agreed development goals and targets (Ibid:6)

In an effort to reduce poverty in countries such as Zambia, there is need to domesticate NEPAD. This is because NEPAD is a call to establish and consolidate development partnerships between African states and leaders and their people. It acknowledges the fact that if development initiatives are to be successful, they must be locally owned and people-centred. NEPAD represents itself as an appeal to the African people “to regain confidence in their genius and their capacity to face obstacles and be involved in the building of the new Africa” (Ibid.). The challenge is for Zambia to quickly progress after acceding to the African Peer Review Mechanism (APRM) which is expected to enhance accountability and good governance among African peer leaders. Therefore, resources must be allocated towards this programme.

It is therefore recommended that Zambia domesticates NEPAD in order to eradicate poverty, attain sustainable growth and development, integrate into Africa and the global economy and accelerate the empowerment of women.

Democratisation of NGOs and Institutionalisation in National Planning

Non-Governmental Organisations (NGOs) are important actors in national governance because many civil society organisations represent marginalized individuals and groups who are consequently less able to influence policy. Civil society organisations can therefore make public spending on development more efficient, effective and equitable through influencing policy formulation as well as monitoring policy implementation as well as evaluating outcomes. In addition participatory channels should not be seen as restricted to elections and parliamentary involvement alone.

As a countervailing force to the public sector, civil society can also act as a necessary constraint on the power of government and facilitate governance improvements through its calls for, amongst other things, greater transparency and accountability. Without civil society participation and scrutiny it is unlikely that decision-makers and officials will consistently place the public good before their private good when confronted with opportunities for self-enrichment (Ibid). Most broadly, developmental policies will not secure positive outcomes in the absence of widespread assent and support from civil society.

Furthermore, if poverty reduction strategies are to genuinely address the various dimensions of poverty- including insecurity, vulnerability, gender inequalities and access to opportunities, work, assets, and welfare- empowerment, genuine and effective participation of democratic NGOs and civil society in general in key decision-making is required (Kapijimpanga AFRODAD 2002:ii).

It is therefore recommended that Civil Society organisations and NGOs be made part of the institutions in national planning and a framework for their participation with resources allocated to them clearly spelt. This is likely to promote better use of resources and minimize the desire for self-enrichment by those in control of national resources.

Prioritisation of emerging Issues

Policy Actions/Recommendations for the Priority Areas

The Fifth National Development Plan (FNDP) should take into account the proposed measures in both non-financial and financial terms.

Absolute Minimum Priorities

1. Priority one: Constitution

The Plan must address the legal, financial, administrative and logistical requirements for the repeal and enactment of the Constitution. This is the supreme law of the land thus it is imperative to ensure that it fits the democratic dispensation.

2. Priority two: Electoral Regime

The Plan must cater for the implementation of the various recommendations of the Electoral Reform Technical Committee as agreed or endorsed by all the stakeholders. This will help to fight corruption during elections and ensure that we have legitimate national leaders.

3. Priority three: Media Law Reforms

The Plan must provide for the completion of the process of reforming laws relating to promotion of a free media (print and electronic), as well as providing for a statutory right to access information held by public authorities. In addition, there is need for the FNDP to provide for the establishment of the Independent Broadcasting Authority (IBA) and convert fully the Zambia National Broadcasting Corporation (ZNBC) from a state owned and controlled broadcaster into a public broadcaster. Amending media laws will ensure free flow of information which will result in transparency, accountability and people's participation in the development process.

4. Priority four: Decentralisation

The Plan must provide for the implementation of the decentralisation policy in full in order to enable deconcentration and devolution of functions and power from the central government to local authorities. There is also need to review the local government act in line with the new policy. If resources are limited, this could systematically be undertaken in phases. Decentralisation facilitates the participation of the grassroots in national matters and equal and appropriate resource distribution (bottom-up approach).

5. Priority five: Parliamentary Reforms

The Plan must provide for the completion and implementation of the parliamentary reforms in order to enhance the oversight role of the legislature as well as to provide for accountability of the legislature and space for public participation in the legislative process.

Other Important Priorities

- **HIV/ AIDS**

It is recommended that there is need for providing effective leadership and political will to ensure that the fight against HIV/AIDS is mainstreamed. In particular, there is an urgent need to finalise the HIV/AIDS draft policy and provide a legal framework for implementation of the HIV/AIDS policy.

- **Judiciary**

There is need to include in the plan measures such as improving conditions of service for judiciary workers, recruiting more personnel, creating more court rooms and establishing juvenile courts throughout the country to cater for the increasing number of juvenile offenders.

