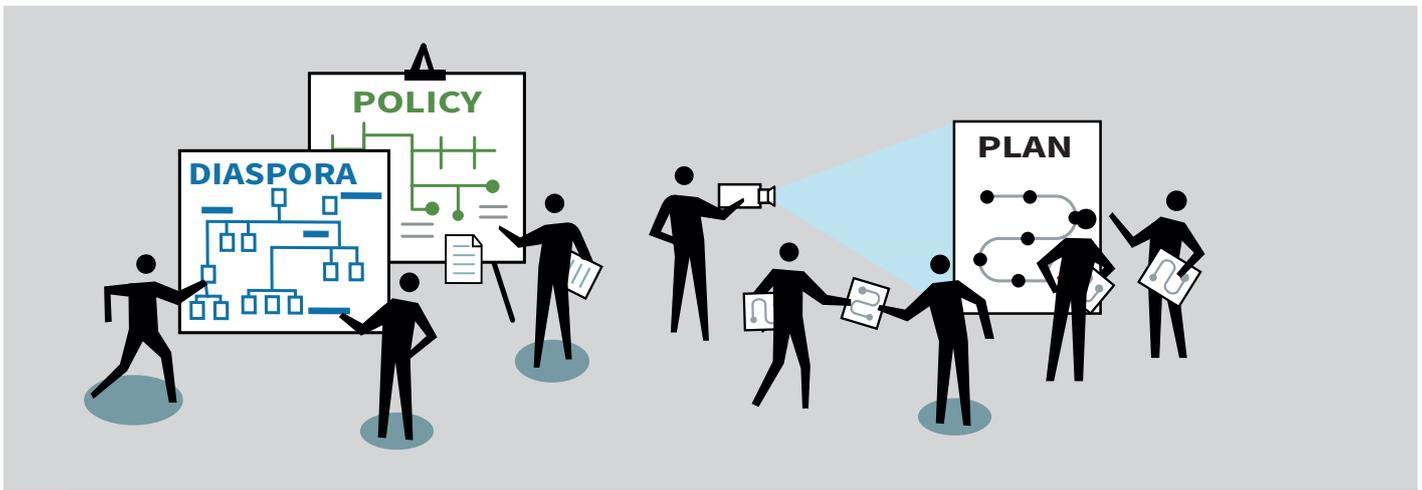




# **‘TOWARDS A DIASPORA POLICY FOR ZAMBIA’ JOINT COMMUNIQUÉ**

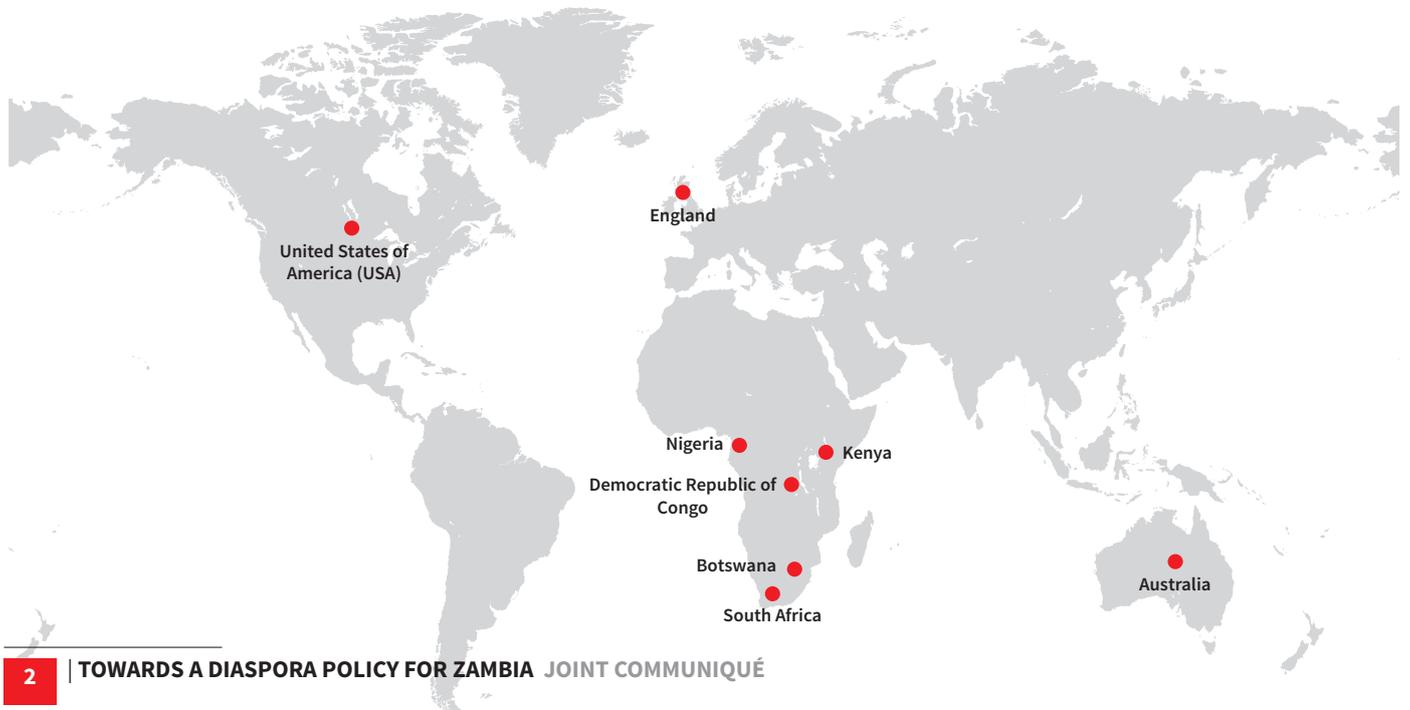
**“The National Consultative Forum for  
Diaspora Policy Formulation”**



