



ZLA COMMENT ON THE PRESIDENT'S CONCERN ABOUT CUSTOMARY LAND CONVERSIONS

Over the years the Zambia Land Alliance (ZLA) has been speaking out on the rapid and massive conversions of customary land to state land as a result of large-scale land investments. These conversions have resulted in thousands of Zambians across the country being displaced from the land where they were born and grew up, without following the provision of the resettlement policy.

ZLA is very pleased and feels vindicated that the Republican President is now singing from the same hymn sheet with the organisation by questioning Chiefs about how thousands of hectares were converted without consultation. We feel this is a good start in the right direction.

Much as ZLA applauds President Hichilema for voicing concern, we feel that accountability for the illegal conversions needs to be extended to all players who played a role in the process. The public needs to understand that the Chiefs lay at the bottom of the chain of the land conversion process. The consent by the Chief is only the initial step. After the Chief signs the conversion consent form II, the form goes to the Council that has the mandate and responsibility to conduct due diligence on the land to ensure that there are no other interests that will be affected by the conversion, and that the size of land to be converted is within the Chief's jurisdiction (which is 250 hectares maximum). After the Council has physically inspected the land in question, they endorse the consent and recommend the conversion to the Commissioner of Lands, the only person who has legal powers to issue a title in the name of the President.

Therefore, accountability for the conversion of huge tracks of customary land cannot and should not end with the Chiefs. We would like the Councils to be held accountable for their decisions, because they should have conducted due diligence and endorsed the conversions through full council meetings. We also want the Commissioner of Lands to take more responsibility because the Commissioner is the only official who has powers to issue a Certificate of Title. The Commissioner of Lands has the right to reject consent for conversion of customary land, if it does not meet the legal requirements. The Commissioner of Lands therefore should be held responsible for illegal conversions of land, and not the Chiefs as the chiefs cannot issue certificates of title to formalise the land conversion process.

ZLA has always stated that both the Chiefs and the Government share responsibility for the large-scale conversions of land in Zambia. The Government cannot convert customary land without the consent of the Chiefs, and the Chiefs cannot convert customary land as they have no powers to issue titles. However, the back ends at the Commissioner of Lands, the only official with powers to formalise the conversion, in the name of the President.

Issued by,

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