



BULLETIN

Jesuit Centre for Theological Reflection
"Promoting faith and justice"



Contents

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QUOTE

We have to realize that a true ecological approach always becomes a social approach; it must integrate questions of justice in debates on the environment, so as to hear both the cry of the earth and the cry of the poor.
(Laudato Si, #49)

| | |
|---|----|
| LETTER FROM THE EDITOR | 2 |
| JCTR'S BASIC NEEDS BASKET (BNB) | 3 |
| Chanda Chileshe | |
| UNDERSTANDING THE USAGE OF CONSTITUENCY DEVELOPMENT FUND (CDF) IN ZAMBIA: THE CASE OF EDUCATION, HEALTH, WATER AND SANITATION PROJECTS IN CHISHIPULA, KAPULANGA, CHAMBOLI AND SIMOONGA COMMUNITIES..... | 5 |
| Dr. Charity Musamba | |
| WILL PAYING FOR PLASTIC CARRIER BAGS REDUCE PLASTIC POLLUTION? | 10 |
| Norman Chavula | |
| MINING FOR ZAMBIA..... | 11 |
| Alice Mapulanga and Micomyiza Dieudonn'e | |
| ACCESS TO INFORMATION LAW IN ZAMBIA | 12 |
| Natasha Muhyila and Joseph Lungu | |
| PUBLIC ORDER LAW IN ZAMBIA..... | 15 |
| Joseph Lungu | |
| RETRIEVING AFRICAN TRADITIONAL ECO-SPIRITUALITY IN RESPONDING TO ENVIRONMENTAL CHALLENGES..... | 18 |
| John Kunda Sauti, S.J. | |
| THE JCTR UPDATES | 22 |



LETTER FROM THE EDITOR

Dear Readers

We are blessed with articles traversing a wide range of issues. We encourage JCTR readers to take time to read all the articles presented in this issue of JCTR Bulletin. In this editorial allow me to briefly share with you highlights of the new JCTR strategic plan. In our continued efforts of promoting social justice and upholding the dignity of humanity, especially for the poor, JCTR has developed its fourth plan in the last 9 years. JCTR 2020-2023 strategic plan builds on previous successes over the years and draws inspiration from the Universal Apostolic Preferences of the Society of Jesus as well as from the Church's Social Teaching. Strategic emerging issues and the theory of change guide the thinking of JCTR strategic plan 2020-2023, leading up to the long term change or development goal, namely "improved quality of life for the poor and marginalised people and communities in JCTR operational areas".

Our vision is for a country where social justice for all is respected and upheld, and a society where people are truthful to their faith and ensure that no one among them is allowed to wallow in poverty and deprivation. This is keeping in line with the Catholic Social Teachings which places an emphasis on preferential option for the poor. All efforts should be made to uplift the standard and quality of life of all persons. Political and community leadership should prioritise addressing the plight of the poor and vulnerable in their respective communities. National policies, laws and programmes should be well tailored to improve the quality of life for the poor and vulnerable.

We recognise that all activities that we implement are not simply relieving the short term consequences that poverty and deprivation bring to communities, but working strategically on addressing the drivers and pillars of this state of poverty. In our mission, we seek to promote Christian values, thus bring about a realisation on how people should relate to one another and sympathise or empathize with those less privileged than themselves. Further, we work to empower people and communities with the knowledge and skills to make decisions on their own development and most importantly hold accountable those entrusted with power.

In enhancing justice and equality for all, we will promote care for the environment, taking into account the poverty and deprivation occasioned by environmental degradation and the effects of climate change. A common thread running through all our interventions is the advancement of policy alternatives and working on devising innovative and appropriate pro-poor policy options.

We continue to count on your support.

Alex Muyebe, S.J.
Editor



JCTR'S REVISED BASIC NEEDS BASKET (BNB)

Introduction

The continued widespread of poverty and underdevelopment in Zambia prompted both Government and Civil Society groups to devise ways and means to end poverty and improve peoples' general well-being. One approach adopted was to measure the extent of poverty to influence policy formulation and implementation, this was done by observing not only household or individual income and expenditure patterns but also household or individual capabilities to fulfil their universal basic needs. The JCTR then developed a simple, but a comprehensive tool of measuring households living conditions through the use of the Basic Needs Basket (BNB) research. The tool measures the household's affordability of basic goods and essential services for the promotion of human dignity. The tool shows the gap between the minimum cost for a decent standard of living and the incomes of average rural and urban families. JCTR also uses the BNB to expose the plight of the poor, to monitoring effectiveness of Government policies and to promote innovation at the individual, household and national levels.

Success Stories of BNB Survey

Since the inception of the BNB, the JCTR has recorded many success stories that have resulted from advocacy for improved living conditions using findings from the basket. Other success have been, for instance, JCTR's partnership with Zambia Congress for Trade Unions and other civil societies to lobby for increased minimum wages. The minimum wage was increased in 2018, domestic workers' wages increased to K993.60

from K522.40 while Grade 1 shop workers and general workers increased to K1, 698.60 from K1, 132. Further, following JCTR's calls on the need for Government to strengthen the legal framework around employment and to protect the dignity of the worker. The government enacted the Employment Act to improve conditions of service for workers and bridge the gap between the cost of living and Incomes. According to Section 41(c) of the enacted Employment Act, cap 268 of the Laws of Zambia, the general conditions of service of an institution or organization shall include "provision to an employee either housing, a loan or advance towards the purchase or construction of a house, guarantee facility for a mortgage or house loan on behalf of an employee or pay housing allowance". Furthermore, the BNB has been used by Zambia Nation Congress Union to negotiate for decent salaries for many workers. The BNB has to a large extent contributed to the revision of policies that ensure and uphold human dignity in our society.

Periodic Review of BNB Survey

Periodically, JCTR reviews its BNB to reflect the reality on the ground. The contents of BNB, are determined through broad consultations that show the realities and the aspirations of the people to meet basic needs for decent human living. In 2018, JCTR partnered with the Irish Embassy to vigorously promote nutrition by adding a strong nutrition component to BNB. The revision to the basket was necessitated because Zambia's food and agriculture system are providing neither food security nor adequate nutrition for all. Seasonal hunger still affects many families, a significant proportion of

children still suffer from stunted growth and overweight and attendant diseases are increasing in adults.

What connects the issues of hunger, malnutrition and chronic disease is lack of availability and accessibility of diverse foods all year round for healthy and sustainable diets. Statistics have shown that 24% of adult Zambians are overweight or obese (MoH, 2017), 19% of adult Zambians have raised blood pressure (MoH, 2017) and 90% of adult Zambians consumes fewer fruits and vegetables than recommended. It is because of these worrying statistics that JCTR in partnership with Irish Aid recognized the need to disseminate information aimed at increasing availability and accessibility of diversified and nutritious foods in Zambia. Diversification of nutritious foods, in this case, means going beyond maize production and focusing on other crops especially those that are more nutritious like sweet potatoes, cassava etc.

Inclusion of Nutrition Component to BNB

The revision of the Basic Needs Basket was therefore aimed at complementing efforts of other partners to combat malnutrition, by making information available to the public on the availability and affordability of nutritious foods. It was hoped that this would aid consumers to know what foods to consume and where to buy nutritious foods. After wide consultations with the Ministry of Agriculture, National Food and Nutrition Commission, Research Institutions, Nutritionists and Marketers the basket was revised on 22nd August 2019. Both the food and the nonfood component of the basket were revised. In the food section items added were mealie meal (roller), rice, cassava flour, sweet potatoes, pounded groundnuts, soya

pieces, chicken and fruits. In the nonfood section items added were sanitary towels, toilet paper and lotion.

JCTR The basic needs basket was revised with the hope of improving the availability and affordability of nutritious foods on the market and this will translate into improved diets among Zambians especially the marginalized. In providing information on the availability and affordability of nutritious food, the Government will be influenced to formulate policies that promote good nutrition.

The Rising Cost of Living

A comparative analysis between the old BNB and new BNB showed a huge increase in the cost of living. The cost of living for a family of five living in Lusaka increased by K693.56 from K 5,286.01 before the BNB was revised to K5, 979.57 after the BNB was revised. This huge increase was attributed to the addition of new items both on the food items and non-food items section. The continued rise in the cost of living is distressing as this is perpetuating hunger especially among the marginalized who have already been struggling to afford a decent living. This, unfortunately, is compromising the enjoyment of human dignity especially among the poor.

Finally, eating nutritious food is key to good health among citizens. It is hoped that the revised basket will indeed promote affordability and availability of nutritious foods in our country. Further, it is hoped that the government will use the basket to intensify awareness on nutrition and to enact laws and policies that will promote healthy and nutritious diets. Nutrition is and should be everyone's concern.

**Chanda Chileshe,
JCTR Programme Officer
Lusaka**

2: Showing cost of beans and kapenta



Picture 1: Showing cost of fruits in the market Picture





Understanding the usage of Constituency Development Fund (CDF) in Zambia: the case of education, health, water and sanitation projects in Chishipula, Kapulanga, Chamboli and Simoonga communities

Introduction

In Zambia, the Constituency Development Fund (CDF) was introduced in 1995 as “instrument” to facilitate the deliverance of public developmental goods and services directly to local communities. Despite the introduction of the Fund, the provision of and access to basic essential public services by local communities has remained poor in Zambia. It is in this regard that the Jesuit Centre for Theological Reflection (JCTR) commissioned a study on “*Understanding the usage of Constituency Development Fund (CDF) in Zambia: The Case of Education, Health, Water and Sanitation Projects*,” in February 2019.

Background to the Study

The main objective of this Study was to establish how CDF is accessed and used in community projects in the areas of education, health and water and sanitation. The Study also paid attention to the allocation of CDF to these areas, the challenges encountered by local communities to access and benefiting from social services, the disbursement patterns of CDF by Government as well as the disparities in the allocation of CDF to social projects. This Study was conducted in four constituencies namely Lukasha, Mongu Central, Livingstone Central and Wusakile located in the following Districts respectively; Kasama, Mongu, Livingstone and Kitwe. A total of one-hundred and five (105) respondents, drawn from civil society, academia, political parties, religious groupings, local authorities and the local communities, participated in this research.

