

**REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS
FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY,
APPOINTED ON THURSDAY, 25TH SEPTEMBER 2014.**

Consisting of:

Rev Lt Gen R Shikapwasha, MP (Chairperson); Mr S Sianga, MP; Mr M Simfukwe, MP; Mr S Katuka, MP; Mr E J Muchima, MP; Ms A C Kansembe, MP; Mr D Chisopa, MP; and Mr L C Bwalya MP.

The composition of the Committee changed following the appointment of Ms A C Kansembe, MP; Mr L C Bwalya, MP; and Mr D Chisopa, MP to the deputy ministerial positions and were replaced by Mrs I Mphande, MP; Mr P Kosamu, MP; and Mr E T Chenda, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA.

Sir,

Your Committee has the honour to present its Report for the Fourth Session of the Eleventh National Assembly.

Functions of the Committee

2.0 In addition to any other duties conferred upon it by the Honourable Mr Speaker, or any other Order of the House, your Committee oversees operations of the Ministries of Defence, Home Affairs and Foreign Affairs.

In overseeing the activities of these Ministries, your Committee carries out the following functions:

- a) study, report and make recommendations to the Government through the House on the mandate, management and operations of the Ministries of Defence, Foreign Affairs and Home Affairs, departments and/or agencies under their portfolios;
- b) carry out detailed scrutiny of certain activities being undertaken by the Ministries of Defence, Foreign Affairs, Home Affairs, departments and/or agencies under their portfolios and make appropriate recommendations to the House for ultimate consideration by the Government;
- c) make, if considered necessary, recommendations to the Government on the need to review certain policies and/or certain existing legislation;
- d) examine annual report of Government ministries and departments under their portfolios in the context of autonomy and efficiency of Government ministries and department and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders; and
- e) consider any Bills that may be referred to it by the House.

Meetings of the Committee

3.0 Your Committee held twelve meetings during the year under review.

Programme of Work

4.0 At its second meeting, held on 7th October, 2014, your Committee considered and adopted the programme of work as set out below.

- a) Consideration of the Action-Taken Report on the Committee's Report for the Third Session of the Eleventh National Assembly.
- b) Consideration of the following topical issues:
 - i. Operations of the Department of National Registration, Passports and Citizenship;
 - ii. Zambia's Preparedness for Terrorist Attacks; and
 - iii. Operations of the Office of the Commissioner for Refugees.
- c) Consideration of Reports from Parliamentary delegations.
- d) Undertake a local tour of Lusaka, Kabwe, Kapiri Mposhi, Ndola, Kitwe and Solwezi, in line with the topical issues.
- e) Consideration of the Committee's Draft Annual Report for the Fourth Session of the Eleventh National Assembly.

Procedure adopted by the Committee

5.0 Your Committee requested for written memoranda on the topical issues under consideration from stakeholders concerned and invited them to appear before it in order to make verbal submissions and clarifications on issues arising from their submissions. Your Committee also undertook a local tour during the year under review.

The following are the stakeholders your Committee interfaced with:

- i. Ministry of Home Affairs – Commissioner for Refugees;
- ii. Ministry of Home Affairs: Department of National Registration, Passports and Citizenship;
- iii. Ministry of Community Development, Mother and Child Health: Department of Social Welfare;
- iv. Ministry of Defence;
- v. Zambia Civic Education Association;
- vi. Association of Professional Immigration Consultants;
- vii. Zambia Information and Communications Technology Authority;
- viii. Childcare and Adoption Society of Zambia; and
- ix. Zambia Law Development Commission.

PART I

6.0 CONSIDERATION OF TOPICAL ISSUES:

TOPIC 1: OPERATIONS OF THE DEPARTMENT OF NATIONAL REGISTRATION, PASSPORTS AND CITIZENSHIP

Background

6.1 The Department of National Registration, Passport and Citizenship, is charged with the responsibility of keeping records of individuals' births, marriages, deaths and adoptions. It also processes and issues passports and other related travel documents and applications for citizenship. It comprises two sections namely: the National Registration Section, and the Passports and Citizenship Section. Although the two sections fall under one department, they are situated in separate locations.

a. The National Registration Section

The National Registration Section (NRS) is responsible for the registration of births, marriages, deaths and adoptions, and the issuance of national identity cards. It comprises two units, the National Identity Unit (NIU) and the Births, Marriages, Deaths and Adoptions Unit (BMDAU).

b. Passports and Citizenship Section

The Passports and Citizenship Section (PCS) is responsible for the issuance of passports, travel documents and issuance of citizenship. It comprises two units, that is, Passports Unit and Citizenship Unit.

The role of the Department of National Registration is to provide National Registration Cards and Passports, increase accessibility to services for issuance of all national identity and travel documents and facilitate acquisition of Zambian citizenship in order to contribute to maintenance of the internal security of the nation.

Objectives of study

The objectives of this study were to:

- a) ascertain the adequacy of the policy governing the operations of the Department;
- b) assess the legal framework governing the operations of the Department and ascertain whether there are any pieces of legislation that need to be reviewed;
- c) find out the institutional arrangements in terms of decentralisation of operations;
- d) examine measures (if any) that the Government has put in place to improve the operations of the Department;
- e) identify the challenges, if any, faced by the Department, and
- f) make appropriate recommendations on the way forward.

Summary of Submissions

6.1.1 Your Committee was informed that the Department of National Registration, Passports and Citizenship (DNRPC), under the Ministry of Home Affairs (MOHA), is charged with the responsibility of keeping records of individuals' births, marriages, deaths and adoptions. It also processes and issues passports and other related travel documents and applications for citizenship. The role of the Department is to provide National Registration Cards and Passports, increase accessibility to services for issuance of all national identities, travel documents and facilitate acquisition of Zambian citizenship.

Your Committee was informed that the operations of the Department are regulated by six pieces of legislation, namely: the *National Registration Act, Cap 126 of the Laws of Zambia*, the *Births and Deaths Registration Act, Cap 51 of the Laws of Zambia*; the *Adoption Act, Cap 54 of the Laws of Zambia*, the *Marriage Act, Cap 50 of the Laws of Zambia*; the *Citizenship Act, Cap 124 of the Laws of Zambia*; and the *Passport Act No; 22 of 2003*. The Department also issues refugee travel documents "the United Nations Conventional Travel Documents of Identity" (UNCTDI), in accordance with the 1951 United Nations Charter on Refugees and the 1969 Convention of the Organisation of African Unity (OAU).

Your Committee was further informed that, while the Department operates under a specific legal framework, there was no policy to guide its mandate. For example, while birth and death registration plays a critical role in national identity management by establishing the basis for issuance of National Registration Cards and travel documents, there is no guiding policy to ensure that these events are conducted on a continuous basis. The lack of a guiding policy has led to fragmentation in the operations of the Department. There are no linkages between documents issued by the Department. For example, the issuance of National Registration Cards and passports is not linked to birth registration.

Your Committee was further informed that the registration of births played a critical role in the determination of citizenship and subsequent qualification of individuals for obtaining National Registration Cards and national travel documents. The issuance of these identity documents was dependent on proof of citizenship, which is determined by ascertaining the place of birth of a person and the nationality of parents at the time of birth of the applicant. There is a weak link between registration of births under the *Births and Deaths Registration Act* and the acquisition of national identity and travel documents. This has resulted in difficulties in detecting applicants who are not eligible for the acquisition of documents which must be a privilege of Zambians.

Your Committee was informed that, currently, the DNRPC issues National Registration Cards in accordance with the *National Registration Act, Chapter 126 of the Laws of Zambia*. Due to the weakness of the birth registration system, the DNRPC relies on information from affidavits for applicants that cannot produce a birth certificate. The DNRPC, therefore, runs the risk of issuing NRCs to non-eligible persons such as migrants and children of migrants. Similarly, with respect to marriage, only marriages contracted under the *Marriages Act, Chapter 50 of the Laws of Zambia* are registered

by the DNRPC. Customary marriages are sometimes registered by the Local Courts and this information is not transmitted to the DNRPC.

Your Committee was further informed that the Department has a broad mandate which demands for a broad and appropriate organisational structure with sufficient and appropriately trained manpower. This was, however, not the case. The organisational structure for the Department is very narrow and inadequately staffed. Its current staff establishment at district level is only four officers and this makes it difficult for officers to effectively meet the operational demands. The district establishment must be broadened and the structures changed to enable it deliver services effectively and efficiently.