- **Prisons**

It is recommended that the proposed amendment to establish a prison Health Facility be implemented. This will enhance observance of human rights and assist decongest the prisons. There is also clearly a need for the expansion of prison structures, as the current ones were built during the colonial period when the population was low. The government must also consider provision of transport to carry remandees to court.

- Zambia police force

It is therefore recommended to improve conditions of service for the police in order to reduce incidences of corruption. The independence and professionalism of the police service can best be guaranteed by reviewing the appointment process of the police command as well as their security of tenure.

General Recommendation

Disability issues should be cross-cutting in the plan.

Conclusion

Political governance is central to the implementation and management of national resources. Decisions about budgetary allocation are a political function and hence there is need to ensure that political processes are properly structured in order to allow for transparency, accountability and the rule of law. These elements or preconditions are essential in the eventual alleviation and eradication of poverty. To this extent the fifth national development plan is an important tool or instrument in attaining the preceding issues, objectives and priorities.

Intervention	Indicator	Timeframe
Constitution and Mode of Adoption	<ul style="list-style-type: none"> ▪ Establishment of the Constituent Assembly ▪ The CRC recommendations adopted 	<ul style="list-style-type: none"> ▪ By 1st quarter of 2006 ▪ Before 2006 elections
Electoral Regime	<ul style="list-style-type: none"> ▪ Enactment of a new Electoral Act ▪ Electoral Tribunal established ▪ Electoral Commission decentralised to provincial level 	<ul style="list-style-type: none"> ▪ Before 2006 elections ▪ By 2010
Media Laws	<ul style="list-style-type: none"> ▪ Enactment and implementation of the Independent Broadcasting Authority and ZNBC Act ▪ Capitalisation of Public Media 	<ul style="list-style-type: none"> ▪ By 2007 ▪ By 2006
Judiciary	<ul style="list-style-type: none"> ▪ Increased budgetary allocation ▪ Increased number of Judicial Personnel ▪ Construction of more courtrooms countrywide, at least per province per year ▪ Rehabilitate and increase Juvenile Rehabilitation centres 	<ul style="list-style-type: none"> ▪ By 2006 ▪ Throughout the Plan ▪ Throughout the Plan
Parliamentary Reforms	<ul style="list-style-type: none"> ▪ Enhanced oversight role of Parliament, i.e. effective participation of MPs by having power to disapprove or approve budget ▪ Public consultations on bills prior to enactment 	
Funding of Political Parties	<ul style="list-style-type: none"> ▪ Budgetary allocation for political parties 	<ul style="list-style-type: none"> ▪ By mid-term of the plan
Transparency and Accountability	<ul style="list-style-type: none"> ▪ Auditor General's office decentralised ▪ Parliamentary and Ministerial Code of Conduct passed ▪ Liaison of the offices of the Auditor General, Director of Public Prosecutions and the Parliamentary Public Accounts Committee in prosecuting offenders identified by the AG's office or report ▪ Improved accountability ▪ Increased funding to institutions dealing in matters of transparency and accountability, e.g. ACC 	<ul style="list-style-type: none"> ▪ By mid-term
Prisons	<ul style="list-style-type: none"> ▪ Enactment of proposed revised Prisons Act ▪ Increased number of prisons. ▪ Increased rate of case disposal 	<ul style="list-style-type: none"> ▪ Within the plan

Intervention	Indicator	Timeframe
	<ul style="list-style-type: none"> ▪ Less congestion in prisons 	
Decentralisation of the Local Government System	<ul style="list-style-type: none"> ▪ Planning and implementation done at district level ▪ A new local government Act in place ▪ Sub-district structures established ▪ Increased funding to local government and districts 	
Zambia Police Force	An independent and professional police	
Social Rights: Gender and HIV/AIDS	<ul style="list-style-type: none"> ▪ 30% or more of women in decision-making ▪ Finalisation and legalisation of the HIV/AIDS policy 	<ul style="list-style-type: none"> ▪ 2006
Equity in Resource Distribution	<ul style="list-style-type: none"> ▪ Rural based industries mushrooming ▪ Improved infrastructure in rural areas 	
NEPAD	<ul style="list-style-type: none"> ▪ African Peer Review Mechanism in place 	<ul style="list-style-type: none"> ▪ By 2008
Institutionalisation of CSOs' Participation in Governance	<ul style="list-style-type: none"> ▪ Policy Implemented 	<ul style="list-style-type: none"> ▪ By 2006

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