Findings of the Study

CDF Allocated to Health, Education, Water and Sanitation Overall, the Study established that in all the research sites targeted, CDF had been allocated to projects related to health, education, water and sanitation. However, the Study could not ascertain the actual proportion out of the total CDF released that was targeted to these projects. Most of the projects in the education sector were in the form of construction of schools, classrooms, school toilets and

staff houses. With regards to health, majority of projects were in the form of construction of clinics, maternity wings and staff housing. For water and sanitation, most of the projects included sinking of boreholes and construction of ablution blocks at either health, education and trading, institutions and places, respectively. The highest number of projects were reported in Lukashya Constituency, followed by Wusakile Constituency, then Livingstone Central and lastly, Mongu Central. The Study also revealed the future prospects for the financing of education, health, water and sanitation projects using CDF was largely dependent on how other competing local community development needs, such as roads, bridges and empowerment programmes, would be financed.

The Three (3) Key Determinants of Access and Use of CDF by Local Communities

The Research revealed that community access and use of CDF financed projects in the areas of health, education, water and sanitation was determined by the following three (3) key factors. The first factor relates to the levels of knowledge and access to information on CDF in general. For instance, in Lukashya and Wusakile Constituencies, were the knowledge levels and access to basic information were relative high, access and use of these projects appeared to be high while the opposite case was reflected in other two Constituencies, namely Livingstone Central and Mongu Central, where knowledge and access were low. The second factor relates to community mobilization. In Constituencies where there was some extent of mobilization, particularly led by the Ward Development Committees, access and use of CDF projects, as in the case of Lukashya and Wusakile, appeared to be stronger than in those Constituencies, namely Livingstone Central and Mongu Central, where mobilization was either weak or absent. The third factor relates to the relations between the local community and the local authorities such as the WDCs, Councilors or the Local Government. The Study showed that the level and nature of community-WDC,

Councilor or Local Authority relations played a key role in determining access and benefits to CDF funded projects in areas of health, education, water and sanitation. For instance, strong relations were registered in Lukashya and Wusakile Constituencies than in Mongu Central and Livingstone Central.

Levels of Public Knowledge and Awareness about CDF

In this Study, it was observed that the levels of community knowledge and awareness about CDF were low and basic across all the targeted areas of study. Although the members of the communities were able to identify some of the projects funded using CDF, they appeared to be largely ignorant with regards to the financial costs of the projects, administration and management of these projects. In some cases, even elected and appointed officials such as Councillors and District Commissioners (in the case of Mongu Central and Livingstone Central) exhibited limited understanding of CDF including the financing of health, education, water and sanitation projects. Information and knowledge about CDF seemed to be mainly in the custody of local authority technocrats, CDF committee members and chairpersons.

Levels and Nature of Public Involvement and Accountability Mechanisms

This Study revealed that the levels and nature of public involvement and accountability mechanisms of CDF were either low or non-existent. In cases where local communities were engaged, this was merely in form of “consultations,” and not “involvement.” In these situations, as revealed in the cases of Lukashya, Wusakile and Livingstone Central to some extent, local communities were included in the CDF process at the point of requesting for proposals – which is only one of few out of the several phases of public involvement provided for under the CDF Act of 2018 and the 2016 CDF guidelines. More importantly, the Study revealed that most of the local authorities did not widely publicise the availability of these resources nor did they ensure that feedback was provided by communities regarding the disseminated information. To make matter worse, representatives such as Ward Councilors or WDC members rarely received information on CDF from the local authorities. Consequently, the management of this Fund has not been transparent and more importantly, inhibits the local communities from demanding accountability from the office bearers.

Monitoring, Evaluation and Sustainability Mechanisms

In this Study, it was established that none of the targeted Constituencies had put in place effective monitoring, evaluation and sustainability mechanisms for the projects on health, education, water and sanitation that were funded by CDF. The administrators of the Fund, namely the local authorities, people’s representatives, namely the Councilors, WDCs and District Commissioners as well as the beneficiaries, local communities had contradictory opinions on this matter. In the view of the local authorities, it was the responsibility of the beneficiaries (local communities) to monitor and evaluate the implementation

as well as take care of the CDF projects after completion. For the people’s representatives and the beneficiaries, these roles were the responsibilities local authorities, sector ministries and the central government as these stakeholders/institutions had the necessary resources and expertise to fulfil this obligation. As a result, some of efforts undertaken in these areas involved personal initiatives, such as in the case of Livingstone Central Constituency where the chairperson of the WDC personally inspects any CDF project before it is publicly commissioned.

However, it is important to note that both the CDF Act of 2018 and the 2016 Guidelines clearly stipulate that all the CDF projects shall be monitored by the a Committee or its agents shall monitor the project implementation on a monthly basis or as often as necessary depending on the nature and stage of the projects. In addition, the Act also states that evaluation exercises shall be carried out by a Committee which may include officers from an appropriate Government department and the exercise shall be done on completion of the project but before the disbursement of the following year’s funds. Also notably, the Act tends to be silent with regards to who is responsible for the sustainability of CDF projects after completion.

Key Challenges Encountered by Local Communities in Accessing Social Services despite CDF

The major findings of the research in this regard is that there are threemajor challenges that are affecting communities’ access to social services despite the allocation of CDF. The first key challenge is the lack of provision of adequate information, such as calendar of disbursement, financial decisions, priority setting, project selection and responsibilities, about the CDF to the local communities. The second challenge is the lack or weak consultation, participation and involvement of the local communities in the management and implementation of CDF projects. The third challenge is the lack or weak mechanisms for monitoring, evaluating and sustaining the CDF projects. This, consequently, contributes to the failure to ensure transparency and accountability in the management and administration of CDF. The third challenge relates to the dominance and undue influence of actors such as local authority officials and Members of Parliament (MPs) of the management and administration of the Fund. The fourth challenge relates to the late, inadequacies and inconsistencies in the release of the CDF allocation by Central Government to Constituencies. This has, ultimately, negatively affected the implementation of new projects or the completion of already existing incomplete projects.

Disbursement of CDF by Central Government

This research has revealed that although Central Government allocates a budget line to CDF in every annual budget and that the budget allocation has increased over a period of time, the disbursement of these funds has largely been characterized by inadequacy, partial releases, delays and inconsistencies. In all the selected Constituencies, technocrats reported partial and delayed releases as well as total non-releases particularly between the period 2014-

2017. The main impact, as mentioned above, of these limitations is that these Constituencies have either failed to finalise incomplete projects or embark on new ones.

Disparities in CDF Allocation to Local Projects in the Areas of Health, Education, Water and Sanitation

According to the findings of this research, disparities in CDF allocation to local projects in these areas were mainly conditioned by the approach used to select or approve projects and the amounts of CDF released in particular Constituencies. For instance, the Livingstone Municipal Council uses the “Constituency-based approach” as opposed to the “Ward-based approach” employed by the other three Constituencies. But even within the Ward-based approach, other factors such as levels of community participation and consultation and the amount of CDF released, have an influence on how resources are allocated, to include local projects in health, education, water and sanitation. For instance, in Mongu Central Constituency, an outstanding project is still being considered amidst demands for more social services.

Yet the CDF Act of 2018 and the guidelines clearly stipulate that proposals for CDF should be derived from “Ward” submissions and that communities should be part and parcel of monitoring the implementation of these projects. With regards to released fund, Constituencies were forced to reduce the number of approved projects in line with the amounts of resources received. For instance, Government had, between the periods 2014-2017, only released K700, 000.00 out of the anticipated K1, 400,000.00 to the Constituencies targeted in the research.

Conclusion

Although the Study has revealed that from the past to present, CDF has, to a notable extent, been used to finance projects in these areas, the future prospects for financing these social sectors are threatened by the following factors. First, allocation of resources is faced with different competing local community development needs. Second, the failure by the administrators of the Fund to adhere to the legally laid down provisions. Third, the low levels of public knowledge and access to information about CDF. Fourth, the lack of public participation platforms to facilitate the monitoring, evaluation and sustainability of these project. Fifth, the consistent failure by Government to ensure that these resources are provided in a timely and adequate manner.

Recommendations

Based on the findings of the Study and the conclusion drawn thereupon; the following recommendations have been put forward;

Intervention A

At Community level, led by the WDCs and with the support/cooperation of Local Government Authorities, NGOs, the Ministries of Local Government and Community Development and Social Services

- ✓ Strengthen the WDCs as the main platforms for community engagement on CDF
- ✓ Develop a CDF Social Services Community Development Charter

- ✓ Create community lobby and advocacy groups for the Charter
- ✓ Establish Local Community Inter-Sector Networks on Social Services
- ✓ Translate and simplify information on CDF in local languages – management, administration and use of CDF
- ✓ Build the capacities of the WDC Committees and representative Councillors on CDF and social service provision

Intervention B

At District level, led by the Local Authorities with the support/cooperation/assistance of WDCs, NGOs, the Ministries of Local Government, Media, Councillors MPs and Faith Based Organisations and Traditional Leaders

- ✓ Devise strategies on ensuring and monitoring that information on CDF is effectively disseminated to the local communities
- ✓ Design innovative and effective communication and information sharing mechanisms with local communities on CDF
- ✓ Develop tracking mechanism aimed at monitoring local community knowledge and participation in the CDF processes
- ✓ Facilitate or provide technical assistance in the development of monitoring and sustainability plans for the local communities
- ✓ Strengthen the systems of accountability and use of CDF

Intervention C

At National level, led by the Ministry of Local Government with the support/cooperation/assistance, of the Ministry of Finance, Community Development and Social Services, Information and Broadcasting, WDCs, NGOs, House of Chiefs

- ✓ Prioritise social services delivery to local communities in national development processes
- ✓ Ring Fence a percentage of CDF for social service provision
- ✓ Address the bureaucratic challenges on CDF resources
- ✓ Embark upon a nationwide popular education and awareness raising on CDF.
- ✓ Promote media in reporting, awareness raising and coverage on CDF
- ✓ Strengthen the capacities of Local Authorities in accounting and reporting on CDF
- ✓ Strengthen the systems of accountability and use of CDF
- ✓ Ensure that cases of abuse, misappropriation and misapplication are conclusively dealt with

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WILL PAYING FOR PLASTIC CARRIER BAGS REDUCE PLASTIC POLLUTION?