In terms of infrastructure, your Committee was informed that the Department was one of the most poorly accommodated Government departments in the Ministry of Home Affairs, especially at district level. At provincial level, the Department was operating in rented office accommodation belonging to the National Pensions Scheme Authority (NAPSA), while others were accommodated at the Provincial Administration. Your Committee was informed further, that the Department had inadequate transport for district operations. At district level, it is normally situated in the central business district which is usually far from the communities. This meant that only the outreach programmes, through mobile registration, could increase accessibility of the services offered by the Department. However, without adequate transport, this was proving to be difficult.

Your Committee was further informed, that despite some achievements in providing quality service to the public, the Department was faced with challenges as set out below.

- a) Office accommodation: in most districts there was only one room accommodating staff, documents, equipment and other office materials.
- b) Low staffing levels: in the new establishment, there were supposed to be six officers per district, but in most cases there were only two.
- c) Poor and erratic funding: budgetary allocation to the Department has not been adequate and timely.
- d) Inability to conduct periodic mobile registration exercises: as demanded by both district administrations and traditional leadership in various parts of the country, the Department is supposed to conduct mobile registration exercises, but it has been constrained by limited finances. At *Zambian Missions Abroad*, challenges range from verification of information to guardianship and screening of those living in the Diaspora.

Your Committee was informed that the following pieces of legislation needed to be reviewed and harmonised:

- a) *the National Registration Act;*
- b) *the Births and Deaths Registration Act;*
- c) *the Marriage Act;*
- d) *the Citizenship Act;*
- e) *Local Government Act;*
- f) *the Road Transport and Safety Act;*
- g) *the Matrimonial Causes Act;*

- h) the Adoption Act;*
- i) the Registration and Development of Villages Act; and,*
- j) the Passport Act.*

Other stakeholders recommended the following:

- a) a review and harmonisation of the laws governing the operations of the DNRPC and Civil Registration of Vital Statistics (CRVS) generally should be conducted, this should include harmonisation with relevant international instruments;
- b) a review and reorganisation of the organisational structure of the DNRPC should be undertaken to respond to emerging realities;
- c) standardisation of the registration processes across the country should be undertaken in order to have a uniform civil registration process; this will ensure that the data collected is in a uniform, acceptable and usable manner, this should also include strengthening and harmonising reporting tools (including village registers) from various institutions responsible for the collection of birth and death statistics, especially with respect to cadres of lower ranks such as village headpersons;
- d) a mechanism to strengthen and facilitate coordination between the Central Statistical Office and the DNRPC should be developed to ensure development of vital statistics from civil registration information;
- e) integration of the Health and Community Systems into the Civil Registration should be undertaken; the DNRPC should facilitate the provision of birth and death registers to the various health facilities to enable collection and compilation of these vital statistics; the Department should also work closely with the Ministry of Health and the Ministry of Community Development, Mother and Child Health to put in place mechanisms that will ensure ease of production of these statistics as well as applications for certification and/or issuance of the births and deaths certificates;
- f) the use of Information and Communication Technology in civil registration should become part of the operations of the section; the implementation of the Integrated National Registration Information System (INRIS) should be scaled up; in this regard, automated CRVS processes will not only reduce process timeframe, but will also improve reporting and data quality; the use of ICT will also improve communication within organisations, thereby easing the sharing of vital information, as a tool to support development processes;
- g) given the key role played by the DNRPC in the voter registration process, there is need for enhanced collaboration between the DNRPC and the Electoral Commission of Zambia (ECZ) as it relates to issuance of NRCs and sharing data; a system compatible with the existing ECZ biometric database of citizens already registered as voters should be considered;
- h) the Registrar General should publish to the general public information regarding documentation required when processing registration of adoptions and issuance of adoption certificates;
- i) the DNRPC must educate the public on the need for them to register adoptions and obtain adoption certificates; and
- j) the registration of adoptions and issuance of adoption certificates should be decentralised to districts.

Committee's Observations and Recommendations

6.1.2 Your Committee's observations are set out below.

- a) There is no coordination between the Department of National Registration, Passports and Citizenship (DNRPC) and the Ministries of Health and Community Development, Mother and Child Health in the provision of birth and death certificates at the various health facilities to enable the collection and compilation of vital statistics.
- b) The budgetary allocation to the Department of National Registration, Passports and Citizenship has not been adequate to meet the operations, which has been compounded by lack of transport.
- c) The organisational structure for the Department of National Registration, Passports and Citizenship, is very narrow and it is inadequately staffed.
- d) Office accommodation for the Department of National Registration, Passports and Citizenship and shelter for the public seeking National Registration Cards is a challenge in most districts.
- e) Information obtained by village headmen and chiefs in the village registers is not captured by the DNRPC and yet it forms a significant proportion of vital statistics.
- f) The Department of National Registration, Passports and Citizenship, is not regarded as a security entity, as such, not much attention is given to it.
- g) Due to the weakness of the birth registration system, the DNRPC relies on information from affidavits for applicants that cannot produce a birth certificate. It, therefore, runs the risk of issuing NRCs to non-eligible persons such as migrants and children of migrants.
- h) The current legal framework does not provide for a standardised registration system in the country leading to lack of uniformity in the data collected by the various institutions.
- i) Mobile registration has been associated and/or restricted to election periods.
- j) Most of the pieces of legislation governing the operations of the DNRPC are old and fragmented.

In order to improve the operations of the Department of National Registration, Passports and Citizenship, your Committee recommends as set out below.

- a) All health centres should improve their data capturing mechanisms and be mandated to issue birth certificates and copies of the birth certificates should be simultaneously sent to the Department of National Registration.
- b) The budgetary allocation to the Department and actual releases should be improved to ensure that it carries out its mandate effectively.
- c) The organisational structure of the Department should to be reviewed to increase staffing levels in order to ensure that it carries out its mandate efficiently and effectively.
- d) Adequate office accommodation should be provided for the Department's district and provincial centres. This should include waiting halls for the public.
- e) Information obtained from Chiefs and Headmen for children who are not born in health facilities should be treated as valid information by the Department.

- f) The Department of National Registration, Passports and Citizenship, should be regarded as a security entity like other security agencies.
- g) The DNRPC should ensure that births are registered in accordance with the law so that information available at the time of one getting identity documents will be correct rather than relying on affidavits which may lead to ineligible applicants accessing the identity documents.
- h) Legislation which will standardise the registration system in the country to enhance uniformity in the data collected by the various institutions; should be enacted.
- i) Mobile registration of National Registration Cards should be an ongoing exercise rather than an election-time activity.
- j) A review of the laws governing the operations of the DNRPC should be undertaken to bring them in conformity with relevant international instruments.

TOPIC 2: ZAMBIA'S PREPAREDNESS FOR TERRORIST ATTACKS

Background

6.2 Due to the recent terrorist attacks in East African countries such as Kenya and Tanzania and other foreign countries, there is need for the country's Defence and Security Forces to prepare for the possibility of terrorist attacks on the nation. In light of this your Committee undertook a study to ascertain Zambia's preparedness for such attacks.

Objectives

The objectives if this study were to:

- (a) ascertain the adequacy of the policy and legal framework governing the operations of the defence and security wings with respect to terrorist threats and attacks;
- (b) ascertain the defence and security wings' preparedness for terrorist attacks;
- (c) identify the challenges, if any, faced by the defence and security wings with respect to terrorist attacks; and
- (d) make appropriate recommendations on the way forward.

Summary of Submissions

6.2.1 Your Committee was informed that the threat of transnational terrorism in the Horn of Africa and Zambia inclusive had been evolving since the Nairobi and Dar-es-salaam United States of America (USA) Embassy attacks on 7th August, 1998. The attacks almost entirely involved Al-Qaeda operatives who were mainly foreign nationals. Your Committee was further informed that following repeated threats posed by the Al Qaeda affiliated Al-Shabaab terrorists in 2011, the Kenyan Defence Forces (KDF) sent its troops to neighbouring Somalia to pursue the Al-Shabaab militants. Recently, the Al-Shabaab terrorist groups have been steadily losing ground in Somalia, weakened by military gains by the African Union Mission (AMISOM) and Somali

Government Forces. This had resulted in the group looking outwards. The recent Gorisa Siege in Kenya indicated an increasing threat of terrorism and plans to launch possible future attacks in other countries.

Your Committee was informed that Al-Shabaab continued to pose a threat not only to Kenya, but also to Zambia which had its military personnel deployed in Somalia. The group may have lost most of its strongholds in Somalia, but there were remnants who may try to find their way into Zambia to vent their anger and revenge. Like Kenya, the threat of terrorism in Zambia was assessed against the back drop of the Zambia Defence Forces personnel deployed in AMISOM. The longstanding desire by groups associated with Al-Qaeda was to carry out major attacks not only in Kenya, but probably also future attacks in Zambia by remnants of Al-Shabaab militants fleeing from Somalia to seek refuge to vent their revenge on the country. Your Committee was informed that recently, Zambia had experienced an influx of refugees and illegal immigrants from Somalia, some of whom may be Al-Shabaab fighters looking for a safer haven in the country. The Al-Shabaab terrorists had since adopted and started using a hit and run approach utilising its cells in Kenya, Somalia and probable operatives in Zambia.

