



REPORT

OF THE

COMMITTEE ON CABINET AFFAIRS

FOR THE

THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

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## TABLE OF CONTENTS

ITEM	PAGE	
1.0	Membership of the Committee	1
2.0	Functions of the Committee	1
3.0	Programme of Work and Meetings of the Committee	2
4.0	Procedure Adopted by the Committee	2
5.0	Arrangement of the Report of the Committee	2
<b>PART I</b>		
6.0	Review of the Operations of the Disaster Management and Mitigation Unit (DMMU)	4
6.1	Summary of Submissions by Stakeholders	5
6.1.1	Operations of the Disaster Management and Mitigation Unit	5
6.1.2	Legal and Policy Framework Governing the DMMU	7
6.1.3	Measures Put in Place to Promote Management and Mitigation of Disasters	7
6.1.4	Challenges Affecting the Operations of DMMU	8
6.1.5	Recommendations to Overcome the Challenges Identified	9
6.2	Local Tour – Disaster Prone Areas	11
6.3	Committee’s Observations and Recommendations	13
7.0	Review of Operations of the Department of Resettlement	15
7.1	Summary of Submissions by Stakeholders	17
7.1.1	Legal and Policy Framework Governing the Department of Resettlement	17
7.1.2	Measures to Promote Resettlement	18
7.1.3	Cooperation with Key Stakeholders	20
7.1.4	Challenges faced in the Promotion of Resettlement	21
7.1.5	Recommendations to Overcome the Challenges Identified	22
7.2	Local Tour – Resettlement Areas	23
7.3	Committee’s Observations and Recommendations	28
<b>PART II</b>		
8.0	Consideration of the Action Taken Report on the Report of the Committee on Cabinet Affairs for the Second Session of the Twelfth National Assembly	33
9.0	Conclusion	42
	Appendix I-List of National Assembly Officials	44

# REPORT OF THE COMMITTEE ON CABINET AFFAIRS FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

## Membership of the Committee

### 1.0 The Committee consisted of:

Dr M Imakando, MP (Chairperson); Mrs M C Chonya, MP (Vice Chairperson); Dr S Musokotwane, MP; Dr M Malama, MP; Dr S C Kopulande, MP; Mr C M Zulu, MP; Mr C L Bwalya, MP; Dr C K Kalila, MP; Ms G Katuta, MP; and Mr R Mwewa, MP.

Following the appointment of Dr S Musokotwane, MP as Whip of the United Party for National Development, he ceased to be a Member of the Committee and was replaced by Mr L Kintu, MP.

The Honourable Mr Speaker  
National Assembly  
Parliament Buildings  
**LUSAKA**

Sir,

The Committee has the honour to present its Report for the Third Session of the Twelfth National Assembly.

## Functions of the Committee

### 2.0 The functions of the Committee are to:

- i) study, report and make appropriate recommendations to the Government through the House on the mandate, management and operations of Government ministries, departments and agencies under its portfolio;
- ii) carry out detailed scrutiny of certain activities being undertaken by Government ministries, departments and agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
- iii) make, if considered necessary, recommendations to the Government on the need to review certain policies and certain existing legislation;
- iv) examine annual reports of Government ministries and departments under its portfolio in the context of the autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said

- bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders;
- v) consider any Bills that may be referred to it by the House;
  - vi) consider international agreements and treaties in accordance with Article 63 of the Constitution;
  - vii) consider special audit reports referred to it by the Speaker or an Order of the House;
  - viii) where appropriate, hold public hearings on a matter under its consideration; and
  - ix) consider any matter referred to it by the Speaker on an Order of the House.

### **Programme of Work and Meetings of the Committee**

**3.0** The Committee held fourteen meetings to execute its Programme of Work, which is set out below.

- a) Consideration of the Action Taken Report for the Second Session of the Twelfth National Assembly.
- b) Consideration of topical issues
  - i) Review of the Operations of the Disaster Management and Mitigation Unit; and
  - ii) Review of the Operations of the Department of Resettlement.
- c) Tours
  - i) Local tour of disaster prone and resettlement areas in Lusaka, Central, Copperbelt and North-western provinces.
  - ii) Foreign tour to Ethiopia.
- d) Consideration and adoption of the Committee's draft Report for the Third Session of the Twelfth National Assembly.

### **Procedure Adopted by the Committee**

**4.0** The Committee requested detailed written memoranda on the topics under consideration from relevant stakeholders. The stakeholders also appeared before the Committee and made oral submissions.

### **Arrangement of the Report of the Committee**

**5.0** The Committee's Report is in two parts. Part I highlights the findings of the Committee on the Review of the Operations of the Disaster Management and

Mitigation Unit and the Department of Resettlement and related local tour. Part II is on the Action Taken Report of the Committee's Report for the Second Session of the Twelfth National Assembly.

## PART I

### CONSIDERATION OF TOPICAL ISSUES

#### OPERATIONS OF THE DISASTER MANAGEMENT AND MITIGATION UNIT

##### 6.0 Background

Zambia, like other countries, was at risk from various natural and technological disasters which caused serious disruption to people's livelihoods. Zambia had sometimes been struck by disasters that caused serious disruption to the functioning of communities, causing widespread human, material and environmental losses. The disasters often exceeded the ability of the affected communities to cope using only their own resources. The most common disasters in Zambia included droughts, floods, pest infestation, fires, industrial accidents, epidemic outbreaks, and the HIV/AIDS pandemic.

In recognition of its responsibility to protect the lives and property of citizens during disasters, the Zambian Government created the Disaster Management and Mitigation Unit (DMMU) in the office of the Vice President in 1994. However, despite the establishment of the Unit, reports on the country's unpreparedness to deal with disasters were common. Communities often suffered irreversible damage due to inadequate preparedness to deal with disasters. In this regard, the Committee resolved to examine the functions of the Unit in order to establish its effectiveness, identify its challenges and suggest possible solutions to the challenges identified.

In order to better understand the subject under consideration, the Committee sought the views of the institutions and stakeholders listed below, who made both written and oral submissions.

- i. Ministry of Health.
- ii. Ministry of Finance.
- iii. Ministry of Defence.
- iv. Ministry of Local Government.
- v. Ministry of Community Development and Social Welfare.
- vi. Ministry of Home Affairs.
- vii. Ministry of Housing and Infrastructure Development.
- viii. Ministry of Water Development, Sanitation and Environmental Protection.
- ix. Ministry of General Education.
- x. Office of the President, Cabinet Office.
- xi. Office of the Vice President – Disaster Management and Mitigation Unit.
- xii. World Vision Zambia.

- xiii. Zambia Red Cross Society.
- xiv. The United Nations Children's Emergency Fund.
- xv. United National Development Programme.
- xvi. OXFAM.
- xvii. CARE International.

## Summary of Submissions by Stakeholders

- 6.1 The summary of the submissions received from stakeholders is presented below.

### 6.1.1 Operations of the Disaster Management and Mitigation Unit

The Committee heard that the Disaster Management and Mitigation Unit (DMMU) was created by a Cabinet decision in 1994 and started operations in 1997, following lessons learnt from the response to the 1991 severe drought. The response to this severe natural calamity was uncoordinated and the Government, at the time, felt that there was need to establish a unit to coordinate and mobilise resources relating to disaster management. The Unit replaced the Contingency Planning Unit which had existed in the Office of the Prime Minister before the creation of the Office of the Vice President in 1991. In 2005, the Government developed the National Disaster Management Policy and Operations Manual to strengthen the operations of the DMMU and to define the roles and responsibilities of other stakeholders at all levels before, during and after disasters. This was in line with the global trend of institutionalising disaster management activities according to the Hyogo Framework of Action 2005 to 2015. *The Disaster Management Act, No. 13 of 2010*, was passed to give the Unit a legal basis for its operations and existence. In 2015, the Policy and Operations Manual was revised to take on board new contemporary issues, including climate change.

The Committee learnt that the DMMU was a unique department charged with the responsibility of coordinating responses to disasters, humanitarian crisis, resilience building and risk reduction. The Unit had three sections, namely: Operations, Logistics and Management, Research and Planning and Information Management Systems and had a presence in all the ten provincial headquarters in the country. Its mission was to effectively and efficiently manage disasters in order to minimise loss of life, damage to property and the environment through the harmonisation of national efforts. The functions of the DMMU, as stipulated in the *Disaster Management Act*, were to:

- i. act as the central planning coordinating and monitoring institution for prevention, mitigation, preparedness, response and post disaster recovery, taking into account all potential disaster risks;

- ii. advise the technical committee on the progress and constraints in disaster management and other matters relating to the management of disaster relief operations, warn the public of eminent disasters and predict their effects;
- iii. maintain a data collection and dissemination system, and national strategic reserves of essential commodities and equipment for immediate disaster relief;
- iv. formulate disaster prevention, mitigation, preparedness, response and rehabilitation strategies and action plans to meet all foreseeable requirements in consultation with the Government, non-governmental organisations (NGOs) and donor agencies;
- v. prepare and update the Disaster Management Plans and the supporting Disaster Management Manual;
- vi. prepare an overarching National Disaster Contingency Plan and coordinate cross-sectoral plans;
- vii. establish an early warning system covering all sectors and hazard sources and maintain close links with the different institutions that provided early warning services.
- viii. develop and sustain viable, effective structures and capacities at the national and provincial levels as well as within the districts;
- ix. take all necessary measures in order to prevent, alleviate, contain and minimise the effects of disasters;
- x. conduct public and media briefings on disaster related programmes, progress and constraints;
- xi. act as an advisory and consultative body on issues concerning disasters and disaster management;
- xii. make post-disaster reconstruction, rehabilitation and recovery plans;
- xiii. promote the recruitment, training and participation of volunteers in disaster management;
- xiv. establish and manage an emergency operation centre, which should be the nerve centre to monitor emergencies and feed into the normal operations of the unit;
- xv. act as a central clearing house for the reporting of disasters and dissemination of output from the technical committee during a disaster;
- xvi. conduct assessments before, during and after disasters;
- xvii. work with authorities responsible for disaster management in other countries to exchange information and have access to international expertise and assistance in respect of disaster management; and
- xviii. carry out and coordinate all research relevant to its functions for the purpose of advising the council and the technical committee on measures necessary for disaster prevention and preparedness.