■ Plastic Shopping Carrier Bags, a Major Contributor to Pollution and Environmental Degradation

Introduction

From the time plastics were discovered in the early 1900s, they have become essential parts of our day to day lives and they have become widespread to an extent that most utensils and appliances in our homes and workplaces are made of plastics or have plastic components. Plastics have found application in almost every field and have been used in the manufacture of a variety of objects, from simple items like paper clips to parts of more sophisticated machines like aeroplanes and space crafts. Plastics are synthetic or semi synthetic organic polymers of high molecular mass that are mostly derivatives of petrochemicals. They derive their name from a characteristic known as "plasticity", which is a general property of all materials that can deform irreversibly without breaking. This is what enables them to be moulded into virtually any shape.

History of Plastics and their Widespread Use

The world's first fully synthetic plastic was Bakelite, which was invented in New York in 1907 by Leo Baekeland who coined the term 'plastics'. Many chemists have contributed to the materials science of plastics, including Nobel laureate Hermann Staudinger who has been called "the father of polymer chemistry" and Herman Mark, known as "the father of polymer physics". The choice to use plastics in the manufacture of many products is mainly based on the many properties inherent in plastics. These include the low cost, ease of manufacture, versatility, high tensile strength, lightweight, mouldability, flexibility, non-corrosiveness, durability, imperviousness to water (and other liquids and some gases) as well as the malleability property, which allows them to be cast, pressed or extruded into a variety of shapes.

With these properties, plastics have been used in the making of a wide variety of products. For instance, the

non-corrosive, lightweight and durable nature makes plastic an ideal material in the manufacturing of different vehicles in the transport industry. In cars and trucks, plastics make up 10% of new vehicle's total weight, and over 50% of their volume. In boats the percentage of plastics is much higher. As the plastic technology advances, many motor vehicle manufacturers envision using more plastic to lighten the weight of cars and trucks. This is with a view to making them more fuel-efficient, which in turn would make the cost of transportation cheaper and contribute to a greener environment. It is said that a reduction by one kilogram of vehicle weight can result in saving about 25.3 kilograms of carbon dioxide emissions over the vehicle's life. Plastic has found its way into the construction industry.

Advantages of Plastics

Due to the lightweight and other properties, plastics are being preferred as alternatives for metals, which are heavier and prone to corrosion. Plastic has also found use in the medical industry where disposable plastic syringes and tubing are increasingly being used to reduce disease transmission. Other uses in the medical industry include the making of heart valves, knee and hip joints, prosthetic limbs, spectacle frames and lenses as well as hearing aids, which help in saving lives or make patients' lives more comfortable. The constantly advancing technology also resulted in the introduction of polymer in the manufacture of medical implants and other medical devices. Plastic packaging protects medicine, and other products from contamination and germs. The field of plastic surgery, however, is not named for use of plastic materials, but rather the meaning of the word plasticity, with regard to the reshaping of flesh. Plastics' strength, light weight, and mouldability properties have revolutionised electronics. Most electronic gadgets in our homes including television sets, phones, music systems, computers, printers and many other household and office appliances have plastic components.

Plastic's light weight, strength, and ability to be moulded into any form further make plastic an ideal packaging material. It has many benefits compared to many other materials. For instance, rigid plastic keeps fragile items secure and flexible plastic makes easy-to-carry bags. Plastic packaging protects food and helps in keeping it fresh. Advances in plastic technology has made plastic packaging more efficient. It is said that the average packaging weight for products has been reduced by over 28% in the last decade due to the use of plastics. With these properties, plastics have prevailed over traditional materials such as metal, wood, stone, horn and bone, leather, glass, and ceramic.

Detrimental Effect of Plastics on the Environment



■Plastics Carrier Bags Constitute a Large Proportion of Solid Waste

However, despite having many advantages, plastics also have several disadvantages. In many cases the same properties which cause plastics to be preferred over other materials are the ones responsible for their disadvantages. For instance, plastics are extremely durable, which means that they last a long time. Therefore, any plastics that are discarded into the environment will remain there for years. Since plastics are easier to carry, people find it easier to use plastic bags for carrying their shopping. Right from food items to clothes to electronics, there is hardly any item that is not carried in a plastic bag. However, most of these plastics end up being discarded and constitute a large proportion of solid waste. Since plastics can take up to 1,000 years to completely decay, as more and more volumes of plastics are offloaded into the environment, there is a growing problem of space for landfills. Because of not being bio-degradable and being flammable, the only way to get rid of most plastics is to melt them down or to burn them up. However, smouldering plastics release toxic fumes into the environment, which contribute to greenhouse gas emissions and the depletion of the ozone layer, both of which are major contributors to a greater problem of climate change. Worse still, for plastics recycling is a costly endeavour and not all plastics are recyclable. This problem of littering and environmental degradation due to the use of plastics is more pronounced in developing nations. This is because majority of the plastics are used for packaging, which easily and quickly converts to waste.

In developed economies, about 30% of plastic is used in packaging, whilst in developing countries up to 50% of plastic is used for packaging. Whereas in developed

countries like the United Kingdom, over 44% of the plastic is recycled, less than 5% is recycled in developing nations due to the poor or lack of capacity to recycle plastics. This means that the majority of the plastic in the developing nations ends up as waste and the problem is exacerbated by the inefficient or non-existent solid waste management systems as well as the weak legislation and poor enforcement mechanisms.

Other major contributors of plastic littering, especially in developing nations, include the low awareness among citizens on the dangers of plastics to the environment, the throwaway culture, a general mind-set of not caring for the environment as well as the lack of understanding of the impact of the careless human activity and poor waste management on the environment and climate change. The problem of waste has become widespread and has raised a lot of concern. Pope Francis, in the encyclical "Laudato Si" of May 24th, 2015, laments that "mother earth, who sustains and governs us, and who produces various fruits with coloured flowers and herbs cries out to us because of the harm we have inflicted on her by our irresponsible use and abuse of the goods with which God has endowed her". He further states that because of our throwaway culture, the earth now looks like a huge pile of rubbish and calls for a mind-set change of caring for the earth.

Attempts to Address the Impact of Plastics on the Environment

As the effects of climate change and environmental degradation are becoming more visible and pronounced, there have been attempts by governments all over the world to put in measures aimed at addressing the causes of climate change and environmental degradation of which plastic pollution is among the major causes. In reducing problems associated with the use of plastics and slowing down environmental damage, many countries have come up with measures to compel citizens to employ the 3Rs of waste management (Reduce, Reuse and Recycle) on the use of plastics. To this effect, the Zambian government issued the Statutory Instrument No. 65 of 2018 (Extended Producer Responsibility Regulations), which came into force on 3rd August 2018. This instrument is in accordance with Section 58 of the Environmental Management Act No. 12 of 2011, which requires a person or persons whose activities generate waste with potential to pollute the environment to employ measures to minimize waste through treatment, reclamation, re-use, recovery or recycling. The instrument is one of the tools which the government intends to use in managing packaging materials, especially plastics and their resultant waste.

In line with the same instrument, on the 3rd December 2018, the government introduced a ban on manufacturing, trading and commercial distribution of plastic carrier bags and flat sheets that are below 30 microns in thickness or any packaging material that does not conform to the National Standard (ZS719) on Plastic Carrier and Flat Bags developed by the Zambia Bureau of Standards. However, the traders have been allowed to provide alternative packaging material that are either biodegradable or recyclable, and because these are expensive to produce,

the traders have also been allowed to provide these alternative packaging materials at a fee, hence the charge for the plastic in shops and supermarkets. This information has not been fully explained to the general public resulting in a lot of speculation. Some people have attributed the amounts charged for plastic bags in shops and supermarkets as some form of tax similar to toll gate fees, which the government has started collecting from the public. Majority of the people don't know that they have an option to go shopping with their own carrier bags or baskets or even carry their shopping without any carrier bags.

The ban or charging for packaging materials by shop owners is not only peculiar to Zambia. Other countries such as South Africa and Canada have already introduced this legislation and people are used to the practice of going to the shops with their own carrier bags. In implementing the Extended Producer Responsibility regulation and the practice of paying for packaging material in Zambia, the general public were not sensitised on the aim of the regulation to change people's mind-set towards caring for the earth and reinforcing the use of the 3Rs of waste management.

The legislation is in fact aimed at achieving the following:

1. When people received plastic carrier bags free of charge, they were not mindful and sometimes they collected more carrier bags than what was necessary. It is envisaged that as traders begin charging for the carrier bags to offset the cost of acquiring them, people will be mindful and will only accept and pay for what is necessary. This is expected to **"Reduce"** the number of plastics circulating in the environment. In addition, the use of alternative carriers such as baskets will further reduce the production and use of plastic carrier bags.
2. The practice of paying for the carrier bags provides an opportunity for people to **"Reuse"** the bags which will ultimately contribute to the reduction in production and use of plastic carrier bags and subsequently less plastics polluting the environment.
3. The banning of plastics below 30 microns and those not conforming to the National Standard (ZS719) will ensure that only plastics that can be re used and recycled remain in circulation. The availability of the recyclable types of plastics will enhance **"Recycling"**.

Measures to Reduce Plastic Pollution in Zambia



However, for the Extended Producer Responsibility regulation and the idea of paying for plastic carrier bags to effectively reduce plastic pollution, some measures need to be put in place. Firstly, government and environmental regulatory agencies must create massive awareness among citizens to understand the Extended Producer

Responsibility regulation and its intended purpose. Currently this regulation and the idea of paying for the plastic carrier bags have not been fully understood and therefore nothing has changed in terms of behaviour among citizens on the use of plastics. The only thing that has changed is that people are paying for plastics. However, since the fees for the plastics carriers do not significantly increase the cost of shopping, people have continued collecting and using plastics carrier bags in the same traditionally way and these bags continue finding their way into the environment, causing the same problems. Secondly, there is need for mass sensitisation among citizens on how the throwaway culture in handling plastics is contributing to environmental degradation and climate change as well as how these are adversely affecting the earth's ability to sustain the lives of both the present and future generations. Only then can people begin to care for the earth and become cautious in using plastics. Further, government and its local authorities must develop and educate people on the contemporary waste management systems that would allow for recycling of the plastic waste. Even with the Extended Producer Responsibility regulation in place as well as paying for the carrier bags, the use of these plastics has remained the same. In some cases the carrier bags are used to store waste before it is discarded into bins. This causes them to become contaminated and difficult to recycle.