Your Committee was informed that the terrorist threat facing Kenya and Zambia today emanated from three streams:

- (i) the group directed by Al-Qaeda-core which has sleeper cells in Somalia and Kenya and is intent on pursuing global jihad (Holy war);
- (ii) Al-Shabaab Ansari, embittered by the presence of the African Union Peace Keeping Force (AMISOM) in general, in Somalia and therefore, wishes to avenge the Troop Contributing Countries (TTC) such as Zambia; and
- (iii) likelihood of Zambian nationals being indoctrinated into Islamic extremism to train and fight alongside Al-Shabaab Jihadists in the country.

Your Committee was further informed that Zambia has no expressly stated policy on terrorism. Terrorism was treated as a crime depending on the actions of the perpetrator and in line with the existing legal framework. The Zambian legal framework for countering terrorism includes:

- (a) the Zambian Constitution;
- (b) the *Penal Code Act, Chapter 87* of the Laws of Zambia;
- (c) the *Anti-Terrorism Act, 2007*;
- (d) the *Prohibition and Prevention of Money Laundering Act No. 14 of 2001; Amendment Act No. 44 of 2010 and Forfeiture Act No. 19 of 2010*;
- (e) the *Financial Intelligence Centre Act, 2010*;
- (f) the *Electronic Communication and Transactions Act, 2009*; and
- (g) the *Anti-Human Trafficking Act, 2008*.

Stakeholders submitted that currently, the fight against terrorism was premised on five major strengths, as highlighted below.

- (i) The existence of the defence and security institutions throughout the Country. These include the Zambia Army, Zambia Police, Zambia Security Intelligence Service, Immigration and other security institutions.
- (ii) The existence of the law and regulations. The law already exists to deal with any act of terrorism that can be described as a crime.
- (iii) Cooperation between law enforcement institutions and the general public: Zambians generally appreciate the prevailing peace situation in the country. The general public works hand in hand with law enforcement institutions to apprehend suspects or law breakers through the provision of intelligence information.
- (iv) Cordial relationships with neighboring countries: Zambia has been a beacon of hope for neighboring countries in regard to their fight for independence and refuge haven for citizens from warring countries. In response, many countries in the region want to maintain peace with Zambia. This is good for the Country and efforts must be made to foster this position.
- (v) Co-existence among the different tribes in the country: It has been observed in many forums that dissatisfaction among certain tribal groupings in the country may lead to terrorism. This may come about when such groups begin to feel that they are being left out or discriminated against in terms of certain benefits and development. In addition to these, are pervasive poverty conditions that could make certain groups to start thinking that only acts of terror would make them come out of such conditions.

Your Committee was, however, informed that there were a number of weaknesses in the legal frame work, as set out below.

- a) The defence and security institutions were established as independent entities and not as a unit. Special task forces involving officers from all wings were set up from time to time when the need arose, but were never meant to continue operating as a team and were disbanded after the completion of their tasks.
- b) Due to lack of permanence in structures, there was no established coordination systems which leads to a breakdown in information sharing, which may be a danger to the nation.
- c) Whereas pieces of legislation such as the *Penal Code* and *Prohibition and Prevention of Money Laundering Act* had corresponding institutions to administer them, the *Anti-Terrorism Act of 2007* , did not, thereby making it ineffective.
- d) Whereas the crime of terrorism was transnational, all the laws related to countering in Zambia were limited to country's national boundaries.
- e) There were no linkages between institutions administering the different pieces of legislation. For instance, the Financial Intelligence Centre under the Bank of Zambia, had no connection to the Zambia Police or the Zambia Army, who may from time to time need information on how terrorist activities are financed.
- f) The *Electronic Communication and Transaction Act of 2009* had remained static in spite of the advancements in the Information Technology (IT) industry.

In order to counter terrorism, stakeholders made some recommendations as set out below.

1. Creation of a National Counter-Terrorism Centre

- (a) Zambia should establish the National Counter-Terrorism Centre, encompassing all focal persons in relevant fields such as intelligence, chemical and bio-terrorism, cyber crime, legal and wildlife.
- (b) The Centre should have a well-trained standby force for rapid and appropriate reaction to any act of terrorism.
- (c) Counter-Terrorism Centre members, including the standby force, should be involved in countering attacks in other countries within the region to enable them gain the necessary experience and gain knowledge in regional terrorism.
- (d) The Centre should, among other activities, monitor radicalisation and also check on the curriculum of various learning institutions in order to deter recruitment and spreading of radical agenda.

2. Regional Cooperation

- (a) Zambia should utilise the experience gained from Interpol practices, where member states constitute a group of officers that go round member countries conducting operations to inspect motor vehicles and suspected illegal immigrants and institutions supporting terrorist activities.
- (b) Zambia should adopt the strategy being used in West Africa, where member countries pursuing a suspect who has crossed into another West African country can be followed up to 200km into that country.
- (c) Zambia should support the establishment of the Regional Counter-Terrorism Centre and designate national counter-terrorism law enforcement focal points, which should include relevant law enforcement wings such as, Intelligence, Immigration, Police, Financial Intelligence Officers, Anti-Drugs, Legal and wildlife officers, among others.

3. Border Control

- (a) Community policing should be enhanced among the communities in the border areas.
- (b) People living in border areas should be sensitised on terrorism.
- (c) Traditional and civic leaders, as well as the community, should be involved in the fight against terrorism.
- (d) Legislation between neighbouring countries in border areas should be harmonised.
- (e) There should be joint patrols of common border areas between countries.
- (f) The use of equipment to monitor goods entering and leaving countries such as motor vehicle scanners should be adopted.

4. Financing of Terrorism

- (a) Zambia should develop legislation that will control all forms of financing, to include NGOs, Awallah Systems and many other informal systems of financing;
- (b) Zambia should develop legislation and effective mechanisms to monitor the movement or transfer of cash in and out of the country.
- (c) Financial Intelligence Units should work together in monitoring, investigation and prosecution of individuals and groups of people

- involved in illegal transfer of funds.
- (d) Cooperating countries should develop effective mechanisms for monitoring mobile and internet financial transactions.

5. Legal Framework

- (a) Legal officers should be involved in the national counter terrorism centres to which may be established.
- (b) Zambia should ratify the relevant regional and international conventions and protocols and domesticate them.

6. Internet and Mobile Communication

- (a) International community bodies such as the United Nations, the African Union and Southern African Development Community (SADC) should campaign for policies of full disclosure among local and private international IT organisations.
- (b) Zambia should enact legislation to deal with the interception of internet and/or telephone communication as is the case in Zimbabwe.

7. Tourism

Wildlife authorities should be included in counter terrorism programmes.

Committee's Observations and Recommendations

6.2. 2 Based on the submissions, your Committee makes its observations as set out below.

- (a) The *Anti-Terrorism Act, No. 21 of 2007*, can no longer cope with current advanced trends in terrorism.
- (b) Each defence and security wing operates independently of the others, resulting in uncoordinated anti-terrorism activities.
- (c) There is no coordination between defence and security wings and the Zambia Information and Communications Technology Authority (ZICTA) in the training of specialised forces to counter terrorist attacks.
- (d) There is no sufficient counter terrorism budgetary allocation for the defence and security wings.
- (e) The unmanned long and porous borders with neighbouring countries make Zambia vulnerable to terrorism.
- (f) There has been a proliferation of religious groups in the country, which could be breeding grounds for radicalism and extremism if they are not closely monitored.
- (g) There has been a huge influx of foreign nationals from war-torn countries in the country, whose numbers in districts such as Ndola, are unproportionately high; some of the immigrants may be from questionable backgrounds.

Based on the observations above, your Committee recommends as set out below.

- a) The *Anti-Terrorism Act, No. 21 of 2007*, should be amended to bring it in tandem with the current advanced tactics.