From the above functions, it was noted that the Unit was mandated to deal with cross-cutting issues in collaboration with sector specific ministries and departments which should take the lead during the developmental phase.

Therefore, these sector Ministries were expected to play their roles in line with their mandates, with DMMU only intervening if the hazard event was beyond the capacity of the particular sector to cope.

### **6.1.2 The Legal and Policy Framework Governing the Disaster Management and Mitigation Unit**

The Committee learnt that the DMMU drew its authority, functions and powers from the *Disaster Management Act, No. 13 of 2010*. Further, the specific objectives of the Department as stipulated in the National Disaster Management Policy were to:

- i. develop Disaster Risk Management (DRM) plans which would, at different levels, guide disaster risk management and response activities in the country;
- ii. strengthen horizontal and vertical coordination mechanisms in order to effectively and efficiently implement the disaster risk management activities and harmonise national efforts;
- iii. develop and strengthen an integrated disaster risk management information and communication system in order to enhance timely decision making;
- iv. establish and strengthen the monitoring and evaluation mechanisms to ensure prudent utilisation of resources as well as effective and efficient implementation of disaster risk management programmes and activities;
- v. carry out and coordinate research activities relevant to disaster risk management in order to advise the disaster management structures at different levels as they endeavoured to fulfil their mandates;
- vi. provide administrative, logistical and management support services in order to facilitate effective and efficient operations of the DMMU; and
- vii. put in place appropriate measures to respond to climate change.

### **6.1.3 Measures to Promote the Management and Mitigation of Disasters**

The Committee was informed that some of the measures put in place to promote the management and mitigation of disasters were as outlined below.

- i. **Capacity Building**  
This was done through the continuous training of people in communities and District Disaster Management Committees and other key partners in disaster management and preparedness. This was undertaken in disaster prone areas, and it helped to improve the capacity of staff and communities in disaster preparedness and management.

- ii. **Early Warning and Preparedness**  
Hazard monitoring for early warning and early action was done countrywide through the help of national and international organisations. Information was collected country-wide on a continuous basis and reported monthly for timely dissemination to decision makers. The information from the early warning forecasts then fed into the contingency plans which enabled individuals, communities and those tasked with responsibility to take timely action to reduce disaster risk in advance of hazardous events.
- iii. **Emergency Response**  
This involved the development of contingency and preparedness activities for periods during disasters. It also entailed close collaboration between the DMMU and District Disaster Management Committees (DDMC), other government wings and cooperating partners.
- iv. **Resource Mobilisation**  
The post disaster period was marked with recovery, rehabilitation and reconstruction programmes that were designed with the philosophy of “building back better”. This was meant to improve on what was obtaining before the disaster. Hence, appeals were made for assistance and all matters incidental to disaster response and saving of lives, livelihoods, assets and the environment to cater for the needs of the affected.

#### **6.1.4 Challenges affecting the Operations of the Disaster Management and Mitigation Unit**

The Committee was informed that some of the challenges identified in the operations of the Disaster Management and Mitigation Unit were as outlined below.

- i. **Unsatisfactory capacity of the primary responders at the community and district levels** - It was observed that there was a high staff turn-over at district level due to transfers within few months of building capacity among the members of the DDMCs, leaving very few trained staff. This trend slowed down the roll-out of the Community Based Disaster Risk Management (CBDRM) approach from district to community level structures.
- ii. **Zambia, as a middle-income country, is not regarded as a priority for response by most donors** - some donors opted not to fund Zambian appeals because of the relatively small number of disaster-affected people involved in comparison to other

large and complex emergencies like Democratic Republic of Congo. This resulted in infrequent and inadequate resources in terms of tools of the trade such as transportation equipment, early warning tools, human resources and finances.

- iii. **The high cost of doing business** - some response materials cost less than transportation and distribution costs. It was desirable that the cost of operations be stream-lined so that it could be economically sustainable to conduct the activities.
- iv. **Need to review the *Disaster Management Act, No 13 of 2010*** there was need to review structural issues relating to disaster management especially the front line operations, by prescribing the tenure of office for the members of the Satellite Disaster Management Committees (SDMCs) in the Act.
- v. **Ineffectiveness of District Disaster Management Committees** - Most District Disaster Management Committees (DDMCs) and SDMCs were not effective and some were only on paper yet did not exist in practice.
- vi. **Culture of dependency** – Communities had developed a culture of dependency because they knew that the Government and other agencies would always intervene in the event of a disaster, hence they did not invest in disaster preparedness and copying mechanisms. Communities were more inclined to response mechanisms than preparedness and resilience building.

#### **6.1.5 Recommendations to Overcome the Challenges Identified**

Stakeholders proposed the measures set out below to be taken in order to overcome the challenges faced in the operations of the Disaster Management and Mitigation Unit.

- i. **Need to increase the staff levels to implement both Disaster Risk Reduction (DRR) and Disaster Management Interventions** – the DMMU only had staff at national and provincial levels. In many cases, the provincial coordinators had to coordinate activities in as many as ten districts; as a result they got overwhelmed. In this regard, it was proposed that many national level activities needed to be decentralised and a broader mandate given to the district level staff. Further, the Government should find a way of retaining staff trained under the District Disaster Management Committees (DDMCs) in order to retain capacities in the districts.

- ii. **Need to Identify Disaster Risks** – the DMMU sought to identify disaster risks in all districts through the CBDRM approach as a basis for future development initiatives. This would enhance mitigation measures and community disaster preparedness plans as both of these were based on the disaster risks identified in each community or satellite, taking into account the hazards, vulnerabilities and capacities in place. This approach was piloted in a few districts, namely: Chirundu, Siavonga and Gwembe Districts but the initiative could not be continued due to inadequate staffing levels and lack of resources. It was recommended that funding model for Disaster Management and Mitigation Unit should be developed and if possible, DMMU should be empowered to be self-sustaining through projects and donor funding. This would provide relief to the Government, which currently was the main funder of DMMU in the country.
- iii. **Need to Emphasise Disaster Risk Reduction** – it was recommended by stakeholders that emphasis should be placed on financing of disaster risk reduction activities as opposed to disaster management, as research had indicated that disaster risk reduction was cheaper than emergency response.
- iv. **Need for Close Coordination between Partners in Disaster Risk Reduction (DRR) and Preparedness** - This should include deliberate efforts towards information sharing and communication with all partners, including communities. Early warning systems at district level and national level needed to be strengthened for early action, as most hazards affecting Zambia were weather related. To this end there was need for collaboration among various actors for efficiency and effectiveness in information sharing. There was therefore, urgent need to modernise and improve the Zambia Meteorological Department to address some of the problems the country was facing. This department was a key partner to the DMMU in the area of disaster preparedness.
- v. **Need for Collaboration between DMMU and Research Institutes** - Stakeholders recommended that collaboration between DMMU and research institutes such as universities could include provision of researched information on what role technology could play in early warning and how this role could be enhanced, validated and disseminated to the wider communities. Other areas may include the impact of climate change on the incidence of natural disasters in Zambia, mapping areas of each district or province that were prone to specific disaster risks and understanding the reasons for poor adoption of early warning messages. Research could also help to find local answers to issues such as why these some areas are prone to floods or droughts which would help in moving forward the disaster management agenda.

- vi. **Need to Revise the Legal Framework** - most provisions in the legal framework governing disaster management in the country needed to be updated so that they could be synchronised to the current setting.

## **6.2 Local Tour – Disaster Prone Areas**

### 6.3

The Committee visited disaster prone areas in Copperbelt and North-Western Provinces. The objective of the tour was to appreciate the disaster management and mitigation strategies implemented in the country and challenges being faced if any. The findings of the Committee arising from the tour are outlined below.

#### **1. Tour of Tailings dumps**

The Committee was informed that in 2007 to 2008, Luanshya Copper Mine was flooded as a result of a blockage over the spillway of Luanshya river that passes through the mines due to lack of maintenance. The backflow of water that flooded the east drive road by the Golf club bridge to the height of a streetlight pole. The Committee was informed that the composition of silt from the tailings dumps was degrading to human life and animals as it could cause harm where the Luanshya river was flowing. The Committee heard that in 2011 to 2012 the World Bank had placed a maintenance profile on the tailings dumps in Luanshya on the Copperbelt province. In 2013, the public was notified that the tailings dumps were a danger to human life because they were not being maintained. This was reported to the DMMU and in October 2013, Zambia National Service (ZNS) was mobilised. ZNS attempted to block or prevent the flow of the water and slime into the Luanshya river as an immediate intervention that was required. ZNS demobilised in January 2014.

#### **Challenges**

The Committee was informed that the challenges being encountered with regards to the tailings dumps were that there was:

- i. no management plan for the tailings dumps; and
- ii. lack of funding for the maintenance of the tailing dumps.