If meaningful recycling of these plastics is to be achieved, waste management systems that allows for segregation of waste from the producers right up to the recycling facilities must be put in place and people educated on them. Currently people still use a single bin system and even where waste is separated at source, it is still mixed during transportation and separation is dependent on the local scavengers who rummage the dumpsites resulting in contamination and poor grade recycling.



Conclusion

Therefore, unless the measures outlined above are implemented, providing plastics at a fee will not significantly reduce plastic pollution. As a country also need to be proactive in responding to the current trends in managing plastic waste, especially that the pressure to use plastics in almost all manufactured products is increasing. Citizens are also urged to develop an attitude of caring for the earth "our common home" for the benefit of the present and future generations. Remember "if you cannot reuse it refuse it".

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MINING FOR ZAMBIA

Introduction

Africa has abundant natural resource endowment and is the world's top producer of numerous mineral commodities and resources of fossil fuels (oil, gas and coal) as well as large bio-mass and bio-fuels potential (ethanol, bio-diesel). African countries however, have not harnessed the potential of the rich natural resources or employed their natural resource advantages as an engine for inclusive economic development.

Poverty in the Midst of Plenty

Despite being the largest mineral exporter, Africa has the largest number of people living in poverty and statistics indicate that there are currently 218 million people living in extreme poverty. Among them are the rural poor people in East and Southern Africa, an area with the world's highest concentration of poor people. Zambia is no exception. Despite being one of the world's largest copper producer, 8th in 2017 and the 9th largest producer of cobalt, Zambia is recorded to be one of the poorest countries in the world, with 40.1% of its population living in multi-dimensional poverty (CSO,2019). Recent reports highlight that seven out of ten people live on less than two dollars a day and the average life expectancy is 54 years.

Dependency on Mining

Zambia has been mining for the past 1000 years and mining has continued to be an important economic activity for Zambian economy. Mining has defined what Zambia is today and the country is likely to continue to depend on the mining sector for years to come. Mining has also continued to leave a huge footprint both positive and negative on the Zambian society. Civil Society continues to believe that the mining sector can positively contribute to economic and human development especially if we have locally defined social, environmental, and economic goals over the long term.

A Call for Inclusive Mining Strategies

Structural transformation of our economy must be an essential component of any long-term strategy to ensure the achievement of the Sustainable Development Goals and aspirations of the people in Zambia, eradicate poverty and underpin sustainable growth and development across our country. Of key importance are women, youths and children who have long been excluded from the discourse around development especially as it pertains to mining. The key issue, however, is in the formulation and

implementation of workable industrialization and mining strategies that take cognizance of these marginalized groups based on our country's unique strengths, rather than the emulation of strategies that have been effective in other contexts.

The Pitfalls of the Extractive Sector

Mining has a lot of controversies. However, it is generally agreed is that it can foster economic development by providing opportunities for decent employment, business development, increase fiscal revenues, and infrastructure linkages. Many of the minerals produced from the mining sector provide essential building blocks to new technologies, infrastructural development, energy and agriculture. The mining industry has the opportunity and potential to positively contribute to all 17 Sustainable Development Goals (SDGs), but can also impact negatively across the SDGs. History has proven that mining contributes to many of the challenges that the SDGs are trying to address; environmental degradation, displacement of populations, worsening economic and social inequality, armed conflicts, gender-based violence, tax evasion and corruption, increased risk for many health problems, and the violation of human rights with women and children bearing the brunt of most of these challenges.

Promoting Responsible Mining

Taking cognizant of the need of responsible mining, Civil Society Organizations have created the Zambia Alternative Mining Indaba (ZAMI), a platform where civil society, mining companies, government and the communities can engage and find practical solutions. The ZAMI brings to the attention of the Zambia International Mining & Energy Conference & Exhibition (ZIMEC) officials and the general public the minimal extent to which indigenous Zambians have benefited from the mining and energy sector. It also deliberates on ways in which Zambia's natural resources can contribute to development and accelerate poverty

reduction for all; such as increased revenues from the extractive sector by way of taxes, royalties, signature bonuses and other payments. The ZAMI is a major advocacy event that has helped stakeholders' to debate on issues related to promoting equity, transparency, and accountability in the extractive sector, providing an opportunity to learn, understand and take action to promote sustainable human development through extractive industries.

For the eighth time this year, the Zambia Alternative Mining Indaba (ZAMI) dialogue space convened to discuss concerns around natural resource governance in Zambia from the 11th to 13th June 2019. This year's theme was 'Our Natural Resources, Our Future Moving Towards Meaningful Transparency and Accountability'. This was in recognition of strides that have been made towards making data and decision making in Zambia's extractive sector more open. However, this has not translated into significant changes in communities with regards to poverty alleviation, conflict reduction, environmental sustainability and corrupt practices.

Participants reflected and deliberated on how all parties can collectively improve transparency and accountability in the extractives sector to produce better environmental and socioeconomic outcomes for citizens, while ensuring the industry's profitability and optimal revenue generation. The ZAMI developed a communique highlighting recommendations addressing concerns from the provinces, Zambia mining tax regime, artisanal and small-scale mining, local content, extractives industry transparency initiative, land and compensation, safety and small-scale mining, gender and human rights protection.

Transforming the Extractive Sector

Cognizant that Zambia remains richly-endowed with vast mineral resources and 40.1% of its citizens currently live in poverty, the Zambia government needs to realize that mineral resources are finite and as such need to re-evaluate their policies around the issue of the extractive

sector and transformation in the mining sector. We note with concern the instability of the mining tax regime. The regime has had about seven (7) changes in the past nine (9) years, making it difficult for mining corporates to plan their operations. There is need for Government to heavily invest in studies to understand the cost structures of an average mining firm in Zambia, both small-scale and large scale. Such knowledge is important to feed into the development of the sector's financial model and knowledge of the appropriate taxes to levy on the sector. This is especially important if the country is to move to a variable profit tax regime leaning less on royalties levied on production.

A Call for Prudent Taxation

Additionally, Government needs to be cautious of overdeveloping the tax regime in the mining sector and/or making umbrella tax decisions based on mining at the expense of other sectors as this can lead to other sectors become redundant. This will hamper upstream and downstream linkages in the economy and negate development. In the same vain, Government should consider tax differentiation in the mining sector, like varying mining rights fees based on the scale of mining. Artisanal and small-scale miners should be taxed differently to enable them to adequately meet their corporate and citizen duty without hampering further operations. Tax incentives such as holidays and breaks should be conditionally given to artisanal and small-scale miners to encourage them to continue financing the development of their and /or initial operational costs.

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." - Margaret Mead.

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ACCESS TO INFORMATION LAW IN ZAMBIA

Introduction

Zambia is signatory to international protocols that makes it obliged to promote, protect and respect all fundamental human rights and freedoms of all its citizenry, for every person is entitled to certain rights simply because they are human (UDHR, 1954). One of these rights is the right to information, hence the importance of the access to information legislation. However, there is little political will to domesticate the same provisions. This has created a political environment that is suspicious of and hostile to the public's right to access to information (ATI). One of the contributing factors to this environment is the lack of information among the citizenry, leading to a culture of ignorance that is worsened by low levels of literacy.

Many Zambians do not know that it is their right to request and have access to information, both from the public institutions and private sector. This has hindered them from making informed decisions, leading to a failure to objectively analyse their situation and to misunderstand others, especially minorities. This can be done by passing access to information legislation that will mandate the strengthening of institutional capacity through training on the provisions of the law and record management practices.

Parameters of a Good Access to Information Legislation

1. Maximum Disclosure and Mandatory Obligation to Supply Information

In order for the ATI law to thrive and be of benefit to the citizens, there is need for a governance system to require all public entities and relevant private bodies to disclose

information to the public upon request. To promote transparency and accountability, public entities must disclose regular updated information proactively. There should be no justification for access to information and the exercise of the right should not depend on the nature of the interest the applicant may or may not have in obtaining the information requested.

The state should provide information intended for the public in simplified and accessible formats appropriate to different kinds of groups of people without additional costs. For example, the state must facilitate the use of sign language, braille, augmentative and alternative communication to ensure access to information for persons with disabilities. Availability of information to the public is crucial to the promotion of democracy, good governance and the socio-economic development of the country. The state should take appropriate measures to ensure that the public has effective access to information that is needed to fight against corruption (African Charter for Human and People Rights Article 9).

2. Obligation to Guarantee the Right of Expression and Access to Information

It is the duty of the state to guarantee the right of expression and access to information held by public bodies and private entities (Declaration of Principles on Freedom of Expression in Africa 2002). This declaration expects the state to take it upon itself to see to it that every citizen has the right of access to information that is of public nature and may be held by the state or another person and requires the exercise or protection of any right or fundamental freedom. Private entities should equally be obliged without condition to disclose information that is of public nature and is meant for citizens to make informed decisions that affect their livelihood. The withholding of information should be an exception and not the norm, and should not be left to the discretion of the issuing officer to avoid the risk of rendering the right to information relative and contingent upon the powers that be.

3. Limited Scope of Exceptions

Access to information regulations, measures, safeguards and controls need to be defined and described. The government should strive to reduce the period during which records are restricted especially to make sure that access rules are in accordance with any freedom of information or privacy legislation. Extended closure of records should be limited to specified categories of records.

4. Protection from Abuse on Confidential Information

The ATI law should protect individuals from being abused or victimized based on confidential information. To this end, it is expected that the access to information legislation should state that it shall be an offence for anyone to maliciously use personal information to violate the dignity of another person. This should be viewed in light of the need to balance the right to access to information against other rights such as privacy and human dignity. The concept of data protection is premised on the protection of right to personal privacy and autonomy of the individual. The right

to privacy is closely linked to protection of one's identity. Autonomy of the individual ideally means that people should have control of their own personal data. The law should provide for correction of personal information held by public entities and private bodies in instances in which such information is out of date, inaccurate or incomplete.

5. Standardized Process to Facilitate Access

There should be a prescribed form for making an application to access information and there should be no unreasonable delay or an undue burden placed upon applicants and no application should be rejected for failure to use the prescribed form. This obliges the state to develop job descriptions for information officers and networks of information access officers, develop a uniform criteria for information access officers to apply in making a decision whether or not to approve an information request, develop clear and publicised internal work flow on processing of information requests. The workflows should be kept at a high level so that staff are accountable to ensure that information requests are responded to. Internal templates should be developed and when timelines are not met, the matter should be escalated. There is need for proper clarity on responsibilities that relate to proactive disclosure (there should be categorical clarity on who should attend to requests for information) and ensure that the information published is adequate, good quality and usable and in a uniform format for posting on public agencies' websites.