- b) A national anti-terrorism centre to coordinate the activities of countering terrorism should be created.
- c) The defence and security wings should work in collaboration with ZICTA to train officers in countering cyber-terrorism.
- d) The Government should ensure that there is a dedicated budget line for counter terrorism activities in the allocations to the Ministries of Defence, Home Affairs and the Office of the President Special Division.
- e) Security along the borders with neighbouring countries should be enhanced.
- f) The proliferation of some religious institutions, schools, universities, banks and insurance companies should be closely monitored to ensure that they are not used to promote extremism and radicalism.
- g) The Government should undertake a study to determine whether there are protocols in the region that place a limit on the number of immigrants a country can host from particular countries or regions and adopt them.
- h) The Government should seriously scrutinise all foreign nationals who enter the country, especially those from countries prone to terrorism.
- i) The Government should be vetting nationals and institutions providing funding to various projects in the country as some aid may be channels for financing terrorism activities.

TOPIC 3 REVIEW OF THE OPERATIONS OF THE OFFICE OF THE COMMISSIONER FOR REFUGEES

Background

6.3 The Office of the Commissioner for Refugees is responsible for the management, regulation and coordination of the welfare and security of refugees and asylum seekers in Zambia with support from the United Nations High Commission for Refugees (UNHCR). The Office is headed by the Commissioner for Refugees who reports directly to the Permanent Secretary of the Ministry of Home Affairs.

In accordance with *the Refugees (Control) Act of 1970, Chapter 120* of the Laws of Zambia, the functions of the Office include:

- (a) assessing asylum claims;
- (b) relocation of refugees to refugee settlements;
- (c) granting of permission to leave refugee settlements;
- (d) registration of refugees and asylum seekers; and
- (e) issuance of refugee identity cards.

Objectives of the study

The objectives of this study were to:

- (a) ascertain the adequacy of the policy and legal framework governing the operations of the Commission;
- (b) appreciate the operations of the Commission so as to assess its ability to effectively and efficiently deliver on its mandate;
- (c) identify the challenges, if any, faced by the Commission; and
- (d) make appropriate recommendations on the way forward.

Summary of Submissions

6.3.1 Your Committee was informed that Zambia has no written refugee policy, although there is a policy on local integration of refugees which is currently being used. The Office of the Commissioner for Refugees relies on *the Refugee (Control) Act, Cap120* of the Laws of Zambia and the Refugee Conventions, to which the State is a party, in handling refugee matters.

Your Committee was informed that the Office had delivered on its mandate by actively engaging the international community through the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (IOM). Your Committee was informed that one of the challenges the Office was facing was inadequate funding which was why it had continued to engage the international community to help fill the financing gap. This had been on the understanding that Zambia was offering this humanitarian service on behalf of the International Community.

Committee's Observations and Recommendations

6.3.2 Your Committee observes that:

- (a) the Office of the Commissioner for Refugees has been operating without a written refugee policy;
- (b) the funding to the Office has been inadequate resulting in its operations being heavily reliant on donor funding; and
- (c) the refugee Bill that was brought to Parliament in 2002, but was rejected on account of lack of consultation, has not brought back.

In light of the above observations, your Committee recommends that:

- i. the Government should come up with a comprehensive national policy on refugees;
- ii. the funding to the Office of the Commissioner for Refugees must be improved to enhance its operations and reduce its reliance on donor funding; and
- iii. the Ministry of Home Affairs must ensure that the *Refugee Bill* is brought back to Parliament after extensive consultations with stakeholders.

TOPIC 4: REPORTS FROM PARLIAMENTARY DELEGATIONS

6.4 Your Committee received four reports, from Parliamentary delegations to the following: the Pan-African Parliament (PAP); The African, Caribbean and Pacific – European Union Joint Parliamentary Assembly (ACP-EU JPA) and two from the Southern Africa Development Community – Parliamentary Forum (SADC-PF).

Report of Zambia's Parliamentary Delegation to the Pan-African Parliament (PAP)

6.4.1 Your Committee was informed that the Fifth Ordinary Session of the Third Pan-African Parliament (PAP) was held at the precincts of the Pan-African Parliament in Midrand, South Africa, from 13th to 24th October, 2014.

Set out below are the resolutions of the meeting.

At the National Level, countries should:

- i. create and increase awareness on the African Peer Review Mechanism (APRM) in national parliaments;
- ii. ensure adequate budgetary allocations to APRM activities in the national budgets;
- iii. provide a clear framework of direct parliamentary participation through committees on APRM;
- iv. ensure that APRM is located in a relevant ministry;
- v. domesticate the APRM process through legislation;
- vi. ensure public participation in the APRM process;
- vii. ensure access by Parliament to other countries' reviews; and
- viii. table reports on APRM in parliaments.

Committee's Observation and Recommendations

6.4.2 Your Committee notes the submission and urges the Government to support the work of the Pan-African Parliament.

Report of the African, Caribbean, Pacific, European Union Joint Parliamentary Assembly

6.5 Your Committee was informed that the ACP-EU Joint Parliamentary Assembly adopted its report during its meeting that took place in Strasbourg, France, from 1st to 3rd December, 2014, on the expansion of terrorism in Africa. The meeting was informed that terrorism had undermined state institutions and impeded economic development in countries that were affected. The African continent was especially vulnerable because terrorism was not limited to attacks, but included the use of its territories for training, radicalisation and mobilisation of resources through both legitimate and criminal channels.

The Assembly adopted the resolutions set out below.

- i. African Governments should cooperate with European countries to prevent terrorist acts and establish mechanisms for information exchange on such issues as the trafficking of weapons, border surveillance and intelligence.
- ii. Countries should cooperate in the elimination of financial resources to terrorists and terrorist groups and support restrictions that effectively prevent communication between terrorist groups and their access to financing.
- iii. Countries should deal with the root causes of terrorism, which include social exclusion, inequality, under-development, corruption, embezzlement of revenues from natural resource exploitation, radicalisation and a lack of hope.

Committee's Observation and Recommendations

6.5.1 Your Committee notes the submission and welcomes the resolutions of the ACP-EU JPA and recommends that:

- (a) the Government should embark on the training of intelligence and security personnel to prepare for any terrorist attacks; and

- (b) the Government should be wary of issues such as religious groups setting up banking and insurance institutions in the country.

Submission of the SADC-PF 36th Plenary Assembly Session Report

6.6 Your Committee was informed that the 36th Plenary Assembly Session of the Southern Africa Development Community-Parliamentary Forum (SADC PF) was hosted by the Secretariat of the Forum at Elephant Hills Hotel in Victoria Falls, Zimbabwe, from 25th October to 3rd November, 2014.

Duration of SADC PF Plenary Assembly Sessions

Your Committee was informed that the Plenary Assembly noted that following the adoption of Parliamentary procedures in the conduct of its business, it was necessary to revise the duration of Plenary Assembly Sessions. In this regard, it was resolved that Sessions would henceforth be conducted over a period of twelve days as set out in the Table below.

Day	Activity
1	Arrival of Standing Committee members
2 and 3	Standing Committee Meetings
4	Processing of Committee documents by the secretariat
5	Sub Committees of the Executive Committee meet
6	Executive Committee meeting
7	Morning - Official Opening Afternoon - Processing of Executive Committee Report and finalisation of Session sittings
8, 9, and 10	Plenary Assembly Session
11	Organised Tours
12	Departures

Motions debated and passed by the 36th Plenary Assembly Session

Your Committee was informed that the 36th Plenary Assembly Session considered and passed the five motions listed below.

- i. That the Plenary Assembly do convey its sincere condolences to the family of the late President of the Republic of Zambia, His Excellency Mr Michael Chilufya Sata, the Government and people of Zambia on the demise of the President.

- ii. Motion on the attainment of the Millennium Development Goals and the Post-2015 Agenda.
- iii. Motion on the Ebola Virus Disease (EVD) outbreak.
- iv. Motion on the significance of infrastructure to intra-African trade and the implementation of the Agenda 2063 in the SADC Region.
- v. Motion on enhancing connectivity in the SADC Region through improved rail and road network.

Election of new Executive Committee and office bearers of the Forum

In accordance with the provisions of the Forum's Constitution, the Plenary Assembly constituted a new Executive Committee to lead the Forum during the period 2014 to 2016. Further, the Plenary Assembly elected Office bearers of the Forum as follows:

President: Hon Anna S Makinda, MP, Speaker of the National Assembly of Tanzania;

Vice President: Mr Joseph Njovuyalema, MP, Malawi; and

Treasurer: Mr Gary G Nkombo, MP, Zambia,

Committee's Observation and Recommendations

6.7 Your Committee notes the submission and urges the Zambian Government to continue supporting the work of the SADC-PF.

PART 11

LOCAL TOURS OF LUSAKA, KABWE, KAPIRI MPOSHI, NDOLA, KITWE AND SOLWEZI FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

7.0 In line with the topical issues on the operations of the Department of National Registration, Passports and Citizenship Department, the Local Integration of Angolan Refugees and as a follow up on the Action-Taken Report on the Committee's Report for the Third Session of the Eleventh National Assembly on the Auditor General's Report on the Rehabilitation and Reintegration of Prisoners, your Committee undertook a local tour whose findings are summarised below.