#### **2. Tour of Mumena wards (Tundula), Kalumbila District**

The Committee toured Tundula area in Chief Mumena's area of Kalumbila District. Tundula is located in Mumena ward and had an estimated population of 2,314 as headcount while the CSO population estimate was at 1,713. The Committee heard that Tundula area experienced flooding on regular basis which caused most of the houses and latrines to collapse. The area experienced these kinds of disasters which may be associated with the geographical location and landscape every ten years. The Committee heard that there were no human fatalities recorded and no crop fields or livestock were affected.

The Committee was informed that the floods in Tundula area affected eighty four households. Out of the 100 structures, thirty one totally collapsed and fifty three were heavily cracked. A number of toilets collapsed and others were flooded with water, causing faecal matter to overflow. The floods had also caused some crowding of people in some of the structures that remained standing. These were also affected with high humidity. The Committee was informed that this could result in increased diseases such as malaria, respiratory tract infections, and diarrhoea, among others. An estimated 500 people had been affected and would need to be assisted.

The Committee was informed that in response to the disaster, the DMMU put in place the measures set out below.

- i. Relocation and intergration of affected households within the unaffected parts of the community.
- ii. Mobilisation of seventy bags of lime.
- iii. Sourcing of chlorine (granular and liquid) for use in the boreholes and pit latrines.
- iv. Distribution of Insecticide Treated Nets (ITNs).
- v. Sensitisation programme on water sources and avoidance of sleeping in cracked houses.
- vi. Visitation by heath personnel.

### **Challenges**

The Committee learnt that the people of Tundula area faced the following challenges:

- i. poor drainage system that allowed the rain to cause floods; and
- ii. poor quality of housing for most of the people living in the villages.

### **3. Tour of Kapompi Bridge**

The Committee visited Kapompi bridge in Kitwe on the Copperbelt province. The Committee found that the bridge had collapsed. The Committee was informed that the bridge, which was constructed in the 1950s, had collapsed on 19th February, 2019. It was hoped that funds could be availed for the reconstruction of the bridge before the rainy season. The bridge in its current state was a danger to both human and animal life.

### **4. Tour of Chachacha**

The Committee visited Chachacha, located in Kitwe, Copperbelt province. Although the Committee only visited ten houses in Chachacha area, it was informed that up to 150 houses, were reported to have cracks, allegedly resulting from the blasting from the mines.

### 6.3 Committee's Observations and Recommendations

Following its interaction with various stakeholders as well as the local tours, the Committee makes the observations and recommendations set out below.

- i. The Committee bemoans the inadequate capacity by the DMMU to effectively respond to emergencies due to inadequate funding. The situation negatively affects the performance of the Unit in the execution of its mandate. The Committee is particularly concerned that the nation was ill prepared to respond to disasters such as floods and droughts.

The Committee, therefore, strongly recommends that the Government should ensure that the DMMU was adequately capacitated both financially and materially for it to discharge its mandate more effectively. Further, the Committee, urges the Government to take the issue of disasters seriously and prepare for them adequately. The Committee is of the view that the DMMU be allowed to open a separate account for management and mitigation of disasters whose balances would not be mopped or returned at the end of the financial year, since disasters happen unexpectedly.

- ii. The Committee expresses concern that despite the global conceptual shift from disaster management to disaster risk reduction and the advent of climate change, the DMMU has not evolved accordingly in that it does not prioritise disaster risk reduction activities as opposed to disaster management, which is more costly.

The Committee, therefore, strongly urges the Government to expeditiously take steps to ensure that the DMMU evolves towards disaster risk reduction and research as opposed to emergency response. The Government should also integrate disaster risk reduction in all levels of the school curriculum so that Zambian children appreciate the concept of disaster risk reduction from a tender age.

- iii. The Committee is concerned that the National Disaster Relief Trust Fund has not been operationalised despite being provided for in Part V of the *Disaster Management Act*. The Act does not provide for the structure of the Fund, in terms of its management, hence making it difficult for the Disaster Management Trust Fund to be actualised. In the view of the Committee this is impacting negatively on the operations of the Unit.

The Committee, therefore urges the Government to ensure that the Act is amended to provide for the structure of the Fund which, according to stakeholders, is the main factor delaying its actualisation. To this effect, the Committee urges the Government to ensure that the Fund is established without delay.

- iv. On the legal framework, the Committee observes that although the *Disaster Management Act, No. 13 of 2010* is generally a good piece of legislation, it has some gaps that need to be urgently addressed. Among the areas that need attention is the strengthening of the front line operations by stating the tenure of office for the members of the Satellite Disaster Management Committee, how mass donations in times of large disasters would be handled and the provision to form a platform that would capacitate and regulate the operations of those involved in disaster management in the country.

The Committee therefore, recommends that the Government should review and strengthen the Act to incorporate emergent issues, to better respond to the present context, including institutional and other changes aimed at aligning it with the current settings. Furthermore, emphasis on disaster preparedness and mitigation through sufficient domestication of global frameworks and guidelines such as the sphere standards should be put in place. DMMU currently has no guidelines in place and depends on the Red Cross Guidelines in its operations.

- v. The Committee observes that the tailings dumps are not being serviced and this could be dangerous to human life and animals.

In this regard, the Committee recommends that the Government should ensure that the tailings dumps are serviced in order to protect residents as well as natural resources from harm. Further, mining contracts and agreements should take into consideration of management plans for tailings dumps. All mines must be compelled to have management plans for tailings dumps.

- vi. The Committee observes that there are no contingency funds for the maintenance of tailings dumps.

In this regard, the Committee recommends that contingency funds should be made available from the Treasury in order to ensure that routine maintenance of tailings dumps is undertaken.

- vii. The Committee observes that the people in Tundula area are not willing to be moved from that area because of its proximity to social amenities.

In this regard, the Committee recommends that the people be relocated to another area in Tundula which is also close to the road.

- viii. The Committee observes that Tundula is located in a dambo area that is prone to flooding.

In this regard, the Committee recommends that the community at Tundula should make furrows in order to prevent flooding of the area. Further, the

Government should develop programmes for handling flood prone areas that include permanent relocations. This must take into consideration climate change information and must take into account resettlement schemes.

- ix. The Committee observes that the houses being constructed at Tundula are of poor quality as they are mostly mud houses. In the same vein, the Committee observes that up to 150 houses in Chachacha area are cracked.

In this regard, the Committee recommends that a technical study be carried out in order to establish the extent of the damage and make suggestions on the way forward. The Committee also recommends that the people living in this area should be assisted to build reasonably stronger houses that can withstand the elements.

- x. The Committee observes that Kapompi bridge is a danger to both human and animal life.

In this regard, the Committee recommends that funds be made available to repair the bridge in order to avoid the loss of lives.

- xi. The Committee observes that DMMU is concentrated at central level and this raises challenges such as arbitrariness and discretion in administering relief measures because officers are brought from Head quarters. The officers use their discretion in deciding who qualifies for relief food.

In this regard, the Committee recommends that the Government should strengthen the provincial DMMU offices and enhance their response preparedness. This will avert arbitrariness and discretion in administering relief measures in order to avoid political interference and remove uncertainties regarding who qualifies for relief food.

## **REVIEW OF THE OPERATIONS OF THE DEPARTMENT OF RESETTLEMENT**

### **7.0 Background**

The Department of Resettlement fell under the Office of the Vice President and was responsible for the resettlement of targeted citizens both on voluntary and involuntary basis in order to provide them with an alternative livelihood while uplifting the living standards of the rural community. Voluntary resettlement was a type of resettlement where the Government or sponsoring institution took the initiative to identify land, plan it and implement the plan in an orderly manner. People were given an opportunity to choose where to be resettled. Involuntary resettlement was a type of resettlement where people were forced to move out of one area and be resettled in another area.

The resettlement programme aimed at allocating farm land to the unemployed, retired, working under temporary conditions, persons with disabilities and internally displaced persons either by natural calamities or developmental projects. Those in permanent and pensionable employment could only qualify when they reached 45 years of age or older.

The main functions of the Department of Resettlement were to:

- i. develop policies, standards and guidelines on resettlement;
- ii. acquire land for resettlement purposes;
- iii. undertake land resource surveys and preparation of resettlement layout plans;
- iv. demarcate and allocate farm plots to deserving applicants;
- v. undertake monitoring and evaluation of resettlement programmes;
- vi. facilitate processing and issuance of title deeds to settlers;
- vii. mobilise resources for the development of resettlement schemes;
- viii. coordinate the design and review of infrastructure development plans;
- ix. facilitate and coordinate construction and maintenance of infrastructure; and
- x. maintain and update the data base on resettlement programmes.

According to the Living Conditions Monitoring Survey (2006 and 2010), the overall poverty levels in Zambia stood at 77.9% for rural areas as compared to urban areas where it stood at 27.5 %. Further, changing weather patterns had resulted in poor crop yields, forcing communities to move further in search of fertile land. In view of the above, the Government has been striving to reduce poverty levels partly through improved access to land under the Resettlement Programme in the Office of the Vice President.

In light of the high poverty levels in the country and in order to better understand the subject under consideration, the Committee resolved to examine the operations of the Department of Resettlement in order to establish its effectiveness. In this regard, it sought the views of the institutions and stakeholders listed below who made both written and oral submissions.

- i. Ministry of Health.
- ii. Ministry of Finance.
- iii. Ministry of Defence.
- iv. Ministry of Housing and Infrastructure Development.
- v. Ministry of General Education.
- vi. Ministry of Local Government.
- vii. Ministry of Community Development and Social Services.
- viii. Ministry of Home Affairs.
- ix. Ministry of Agriculture.
- x. Ministry of Water Development, Sanitation and Environmental Protection.