6. Seekers of Information to be Sworn to the Same Confidentiality of the Confidential Information

Where the request for information is declined, the reasons for the decision must be given including a justification for deciding that the information is exempt unless the information is expressly categorized as such. The information requestor must also be notified of the appeal mechanisms available. This should be qualified that in the case of denial of information, the seeker can appeal, and if the information is still deemed sensitive for disclosure, the seeker can be sworn to the same confidentiality as the custodian than being denied the information. This is in order to avoid national security being abused as ground for limiting access to information. The obligation to grant information extends to the three branches of the State, that is, Executive, Judiciary and Parliament.

7. Balance between Public Interest and Protected Interests

The ATI law should balance between the protected interests and public interest by providing that information exempted from access and furnish the information when public interest outweighs the protected interests. This is in order to link public interest to the promotion of accountability of public entities to the public and debate over public issues; ensuring effective oversight of public funds expenditure; public information on public health or safety to the environment; and ensuring that a statutory authority with regulatory responsibilities is adequately discharging its responsibilities. Limitations should not apply to information that has been held for over 30 years. The ATI should further impose strict timelines for processing information

requests. Transfer of requests must not delay grant of the information requested. Fees payable must only relate to reproduction and supplying the information, and not to the giving.

8. Prohibition of Deliberate Misinformation and Publication of False Information

ATI law should also include how to deal with deliberate misinformation and publication of false information. The state should proactively publish and publicize important information affecting the nation. Access to information should encompass the overall volume of information held by the state, with the exception of information exempted from access by statutory law in line with the general limitations clause based on human dignity, equality and freedom. While governments may legitimately withhold information to protect narrowly defined national security interests, information relating to violations of human rights, humanitarian war, perpetrators of torture, crimes against humanity and locations of secret prisons must never be withheld. Significantly, sustainable development goal on peace, justice and strong institutions embraces the right to press freedom and information as important to its achievement.

9. Protection of Whistle Blowers

The ATI law should protect persons who disclose information in public interest from penalization, making confidentiality agreements in relation to information subject to disclosure unenforceable, thereby insulating from penalty persons who make or propose to make disclosure of information obtained in confidence in the course of employment, profession, voluntary work or by holding office, if the disclosure is made in public interest. Public interest disclosures are to law enforcement agencies or to an appropriate public entity; for violations of law including human rights, mismanagement of funds, conflict of interest, and corruption, abuse of public office and on dangers of public health, safety and environment.

10. Information of Asset Registers

The ATI law must make it mandatory to develop information asset registers which can be used to identify the entity that holds the requested information. The information asset registers should be posted on the websites of public entities. Public entities should develop information asset registers and post them on their website for easy access, and actively disclose certain information and update this information regularly. There should be sensitization of all staff in public entities on the need to create records and specific training of record management officers on the ATI law, proper records management and repackaging of information for transmission, automation of records and record management procedures to enhance timely retrieval of information, availability of affordable internet country wide and leveraging on social media to disseminate information. The ATI law require adoption of an incremental approach in reorganization and management of records in public agencies to allow identification and prioritization of the most sought or requested information. Further, the law should establish a framework to effect improvements in registry and records work in public offices. It must set rules

for the orderly and timely transfer of semi-current records of continuing value to a records centre and of records of permanent value to an archival repository.

11. Identification of Places of Deposit

Where appropriate, the law should provide for the appointment of 'places of deposit'. These are record repositories which are outside the control of the director of the records and archives institution, but which are nevertheless subject to certain conditions and to inspection by the director. Such appointments would be made primarily in the parastatal sector, to ensure the preservation of quasi-governmental records not directly under the management of the records and archives institution.

12. Provision for Appeal

There should be provision for an appeal to the Minister of Information and a clear appeal procedure of a decision not to supply information. It should be mandatory for public entities and private bodies to submit reports to relevant authorities. If a public entity does not have the information requested, an information access officer may transfer the application to another relevant entity which holds the information requested. The information access officer is required to inform the applicant of the transfer of the request. No fee is to be charged for correction, updating or annotation of out of date or inaccurate personal information.

Conclusion

Access to information is a matter of co-responsibility, for not all the burden lies with government: citizens, civil society and community organizations, media, and the private sector must take responsibility for monitoring government efforts in applying the law. It calls for creating of public awareness that citizens have right to access information and preparedness of public institutions to allow the public have access to information. This calls for the recognition of the importance of establishing effective information regimes that foster efficiency and modernization. However, civil society alone may not be sufficient to ensure full implementation of an access to information law. However, in the event of failure to comply, committed Civil Society Organizations (CSOs) should serve as a counterbalance to faltering implementation efforts.

This is because free flow of information and ideas is the foundation of democratic space and is crucial to effective respect for human rights. A health democratic space is one where individuals are able to participate effectively in decision making and assess the performance of their government. This participation depends on access to a variety of information held by public bodies. The ATI legislation should contribute to government openness and accountability and prevention and combating of corruption. It will help increase government efficiency and responsiveness, along with civic trust. Although the ATI is not a substitute for good governance, it both supports and aids its implementation. ATI contributes to enhanced empowerment and equality of all social groups, including women, youth and indigenous peoples. Furthermore, it

is linked with well-functioning markets, improvements in investment climate and effectiveness of development aid.

The implementation of ATI legislation relies on a range of factors: from the surrounding constitutional laws, to the availability of funds and well-trained human resources for its implementation, to the dynamism of civil society including the activism of transparency NGOs and of professional investigative reporters, and the capacity of the citizens to benefit from the law. At the moment, the Zambian government is not adequately equipped to provide timely responses to requests for information and to proactively make key categories of information available.

At the same time, the Zambian public is not sufficiently aware of their right to access public information, making them think ATI legislation is only for the media. The greatest challenge is not one pertaining to capacity, but to fostering a shift from a culture of secrecy to one of transparency. Therefore, the promotion of a change of mind-sets in the public sector and of widespread public awareness and information demand is critical. Moreover, taking advantage of E-governance and ICTs to put ATI into action and for developing the means of encouraging citizen participation and promoting greater transparency is also crucial.

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Introduction

Zambia is not the only country that has a Public Order Act. For the protection of the democratic space wherein citizens can enjoy their rights and freedoms, nations have laws that allow for the prevention of riot, rout, unlawful assembly and affray in the interest of public safety and protection of individuals (Vallée, Marc 2009). It follows that it is within the mandate of parliament to pass such laws, in as far as these laws do not seek to constrict the democratic space but to enhance the citizens' enjoyment of their democratic rights and freedoms. Such laws should create a number of clearly defined public order offences so that it is easier for law enforcers to control and manage crowds without infringing on their right to freedom of assembly and association (Kott, Tom 2012).

Contentiousness of Public Order Act as it Pertains to Zambia

Public Order Acts become contentious when they are passed in view of constraining a specific group of people or segment of society. The Public Order act 1955 is one such law in the sense that it was enacted as a political tool for the suppression of the liberation movements in the then Northern Rhodesia. It was conceptualized in a colonial setting in which Zambians were subjects and not citizens. It meant not to maintain order but to frustrate the democratic aspirations of the majority.

One would have expected the POA 1955 to have been repealed at independence as a logical way to broaden the democratic space of the nation in line with the attainment of independence. Its maintenance by the United Nation Independence Party (UNIP) and subsequent

post-independence governments defeated the very essence of the independence of the Zambian people, for the POA 1955 compromises the inherent right to freedom of assembly and association of the citizens of Zambia and their right to self-determine their direction as a nation of free citizens as opposed to bonded people of the colonial era.

The UNIP government may have had justification of its maintenance by citing the political instability in the region at the time, as one ground on which freedom of assembly and association was to be managed by the state. However, this was and is not a good justification. Any measures to constrain democratic space should be for the democratic benefits of those constrained. The Colonial origins of the POA 1955 continues to form political attitudes in Zambia, even among the elite, and has created a culture that stifles creativity and stunts the growth of an independent judiciary in Zambia. This can be seen in judicial decisions that affect political liberties that still follow colonial precedents. Political liberties in Zambia are still determined by the judicial rulings of the colonial era as it clearly comes out in the cases of Kapwepwe and Kaenga (1972); Nkumbula v. Attorney General (1972); Puta (1973, 1981, 1982); Shamwana v. Attorney General (1980, 1981) and others. Democracy and Advent of Multi-party Politics in the Region With peace established in the region and a return to multi-party politics in Zambia, there was no need for such a harsh instrument to continue being in force. The Movement for Multi-party Democracy (MMD) used the same instrument as a political tool to suppress dissenting people, the opposition and muzzle the press. The Patriotic Front is one of the many organisations that suffered the misapplication, sometimes misuse and abuse of the POA 1955. The Patriotic Front (PF) have taken the bold step to have it repealed, there is need for the PF to out-rightly do away with legislation that seek to constrain the democratic space of the citizens. In order for democracy to flourish, there is need for a complete repeal of the POA 1955 and present the people of Zambia with a Public Order Bill that broadens the democratic space in which people enjoy their rights to the full. The Pastoral Statement of the Zambia Conference of Catholic Bishops 2013, states that the Public Order Act 1955, in its current form, has no place in our statutes, for it is both repressive and anachronistic and therefore needs to be repealed.

Public Order Bill 2019 Still as Powerful as POA 1955

The law as it is presently amended, however progressive, still constitutes the antithesis of a democratic society. Democratic societies grow on the exchange of ideas formulated in a culture of free interaction and association. Democratic societies do not only aspire to promote human dignity but also seek to promote rationality. Unfortunately the proposed Public Order Bill still retains some constraining powers. The designation of the authorised officer as the Inspector General, the Commissioner of Police or any office to whom the IG can delegate the powers to receive the notification is itself a constraining factor. People would like to believe that the government has embarked on a positive path to broaden the democratic space in which the

citizenry will enjoy their right to freedom of assembly and association to the full.