1. Mukobeko Maximum Security Prison

The objective of the visit was to check on the number of prisoners who were currently in prison against the number of those rehabilitated and prepared for reintegration.

2. Department of National Registration, Passports and Citizenship

The objectives of the tour were to assess:

- (a) the operations of the Department and get first hand information on the challenges that members of the public face in getting identity documents;
- (b) the ability and efficacy of the Department to deliver on its mandate vis-a-vis manpower levels, infrastructure, transport and funding;
- (c) the extent to which the operations of the Department were decentralised; and
- (d) what challenges the Department grapples with.

3. Chiefdoms surrounding Maheba Refugee Camp

The Objective of the tour was to interact with Chiefs Mumena and Matebo, Refugee Officers and refugees, and hold public hearings in order to:

- (a) assess the communities' preparedness for the local integration of former Angolan Refugees; and
- (b) check on the projects implemented to prepare the areas for the integration.

8.0 Findings

8.1 Prisons Service Command – Kabwe

Your Committee had a meeting with the Prison Service Command, during which a number of issues were raised.

Your Committee was informed that although the Prisons Service was regarded as a security wing, it was not recognised as such when it came to remuneration and other conditions of service. As a matter of fact, the Prison Service was ranked lower than the Police Service to the extent that the Commissioner of Prisons was at the same level with the Deputy Inspector General of Police. Other disparities were observed at functions where the Commissioner of Prisons could not share the same podium with colleagues from other security wings. For instance, during the official opening of Parliament by the Republican President, the Commissioner of Prisons seats in the galleries, while his counterparts from other security wings sit with the President.

Your Committee was informed that the Prisons Service, though integral to the maintenance of internal security, was not represented at the Central Joint Operations Committee (CJOC), where ironically, the Commissioner of the Drug Enforce Commission is a member. Your Committee learnt that in order to address this matter, the harmonisation and rationalisation of salaries and conditions of service for the defence and security wings was instituted by the late President Mr Michael Chilufya Sata on 10th October, 2011, which was followed by a meeting of stakeholders convened by the Permanent Secretary, Public Service Management Division (PSMD) on 15th June, 2012. Unfortunately, to date, this process has not been completed. Your Committee was informed that although the Service was doing its best to discharge its mandate, the morale among its rank and file was quite low.

8.2 Mukobeko Maximum Facility

The visit to Mukobeko Maximum Prison revealed that the facility was holding a total of 2,163 inmates, broken down as follows:

- (a) Convicts: 1,426;
- (b) Condemned Section: 349;
- (c) Life Imprisonment: 214; and
- (d) Remandees Section: 174.

With regard to the number of prisoners currently being rehabilitated and prepared for reintegration, your Committee was informed that 438 prisoners sat for examinations in the following courses:

- a) Carpentry;
- b) Tailoring;
- c) Education recreation sport;
- d) Bricklaying and plastering;
- e) Metal fabrication;
- f) Power electrical; and
- g) Auto mechanics.

There were also fifty-eight prisoners who had entered for GCE examinations and nine were studying under Nkrumah University of Education.

Challenges faced by the Prison

Some of the challenges being faced by the Institution are set out below:

(i) Staffing

Your Committee discovered that due to the increase in the number of prisoners, the ratio of wardens, which ordinarily should be 1:4, had soared to 1:22. To make matters worse, most officers have no accommodation within the facility, which poses serious security challenges especially in the event that mobilisation becomes necessary, particularly at night. The few officers available do not have modern surveillance equipment to monitor the movement of inmates. This situation is even worsened when a number of prisoners are admitted to Kabwe General Hospital, where they need at least three officers per patient to guard them.

(ii) Congestion

Your Committee was informed that a cell that was meant to accommodate one prisoner at the Condemned Section was occupied by seven to eight prisoners while at the Ordinary Section, a cell meant for forty prisoners was now housing 170. As a consequence, inmates slept in shifts. There was also a general lack of beddings and uniforms both for staff and inmates.

(iii) Health care

Your Committee discovered that the medical facility was too small compared to the population of inmates. As a result, there was no space for the isolation of patients with communicable diseases, posing a risk to other inmates.

(iv) Kitchen facilities

Your Committee found that there were only four serviceable electric pots. However, in order for each prisoner to have a meal, each pot was used a minimum of five times. This causes overheating and results in frequent tripping of electricity switches. This is worsened by the frequent power outages. There is no standby generator at the Prison.

(v) Delayed case disposal

Your Committee was informed that there were twenty-one condemned prisoners whose case records were missing at the Supreme Court. As a result, they could not be judged

nor considered for anything such as parole. There was a further twenty condemned prisoners who were on reserved judgment for a period ranging from two to seven years. This is indeed justice delayed and consequently denied.

(vi) *Babies born in Prison*

Your Committee was informed that there was no legal framework or policy to address the plight of babies who were born to prisoner mothers. There was also a case of a convict who had been imprisoned outside the country where she served for a number of years which were not counted when she was transferred to Zambia.

8.3 Department of National Registration, Passports and Citizenship

Your Committee was informed that the Department had several challenges, including, but not limited to these set out below.

(a) *Staffing*

In many districts, the Department was operating below the establishment levels making it difficult to serve the communities effectively. For this reason, it had become extremely difficult to send officers to newly established districts. In vast districts such as Solwezi, it was difficult for the Department to cover the whole District particularly border areas such as Mafwa and Mofye. As a result, there were many citizens who were as old as twenty to twenty-five years who did not possess National Registration Cards. Further, the low staffing levels had made it difficult for the Department to camp in the villages and issue NRCs because this would mean leaving the district office unmanned.

(b) *Communication and transport*

Your Committee was informed that many district offices had no means of communication and transport. This had posed a challenge, particularly for the verification of records for those who intended to replace lost or damaged NRCs. Since there were neither mobile nor telephones in many of these offices, clients who wanted their NRCs replaced were asked either to provide airtime in the officers' phones or to avail their phones so that the offices where the NRC was originally obtained could be contacted for verification. Since the officers at the other end needed to plough through old books in order to trace those records, it took so long to have this process completed. In some cases, verification forms had to be posted and this took even longer. Because of desperation, people had fallen prey to corrupt practices.

What had made the situation worse was the non-digitalisation and computerisation of the national registration system. Your Committee was informed that the computerisation and digitalisation process had stalled at the pilot level and wondered when this would be revamped, completed and rolled out to all the districts.

(c) *Infrastructure*

Your Committee discovered that except at the national Headquarters, infrastructure in districts was inadequate. There was no shelter for people seeking to obtain NRCs and they had to stand for long hours in the sun or cold.

(d) *Issuance of birth certificates*

Your Committee observed that the process of issuing birth certificates had been overly centralised. The current scenario was such that only the Registrar General was authorised to issue and sign birth certificates. This meant that all applications for these documents countrywide had to be sent to Lusaka. This made the process slow and laborious. As a result, many people did not even want to start the process. In rural districts, by the time the certificates were issued, the applicants would have given up and did not bother to collect them.

(e) *National Identities vis-à-vis foreign nationals*

Your Committee was informed that the Department faced serious challenges with the registration of foreign nationals' children. This was because by law, a child born of a marriage between a foreigner and a Zambian qualified for Zambian citizenship. Your Committee was informed that this provision was being taken advantage of particularly by foreigners who were married to two wives and one of them was Zambian. Using this provision, Zambian wives were being used to register children from the non-Zambian wives as their own. Coupled with this, your Committee was informed that the law regarding adoption needed to be revised. This was because Zambians of Asian origin were using it to adopt their own relatives in order to bring them to Zambia.

Your Committee was also informed that there was no mechanism for the surrender of dead persons' National Registration Cards and that unscrupulous Zambians were selling them to foreigners, who just removed the photo and replaced it with their own.

8.4 Chiefdoms surrounding Maheba Refugee Camp

On the visit to the two chiefdoms, your Committee was accompanied by the officials from the United Nations High Commission for Refugees (UNHCR), the Ministry of Home Affairs, the District and the Angolan Consulate.

Your Committee learnt that the people surrounding Maheba Refugee Camp had gladly accepted the integration of the former Angolan refugees, saying they had already done so even before the Government took the step because they had lived with them for a long time and had even inter-married. The local people had appreciated the fact that as result of hosting the refugees, they had benefitted from the infrastructure development, such as schools and clinics undertaken by the United Nations High Commission for Refugees (UNHCR).