## The National Consultative Forum for the Diaspora Policy Formulation

The National Consultative Forum for the Diaspora Policy Formulation took place from the 7<sup>th</sup> to the 9<sup>th</sup> of October 2015 in Lusaka Zambia. This was a landmark event in the process of formulating a Zambian Diaspora Policy. Although there have been several steps taken to understand the nature and demographics of Zambians living in the Diaspora, the National Consultative Forum is the first clear step specifically aimed at the formulation of a policy. Previous efforts include the Zambian Diaspora E-Conference, Zambian Diaspora Connect held in 2010 and the Zambian Diaspora Survey taken in 2011. Although the objectives of these events/initiatives may have varied, the need for a diaspora engagement policy was an underlying factor. These calls for a policy emanated from various stakeholders including networks of Zambians living in the diaspora, sections of government technocrats, academia and research institutions such as the Policy Monitoring and Research Center (PMRC). The calls for a diaspora policy were based on research that revealed the need for improved interactions between government, and Zambians living in the diaspora. The purpose of the engagement was to ensure that Zambians in the diaspora are given an opportunity to participate in national development. This was advanced with the hope that government would benefit from skills transfer and technological advancement through partnerships.

Representation for the 2015 indaba (National Consultative Forum for the Diaspora Policy Formulation) was naturally drawn from a multiplicity of stakeholders who included Zambians in the diaspora - several countries were represented by diasporians from **Kenya, South Africa, Botswana, Democratic Republic of Congo, Nigeria, United States of America (USA), England and Australia** among others. Representatives from various Government Ministries specifically, the Ministry of Foreign Affairs, Ministry of Commerce, Ministry of Lands, the Immigration Department, the Zambia Development Agency (ZDA), and the Central Bank were also present. Valuable experiences and lessons were also drawn from Ghana and Kenya through



Mr Emmanuel Enos, (Director at the Diaspora Affairs Bureau in the Ministry of Foreign Affairs and Regional Integration), and Professor Washington Oloo, (Director at the Diaspora and Consular Affairs) from Ghana and Kenya respectively. Other stakeholders included Non-Governmental organisations, private organisations as well as individuals interested in the formulation of this important policy. The Diaspora Support Initiative (DSI), which played a pivotal role in providing information about various stakeholders especially from the diaspora as well as the International Organisation for Migration (IOM), were also represented and served as the secretariat.

Among many issues that were discussed and debated at the indaba, were seven key areas that formed the main discussion framework. These were:

- 1 **Remittances;**
- 2 **Political participation;**
- 3 **Access to land;**
- 4 **Trade and Investment;**
- 5 **Dual citizenship;**
- 6 **Skills transfer; and**
- 7 **Access to National documents.**

These items were discussed and resolutions formulated, following presentations from relevant ministries, government departments, specialists from the diaspora and other specialist organisations.