- xi. Cabinet Office.
- xii. Office of the Vice President – Department of Resettlement.
- xiii. The United Nations Children’s Emergency Fund (UNICEF).
- xiv. United National Development Programme.

## **Summary of Submissions by Stakeholders**

**7.1** A summary of the stakeholders’ submissions on the Review of the Operations of the Department of Resettlement is presented below.

### **7.1.1 The Legal and Policy Framework which Governs the Department of Resettlement**

The Committee learnt that the Department of Resettlement is a non-statutory organ of Government which was created in late 1988 and placed in the then Office of the Prime Minister with a mandate to plan and co-ordinate the implementation of the multi-sector inter-Ministerial Land Resettlement Programme. The Department was placed in the then Office of the Prime Minister in order to give the Programme a higher profile and make it easy for participating ministries to cooperate in planning and implementation. The Department of Resettlement had since remained in the Office of the Vice President.

The Department derived its mandate from the statutory functions of the Office of the Vice President which were stipulated in the Government Gazette Notice number 6526 of November, 2016 outlined below.

- i. Parliamentary Business;
- ii. Disaster and Drought Mitigation;
- iii. Elections; and
- iv. Resettlement.

The National Resettlement Policy of 2015 outlines policy objectives of the Department as to:

- i. effectively manage resettlement schemes and to protect against illegal allocation of land in resettlement areas;
- ii. create opportunities for self-employment on the land for targeted groups;
- iii. improve access to public social services by creating viable settlements as opposed to unplanned scattered settlements;
- iv. create new growth points for rural investment and development by providing social and economic infrastructure, thereby stimulating economic growth;
- v. bring under cultivation some of the idle arable land throughout the country in order to increase household and national food security through establishment of resettlement schemes;
- vi. ensure security of tenure of the land allocated to settlers;

- vii. mitigate adverse social economic impacts from land acquisition or restriction on land use by providing compensation for loss of assets and/or livelihoods to those that were displaced in accordance with the law;
- viii. provide resettlement assistance to persons displaced by natural disasters; and
- ix. ensure that resettlement activities were implemented with disclosure of relevant information, consultation and informed participation of those affected.

### **7.1.2 Measures to Promote Resettlement**

The Committee was informed that some of the measures in place to promote the resettlement were those outlined below.

#### **1. Land Acquisition**

The resettlement programme had grown from the initial two youth resettlement schemes namely: Kanakantapa and Kambilombilo Resettlement Schemes, and some Rural Reconstruction Centres at inception to ninety-three resettlement schemes country wide. The ninety-three resettlement schemes covered approximately 863,366 hectares of land and about 46,685 hectares of farm plot properties. The resettlement land was obtained from the Government through the Commissioner of Lands, if it was state land and from chiefs, through traditional leaders, if it was customary land.

#### **2. Resettlement of Internally Displaced Persons**

The Department of Resettlement ensured that those being displaced by developmental projects were not disadvantaged but were appropriately compensated. In this regard, all Resettlement Action Plans referred to it by Zambia Environmental Management Agency (ZEMA) were scrutinised by the multi-sectoral technical committee before final approval.

#### **3. Security of Tenure**

The Committee learnt that farm plots in Resettlement Schemes were allocated to settlers on leasehold tenure of fourteen and ninety-nine years by issuance of certificate of title to settlers by Ministry of Lands and Natural Resources. A total of 30,558 settlers had been allocated land in resettlement schemes of which 2,038 had been issued with title under the National Land Titling Programme being implemented by the Ministry of Lands and Natural Resources. Under this Programme, Resettlement schemes had been targeted to be among the priority areas where all farm properties would be put on title.

#### **4. Scheme Access Road Development**

The Committee was further informed that access road infrastructure development had been put in place as one of the key areas of scheme development. A total of 7,826 km of road network was planned, out of which 1,349 km has been provided, leaving a total balance of 6,477km yet to be provided. The emphasis had been on the development of scheme access roads and internal scheme road network to all-weather earth roads.

#### **5. Scheme Water Supply**

The Department of Resettlement also provided water to settlers through communal boreholes and protected wells. The boreholes were planned and provided in such a manner that they were as close as possible to the homesteads so that settlers did not spend most of their productive time fetching water. A total of 743 boreholes out of the planned 4,712 boreholes had been provided, leaving a total of 3,969 yet to be provided.

#### **6. Scheme School Infrastructure**

Considering that education was a basic need and given the need to ensure that children of settlers in the resettlement schemes could access quality education, construction of school infrastructure had been prioritised. This was undertaken in collaboration with the Ministry of General Education. A total of seventy-nine primary schools out of the planned 112 had been constructed, leaving a balance of thirty-three.

#### **7. Scheme Health Infrastructure**

To ensure that settlers and their families remained healthy and productive, the Department of Resettlement in collaboration with the Ministry of Health had constructed health posts in its resettlement schemes. A total of sixty-three clinics and health posts out of the planned 133 had since been provided, leaving a total of seventy to be constructed.

#### **8. Agricultural Storage Sheds**

In order to boost agriculture production, agricultural storage sheds had been planned for storage of inputs and farm produce. These had also acted as satellite market depots for the produce. A total of forty-two storage sheds out of the planned 117 had been provided in selected resettlement schemes, leaving a total of seventy-five yet to be constructed.

## **9. Scheme Electrification**

It was reported that total of eleven resettlement schemes were connected to the national electricity grid. This was in line with the Government policy to ensure that all resettlement schemes were electrified by either connection to the national grid or solar.

### **7.1.3 Cooperation with Key Stakeholders**

Below are the key stakeholders and their responsibilities in relation to the Department of Resettlement as outlined in the National Resettlement Policy.

- a. Disaster Management and Mitigation Unit (DMMU)**  
Among other responsibilities, the DMMU was required to undertake vulnerability and needs assessment of internally displaced persons, provide humanitarian assistance to them and mobilise resources for their resettlement.
- b. Ministry of Lands and Natural Resources**  
The Ministry of Lands and Natural Resources was mandated to undertake numbering of farm plots; carrying out cadastral surveys; issuance of title deeds and land dispute resolution in the resettlement schemes. The Ministry had given the Department of Resettlement a substantial amount of state land for the creation of resettlement schemes.
- c. Ministry of Housing and Infrastructure Development**  
The Ministry of Housing and Infrastructure Development undertook construction and maintenance of access roads as well as provision of building plans for building projects in the resettlement schemes.
- d. Ministry of General Education**  
The Ministry provided and maintained school infrastructure and also provided teachers and educational materials in the resettlement schemes.
- e. Ministry of Health**  
The Ministry provided health infrastructure, medicine, equipment and relevant personnel in the schemes.
- f. Ministry of Water Development, Sanitation and Environmental Protection**  
The Ministry provided water in form of boreholes, wells and dams.
- g. Ministries of Agriculture; and Livestock and Fisheries**  
Among other responsibilities, the Ministries of Agriculture and Livestock and Fisheries provided agricultural, veterinary and fisheries development extension services.

- h. **Ministry of Local Government**  
The Ministry was responsible for initial approval of scheme layout plans; maintenance of feeder roads and resource mobilisation through Constituency Development Fund.
- i. **Ministry of Information and Broadcasting Services**  
The Ministry of Information and Broadcasting Services was responsible for production of documentaries and dissemination of information on resettlement activities.
- j. **Ministry of Community Development and Social Services**  
The Ministry was responsible for community mobilisation in self-help projects; formation of community development groups; and provision of support to vulnerable persons in resettlement schemes.
- k. **Ministries of Finance and National Development Planning**  
These two Ministries are responsible for resource mobilisation for the development of resettlement schemes.
- l. **Ministry of Commerce, Trade and Industry**  
Ministry of Commerce, Trade and Industry was mandated to promote economic activities and rural industrialisation in resettlement schemes.
- m. **Ministry of Energy**  
Among other responsibilities, the Ministry was responsible for electrification of resettlement schemes.
- n. **Ministry of Home Affairs**  
The Ministry was responsible for the provision of security in the resettlement schemes and degazetting portions of existing refugee settlements in order to facilitate resettlement of Zambians and locally integrated former refugees.

#### 7.1.4 Challenges faced in the Promotion of Resettlement

The Committee was informed of the challenges identified in the promotion of resettlement schemes. These are as outlined below.

1. **Staff Establishment for the Department of Resettlement** - The Department of Resettlement operated at national and provincial level while resettlement schemes were located in the districts. The staff structure provided for one scheme manager per province who was based at the main scheme leaving other schemes without an officer. These were managed by Local Settlers' Coordinating Committee, which could not be held accountable for day to day management of schemes. This had, in some cases, resulted in distorted information and delayed feedback as well as inadequate agricultural extension.

