

WE ARE INTENSIFYING OUR CAMPAIGN FOR THE INCLUSION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN THE NEW CONSTITUTION, SAYS JCTR

“Given the so many challenges that our people faced in the year 2008, and now face in 2009, we feel strongly that having Economic, Social and Cultural Rights included in the new Bill of Rights of the new Constitution will greatly help in achieving justice and promoting the needs of Zambians in respect of their dignity,” says Dominic Liche of the Church Social Teaching Programme of the Jesuit Centre for Theological Reflection (*JCTR*).

In December 2007, the *JCTR* launched a petition campaign to have Economic, Social and Cultural Rights included in the new Bill of Rights of the new Zambian Constitution to raise their status from merely being “Directive Principles of State Policy” to ones that are justiciable and legally enforceable. More than 12,000 signatures have been collected from Zambian citizens from all around Zambia demanding that this set of rights be justiciable and legally enforceable.

To date, despite efforts at presenting the fact that Zambians want justiciable Economic, Social and Cultural Rights and explaining clearly how this can be done by giving examples from countries that have these rights justiciable, little momentum and commitment has been seen on the ground from government and other stakeholders like the members of the National Constitutional Conference (NCC).

Mr. Liche asserts that, "In this new year, 2009, we would like the deliberations of the NCC on the new Constitution completed and the adoption of the new Constitution pass through a referendum (inferring that the Bill of Rights must be changed) where Zambians will approve their own Constitution. There cannot be a people-driven Constitution when a majority of Zambians are not involved in the process."

True, the cost of the deliberations of the NCC has been huge compared to meeting some of the Economic, Social and Cultural Rights. For example, by December 2008, the NCC had spent 44 billion Kwacha when most of our people live without adequate housing, in underdeveloped parts with inadequate infrastructure, poor healthcare and education, poor sanitation and little access to clean water, harmful environment and many more conditions that undermine human dignity. As the Human Rights Committee of the NCC begins their discussion and review of how human rights ought to be protected in the Zambian Constitution, we urge them to take seriously the inclusion of Economic, Social and Cultural Rights in the new Bill of Rights of the new Constitution.

Mr. Liche firmly believes that it is possible, given Zambia's resources and economic situation, to implement and respect Economic, Social and Cultural Rights in Zambia. Respect of human dignity demands that rights essential for human living are recognised.

JCTR implores all stakeholders, government, members of the NCC, Parliamentarians, and the general citizenry to consider seriously the inclusion of Economic, Social and Cultural Rights in the new Bill of Rights of the new Constitution and its appropriate adoption process (through the referendum). As a faith based organisation working for social justice and having done so in the past 20 years in Zambia and Malawi, *JCTR* will continue advocating and putting out evidence that this cause for justiciable Economic, Social and Cultural Rights can work and is in the best interest and respect of human dignity of Zambians.

2009 poses new challenges for Zambians and facing these challenges demand that we Zambians work hard to see what can work for us and what cannot. Economic, Social and Cultural Rights is one way of encountering the problem where we have enormous riches and potentials in the country but less development in rural areas as well as in urban areas. Integral and sustainable development, *JCTR* believes, be it economic or social is one that benefits and respects the dignity of human persons and promotes the full enjoyment of all human rights.