Your Committee was further informed that as a result of living with the refugees, many of whom had quite a good number of skills, the Kaonde people, who were predominantly hunters, had now learnt farming. Concern was, however, raised during one of the public hearings that some refugees were behaving as if they were above the law and regulations governing the society they were living in.

8.5 Public hearing with Angolan Refugees

Your Committee held a public hearing with the Angolan refugees at which it was informed that when the refugees applied for the family permits, they did not get the permits at the same time, which made it difficult for them to move together. It also

made it costly for the family to keep checking for the documents for the remaining family members.

Your Committee also discovered that there was some reluctance on the part of the refugees and more so with Zambians to take up land in the resettlement area. However, for some Zambians, it was lack of information on the matter.

Your Committee also discovered that some chiefs and headmen were hesitant to allow, let alone encourage their people to move into the resettlement area for fear of losing their subjects and hence the control. Your Committee observed that unless something was done to entice Zambians to move, there was a danger of creating an enclave for Angolans. Your Committee also learnt that some former refugees were expecting far too much from both the Zambian Government and UNHCR.

8.6 Projects

Your Committee also visited some projects being undertaken in readiness for the integration. These included Kamiba Primary School, Kamiba Entrepreneurship Centre and Kamiba Rural Health Centre. Your Committee was informed that works at Kamiba Rural Health Centre, which were being undertaken by Stout 1, had stalled and workers had not been paid for two months. Your Committee also visited Mafwe Bridge which connected Chief Matebo's chiefdom to the Resettlement Scheme, but was no longer usable due to damage. UNHCR undertook to work on the bridge, if a request was formally made to them.

Committee's Observations and Recommendations

9.0 In view of the foregoing findings, your Committee's observations and recommendations are set out below.

9.1 Prisons Service Command and Mukobeko Maximum Prison

- (a) Your Committee observes that the Prisons Service is not regarded as integral to the internal security of the nation. Consequently it is not a member of the Central Joint Operations Committee and its establishment, remuneration and conditions of service are below other security wings such as the Police Service;
- (b) the staffing levels at Mukobeko Maximum Prison and indeed at other prisons have fallen below normal. As such, service delivery is adversely affected;
- (c) there is no accommodation for staff within the Prison facility, making it difficult to mobilise them in case of emergencies;
- (d) there is too much congestion at Mukobeko Prison, posing a health risk for inmates as well as officers attending to them;
- (e) the health facility at Mukobeko Prison is inadequate, making it difficult to provide reasonable health care to inmates. It is not even possible to quarantine patients suffering from communicable diseases such as Tuberculosis;
- (f) there is no standby generator at Mukobeko Prison, making security surveillance as well as preparation of food difficult in the event of power

outages. In addition there are only four pots, which are used at least five times before meals to cater for all prisoners can be prepared; and

- (g) some prisoners' case files are missing at the Supreme Court, making it difficult for them to appeal or even apply for parole. In addition, some prisoners were on reserved judgment for as long as two to seven years, thereby denying them justice.

9.2 *Department of National Registration, Passports and Citizenship*

- (a) Your Committee observes that staffing levels at district registration offices are so low that newly opened districts and far flung areas cannot be attended to. This is compounded by lack of transport to enable officers mount spontaneous mobile registration;
- (b) the computerisation and digitalisation of the system in the issuance of National Registration Cards has stalled resulting in continued delays and inconveniences to citizens;
- (c) the issuance of birth certificates is still overly centralised with the Registrar General being the only signatory, thereby making it difficult for citizens to obtain the documents; and
- (d) the law governing adoption of children is rather weak and subject to abuse.

9.3 *Chieftdoms and Refugee Areas*

- (a) Your Committee observes that some chiefs and headmen are hesitant to allow their people to take up land in the resettlement area for fear of losing their subjects;
- (b) some Zambians are reluctant to move into the resettlement area while those who are willing do not have enough information about its benefits and the process of applying;
- (c) some former Angolan Refugees are expecting too much from the UNHCR and the Zambian Government to the extent that they are demanding more than what their Zambian counterparts willing to move in the resettlement area are entitled to; and
- (d) former Angolan refugee families who qualify for the integration and have applied for the permits do not get the documents at the same time, making it expensive for them to keep checking and limiting the movement of some family members.

10. In view of the foregoing observations, your Committee makes recommendations as set out below.

10.1. *Prisons Service Command and Mukobeko Maximum Prison*

- (a) Your Committee recommends that the Prison Service should be considered as an integral part of the security of the nation and consequently be included in the Central Joint Operations Committee (CJOC).
- (b) Your Committee recommends that the harmonisation and rationalisation of conditions of service for defence and security wings should be revamped in order to bring the Prisons Service to the level of other security wings such as the Police Force and the Drug Enforcement Commission with regard to the establishment and conditions of service.

- (c) In order to improve service delivery, Your Committee recommends that staffing levels at Mukobeko Maximum Prison and indeed at other prisons should be improved.
- (d) In order to reduce congestion at Mukobeko and other prisons, your Committee recommends that the law should be revised so that not all cases should get custodial sentences. More facilities such as the Mwembeshi Maximum Prison should be built in selected provincial centres.
- (e) In order to reduce security and health risks arising from inmates being admitted outside the prison, and those suffering from communicable diseases sharing the same facilities with patients suffering from other ailments, your Committee recommends that a hospital should be constructed within the prison precincts.
- (f) In order to improve security and food preparation, your Committee recommends that Mukobeko Prison should be provided with a Generator Set.
- (g) Your Committee recommends that the Judiciary should devise a system of backing up case records, preferably electronically.
- (h) In order to avoid keeping un-sentenced persons in prison for too long, your Committee recommends that a limit of say two years should be placed on a reserved judgment, after which the case and the judge should be referred to the Judicial Review Commission.

10.2 Department of National Registration, Passports and Citizenship

- (a) Your Committee recommends that staffing levels and transport in district registration offices should be improved in order to enhance service delivery and cater for newly opened districts.
- (b) Your Committee recommends that the computerisation and digitalisation of the issuance of National Registration Cards should be expedited.
- (c) Your Committee recommends that the issuance of birth certificates should be decentralised at least up to district level, as is the case with the issuance of NRCs. Instead of the Registrar General, the District Registrar should be empowered to issue them.
- (d) Your Committee recommends that the law governing adoption of children should be revised to reduce abuse.

10.3 Chiefdoms and Refugee Areas

- (a) Your Committee recommends that Chiefs and headmen who are hesitant to allow their people to take up land in the resettlement area, for fear of losing their subjects should be educated on the benefits of the exercise. In the same vein, Zambians should be sensitized on the benefits of resettlement areas as a way of encouraging them to settle therein.
- (b) Your Committee recommends that former Angolan refugee families who qualify for the integration and have applied for the permits should be considered as such to avoid a situation where parents have permits and children do not or the other way round.

PART III

CONSIDERATION OF THE ACTION TAKEN REPORT ON THE REPORT OF THE COMMITTEE FOR THE THIRD SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

Local Integration of Angolan Refugees

11.0 Your previous Committee had recommended that Zambia needed to domesticate the 1951 Convention relating to the Status of Refugees which was being used for the local integration process.

Executive's response

In the Action-Taken Report, your Committee was informed that the review of the Refugee (Control) Act of 1970 was intended to domesticate some aspects of the 1951 Convention relating to the status of refugees.

Committee's Observation and Recommendation

Your Committee awaits an update on the process of domesticating the 1951 Convention.

Economic and Social Rights

11.1 Your previous Committee had recommended that the Government needed to move quickly and make the economic and social rights justiciable.

Executive's response

Through the Action-Taken Report, your Committee was informed that the issue of economic and social rights for refugees depends largely on the current on-going Constitutional review process as it relates to the same rights for Zambian nationals.

Committee's Observation and Recommendation

Your Committee awaits an update on the matter.

Issuance of Passports to former Angolan Refugees

11.2 Your previous Committee had recommended that the Angolan Government needed to expedite the issuance of passports to eligible former Angolan refugees to enable them to obtain residency permits.

Executive's response

Your Committee was informed that the Angolan delegation had been in the country to screen its nationals and issue national identity documents. So far, forty (40) Angolan passports had been issued and another two hundred (200) passports were expected in

the country before the end of August 2014 and thereafter, the former Angolan refugees would be issued with immigration permits. The two Angolan Consulates in Mongu and Solwezi had now been mandated by their Government to facilitate the passport application process.

Committee's Observation and Recommendation

Your Committee awaits an update on the number of Angolan nationals issued with ordinary permits so far and urges the Government to ensure a speedy issuance of the passports to eligible refugees.