2. **Boundary Disputes** - Disputes had arisen with traditional leaders who did not recognise schemes or scheme boundaries. In some cases, some traditional leaders had gone to the extent of allocating land in schemes without the consent of the resettlement office. There had also been instances where some Chiefs had repossessed certain resettlement schemes from the Government, thereby hindering the development of the affected schemes.
3. **Basic Socio-economic Infrastructure and Support Services** - Inadequate provision of social economic infrastructure and support services had led to a low occupancy rate by settlers. Some targeted settlers had been reluctant to take occupation of the farm plots due to lack of access roads, water supply, schools and health facilities.
4. **Land for Resettlement Schemes** - Availability of land for resettlement purposes was a big challenge due to increased demand.
5. **Cooperation from Line Ministries** - Failure by some line ministries to take resettlement schemes as priority areas for development had led to inadequate service delivery to settlers.
6. **Fees payable for Title Deeds** – Many settlers were vulnerable and not in a position to meet the cost of offer and cadastral fees payable to the Ministry of Lands and Natural Resources all at once. This had resulted in non-acquisition of title deeds by some settlers, leading to insecurity of tenure.
7. **Haphazard Displacement of Citizens** – there was haphazard displacement of citizens in the country which was mostly not officially reported to the Department of Resettlement. This was as a result of land developers not following guidelines on compensation and resettlement of internally displaced persons which were approved by the Government and this led to affected households being socially and economically worse off.

#### 7.1.5 Recommendations to Overcome the Challenges Identified

In order to overcome the challenges faced in the promotion of resettlement, stakeholders proposed that the measures set out below be instituted.

- i. **Revision of Staff Structure** – it was proposed that the staff structure of the Department of Resettlement be revised and expanded to take care of resettlement schemes that had no scheme managers.
- ii. **Sensitisation of Traditional Leaders** – there was need to sensitise traditional leaders on the importance of the Resettlement Programme and their role in the Programme, especially given the fact that once customary land was converted to leasehold tenure, there was no legal provision to revert to customary tenure. Lack of sensitisation had

resulted in a number of disputes with traditional leaders as some did not recognise schemes or scheme boundaries in their chiefdoms. In some cases some traditional leaders allocated land in scheme areas to people without the consent of the Resettlement Office, and repossessed resettlement schemes from the Government, thereby hindering development of the affected schemes.

- iii. **Need to speed up Provision of Socio- economic Infrastructure** – this was necessary in order to make resettlement schemes socially and economically viable.
- iv. **Acquisition of Land for Resettlement Purposes** – there was need for the Government to acquire land for resettlement purposes in each rural based Parliamentary Constituency as a way promote economic development in rural areas.
- v. **Implementation of the 7NDP Cluster Approach** – there was need for the Department of Resettlement to operationalise the cluster approach as envisaged in the Seventh National Development Plan so that line ministries could be compelled to plan and implement activities in resettlement schemes according to their respective mandate. This could be achieved by the introduction of regulations compelling line Ministries to take resettlement schemes as priority areas for development.
- vi. **Waiver of Acceptance and Survey Fees** - The Ministry of Lands and Natural Resources should consider waiving acceptance and survey fees where it was proved that a settler was incapable of meeting these fees. Those settlers with potential to pay should be allowed to pay in instalments but given their certificates of title in advance so that they could approach financial institutions for support.

## **7.2 Local Tour – Resettlement Areas**

The Committee visited resettlement areas in Copperbelt and North-Western Provinces. The objective of the tour was to appreciate the disaster management and mitigation strategies implemented in the country and challenges being faced if any. A summary of the findings of the Committee during the local tour is presented below.

### **Tour of Maheba resettlement area**

The Committee was informed that Maheba settlement area was located 90 km from Solwezi in Kalumbila District of North-western province and is 720 Sq/Km. Maheba settlement area was established in 1971 and sub divided

into two segments, namely: settlement (hosting refugees) and resettlement (being the local integration area). The size of the resettlement scheme was 53,385 hectares and the refugee resettlement was 15 120 hectares. The Committee heard that Maheba settlement area had a total population of 23,240 of which 13,803 were refugees with Congolese nationals being the largest number totalling 10,846. The population of the local people was of 9,437.

The Committee was informed that the Sustainable Resettlement Programme which was being implemented in North-western and Western provinces of Zambia was conceived by the government of the Republic of Zambia and the United Nations after the initial local integration programme of former refugees which was being implemented in the two areas between 2014 -2016 came to an end. The Government, through Ministry of Home Affairs in the Department of Office of the Commissioner for Refugees, handed over the socio-economic component in the local integration of former refugees to the Office of the Vice President, Department of Resettlement while UNHCR handed over to the UNDP. However, the Ministry of Home Affairs and UNHCR continued to work in the legal component by determining the status of former refugees and issuance of documentation.

The Committee was informed that the implementation of the Sustainable Resettlement Programme started in 2017 with financial support from the government of Japan and the USA government through the Bureau on Population, Refugees and Migration.

The Committee was informed that the Department of Resettlement managed the day to day activities in the resettlement scheme and coordinated all the development interventions being implemented by the UN family, Non-Governmental Organisations and government line ministries and departments. The Maheba resettlement had presence of the following:

- i. Ministry of General Education;
- ii. Office of the Commissioner for Refugees;
- iii. Ministry of Agriculture;
- iv. Ministry of Health;
- v. Refugee Alliance who ran a clinic in block G;
- vi. AAR Japan Maheba Field Office who worked with the council in water and sanitation though currently on recess and resuming work in June;  
and
- vii. Ministry of Community Development and Social Services.

The Committee was informed that the resettlement scheme had eleven planned clinics of which only two were operational; namely block G (which was being run by the Refugee Alliance) and block H (which was a

Government run clinic). Block E had no clinic while block F had an old clinic which needed renovation and currently had no staff.

The Committee heard that the resettlement scheme had eleven primary schools as per government standard, of which only three government gazetted primary schools were operational in blocks F, G and H. Block E had a community school which had since been closed as UNHCR who used to fund the teachers stopped. A total of four community schools had since been closed in the resettlement scheme. Infrastructure was urgently needed in order for the schools in the resettlement scheme, which run up to grade 7, to provide for secondary education. There was need to construct two secondary schools to cover the area.

With regard to water and sanitation, the Committee was informed that some institutions and households did not have easy access to water, thereby affecting the health of the people. Some households had access to water but the quality of the water was highly compromised as the water contained high iron content which distorted the taste and colour, hence the need for water quality to be prioritised. Further, additional farm plots had been earmarked to be demarcated, which would raise the demand for water for the new settlers. A total of 113 boreholes had been drilled with support from UNHCR and UNICEF and would remain with 155 in order to meet the demand according to the plan. With funding from KfW (German Development Bank), UNICEF would work with the local authorities to provide water in the district, which included the scheme and the refugee camp.

The Committee was informed that the Meheba Resettlement scheme settlers were engaged in small scale trade, agriculture and others trade in agriculture products. The area had arable land with good rainfall, which could sustain agriculture. Further, the scheme had streams and dambo areas in which could support the creation of some irrigation schemes through damming. Under rain fed crops, the people grew rice, beans, maize, groundnuts and sweet potatoes while under horticulture, local and exotic vegetables were grown and sold to the ready market within the district, with the mines providing a market. Some of the produce was sold in Solwezi.

Further, the Committee was informed that a tractor had been bought by UNDP to support mechanisation of farming and improve hectarage. Farmers were supported with inputs and small livestock from Ministry of Agriculture with support from Food and Agriculture Organisation. Under this support, 253 farmers benefited. The Government, through the Ministry of Agriculture had recruited farmers for the FISP programme and in the past years, farmers had been receiving support through FISP. A local initiative in organic farming had been introduced by the agriculture officers and had since recruited over thirty households. Over 150 benefitted from the training from International

Labour Organisation (ILO). The Committee also heard that JICA would be supporting livelihood activities in 2019 and would enable the farmers to be market oriented in the choice of the crops they grew. Despite all these activities, the Committee learnt that a lot of attention was needed with regards to livelihood activities if poverty was to be alleviated in the scheme.

The Committee was further informed that the Department of Resettlement in the Office of the Vice President officially had an office in the resettlement scheme in July, 2017 which was renovated by UNDP. The Department received support from JICA, GRZ and the UN family. The Department facilitated physical planning, surveying, demarcation and issuance of title deeds to the settlers. A total of 3380 farm plots had been planned and 1365 surveyed. A total of 415 people consisting of 208 Zambians, 204 Angolans, and three Rwandese were currently officially staying on the farm plots which had been allocated.

The challenges being faced by people living in the resettlement included the following:

- i. absence of a secondary school;
- ii. shortage of teaching staff as the school currently has three teachers to teach grade one to seven;
- iii. lack of electricity supply at the school;
- iv. shortage of staff houses for teachers as there are only three houses available at the moment;
- v. unavailability of computers at the school;
- vi. inadequate medical personnel;
- vii. inadequate or no power and water supply at the clinic (labour ward);
- viii. limited medical equipment, for example CT Scan and X ray;
- ix. limited infrastructure for mental health;
- x. limited power supply;
- xi. limited education support and lack of a special needs school;
- xii. unavailability of tertiary institutions and vocational schools;
- xiii. inadequate water supply;
- xiv. poor road network;
- xv. poor phone network;
- xvi. lack of markets and bulking centres; and
- xvii. insufficient livelihood support resulting into illicit behaviour such as survival sex, early marriages, theft and under reporting of gender based violence.

### **Tour of Kainanfumu Resettlement Scheme**

Kainanfumu scheme was located 45 km east of Solwezi town along Solwezi-Mushindamo road. The Committee was informed that the scheme was established in 1999 when Government converted part of the state ranch land

into a resettlement scheme. The scheme was 14, 785 hectares in size had 1, 084 farm plots of 10 hectares average each. The scheme was located in Solwezi Central constituency in Kapijimpanga ward and was under the Chiefdom of Chief Mulonga of the Lamba people.

The Committee was informed that there were a total of 590 farmers in the scheme of which 195 were females, representing 33.2 per cent while the male farmers were 394 representing 66.78 per cent. The Committee was also informed that 341 farmers in Kainanfumu resettlement scheme had demand notice/invitation to treat letters from Ministry of Lands. The Committee learnt that of the 341 farmers, 111 were females representing 32.55 per cent.