The resolutions formed the basis for the policy and below is a summary of the key discussions and resolutions on each of the above noted items:



### 1. Remittances:

From the general policy direction, it was clear that the Government would work with the private sector and other stakeholders to expedite development of the policy. The main discussion points under remittances included:

- I. The regulation of the cost of remittance transfers from the diaspora, through the central bank, so as to avoid charges on diaspora remittances.
- II. The need for government to negotiate with International Organisations involved in money transfer to reduce rates, in line with Sustainable Development Goals (SDGs), to 3% by 2030;
- III. The Government to stimulate growth and investment, through the creation of investment funds from the diaspora;
- IV. Zambians abroad to be encouraged to open bank accounts locally so as to accelerate remitting of funds from abroad
- V. The Government to engage and liaise with mobile phone providers and explore money sending and receiving mechanisms that might be cheaper and more efficient. The Kenyan model was cited as an example worth exploring and emulating.



## 2. Political Participation

The key policy direction under this heading was noted as; the need for the Government to allow Zambian citizens abroad to participate in overseas voting including presidential elections. The main discussion points included:

- I. The need for the current Constitution to be amended to include dual citizenship and allow overseas voting during presidential and parliamentary elections. In this regard, the Constitution has since been amended (Constitution of Zambia (Amendment) Act of 2016.) to allow for dual citizenship. It was noted that there were some situations in which dual citizenship was in fact allowed under the current Constitution. These include where a Zambian gets married to a foreigner in the diaspora and in the case of **children under the age of 21 as per section 19 of the Citizenship Act**. It was also noted that there was need for sensitisation activities so that Zambians in the diaspora became aware of these provisions;
- II. The need for the Government to engage diaspora associations, NGOs, traditional leaders, among others, to study electoral systems or models in other parts of the world, undertake study tours, and thus recommend workable proposals for Government to review and implement;
- III. The need to establish a diaspora desk within the Ministry of Foreign Affairs (MOFA) and in the various embassies and high commissions. This desk would, among other things, offer a link between Zambians in the diaspora with Parliament in order to ensure that the concerns of Zambians in the diaspora were being voiced as well;
- IV. From 2017, the Government to ensure that budgetary allocation to fund some of the items above was made available;
- V. Zambians in the diaspora to ensure that they register themselves at the Zambian missions to facilitate accurate data about the diaspora and also allow participation.



## 3. Access to Land

The key policy direction was determined as the facilitation of easier access to land by Zambians in the diaspora. Main discussion points included:

- I. The need to designate missions abroad to facilitate the processing of applications for land acquisition by the diaspora;
- II. Ensuring that application forms are made available to the Diaspora through the Ministry of Foreign Affairs to embassies and missions abroad;
- III. Earmark 5% of available land for allocation to the diaspora;
- IV. Using ICT tools to make land acquisition and administration easier for the diaspora;
- V. Ensuring that there is clear communication and public awareness of the stakeholders involved namely, MOFA, Min. Land, MOA, Local government, and ZDA and their role is to implement the policy. If any laws in existence conflict this policy, Min. of Justice to revise such;
- VI. Ensuring that the MoFA allocates adequate budget resources to implement the policy;
- VII. The need for effective coordination with line ministries in implementing the policy



#### 4. Trade and Investment

The key policy direction under this head was determined to be the facilitation of economic trade and investment for locals and Zambians in the diaspora. The main discussion points included:

- I. Reduce ‘investment threshold’ from the current **USD 250,000 to USD 100,000** under ZDA;
- II. Creation of a Diaspora National Fund, ensuring buy-in from key stakeholders such as the BoZ and other national institutions;
- III. Improve availability of data and statistics on current investments, so as to improve the potential for future investment and business opportunities



#### 5. Dual citizenship

The key policy direction under this was ‘to provide for dual citizenship for children of Zambians and re-acquisition of citizenship for Zambians who have lost or renounced their citizenship’. The main discussion points included:

- I. Amend the current Constitution to provide fully for dual citizenship;
- II. Coordination of relevant line ministries on issues pertaining to dual citizenship i.e. **(MoHA, MoFA, MoJ, Ministry of Information, MFNP)**;
- III. Facilitation of acquisition of dual citizenship through more affordable and less bureaucratic systems;
- IV. Security institution rights should be outside the domain of dual citizenship;
- V. A person who holds dual citizenship cannot join the police, judiciary, and cannot be president.



#### 6. Skills Transfer

Under this head, the key policy direction was ‘to promote the permanent, temporary and virtual return of (skilled) members abroad. The main discussion points included

- I. Identify the skills in the Diaspora and establish a database of the skills available;
- II. Match the Diaspora skills to the local skills (needs) gaps;
- III. Set up a skills transfer platform;
- IV. Establish Institutional framework to coordinate the implementation of the policy;
- V. Ministry of Foreign Affairs to play the coordinating role i.e. link local available opportunities to the database.