It follows that the only way the PF can convince the people of its good intentions is to reduce further the power of the POB 2019 so that it is the people's law by putting the onus of public order in the hands of the people. Government should work towards gaining the trust of the people and it will see that there is no need for lethal force to manage people, for power is better exercised if it is exercised from below. It follows that public order will be easier to achieve if the people see it as their good, and therefore, will welcome any intervention from the authorities in its enhancement. Devolving the authorising authority to the lower command will remove the negative connotation of the POB 2019 as yet another political tool. This will be further enhanced by creating a commission of appeal instead of the Minister in the event that the authorising officer is bent on stopping a public assembly.



International Conventions on the Right to Freedom of Assembly and Association

Under these conventions, Zambia has international and domestic obligations to undertake to respect the rights and freedoms recognized in the conventions and to ensure that all people subject to her jurisdiction enjoy those rights and freedoms. This undertaking brings with it three important obligations: (1) Zambia is obliged to respect the rights and freedoms recognized in the conventions; (2) She is obliged to ensure that every person subject to her jurisdiction enjoys free and full exercise of the rights recognized in the conventions; and (3) she is to prevent, investigate and punish any violation of the rights recognized by the convention. One of the rights enshrined in these conventions is the right to freedom of assembly and association. It follows that the restraining nature of the POB 2019 is not only repressive and anachronistic but an indictment of Zambia when it comes to its obligations before international conventions.

Notification should be a Done Deal not Limitative

While interested in creating a health democratic space, the government, at the same time wants to control the manner in which the citizens enjoy this democratic space as can be seen by the way the POB 2019 has reserved power in the hands of those enforcing the POB. Part II, Clause

5(1) still gives power of veto to the authorised officer. NOTIFICATION is subject to the discretion of the authorising officer, which is not different from seeking permission. Part II Clause 6(1) still gives power to the authorising officer. Clause 6(2) still carries the force of POA Clause 5(5) (c) for it gives the authorising officer powers to decide how the public gathering should be done. Clause 10(5) of the POB is retrogressive for it allows for inefficiency. It should be the duty of the government to see to it that there are resources for the protection of democratic space. This section gives room to the authorising officer to arbitrarily turn down a notification on grounds of inability to police the public gathering.

Part III Clause 19 which provides for appeal mechanism to the minister does not serve the interest of democracy for the minister is an interested party. Clause 22(1), 23(1) (2) of the POB are not necessary. The minister is an interested party for they represent the government in power, might therefore make regulations and guidelines that skew the application of the POB in favour of their political party than the promotion of a democratic space. As long as the authorized officer has the power to veto the notification, the POB still retains controversial aspects of POA 1955 albeit clothed in new vocabulary. The POB still limits people's right to freedom of assembly and association for it still seeks to determine where, when and what people can discuss.

Reducing Constraining Powers Given to Authorized Officer Part 1, Clause 2 of the POB. The authorized officer being the IG of Police, Commissioner of Police, Assistant Superintendent, Officer in Charge or any police officer authorised by the Inspector General limits the enjoyment of the right to freedom of assembly for it narrows the scope within which the people have to make notification. This has retained the force of the POA 1955 Section 5(1) (2). The POB should have less or no constraining power. To achieve this lessening of power it should be to the local commanding officer of the area where the public gathering is to take place that notification is to be given. This is in order to articulate the values which bind the Zambian people as free people and to restrain the government and state organs and institutions in their use of judicial, legislative and executive power in relation to the right to freedom of assembly and association. This will allow the police, as an organ of government, not have more power to constrain the democratic space of the people other than that granted to it by the Constitution as outlined in Article 21 of the Constitution of Zambia which guarantees the right to assembly.

This will emphasise that the public sphere belongs to citizens. Public collective ownership of the public sphere is demonstrated by the taxes they pay to maintain it and pay those who are given limited functions within that space. It is unfortunate that at times tax payers' money has paid for law enforcers who do not respect human life, leading to loss of the same, all in the name of public order. It cannot be over emphasised that an authorising officer cannot, in a democratic society, validly appropriate the public sphere nor expropriate it from the citizens through

the use of any public order act (ZCCB 2013). According to the Zambian Constitution, the power to interpret legislation and the Constitution is vested in the courts. It is therefore an anomaly to allow a Police officer to give a binding interpretation of the constitutional right to assembly and association. This is in accordance with the fundamental nature and purpose of the rule of law that defines constitutionalism and the separation of powers. It follows that the authorising officer's duty should be to facilitate peaceful assembly and not to decide whether assembly should take place or not.

Conclusion

However, it is important to mention that the right to freedom of assembly and association can be subject to specific limited derogations which are prescribed by law and for purposes reasonably foreseeable and necessary in a democratic society as per Article 21(2) of the Constitution of Zambia. This should be done in the interests of national security, public order and public safety, the protection of public health or morals and the protection of the rights and freedoms of the others. These derogations should be narrowly interpreted so that they do not lead to abuse.

The right to freedom of assembly and association is the rule, and its restriction should be an exception so that the authorising officer cannot undermine the very existence of the attributes of these rights when restricting them. This will dispel the fear that the enjoyment of the right to freedom of assembly and association enshrined in articles 20, 21, and 28 will be contingent on the opinion and discretion of the authorising officer who is an official of the executive arm of government. This will also aid to fetter the discretion of the authorising officer by indicating the sufficient and precise limits of that discretion to satisfy the quality of the law contemplated in Article 21. It is not democratic to vest such vast powers in the Police for it will be tantamount to predetermining the liberties and freedom of the people.

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RETRIEVING AFRICAN TRADITIONAL ECO-SPIRITUALITY IN RESPONDING TO ENVIRONMENTAL CHALLENGES

Introduction

It is possible to retrieve traditional eco-spirituality as means of combating current environmental challenges. To show the possibility, I will discuss the loss of biodiversity as the area of environmental concern. To address the loss of biodiversity using eco-spirituality, I ought to unpack the content, aim and methodology of traditional eco-spirituality. Secondly, I will have to contextualize eco-spirituality to African traditional societies that made use of the tool. After contextualizing eco-spirituality, I will bring contemporary issues as arguments against the sustainability of eco-spirituality. I will raise criticisms and objections to the contemporary arguments. I will end by discussing eco-spirituality in the context of Karl Marx's historical materialism.

What is Traditional Eco-Spirituality?

Traditional eco-spirituality is a complex concept. Traditional in this article will be understood in twofold. The first dimension of tradition will be simplicity. Traditional societies were simple societies. The simplicity of traditional societies bordered on the relationship between environment and individuals. The relationship between the environment and the people was intimate. Hence, to maintain this intimacy, an approach of the 'do not' was embodied. In other terms, the environment as the other was same as the self and vice versa. To consolidate the notion, the other who is the environment subsumed the self who is an individual. This is a simple understanding of the society, thereby, equating it to traditional. The second dimension of traditional is sophistication. Traditional societies were sophisticated because of institutions. The sophistication is based on interpretation of reality and manipulation of environment. For example, in traditional societies, movements of animals, temperatures of lake water, movement of celestial bodies like stars, moons had meanings. The sophistication is the mysticism attached to the interpretation of reality.

The Constraining Role of Eco-spirituality

Spirituality embodies beliefs, values, norms and practices (Gumo 524). Some of the beliefs are founded on mere belief and others on reasoning. Beliefs inform the norms. The norms subsequently inform the values and values guide the practices. In many traditional societies, the belief in the divine or supernatural being was founded on mere belief or reasoning from common human experience. Some of these societies evolved into institutionalized religions. For example, some religions like Jainism, Hinduism, Judaism, Christianity etc. evolved their spirituality which was ecology friendly. These religions had principles of

non-injury. This principle respected all forms of life. They restricted themselves to eating vegetables.

From a perspective of religion in African traditional societies, many societies did not have institutionalized religion. By institutionalized religion, I refer to hierarchy, proselytization, scripture, dogmas etc. Nonetheless, they had celestial hierarchy, divination and beliefs. These beliefs acted as the connecting fiber between the Supreme Being and the created. This Supreme Being was manifested in creation and environment. The Supreme Being was believed to interact with creatures or creation through the environment. Hence, natural calamities were interpreted through a spiritual spectrum. This mode of spirituality supported biodiversity in the biotic community.

Diversity of Life Forms as Enhancement and Sustainability
Biodiversity is the diversity of life forms. Kaushik defines biodiversity as the variety of life forms (98). The concept of biodiversity anchors on respecting all life forms. Biodiversity is relevant to both biotic and abiotic communities. To the biotic community, biodiversity enhances and sustains the ecosystem and energy flows. One form of life may belong to more than one ecosystem. The capability of a life form to belong to various ecosystems helps in the interconnectedness of the various ecosystems. Hence, a destruction of one ecosystem can disturb other ecosystems.

Biodiversity is relevant to the abiotic community. In the abiotic community, there are structures like humidity, rainfall, sunlight (Kaushik 66). There is an interdependence between biotic and abiotic structures. However, biodiversity enhances this interdependence. Thereby, without biodiversity, the abiotic community risks destabilization and extinction, hence, leading to climatic change.

Unchecked Consumerist Culture Affects the Environment

In our reality today, there are many activities or states that are a challenge to the environment. Some challenges include pollution, waste disposal, urban sprawl, over population, industrialisation, loss of biodiversity, global warming etc. All these challenges are interconnected. In this article, I will focus on the environmental challenge of loss of biodiversity.

How and why is loss of biodiversity a challenge to environment? Abiotic structures are interdependent on the biotic structures, hence, an imbalance in biotic community affects the abiotic structures. Biodiversity creates the

foundation for sustainability of ecosystem. If biodiversity is not balanced, abiotic structures become unstable resulting in possibilities of drought, global warming, floods etc. Loss of biodiversity is a challenge to the environment because other forms of life are eliminated, or their affectivity and efficiency are reduced. In the energy flow system, every member has an important role to play. Other forms of life do not necessarily need to be important to human beings whether directly or indirectly. Nonetheless, they are important to the environment itself and for its own sake.

Institutionalized Spirituality and the Principle of Non-injury

How do institutionalized spiritualities support biodiversity? In this case and instance, I will take examples of Jainism, Buddhism and Hinduism. The three religions practice the principle of non-injury. It is also called ahimsa (Chapple). The cardinal virtue of ahimsa anchors on the assumption that every living thing has a divine spark (Lugira 39). Nonetheless, their scope of living things excludes plants. Thereby, they believe in eating and surviving on vegetables and fruits. However, some Jainists, Hindus or Buddhists eat meat. They slaughter only when it is necessary and not mainly for commercial purposes. Some people who are affiliated to these religions practice ahimsa. For example, some are vegetarians because they believe in ahimsa, yet they do not belong to any of the aforementioned spiritualities.