The Committee heard that 102 farmers had offer letters from the Ministry of Lands, of which thirty six were females, representing 35.29 per cent while 66 were males, representing 64.71 per cent. In the first quarter of 2019, the office further recommended twenty one females and twenty eight males from Kainanfumu resettlement scheme for the Land Titling Programme under the Ministry of Lands. The Committee was informed that the cost of acquiring title deeds was k7000.

The Committee was informed that Kainanfumu resettlement scheme had eight cooperatives whose members were benefitting FISP. The Committee was informed, in this regard, that the e-voucher system worked very well as there were only a few farmers who failed to access inputs.

The Committee was also informed that the Department of Resettlement planned to drill ninety five boreholes but only twelve had been sunk. Further, the Committee was informed that the Government planned to construct a dam on the Kainanfumu river. However, despite feasibility studies having been carried out, there was no progress.

The Committee was also informed that there was a serious shortage of classrooms as grade one to seven were sharing two classroom blocks. There was also a shortage of accommodation for teachers and clinic staff.

## **Challenges**

The Committee was informed that some of challenges faced by the settlers in the Kainanfumu scheme included:

- i. late delivery of fertiliser, resulting into low yields;
- ii. high cost of fertiliser;
- iii. low supply of fertiliser at only four bags per farmer;
- iv. lack of farming equipment such as tractors;
- v. shortage of water supply for use in irrigation; and

- vi. inadequate accommodation for teachers and clinic staff.

### **Tour of Miengwe Resettlement Scheme**

The Committee was informed that Miengwe resettlement scheme was 3 836 hectares and had a population of 4000. Miengwe Resettlement scheme settlers were engaged in small scale farming. The Committee was informed that the Government had provided amenities such as a clinic, a school and a service centre at the scheme. The settlers also had access to FISP. The Committee was also informed that Chief Nkambo had deposited 25 000 fingerlings in Miengwe dam in order to empower the settlers.

The Committee was informed that people living in the scheme faced the following challenges:

- i. poor road network;
- ii. inadequate water supply as the scheme had only six functional water pumps or water points;
- iii. inadequate electricity supply;
- iv. shortage of staff houses for teachers at Miengwe primary school;
- v. dilapidated staff houses; and
- vi. lack of equipment for farming, water for irrigation and agricultural training in irrigation and production of high value crops.

### **7.3 Committee's Observations and Recommendations**

Following interactions with stakeholders on the Operations of the Department of Resettlement, the Committee makes the observations and recommendations set out below.

- i) The Committee is concerned that the National Resettlement Policy has not been implemented despite having been approved by Cabinet almost five years ago.

The Committee, therefore, urges the Government to ensure that the National Resettlement Policy is implemented without further delay in order for the Department of Resettlement to discharge its mandate effectively.

- ii) The Committee expresses worry that the concerns of traditional leaders with regard to the draft land policy have remained unresolved for a long time. This is affecting the effective implementation of the Resettlement Programme due to land disputes between the Government and traditional leaders who are the custodians of customary land.

The Committee therefore, strongly recommends that the Government should take steps to expeditiously conclude this matter and should intensify the sensitisation exercise on the provisions of the draft land policy so as to address the concerns that traditional leaders have over the policy, in particular the administration of land in general.

- iii) The Committee observes with concern the huge increase in the number of citizens being internally displaced by investors and land developers who obtain title deeds but do not follow stipulated guidelines on the compensation and resettlement of internally displaced people.

The Committee recommends that legislation should be put in place to prohibit the Ministry of Lands and Natural Resources from issuing title deeds to investors and land developers without an approved Resettlement Action Plan pertaining to the land in question so that the interests of citizens who may be affected are protected.

- iv) The Committee is also concerned that some schemes are being managed by local settlers who are not accountable to anyone for the day-to-day management of the resettlement schemes. This arrangement, in some cases, has resulted into distortion of information and delayed feedback.

The Committee recommends that the Government reviews the staff structure at the Department of Resettlement as a matter of urgency, so that schemes can be managed by staff from the Department who can be held accountable for their operations.

- v. The Committee observes that there are no secondary schools at Meheba and Miengwe Resettlement Schemes.

In this regard, the Committee recommends that Government should build two secondary schools in each of the schemes to enable the pupils living in the schemes to complete their schooling.

- vi. The Committee observes that there is inadequate school infrastructure thereby hindering learning at the existing schools at Meheba, Kainamfumu and Miengwe schemes.

In this regard, the Committee recommends that Government should ensure that adequate school infrastructure is provided to the schools in the scheme.

- vii. The Committee observes that there is inadequate staff accommodation for teachers, health workers and agriculture staff at Meheba , Kainamfumu and Miengwe resettlement schemes.

In this regard, the Committee recommends that Government should ensure that adequate accommodation is provided to teachers, health workers and agricultural staff at the schemes in order to enable them to perform their duties effectively.

- viii. The Committee observes that there is poor road connectivity at Meheba, Kainamfumu and Miengwe resettlement schemes, which is inhibiting settlers from conducting economic activities.

In this regard, the Committee recommends that the Government should construct more roads and improve connectivity in the schemes and surrounding areas to ensure that settlers are not inhibited from taking part in economic activities.

- ix. The Committee observes that there is lack of livelihood programmes that support the women and youth at Meheba and Kainamfumu resettlement schemes.

In this regard, the Committee recommends that the Government should put in place measures to ensure that the people living in the schemes are empowered and eventually graduate them from being dependant on Government and non- governmental organisations.

- x. The Committee observes that there is poor telephone network connectivity at Meheba, Kainamfumu and Miengwe resettlement schemes.

In this regard, the Committee urges the Government to consider constructing more communication towers in order to enhance phone connectivity in the resettlement schemes.

- xi. The Committee observes that there is lack of farming inputs at Meheba resettlement scheme.

The Committee recommends that the Government should ensure that titling of properties in the scheme is facilitated in order to enable the settlers to have access to finances through the acquisition of loans.

- xii. The Committee observes that there is lack of cold storage facilities at Meheba resettlement scheme, thereby hindering growth of the horticulture in the scheme.

In this regard, the Committee recommends that the Government should ensure that cold storage facilities are made available in order to enhance horticultural growth.

- xiii. The Committee observes that there is inadequate transport by the agriculture officers at Meheba, Kainamfumu and Miengwe to provide extension services.

In this regard, the Committee recommends that the Government should consider acquiring motor bikes for the agriculture officers in the resettlement schemes in order to ensure efficiency in their work.

- xiv. The Committee observes that there are seasonal cooperatives at Meheba resettlement scheme and there is no value addition to the crops produced.

In this regard, the Committee recommends that there is need to build capacity in the cooperatives so as to avoid them from being seasonal but should run all year round.

- xv. The Committee observes that there are no bridges connecting Meheba resettlement scheme to the neighbouring host community.

In this regard, the Government should consider constructing bridges on Mwafwe, Meheba and Shikudwe rivers so as to be connected to the community in Matebo, Shilenda through to the general hospital and linking block G and F respectively.

- xvi. The Committee observes that solar fridges have not been made available to clinics at Meheba resettlement scheme to enable them to store vaccines.

In this regard, the Committee urges the Government to ensure that solar fridges are made available to the clinics.

- xvii. The Committee observes that there is poor adherence to some reproductive health services for example contraceptives at Meheba resettlement scheme.

The Committee urges the Government to ensure that sensitisation on reproductive health services is conducted at the scheme.

- xviii. The Committee observes that the water from the boreholes at Kainamfumu resettlement scheme is unsafe for drinking which could result in outbreak of diseases.

In this regard, the Committee recommends that the Government should put in place measures to ensure that the water in the boreholes is treated in order to prevent epidemics.

- xix. The Committee observes that there is lack of farming equipment at Kainamfumu resettlement scheme which results in low yields.

In this regard, the Committee recommends that the Government should put in place measures to ensure that the settlers are provided with farming equipment in order to enhance productivity.

- xx. The Committee observes that there is inadequate supply of fertiliser as very few people have access to FISP at Kainamfumu and Miengwe resettlement schemes. This results in low productivity among the people living in the schemes.

In this regard, the Committee recommends that settlers should be sensitised on the need to employ good agriculture practices such as organic farming so as to increase the fertility of the soil and reduce dependence on inorganic fertilisers.

- xxi. The Committee observes that electricity is only made available to the people in close proximity to the service centres at Kainamfumu and Miengwe resettlement schemes.

In this regard, the Committee recommends that Government should ensure that the provision of electricity is extended to all the people living in the schemes.

- xxii. The Committee observes that the titling fees at Kainamfumu resettlement scheme are too high.

In this regard, the Committee recommends that the fees should be reduced. Further, the Committee also recommends that the settlers should be given production targets and sanctions should be applied for failure to meet the targets.

- xxiii. The Committee observes that there is inadequate water supply for irrigation and day to day use at Meheba, Kainamfumu and Miengwe resettlement schemes which could lead to low yields and the spread of diseases.

In this regard, the Committee recommends that the Government should ensure that industrial boreholes are drilled so that the settlers have access to piped water in order to ensure high productivity amongst farmers and mitigate the spread of diseases.

xxiv. The Committee observes that there are no markets for the goods produced at Meheba, Kainamfumu and Miengwe resettlement schemes.

In this regard, the Committee recommends that the Government should put in place measures to ensure that a ready market is identified to enable the settlers dispose their produce quickly.