Registration and profiling of spontaneously resettled Angolan refugees

11.3 Your previous Committee had recommended that the Commissioner for Refugees should ensure that there was registration and profiling of spontaneously resettled Angolan refugees living in the host communities.

Executive's response

Through the Action-Taken Report, your Committee was informed that the Office of the Commissioner for Refugees, in conjunction with the UNHCR and the Angolan Consulates in Mongu and Solwezi, was conducting registration and re-verification exercises in selected provinces of the country where the spontaneously resettled former Angolan refugees resided. The exercise commenced on 4th August, 2014 and was expected to be concluded on 15th October, 2014.

Committee's Observation and Recommendation

Your Committee awaits an update on the profiling exercise to ascertain that the exercise was completed.

Survey and demarcation of the area within the two settlements designated for resettlement

11.4 Your previous committee had recommended that the Surveyor-General's Office should expedite survey works and demarcation of the area within the two settlements designated for resettlement purposes of former Angolan refugees and Zambians.

Executive's response

In the Action-Taken Report, your Committee was informed that the survey works and demarcations were in progress for both Settlements and a team of Government Officers from the Surveyor-General's Office, Departments of Land Resettlement, Land Use (Agriculture) and Physical Planning were involved. So far, over one hundred and eighteen (118) and two hundred (200) plots had been demarcated in Mayukwayukwa and Maheba respectively.

Committee's Observation and Recommendation

Your Committee awaits an update on the survey works and demarcations.

Intensification of lobbying for the support of Government line ministries

11.5 Your previous Committee had recommended that the UNHCR and the Office of the Commissioner for Refugees needed to intensify the lobbying for the support of Government line ministries, cooperating partners and other development partners to mobilise adequate resources for the sustainable implementation of the local integration programme.

Executive's response

Through the Action-taken Report, your Committee was informed that in the strategic framework document, the Government of the Republic of Zambia had sought US\$21 million from UNHCR and the international community towards the implementation of the local integration programme. So far the African Union Commission, the Japanese, Canadian and the United States Governments had made initial financial contributions totaling US\$5 million towards the local integration programme.

Committee's Observation and Recommendation

Your Committee awaits an update on how other Government line ministries are fitting in with the integration process.

Enhancement of the science and technology transfer policy

11.6 Your previous Committee had recommended that Zambia should enhance the policy environment to strengthen the science and technology capacities of relevant institutions in order to prepare for technology transfer and for further build up of science and technology.

Executive's response

Through the Action-Taken Report, your Committee learnt that Zambia had revised the 1996 Science and Technology Policy. This revised draft had undergone stakeholder's consultation and would be circulated to line Ministries before a Cabinet Memorandum was prepared for the Executive's approval. The policy document was being developed at the same time with its implementation plan. The Revised draft policy had included measures to facilitate and promote technology transfer to enhance the output of the Science and Technology System.

Committee's Observation and Recommendation

Your Committee awaits an update on the progress made so far.

Investment and enhancement of the development of ICTs

11.7 Your previous Committee had recommended that Zambia should invest and enhance development of ICTs to close the digital divide and utilise ICTs for development, while at the same time putting in place cyber-security and internet governance in light of cybercrimes Zambia should further invest in manufacturing of ICT tools especially given the change in Education Policy to local languages for the first four years of education.

Executive's response

In the Action-taken Report, your Committee was informed that the ICT Act Number 15 of 2009 created the Universal Access and Service Fund (UASF) to act as a tool with which Government shall drive the development of Information and Communications Technologies particularly in un-served and under-served areas and communities across Zambia with the aim of reducing the telecommunications gap between urban and rural areas in the country. In this regard, Government commenced construction of 169 GSM Communication Towers in chiefdoms and other un-served areas with a goal of ensuring that communication was affordable and accessible to all citizens. As at 15th August, 2014, one hundred and thirty nine (139) Communication Towers had been installed countrywide and the remaining thirty (30) would be completed by 31st October, 2014. The second phase of constructing the remaining 400 GSM Communication towers would be completed by 2016 and thus a 100% geographical coverage in all the ten (10) provinces.

Committee's Observation and Recommendation

Your Committee awaits an update on the progress made in constructing the towers.

Regulation of movement of arms

11.8 Your previous Committee had observed that since Zambia had signed the Arms Trade Treaty (ATT), which is a multilateral treaty that regulates the international trade in conventional weapons, this gave the Zambian Government additional mandate to regulate which guns could and could not enter or exit the country and it was incumbent upon the Zambian Government to domesticate the treaty to allow for the inclusion of this mandate into national laws.

Executive's response

Through the Action-taken Report, your Committee was informed that the Arms Trade Treaty (ATT), a multilateral treaty, which would allow the regulation of the international trade in conventional weapons, was opened for signing on the 3rd of June, 2013 to all the member signatories. The Government of Zambia signed the treaty on the 25th September, 2013. The treaty had not been ratified yet, neither had it been domesticated. The relevant line Ministries intended to seek Cabinet approval through a Cabinet Memorandum for the ratification and domestication of the treaty.

Committee's Observation and Recommendation

Your Committee awaits an update on the progress made in the ratification and domestication of the Arms Trade Treaty.

Report of Zambia's Parliamentary Delegation to the Pan-African Parliament (PAP)

11.9 Your previous Committee had recommended that Zambia should collaborate with other African countries through the sharing of information and effective border control in order to put an end to the attacks of terrorist groups on the African continent.

Executive's response

In the Action-Taken Report, your Committee learnt that the Government had continued sharing information with other African countries in order to enhance effective border control and put an end to the attacks of terrorist groups on the African continent. The following was the security situation on the African continent in brief:

The African Continent was characterised by a range of long term and emerging threats to security which had impacted directly or indirectly on peace and stability. The main trends affecting the African security situation included: armed conflicts, terrorism, proliferations of small arms and diseases. The conflict areas were currently in Libya, South Sudan, Somalia, Central Africa Republic (CAR) and Democratic Republic of Congo (DRC). Countries experiencing terrorism trends included Nigeria, Somalia, Kenya and Uganda. Meanwhile, there was an upsurge of an epidemic of the Ebola virus disease threatening and spreading throughout parts of West Africa particularly in Guinea, Liberia, Sierra Leone and may likely spread beyond the borders of West Africa.

Committee's Observation and Recommendation

Your Committee will await an update on the matter after the AU deliberations.

Report of the Forum of Parliaments of the International Conference on the Great Lakes Region (FP/ICGLR)

11.10 Your previous Committee had urged the Zambian Government to continue monitoring the security situation in the eastern DRC, the CAR, the Sudan and South Sudan.

Executive's response

Your Committee was informed that the Government had continued monitoring the security situation in the eastern DRC, the CAR, the Sudan and South Sudan. The following were updates on the security situation in these areas:

Democratic Republic of Congo: In the Eastern Democratic Republic of Congo (DRC), the security situation remained a matter of concern following continued atrocities perpetuated by negative forces and local armed groups. These were negatively affecting

the security and humanitarian situation in the region despite the Armed Forces for Democratic Republic Congo (FARDC) and the MONUSCO Intervention Force Brigade (FIB) operations.

Central African Republic: The security situation remained volatile despite the deployment of the African led International Support Mission in CAR (MISCA) and the French Forces. The situation had since transformed into a religious conflict between the Muslims and the Christians with a threat of genocide. Thousands of people continued to flee their homes to seek refuge in neighbouring countries.

South Sudan: the security situation in South Sudan remained volatile with Government forces and rebels intensifying attacks against each other particularly in Jonglei, Unity and Upper Nile States. The conflict had degenerated into mass killings of civilians perpetrated by both sides resulting into mass displacements and further on the brink of a humanitarian catastrophe.

Committee's Observation and Recommendation

Your Committee awaits an update on the issues.

Domestication of the protocols in the Pact on Peace, Stability and Development in Member States of the Great Lakes Region

11.11 Your previous Committee had urged the Government to expedite the domestication of the various protocols contained in the Pact on Peace, Stability and Development in Member States of the Great Lakes Region that the Zambian Government had signed.

Executive's response

Your Committee was informed thorough the Action-Taken Report that the subject matter of domestication of the Pact and Various protocols was being handled by the Legal Focal Point Office at the Ministry of Justice in consultation with the Ministry of Foreign Affairs and Ministry of Defence. The Office was currently doing a Legislative Mapping Exercise.

Committee's Observation and Recommendation

Your Committee awaits an update on the exercise.

FOREIGN TOUR TO ANGOLA

Angolan Refugees not eligible for integration

11.12 Your previous Committee had recommended that the Governments of Zambia and Angola, together with the UNHCR, should work together in finding a lasting solution for those Angolan Refugees, who would remain in Zambia but did not meet the set criteria for integration and those who did not comply.