The principle of ahimsa can be retrieved and be applied in many environments. This principle can be used to combat poaching and game hunting. Appended to that, it can reduce meat consumption which is lately understood as part of contribution to climatic change. For example, in Zambia, elephants, mice, hares, white rhinoceros, and many other animals are endangered. These animals are mainly hunted for their horns and the small ones like mice and hares for meat. Some are even killed and only to remove horns. Some are hunted for ritual practices. Applying the principle of ahimsa would help in maintaining the biodiversity and human attitude towards nature, environment and other living things would be informed by the principle of non-injury.

The principle of ahimsa can also be applied to smaller organisms. For example, the current phenomenon of dietary observations. Many people in Zambia have resolved to eating birds, caterpillars and many other small insects. The idea is that they are organic and therefore health. Commercialization of this idea has resulted in harvesting of these organisms at an alarming rate. Some industries have even started either cross breeding or modifying their genetics to maximize their production. This implies that the injury may not just be about killing, but also about interfering in their life cycles and their production. Some species are extinct because such human interventions. Ahimsa prohibits this form of injury.

African Traditional Spirituality Emanates from the Environment

In the African traditional spirituality, like John Mbiti's assertion, "Africans are notoriously religious" (Mbiti 4). For Mbiti, an African hardly separates between the sacred and the profane. In Africa, traditional spiritualities have been passed on from generation to generation by oral tradition. African traditional spirituality is traditional not because it is old or primitive, but because it originated from the environment (Gumo 527). However, different African traditional communities had different worldviews, beliefs, values and practices. Some traditional communities shared values, beliefs, but differed in practices. To demonstrate this, I will take some practices of the Bemba traditional society, which is tribe in the northern Zambia.

How did they relate to the environment and also regulate the use of environment and how did they promote biodiversity? The Bemba traditional community had taboos. A taboo is a religious or cultural assumption that forbids from acting, using, touching certain things (528). Taboos encompass relevant aspects of life. Taboos were associated with events like marriage, birth, initiation, social or economic activities, agriculture and hunting activities. Taboos shaped the relationships between human beings and plants, human beings and animals, human beings and environment and human beings and the supernatural world (531).

For example, bestiality was a taboo in the tradition Bemba community. Also, it was a taboo to throw rubbish onto the lake for those who come from near lakes. Some of these examples of taboos explain the earlier mentioned relationships. However, they also show how the natural resources were conserved. Taboos extended to certain animals and plants. Some animals were so scarce on islands or main-lands such that it was a taboo to kill them if you met it; it was the same case with some plants. For example, a puffadder snake was scarce on an island. If one meets it and kills it, it was considered a taboo. Hence, people who met it just left it, thereby conserving the species. This principle of not killing scarce animals supported the ecological biodiversity. From this perspective, taboos acted as techniques for conserving natural resources and the environment (533).

The Principle of Totems Promoted Biodiversity

The Bemba traditional community had smaller groups within. Some of these groups still exist while others no longer exist. Different groups chose different totems. A totem is an object, plant, animal or phenomenon chosen by a tribe, family or clan as their symbol of identity (534). People respected their totems. For the tribes that had living things as their totem, they never killed them. Rather, if they encountered them, they revered them. For example, some Bisa people of Chilubi Island have crocodile as their totem. They call themselves as abena ng'wena. The people of this clan would not kill a crocodile. One may argue that traditional groups chose totems basing on the

nature of the object or living thing, scarcity, availability or relevance of the phenomenon. For example, among the Bisa people of Chilubi, one clan has rain as its totem; they call themselves abena mfula. This group will try to ensure that rains are available every year and in the appropriate quantity. In the event of drought, they go to intervene with the supernatural realm. The principle of totems helped members of the society to develop intimate relationship with the environment.

One may argue that when nature is understood as divine and one, it is conserved. Appended to that, the principle of totems helped in stabilising the kind of generational human beings. People from the same clan never married each other. Since the totem was used as a tool for identity, thereby, incest was avoided. They believed that, children born out of incest are biologically weak or with a down-syndrome. This belief helped to preserve the human species. The belief in totems also helped many communities to produce off springs with sufficient physical fitness. The principle of totem bring about unity and interconnectedness. It can therefore be argued that the principle of totems promoted biodiversity.

Contemporary Challenges in Traditional Eco-spirituality

However, amidst of the traditional eco-spirituality, there are some contemporary challenges. These challenges pose the ecological crisis. The ecological crisis is not only a problem to human beings, but also to the rest of creation. In the following paragraphs, I will note some challenges to the African traditional eco-spirituality.

- The first challenge to possibility of retrieving traditional eco-spirituality is population increase. In many societies, population has been increasing. The increase in population is inversely proportional to the natural resources. For example, population increase poses a challenge of land as a resource. Hence, people begin to encroach forests or even the lakes. Secondly, increase in population demands more food supply. Therefore, the animals and plants that were reserved and revered become sources of food and risk extinction. This contributes to loss of biodiversity, but human beings feel justified because they need to survive.
- Secondly, urbanisation is a challenge to African traditional eco-spirituality. Urban areas mainly have people with various beliefs and practices. However, people are detached from the conducive environment to practise their spirituality. Urbanisation comes with ethnic and cultural pluralism. Therefore, to survive and live well in a pluralistic society entails foregoing some beliefs and practices. Hence, some things that used to be revered cease to be and the young ones born in this culture embrace the new practices as their own. This has led to losing the aspects of eco-spirituality that supported biodiversity. Also, urbanisation has led to destruction of necessarily environments because of building, infrastructural development and need for land

space. For example, due to land scarce in urban areas, people now even build on wetlands. Thereby, displacing biotic structures from the wetlands.

- Thirdly, there is pressure from other religions. For example, there is pressure from a religion like Christianity. Some practices in traditional spirituality are challenged as profane, fetish and as worshiping inanimate objects. The call for evangelisation has put African traditional spirituality at odds. Many people have converted and hence see no need for not killing their totem. This is because evangelisation of Christianity has shifted the hierarchy of living things and put human beings at the centre. This shift is manifested in many of the anthropocentric arguments in relation to environment. For example, the genesis story of creation takes human being as the centre of creation and is given dominion over all. While in traditional spirituality, human being was in a relationship with environment. This poses a challenge to biodiversity.
- Fourthly, African traditional spirituality is faced with modernisation, industrialisation, secularisation and formal systems of education. These phenomena pose a challenge to traditional eco-spirituality. The coming of industrialisation has led to displacement of people and animals. In some cases, it has affected even the abiotic structure like rain. For example, in Kankoyo town of Zambia, the rains are acidic. It is difficult for a family to grow crops in a garden. This is because of the sulphur emissions from the copper mines. Some animals that cannot stand the present harsh conditions have either perished or relocated to environments that are not even good breeding areas for them. This has led to loss of biodiversity. The contemporary community has remained helpless about it because of the economic constraints.

African Traditional Eco-spirituality Respond to the Ecological Crisis?

In the rise of all these challenges and objections, where does it leave African traditional eco-spirituality? The temptation is to embrace the new challenges and forget about traditional eco-spirituality. However, that is not the case. African traditional eco-spirituality can respond to the ecological crisis and loss of biodiversity in the contemporary challenges. Traditional eco-spirituality emphasises personal attitudes and practices. In the contemporary world, many of the attitudes and practices are self-centred. The supremacy of the self. However, African traditional eco-spirituality challenges that. Why would one individual have more than one vehicle or build massive houses when the individual can survive on one vehicle and a sizeable apartment? The new building styles uses cement. Unlike having a yard planted with a grass (lawns), flowers and trees which support other forms of life, a yard with a concrete does not support other forms of life.

Traditional spiritualities built sustainable societies. This means that they met their needs from the environment without threatening it. For example, the attitude of recycling was prominent. Those who were engaged in agriculture, they used remains of their harvest as source of nutrients of the soil. They did not use chemicals or fertilizers. The use of chemicals eliminates biodiversity. In traditional societies, even those who engaged in hunting, gave time to animals to breed. Hence, their hunting was seasonal and only when necessary. Traditional spiritualities had an in-built conservation principle in how they went about every aspect of life.

Economic Gains Take Precedent of Care for the Environment

From Marx's historical materialism, the contemporary world seems to have moved a step away from the traditional eco-spirituality. Economy is at the fulcrum of debates on environmental issues. The ones who argue against retrieving traditional eco-spirituality in responding to environmental issues argue from an economic perspective. In short, they justify the damage to the environment as a necessity for development. Because of the economic demands on nature and environment, people are made to think and feel it is right not to care about the environment, so long as their practices are contributing economically. Historical materialism presents us a notion that we have left the stage when the environment was divine, life was one and we were connected to nature. Rather, it puts us on a pedestal that we are justified to harm the environment for economic gains. For instance, the polluter pays principle connotes that those who have resources have a licence to harm the environment with impunity.

A response to historical materialism from an African traditional eco-spirituality perspective is to rethink models of economic activities. Traditional eco-spirituality argues for development and prosperity without growth. Just like Tim Jackson argues, the world is finite. The world or environment cannot merely renew itself or take in all possible environmental damages. It needs change and conversion of human attitude towards environment. Traditional eco-spirituality can be incorporated in current economic activities. Traditional eco-spirituality cares for future generations. It recognises that nature is finite and limited and that we need to take care of it.

Conclusion

I started by asserting that it is possible to retrieve traditional eco-spirituality in order to respond to environmental challenges. I chose the challenge of loss of biodiversity as the topic of my discussion. I began discussing traditional eco-spirituality. I divided traditional in two-folds. The first fold took tradition as simple. The second fold took tradition as sophisticated. I also distinguished spirituality in institutionalized religions and non- institutionalized religions. I discussed eco-spirituality from the perspectives of Hinduism, Jainism and Buddhism. I then discussed eco-spirituality from African traditional spirituality. After these discussions, I raised the challenges to practicing traditional eco-spirituality. Among the challenges I raised included secularization, industrialization etc. I responded to the challenges using traditional eco-spirituality. I ended by raising the argument from Marx's historical materialism as an impossibility to retrieving traditional eco-spirituality. However, I also discussed the traditional eco-spirituality that the need is not to necessarily go back, but to rethink the economic models and ideologies about development.