## **PART II**

### **CONSIDERATION OF THE ACTION-TAKEN REPORT**

#### **8.0 Consideration of the Action-Taken Report on the Report of the Committee on Cabinet Affairs for the Second Session of the Twelfth National Assembly**

##### **1. Cabinet Office's Inadequate Financial and Material Resources**

In the previous Session, the Committee was concerned that Cabinet Office, the highest administrative office in the public service, had inadequate financial and material resources to effectively execute its mandate of securing an efficient and effective public service and providing effective secretariat services to Cabinet.

The Committee, therefore, recommended that the Government should ensure that Cabinet Office was adequately capacitated both financially and materially so as not to compromise its performance.

##### **Executive's Response**

In response, the Government noted the Committee's recommendation and stated that it would work within the available fiscal space to ensure that Cabinet Office as well as other institutions within the cabinet affairs portfolio was adequately capacitated.

##### **Committee's Observations and Recommendations**

The Committee resolves not to close the matter until the Ministry of Finance comes up with concrete measures to improve funding to Cabinet Office.

##### **2. Establishment of the Parliamentary Committee on Cabinet Affairs**

In the previous Session, the Committee had urged the Government through Cabinet Office to sensitise the institutions under the Cabinet affairs portfolio on the existence of the Parliamentary Committee on Cabinet Affairs under Standing Order No. 157(1) of the National Assembly Standing Orders, 2016. The institutions should

further be sensitised on the Committee's oversight mandate over the cabinet affairs portfolio. This would ensure that the oversight function of the National Assembly through the Committee system was conducted smoothly.

### **Executive's Response**

In response, the Government submitted that the Committee's observation and recommendation on the need to sensitise the institutions under the cabinet affairs portfolio on its existence was noted. To this effect, the Government would issue a circular to all institutions under the cabinet affairs portfolio informing them of the Committee's existence. Additionally, some special sensitisation programme would be conducted so that all the concerned institutions were fully appraised on the functions of the Committee on Cabinet Affairs.

### **Committee's Observations and Recommendations**

The Committee awaits a progress report on the issuance of the circular and special sensitisation programme to appraise all Government institutions on the functions of the Committee on Cabinet Affairs.

## **3. Public Service Reforms**

In the previous Session, the Committee noted that Cabinet Office was responsible for spearheading the implementation of public service reforms such as the Decentralisation Policy and the human resource management reforms that were meant to generally improve service delivery in the public service. The Committee was, however, dismayed that even at this highest level, these processes were either slow or had stalled due to budgetary constraints. For instance, the regulations under the *Service Commissions Act, No. 10 of 2016* had not been developed due to inadequate funding. The situation had negatively affected the performance of the service commissions in the execution of their respective mandates.

The Committee, therefore, strongly recommended that, as a matter of urgency, the Government, through Cabinet Office and the Ministry of Finance, should agree on what the Government's priorities were regarding the reforms and concentrate on funding and implementing the identified priority reforms.

### **Executive's Response**

In response, the Executive informed the Committee, that the Service Commissions Regulations were drafted towards the close of 2017 and were cleared by the Ministry of Justice. The Committee was further informed that the Government had in 2018, prioritised the implementation of the reforms. In this regard, resources were available to implement the Decentralisation Policy as well as the human resource management reforms. To this effect, all human resources (staff) sitting on the approved and funded posts at the centre where those functions were being

devolved to the Local Authorities would be transferred and the funds would follow the function. Notable progress in this direction should be registered in the third and fourth quarter of 2018. Phase 1 would comprise five districts, namely: Chibombo, Lusaka, Samfya,imba and Solwezi.

#### **Committee's Observations and Recommendations**

The Committee resolves to wait for a progress report on the implementation of the reforms which were expected to be registered in the third and fourth quarter of 2018.

#### **4. Outdated Public Service Documents**

In the previous Session, the Committee had observed that the documents making up the policy framework such as the Service Commission Regulations, Service Commissions Policies and Procedures for Employment in the Public Service, Terms and Conditions of Service for the Public Service and the Disciplinary Code and Procedures for handling offences in the Public Service issued in 2003 had not been reviewed since then. This was despite some of them having been developed under Section 21 of the *Service Commissions Act, Chapter 259 of the Laws of Zambia*, which had since been repealed. The Committee therefore, recommended that the policy documents be reviewed without delay to ensure conformity with emerging trends in human resource management in the civil service and in harmony with the *Service Commissions Act, No. 10 of 2016*.

#### **Executive's Response**

In response, the Government stated that it had completed revising the policy frameworks such as the Service Commissions Regulations, Service Commissions Policies and Procedures for Employment in the Public Service, Terms and Conditions of Service for the Public Service and the Disciplinary Code and Procedures for Handling Offences in the Public Service. However, the guidelines were still being finalised. Once the guidelines were completed, the respective Service Commissions would issue the policy frameworks accordingly. The issuance of the guidelines along with the policy frameworks would give effect to the performance of delegated functions by the Ministries, Provinces and Spending Agencies (MPSAs).

#### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the review of the policy documents and the finalisation of the guidelines.

#### **5. Vacant Frozen Positions in Civil Service**

In the previous Session, the Committee observed with concern that there were a lot of vacant frozen positions in the Civil Service, a situation that had impacted

negatively on service delivery. For example, the Committee learnt that Southern Province alone had 1,292 frozen positions. In this regard, the Committee urged the Government to ensure that Controlling Officers, PSMD and the Service Commissions guarded against the freezing of vacant positions by filling them immediately as they occurred, in line with Treasury regulations. As a short term solution, the Committee recommended that Cabinet Office should engage the Treasury on the possibility of providing funding for the unfreezing of essential positions countrywide in the 2019 national budget.

### **Executive's Response**

The Government, in response, stated that efforts were already underway to have some of the frozen positions unfrozen. Nevertheless, in view of the obtaining tight fiscal space, due diligence was being paid to the recruitment of critical frontline staff especially those offering essential services to the people. Additionally, when the human resource management reforms were fully implemented, the occurrence of positions being frozen would be stemmed.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the unfreezing of some of the frozen positions in the public service and the full implementation of the human resource management reforms.

## **6. Tracking of Progress on Decentralisation**

In the previous Session, the Committee had recommended that the Government should regularly track the progress made in the Decentralisation process and ensure that it was implemented expeditiously.

### **Executive's Response**

In response, the Government submitted that it was making steady progress in the decentralisation process.

Following the response from the Executive, the Committee on 25<sup>th</sup> February, 2019, undertook an on-the-spot check of the implementation of the Decentralisation Programme at Chibombo District Council to appreciate the progress made and the challenges faced in the implementation of the Decentralisation Programme. This was because Chibombo had been cited as a pilot district in the implementation of the programme.

During the visit to Chibombo, the Committee discovered that little had been done in the District with regard to the implementation of the Decentralisation Programme, despite it having been launched in July, 2018.

In view of the foregoing, the Committee sought audience with Cabinet Office and the three Service Commissions namely: the Local Government Service Commission, the Civil Service Commission and the Teaching Service Commission. These were charged with the responsibility of handling human resource backlog issues in readiness for the implementation of the Programme.

During the deliberations, the Committee identified some major challenges causing delays in the implementation of the Decentralisation Programme in Chibombo District. The challenges include those listed below.

- i. **Conflicting Functions** – there were some mismatch between the provisions of the National Decentralisation Policy and the *Constitution of Zambia Chapter 1 of the Laws of Zambia as amended by Act No. 2 of 2016*, in terms of the devolved functions, especially in Schedules A and B to the Constitution. Some functions in Schedule A which should have moved to the local authorities but had exclusively remained as national functions related to natural forests, lands and natural resources. In Schedule B, some devolved functions which should have moved to local authorities but had remained concurrent national and provincial functions. These included agriculture, education at all levels, health services, housing, social welfare services and resettlement.

Further, disaster management and mitigation was indicated as an exclusive national function in the Constitution, while in the Policy it also appeared as an exclusive function for local authorities.

- ii. **Salary Structures** – lack of harmonisation in salary structures of the Local Government Service and those of the Central Government for the officers to be devolved, a situation which, if left unattended to, would result in salary discrepancies for positions at the same level. This would be a potential source of conflict, frustration and demotivation, hence, the need to have the salary and payroll structures harmonised.
- ii. **Delays by the devolving Sectors to conclude Preliminary Works** – there were some delays by the devolving sectors to conclude the transferring of staff to the Local Government Service for the Decentralisation Programme to be fully implemented. This was due to lack of matching financial resources to support the devolved system of governance.
- iii. **General Resistance to Change** – there were some pockets of resistance to the implementation of the decentralisation programme and the human resource management reforms. Some stakeholders had failed to let go of some of the functions that had been devolved to the local authorities, posing a serious challenge to reporting and working relationships.

- iv. **Inadequate Legal Framework** - failure by the Government to release the Service Regulations and non-legislative documents such as Terms and Conditions of Service, Disciplinary Code and the Appeals Code had immensely contributed to the delay in implementing the Decentralisation Programme.

### **Committee's Observations and Recommendations**

The Committee expresses concern at the fact that the Executive launched the pilot implementation of the Decentralisation Programme without taking into consideration some of the critical issues which needed to be ironed out to facilitate the smooth implementation of the Programme. Among the issues which need to be addressed are the legal framework and the salary structure of the staff to be devolved. The Committee is also concerned that there is lack of matching financial resources to support the devolved system of governance, resulting in delays in the implementation of the programme.

The Committee is further concerned that despite the devolvement programme being a Constitutional issue, little has been done by the devolving sectors to actualise the implementation of the Decentralisation Programme.

