

# CRC preparing extra report on policy issues

By David Mtei

THE Constitutional Review Commission (CRC) is preparing an extra report which it says will include all views it collected from the people during the Constitution review exercise.

The report to be prepared will contain most of the views which were given by wananchi, but which reflected policy concerns rather than constitutional issues.

The report will act as a point of reference for policy

makers when they implement various issues of national interest.

A member of the Constitutional Review Commission (CRC), Prof Palamagamba Kabudi, said many of the views that Tanzanians aired during the collection of views were policy based and would need to be implemented by those who will be in power.

Prof Kabudi was speaking in an experts' forum organised by the Tanzania Constitution Forum to discuss key processes and content issues

on the Draft Constitution in Dar es Salaam yesterday.

He said the CRC received a lot of views from the people in various ways and forms but it was difficult to include all of them in the Draft Constitution,

Instead, he added, the Commission has decided to prepare an extra report which will include most of the views.

The don said the Commission learnt that many people in the country had a lot to say, but most of their views were on policy.

He said there was need to give a chance to the country's leaders in future to use the report as a point of reference in implementing their responsibilities.


Kabudi said the CRC has learnt that discussion of the first Constitutional Draft has been dominated by the issue of the Union structure, with other important issues getting little attention.

For instance Chapter Three of the Draft deals with civil servants' code of conduct, but many people did not discuss it at all.

According to him, the Chapter was put in place to provide benchmarks to assess a leader.

The Chapter and specifically Article 13 and 17 of the Draft Constitution addresses issues of good leadership, absence of corruption, embezzlement of public funds and respect for citizens.

"The Chapter has been put in place to ensure good leadership for the future, but also to make sure that leadership is inclusive and not

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exclusive to groups of people as it has often been observed .... We need people to thoroughly discuss this for the Commission to know if it has managed to set strong pillars for good leadership in the country or not," he said.

However he said that the Commission has discovered that it has already done a good job so far since most of the key issues on the country's interests were covered, saying: "If you happen to do something which can shake 'big people' in the country it means you have done a good job".

For his part one of the key speakers in the discussion Prof Chris Maina from the University of Dar es Salaam said the Draft Constitution represents a new step

in the history of the country.

He criticised exclusion of a supreme court from the proposed seven matters of the Union saying Article 58 of the Draft Constitution states that the court will be an organ to serve justice in the United Republic of Tanzania.

Expressing dismay over the possibility of members of the ruling party CCM dominating the Constitutional Assembly, Maina said it is going to have at least 72 per cent of the total 604 MPs.

Chairman of the Tanzania Constitution Forum Deus Kibamba told members of the press that the forum has brought together academicians and experts from different nongovernmental organizations to discuss the key issues and weakness of the Draft Constitution.

Kibamba said there are indications that the new Constitution may not be attained at the planned timeframe (April 26 next year).

Director of the Friedrich Ebert Stiftung one of the sponsors of the forum, Rolf Paash said the Constitution making process should be above politics in order to have the mother law which will stand for the interest of all the citizens.

Supplementing the view, Stephan Reth of Konrad Adenauer Stiftung (KAS) said political, religious and sexual differences should be set aside and unity maintained during the whole process of formulating the new Constitution so as to have a good mother law for all people.