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**Bwacha Parish
Kabwe – Zambia**

JCTR BASIC NEEDS BASKET

Lusaka

October 2019

(A) COST OF BASIC FOOD ITEMS FOR A FAMILY OF FIVE

| Commodity | Price (ZMW)/ Unit | Quantity / Month | Total (ZMW) |
|----------------------|-----------------------|-------------------|---------------------|
| Mealie Meal (Roller) | 112.6725 kg bag | 2 x 25Kg | 225.33 |
| Rice | 107.905kg | 4kg | 86.32 |
| Cassava Flour | 17.751kg | 6kg | 106.48 |
| (Sweet) Potatoes | 33.521 Kg | 4 Kg | 134.10 |
| Beans | 41.221kg | 3kg | 123.65 |
| Pounded Groundnut | 99.701kg | 1kg | 99.70 |
| Soya Pieces | 51.311 kg | 2kg | 102.62 |
| Beef | 39.801kg | 2kg | 79.60 |
| Chicken | 49.912kg | 5kg | 124.78 |
| Kapenta | 225.661kg | 1kg | 225.66 |
| Eggs | 12.391 unit (10 eggs) | 3 Trays (90 eggs) | 111.50 |
| Milk (Fresh) | 6.83500 ml | 10 liters | 136.67 |
| Vegetables | 321.8840 Kg | 40kg | 321.88 |
| Onion | 12.941 Kg | 4 Kg | 51.77 |
| Tomatoes | 13.071 kg | 6 kg | 78.44 |
| Banana | 8.691 Kg | 16 Kg | 139.01 |
| Other Fruits | 12.991 kg | 14 Kg | 181.84 |
| Cooking oil (2.5lts) | 53.582.5lt | 3.6lt | 77.16 |
| Salt | 6.921 Kg | 1 Kg | 6.92 |
| Tea | 22.53250g | 250g | 22.53 |
| Subtotal | | | ZMW 2,435.94 |

(B) COST OF ESSENTIAL NON-FOOD ITEMS

| Commodity | Price (ZMW) / Unit | Quantity / Month | Total (ZMW) |
|----------------------------------|--------------------|------------------|---------------------|
| Charcoal | 127.50 90kg bag(s) | 2 90kg bag(s) | 255.00 |
| Soap (Lifebuoy/Champion) | 6.58 Tablet(s) | 3 Tablet(s) | 19.75 |
| Wash soap (BOOM) | 9.83 400g | 4 400g | 39.33 |
| Jelly (Vaseline) | 22.00 500ml | 1 500ml | 22.00 |
| Electricity (medium density) | 292.00 Month(s) | 1 Month(s) | 292.00 |
| Water & Sanitation (med - fixed) | 197.00 Month(s) | 1 Month(s) | 197.00 |
| Housing (3 bedroom) | 3,000.00 Month(s) | 1 Month(s) | 3,000.00 |
| Sanitary towels | 12.83 Pack of 10 | 2 Pack of 10 | 33.67 |
| Toilet Paper (2ply) | 4.08 Tissue(s) | 6 Tissue(s) | 24.50 |
| Lotion (Dawn) | 16.00 500ml | 1 500ml | 16.00 |
| Lotion (Dawn) | 20.50 250ml | 1 250ml | 20.50 |
| Subtotal | | | ZMW 3,919.75 |

Total for Basic Needs Basket

ZMW 6,355.69

(C) SOME OTHER ADDITIONAL COSTS

| Education | | Transport (bus fare round trip) | |
|--------------------------------|--------------|--|--------------|
| Item | Amount (ZMW) | Item | Amount (ZMW) |
| Grades 8-9 (User + PTA/year) | 600.00 | Chilenje - Town | 20.00 |
| Grades 10-12 (User + PTA/year) | 600.00 | Chelston - town | 20.00 |
| Matero - Town | 16.00 | | |
| Health | | Fuel (cost at the pump) | |
| Item | Amount (ZMW) | Item | Amount (ZMW) |
| Registration (book) | 2.00 | Petrol (per litre) | 15.98 |
| Self-referral (Emergency Fee) | 80.00 | Diesel (per litre) | 14.23 |
| Mosquito net (private) | 20.00 | Paraffin (per litre) | 13.02 |

(D) A COMPARISON OF COSTS (IN KWACHA) OF BASIC NEEDS ACROSS ZAMBIA

This survey was conducted on 27th June, 2019 by the Social and Economic Development Programme of the Jesuit Centre for Theological Reflection. Average Prices were calculated on the basis of prices gathered from retail outlets at Northmead, Shoprite (Cairo Road), City Market, Chawama, Chanda, Kabwata, Matero and Schools, clinics/hospitals, and filling stations around Lusaka. The June Basic Needs Basket is approximately US\$489 based upon the exchange rate of K13. Other costs would include personal care, clothing, recreation, etc.

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ARTICLES AND LETTERS

We would like encourage you to contribute articles to the JCTR bulletin. These articles can be on any social, economic, political or educational, cultural, pastoral, theological and spiritual theme. A good issue of the bulletin really depends on your lively analytical exchange of views. The length of your article should be between 1000 and 1500 words.

We also encourage comments on the articles in this or previous bulletin issues. Views for the improvement of the bulletin are also welcome.

So to contribute, please write articles or letters to the Editor- JCTR Bulletin by E-mail to

jctr.faithandjustice@gmail.com and jctr.info@gmail.com

THE JCTR UPDATES:

FAITH AND JUSTICE PROGRAMME (F&J)

During the third quarter of 2019, the Faith and Justice Programme engaged stakeholders in advocating for strengthened legal frameworks around electoral and good governance/improved people's awareness of rights or entitlements in relation to education, health and water and sanitation in the JCTR operational areas. This was to make people aware of their rights or entitlements in relation to education, health and water and sanitation.

The programme held 8 radio programmes in Kasama, Kitwe, Mongu and Livingstone to raise awareness on economic, social and cultural rights. This was supported by the production and dissemination of materials on information, educational and communication on water and sanitation, health and education. The programme also held two meetings with service providers and duty bearers in each of the areas on the need to address the challenges that were identified in the area of water and sanitation, health and education.

A research on the use of Constituency Development Fund (CDF) on community projects in the area of education, health, water and sanitation was conducted. The Study paid attention to the allocation of CDF to these areas, the challenges encountered by local communities to access and benefiting from social services, the disbursement patterns of CDF by Government as well as the disparities in the allocation of CDF to social projects.. A policy brief on the findings of the research on the use of the CDF was produced and used to lobby the relevant line ministries at national and local levels as well as creating awareness among community members on the use of CDF.

The programme participated in the sexual and gender based violence (SGBV) national indaba. This was in view of engagement with cooperating partners through the gender advisory group and get involved in research on quality of services for victims and perpetrators of SGBV. To brainstorm on the drivers of sexual and gender-based-violence (SGBV) in Zambia and develop possible practical and community led-solutions and to undertake a mapping of who is doing what in addressing SGBV for referral, networking and linkage purposes

The programme made submission to the select committee on Constitution Amendment Bill No. 10 of 2019. The programme observed that The Constitution Amendment Bill of 2019, is by and large less progressive than the Constitution Act No.2 of 2016. For instance, the Amendment Bill is taking the nation backwards for it seeks to constrain the National Assembly while increasing the power of the executive. It further observed that the NDF did not represent national consensus.

The Faith and justice were part to the launch of the state of the media report in Zambia by Media institute of Southern Africa (MISA). JCTR is part to the coalition on media law reform and advocacy for access to information legislation. In this vein the programme submitted a memorandum to National Assembly on access to information legislation in Zambia and parameters of a good ATI legislation. The ATI is essential to all Zambian citizens because they have the right to access information. The programme was also part to the launch of the state of human rights in Zambia by the Human Rights Commission and also participated in the consultative meeting organised by the Zambia Law Development Commission on how CSOs and the media can help in legal reform in Zambia.

The programme collaborated with Loyola Productions to record television programmes that are featured on Loyola Television. The programme also hosted in Lusaka an ecumenical workshop on servant leadership targeting councillors and Ward Development Committee chairpersons. Similarly, two radio programmes were held in Kasama and Mongu, alongside youth fora on servant leadership.

SOCIAL ANDECONOMIC DEVELOPMENT PROGRAMME (SED)

Revision of the Basic Needs Basket (BNB) was concluded. The Basic Needs Basket now captures a well-defined nutritious diet. The launch of the revised Basic Needs Basket now the Basic Needs and Nutrition Basket was held in August.

We held a Lufwanyama Children's Parliament at District level in preparation for the National Children's Parliament in Lusaka. The programme further trained select children in Lufwanyama in parliament etiquette and consolidated issues to be presented at the national children's parliament that was held in early October. The platform creates an opportunity for children to interact with duty bearers.

The programme held a stakeholder dialogue on linkages between agriculture and manufacturing /value addition and its potential for national development. The meeting heightened understanding among stakeholders (participants) on the linkages between agriculture manufacturing and value addition in Zambia. In attendance were key stakeholders including Ministry of Commerce Trade and Industry, Ministry of Agriculture, Research Institutions, Civil Society Organizations and the media. One major recommendation from this meeting was that there was need to enhance knowledge levels in the agriculture sector especially among farmers on value addition, manufacturing and the affordable technologies.

The programme held public discussions in Lusaka and Solwezi on the analytical report on the Auditor General's report. The platform enabled duty bearer's account to rights holders on what actions were being implemented to curb public funds mismanagement as highlighted in the Auditor General reports. Participants included Government ministries and institutions including Ministry of Health, Auditor General's office, Public Service Management Division, Anti-Corruption Commission, Zambia Revenue Authority, Ministry of Justice and Zambia Police.

A stakeholders meeting was held in September to dialogue on the effect of emerging economic trends on access to children's rights with a reasonable attendance from the Media, CSOs that relate to children, Ministry of National Development Planning as well as a representative from the University of Zambia – Economics Department. One highlight was that; there was need for more efforts to be made to interrogate quality in education. The programme further held a stakeholders meeting in September to advocate enactment of the planning and budgeting legislation and wider circulation of citizens' budget. Following completion of the social audit conducted in Livingstone and production of the report the programme held the launch in Livingstone. The launch meant to make stakeholders and residents aware of the new services available at Livingstone General Office.

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