## 7. Access to National documents

The key policy direction here was thought to be *‘ensure information on processes and procedures for acquiring national documents is clear and accessible, and to facilitate access to national documents for Zambians abroad’*. The main discussion points included:

- I. When a child is born, it is the duty of parents to register the child at the Zambian Mission in the country at birth and when the child reaches the age of 16 it is the duty of the parent to return to the Embassy to obtain the national identity card;
- II. Embassies to conduct ‘clinics’ with Zambians living abroad to educate them on the registration process of themselves and their family members;
- III. Improve information flow and coordination between the Immigration Department, the Missions abroad and Zambian communities in the diaspora.

## Political Will

The Consultative Forum demonstrated the Government’s willingness to establish a policy that would enhance effective diaspora engagement and enable substantial remittances and participation from Zambians in the diaspora. This would be beneficial for the country and would also allow Zambians abroad to take advantage of opportunities back in Zambia.

The Ministry of Foreign Affairs presented a very ambitious program for the formulation of the process that envisaged significant progress within the forth quarter of 2015. Countries like Kenya and Ghana have effective and functioning diaspora policies and institutions. It is hoped that Zambia can draw on best practices from these countries and ensure that our own policy could soon be operational.

### Recent Developments: Constitution of Zambia (Amendment) 2015 Assented- Dual Citizenship

On 5<sup>th</sup> January 2016, **H.E. President Edgar Chagwa Lungu** signed the **Constitution of Zambia (Amendment) Act of 2016. Part IV of the Amendment Bill** contains various aspects of citizenship. It states that “A citizen shall not lose citizenship by acquiring the citizenship of another country” and that “*a citizen who ceased to be a citizen, before the commencement of this Constitution as a result of acquiring the 10 citizenship of another country, shall be entitled to apply, as prescribed, to the Citizenship Board of Zambia, for citizenship and the citizenship Board of Zambia shall bestow citizenship on that person*”.

The amendment of the constitution may bring about various benefits such as;

**Increased remittances and tax collection.** Although this is dependant on the availability and efficiency of government systems, the change in legislation allows for security on the part of Zambians living in the diaspora. Zambians living in the diaspora and other stakeholders are confident that they can fully contribute to the Zambian economy and enjoy the benefits of being a citizen despite having dual citizenship. These remittances would serve as a significant source of foreign exchange and account for a massive contribution to Gross Domestic Product (GDP).

**Knowledge transfer & international influence.** Dual citizenship will allow for skills and knowledge transfer in various fields especially medical research and technology. Zambia will also have a competitive advantage as it strives to place individuals in international organisations to bolster the nations foreign policy and general international profile.

On the other hand, Government must ensure that the nation does not experience “brain drain” or the loss of skilled intellectual and technical labour through the movement of such labour to more favorable geographic, economic, or professional environments.

In conclusion, the amendment of the constitution has set a foundation for a dynamic diaspora policy to be concluded and implemented. This engagement policy will facilitate for Zambians living in the diaspora to participate effectively in the development of the nation. It is hoped that the government will further harmonize all related legislation to prevent policy/legislative fragmentation and conflicts.

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**Prepared by:** Logan Nyasul (DSI Founder and Managing Director) and (Chileshe Chaunga (PMRC Researcher) with the support of Bernadette Deka (PMRC Executive Director), Brian Sambo Mwila (PMRC Communication Specialist) and Reviewed by Salim Kunda (PMRC Head of Monitoring and Evaluation), Aliness Mumba (PMRC Head of Research and Analysis), Miselo Bwalya (PMRC Researcher) and Masuzgo Mtawali (PMRC Head of Communications).

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JOINTLY ISSUED & PREPARED BY  
POLICY MONITORING AND RESEARCH CENTRE (PMRC)  
AND DIASPORA SUPPORT INITIATIVE (DSI)



**Diaspora Support Initiative Zambia,**  
Number 8, Raphael Kombe Road, Civic Centre, Lusaka  
Email Address: [dsi@dsiz.co.zm](mailto:dsi@dsiz.co.zm)  
Enquiries: [info@dsiz.co.zm](mailto:info@dsiz.co.zm)  
Landline: +260 211 250539 | Cellphone: +260 97 586 6506  
<http://dsiz.co.zm>



**Policy Monitoring and Research Centre (PMRC)**  
Plot No. 32 Sable Road, Corner Bishop and Sable Roads, Kabulonga,  
Lusaka, Zambia  
Private Bag KL 10  
Landline: +260 211 268 385 | + Cellphone: 260 979 015 660  
<http://pmrczambia.com>