Further, the Committee registers disappointment at the slow pace at which the pilot of the Decentralisation Programme is being implemented. The Committee observes that there is nothing tangible that has been done towards implementation of the pilot project, and operations at the piloted Council are the same as at any other district council in the country.

In view of the above, the Committee recommends as follows;

- i. the Executive should urgently address the conflicting allocation of functions to the local authorities and the central Government in the National Decentralisation Policy and the *Constitution* in order to facilitate the implementation of the Decentralisation Programme.
- ii. the Committee urges the Executive to ensure that the Service Regulations and non legislative documents such as Terms and Conditions of Service, Disciplinary Code and the Appeals Code are expeditiously issued by the relevant authorities so as to facilitate the implementation of the Programme.
- iii. sensitisation on the Decentralisation Programme should be intensified to avoid resistance and allow for its smooth implementation.
- iv. the Executive should urgently harmonise the salary structures of workers who will be devolved from Central Government and local authorities to avoid discrepancies in salaries of officers at the same level. The Committee resolves to await a progress report on the matter.

## **7. Poor-work Culture in the Civil Service**

In the previous Session, the Committee recommended that the Government should urgently come up with measures to promote discipline, professionalism and boost the morale of public service employees. These measures should include strict adherence to the values and principles of human resource management in the civil service such as qualification, merit, competence, relevant experience and good conduct as the basis of appointment and promotion, as well as impartiality and fairness in the exercise of disciplinary action. Furthermore, the newly employed staff should be sensitised on their roles and responsibilities and the Terms and Conditions of Service in the Civil Service. Other measures could be timely and speedy decision-making on employee matters such as confirmations and promotions and timely payment of personal emoluments such as settling-in allowances and leave benefits.

The Committee also recommended that the Government, through the Office of the Secretary to the Cabinet, should ensure that civil servants, such as Permanent Secretaries and chief executives of state owned enterprises must stop trivialising and disregarding the oversight work of Parliament by attending to Members of Parliament during their oversight work in various parts of the country.

The Committee further recommended that the Government, through the Office of the Secretary to the Cabinet, should consider revisiting Cabinet Office Circular No. 13 of 2016, which placed Members of Parliament below civic leaders in the Order of Precedence. The Committee was of the view that the Circular had contributed to the disregard for parliamentary work as had been exhibited by some senior civil servants.

### **Executive's Response**

The Government in its response stated that the matters that bordered on human resource management at the local level would be fully addressed when human resource management reforms were fully implemented. In the meantime, emphasis was also being placed on the need to have a good working culture within the civil service underpinned by a robust corporate culture built on good ethical behaviour and strong values. The Committee was also informed that the Government had underscored the importance of having a value-centred public service in the on-going development of institutional Balanced Score Cards. The Protocol related issues would be resolved when the revised draft State Functions Manual was approved and implemented.

### **Committee's Observations and Recommendations**

The Committee recommends that as the Government is revisiting the draft State Function Manual, the issue of protocol with regard to the Chief Justice and Mr Speaker should be addressed together with the issue of Members of Parliament and

civic leaders. The Committee awaits a progress report on the full implementation of the human resource management reforms and the revision of the State Function Manual addressing the Committee's concerns.

## **8. Creation of New Districts**

In the previous Session, the Committee had observed that the Government had been creating new districts without providing adequate funding to cater for the recruitment of personnel and operations. The Committee therefore, strongly recommended that the Government should only create districts that had been adequately provided for in the national budget. Further, the Government, through Cabinet Office, should ensure that the administrative structures were put in place as soon as districts were created to allow the civil servants to get to work and provide the much needed services in the new districts.

### **Executive's Response**

In response, the Government stated that the criteria for transforming an area into a new district were set out under the *Local Government Act, Chapter 281 of the Laws of Zambia* and the *Provincial and District Boundaries Act, Chapter 286 of the Laws of Zambia*. However, the final prerogative for declaring an area into a district resided in the Presidency.

### **Committee's Observations and Recommendations**

While recognising the fact that the creation of new districts is the prerogative of the President, the Committee is of the view that the actual implementation can still await the provision of funds in the budget. The Committee awaits a progress report on improved funding to newly created districts and recruitment of personnel.

## **9. National School of Government**

In the previous Session, the Committee heard that the Government planned to operationalise the National School of Government (NSG), which would help orient newly recruited civil servants and build their capacity through a deliberate programme. The Committee urged the Government to expeditiously operationalise the School.

### **Executive's Response**

In response, the Government was encouraged by the recommendation of the Committee and submitted that the Government was actively pursuing the matter.

### **Committee's Observations and Recommendations**

The Committee awaits a progress report on the establishment of the National School of Government.

## **10. Delayed Funding to MPSAs**

In the previous Session, the Committee was concerned over inadequate and delayed funding of MPSAs by the Treasury. It was of the view that such a situation had a potential to stifle improvements in public service delivery, and therefore, recommended that the Government should ensure regular, adequate and timely funding to MPSAs.

### **Executive's Response**

The Government in its response stated that it would ensure that there was regular and adequate funding to MPSAs within the available fiscal space.

### **Committee's Observations and Recommendations**

The Committee notes the response and resolves to wait for a progress report on improved funding to MPSAs.

## **11. Classified Daily Employees (CDEs)**

In the previous Session, the Committee had observed with great concern that there was interference by line ministries in the recruitment of CDEs in the provinces despite the fact that this was the responsibility of the Provincial Administration.

The Committee had urged the Government to ensure that Controlling Officers in line ministries and PSMD respected and upheld the procedures relating to the employment of CDEs and left the recruitment of CDEs in provinces to the Provincial Administration.

### **Executive's Response**

In response, the Government stated that currently, Classified Daily Employees were supposed to be recruited by the respective Controlling Officers including Provincial Permanent Secretaries. Nonetheless, when the human resource management reforms were fully implemented, all public service employees below the level of Assistant Director would be recruited and managed at the local level by the respective Controlling Officers.

### **Committee's Observations and Recommendations**

The Committee notes the response and waits for a progress report on the implementation of the revised human resource management reforms.

## **12. Dual Reporting System in Government Departments**

In the previous Session, the Committee had observed that there was a dual reporting system for Government departments in the provinces currently as the

departments reported both to the Provincial Permanent Secretary and their respective line ministries. The Committee shared the concern of the Provincial Administration that this had potential to create difficulties in human resource administration.

The Committee, therefore, recommended that the Government should harmonise the operations between line ministries and the Provincial Administration on appointments, recruitments, promotions, transfers, placements confirmations and discharges to avoid duplication of work and making conflicting recommendations to PSMD and the relevant service commissions.

### **Executive's Response**

The Government in its response stated that it had taken note of the Committee's recommendation and was fully aware of this arrangement. However, the Committee was informed that this was one of the challenges that would be cured by decentralisation.

### **Committee's Observations and Recommendations**

The Committee notes the response and waits for a progress report on the full implementation of the decentralisation policy and urges the Executive to expedite the process.

### **CONCLUSION**

**9.0** Following its study on the operations of the DMMU, the Committee is concerned that while there is a global paradigm shift from disaster management to disaster risk reduction, the Unit has not evolved accordingly. In particular there has been no movement by the Unit towards meeting its mandate with regard to prioritising disaster risk reduction activities as opposed to disaster management. This is especially worrying in the advent of climate change, which poses new and serious challenges to lives and livelihoods. The Committee notes that the Unit has remained reactive rather than proactive. The Committee, in this regard, looks forward to shift in the focus of operations of the Disaster Management and Mitigation Unit in order for it to remain relevant to the needs of Zambian society. Therefore, there is need for holistic reforms of the Unit and all its enabling policies and legislation.

Pertaining to the operations of the Department of Resettlement, the Committee notes that one of the biggest hindrances to effective management of resettlement schemes the inappropriate staff structure and inadequate staffing levels. This is owing to the fact that the Department operates at national and provincial levels while resettlement schemes are located in the districts. This results in schemes, apart from the main schemes in the province, being managed by Local Settlers' Coordinating Committees, which cannot be held accountable for the day to day

management of schemes. This has, in some cases, resulted in distorted information and delayed feedback as well as inadequate agricultural extension services. The Committee, therefore, calls for urgent review of the staff structure of the Department be revised and expanded so that it takes care of resettlement schemes that have no scheme managers.

Further, the Committee notes, with concern, that the National Resettlement Policy has not been implemented even after being approved by Cabinet almost five years ago. The Committee, therefore, recommends that the Government should ensure that the National Resettlement Policy is implemented in order for the Department of Resettlement to discharge its mandate effectively.

The Committee is grateful to you, Mr Speaker for the guidance rendered to it during the Session. The Committee is also grateful to the office of the Clerk of the National Assembly and her staff for the support rendered to it throughout the Session. The Committee is further indebted to all witnesses who submitted memoranda and appeared before it. Finally, the Committee remains confident that its observations and recommendations will be positively considered by the Executive in order to address the challenges associated with the operations of the Disaster Management and Mitigation Unit and the Department of Resettlement.

Dr M Imakando, MP  
**CHAIRPERSON**

June, 2019  
**LUSAKA**

## **APPENDIX I**

### **List of National Assembly Officials**

Ms C Musonda, Principal Clerk of Committees  
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)  
Mr S Chiwota, Senior Committee Clerk (SC)  
Mrs M H Mweele, Committee Clerk  
Ms L Chilala, Typist  
Mr D Lupiya, Committee Assistant  
Mr M Kantumoya, Parliamentary Messenger