Executive's response

In the Action-taken Report, your Committee was informed that the Zambian Government was encouraging all refugees to go back to their country within the provisions of the current criteria. For those who did not comply, there were two options to consider:

- (i) to revise the criteria by way of expanding the provisions; and
- (ii) to deport those who do not comply.

Committee's Observation and Recommendation

Your Committee wishes to get an update on the matter.

Improvement of conditions of service for staff at the Zambian Embassy in Angola

11.13 Your previous Committee had recommended that the Government should improve the conditions of service for local staff at the Zambian Embassy in Angola.

Executive's response

Through the Action-taken Report, your Committee learnt that the Government, through the Ministry of Foreign Affairs, was currently reviewing the Foreign Service Regulations and Conditions of Service. This would holistically address the cost of living for all Zambia's Missions Abroad and adjust the package for diplomats accordingly.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the review of the Foreign Service Regulations and Conditions of Service.

Building of Chancery in Angola

11.14 Your previous Committee had recommended that in order to reduce on the costs of running the Embassy in Angola, the Government should seek for land and build its own Chancery. In this regard, the Zambian Government should urgently engage the Angolan counterparts to assist the Zambian Embassy in Angola to acquire land to build its own chancery.

Executive's response

Your Committee was informed that the Ministry had since written to its counterparts in the Ministry of Foreign Affairs in Angola to pursue this matter.

Committee's Observation and Recommendation

Your Committee awaits an update on the matter.

Exchange of prisoners between Angola and Zambia

11.15 Your previous Committee had recommended that the Zambian Government should engage with its Angolan counterparts on the way forward regarding the exchange programme for prisoners.

Executive's response

Your Committee was informed through the Action-taken Report that the Ministries of Justice and Home Affairs from both Governments were in the process of working out modalities on how best to operationalise the exchange programme for prisoners.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the matter.

Security of tenure for staff in Missions abroad

11.16 Your previous Committee had recommended that the Government should guarantee security of tenure for staff sent to work at missions abroad.

Executive's response

In the Action-taken report, your Committee was told that the Ministry was currently reviewing the Foreign Service Regulations and Conditions of Service which would, among other things, result in the strengthening of the security of tenure of office for staff sent into Foreign Service (diplomats). This process also intended to ensure the creation of a cadre of professional career diplomats. Your Committee was urged to note, however, that currently the minimum tenure of office in the Foreign Service was three (3) years. The Permanent Secretary, in any case, had authority to recall an officer from his/her tour of duty on account of various reasons such as poor performance, misconduct and disciplinary action to mention a few.

Committee's Observation and Recommendation

Your Committee awaits an update on the review of the Foreign Service Regulations and the Conditions of Service.

Ownership of the Ambassador's Residence in Angola

11.17 Your previous Committee had recommended that the Government should sort out the issue of the Ambassador's residence in terms of ownership of the property.

Executive's response

In the Action-Taken Report, your Committee learnt that the Ministry of Foreign Affairs did not own any property in Luanda-Angola. The Ambassador's Residence was a rented property from the Angolan Government. The Ministry of Foreign Affairs had since written to its counterparts in the Ministry of Foreign Affairs in Angola to explore

the possibility of the Zambian Government being allocated land in its intention to erect a chancery and a residence for the ambassador in the years to come.

Committee's Observation and Recommendation

Your Committee awaits an update on the matter.

Consideration of Outstanding issues from the Action-Taken Report on the Report of the Committee for the Second Session of the Eleventh National Assembly

Budgetary allocation to the Office of the Registrar of Societies

12.0 Your previous Committee had urged the Executive to ensure that the budgetary allocation to the Office of the Registrar of Societies was increased so as to address issues of manpower, office space, transport, computerisation and decentralisation.

In its response in the Action-Taken Report, the Government stated that the office of the Registrar of Societies had a core function of monitoring, regulating and randomly inspecting the non-registered and registered societies in the country. In order to ensure adherence to the Societies Act cap 119, there was need for the Department to lobby for more funding or partnering with other foreign Governments in order to facilitate the acquisition of adequate operational equipment in order to provide effectiveness and efficiency in the departments operations. The response also stated that once the Department was empowered with an increased budget allocation, it would be able to collect more revenue throughout the country which would in turn go towards the development of the nation.

Your previous Committee, not being satisfied with these responses had requested for an update on the matter.

Executive's response

In the Action-taken report, your Committee was informed that the restructuring of the Department had since commenced and was 50 percent complete. The plan was that the restructuring would be followed by cost estimates that would be used to determine financing needs with a view to increasing funding to the Department. Computerisation of the Department has since commenced.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the matter.

An Update on the Operations of Zambia's Missions Abroad

12.1 Your previous Committee had urged the Government to expedite the process of reviewing the Foreign Policy and awaited a progress report on the matter.

Executive's response

In the Action-taken Report, your Committee was urged to note that the Foreign Policy was currently before Cabinet for its consideration and approval.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the matter.

Rehabilitation works at the Mission in Brussels and Lubumbashi

12.2 Your previous Committee had desired to have an update on how far rehabilitation works had gone in Brussels and Lubumbashi.

Executive's response

In the Action-Taken Report, your Committee was informed that sixty per cent of the rehabilitation works in both Brussels and Lubumbashi had been completed.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the progress made on the remaining 40 percent rehabilitation works at the two Missions.

The 67th Session of the United Nations General Assembly (UNGA)

12.3 Your previous Committee had desired to get an update on the establishment of the Committee drafting the strategy on the placement of Zambian nationals in the multilateral organisations and when it would become functional.

Executive's response

In the Action-taken Report, your Committee was informed that the establishment of the Committee was as follows:

- (a) Permanent Secretary - Administration(Cabinet Office) Chairperson;
- (b) Director Planning and Information (Ministry of Tourism and Culture)- Vice Chairperson;
- (c) an officer from Cabinet Office;
- (d) an officer from Ministry of Foreign Affairs;
- (e) an officer from Ministry of Commerce, Trade and Industry; and
- (f) an officer from Policy Monitoring and Research (Non Governmental Organisation)

As part of the methodology for coming up with a Strategic Plan, Members of this Committee had since been interviewing and collecting information on Zambians who had been both successful and unsuccessful in international positions in order to get their insight on what could be done to enhance the placement of Zambians in international organisations. Members of this Committee would be relocating to a retreat in Kabwe between 21st and 27th August, 2014, to begin the process of drafting

the Strategy. The final draft was estimated to be in place by September, 2014. However, the exact time frame of when the Strategy would be functional could not be spelt out at this moment.

Committee's Observation and Recommendation

Your Committee is not satisfied with the response and awaits an update on the matter.

Domestication of the Non-Proliferation Treaty

12.4 Your previous Committee was informed that Zambia acceded to the Non-Proliferation Nuclear Weapons Treaty commonly known as *the Non-Proliferation Treaty or NPT*, whose objective was to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and complete disarmament. Your Committee had wished to have an update on the domestication of the Treaty by the review of current legislation for it to be in line with the Non-Proliferation Treaty.

Executive's response

In the Action-taken Report, your Committee was informed that the Ministry of Foreign Affairs had not yet received clearance to proceed with the acquisition of a mortgage to purchase a new residence for the UN Permanent Representative in New York. However, the Ministry had continued to make follow up on the issue.

Committee's Observation and Recommendation

Your Committee notes that this response is misplaced and requests for an appropriate one.

Establishment of the Committee on international cooperation and information sharing on the peaceful uses of outer space

12.5 Your previous Committee had desired to have an update on the establishment of the Committee on matters pertaining to international cooperation and information sharing on the peaceful uses of outer space.

Executive's response

In its response, through the Action-Taken Report, your Committee was informed that the Ministry was currently in the process of establishing a committee on matters pertaining to international cooperation and information sharing in the peaceful uses of outer space. The National Committee had not yet been established due to financial constraints.

Committee's Observation and Recommendation

Your Committee resolves to await an update on the matter.

Investment in equipment and peace keeping training for the Zambian security wings

12.6 Your previous Committee had urged the Zambian Government to invest in the required equipment and peace keeping training for the Zambian military, police and civilians as peace-keeping missions got more and more competitive and complicated.

Executive's response

In its response, the Government submitted that the following efforts towards peace-keeping mission were currently in progress:

- (i) procurement of equipment for the military including armoured personnel carriers, recovery vehicles, armoured ambulance, water and fuel bowsers, camp equipment, communications equipment, medical facilities as well as electrical and mechanical components meant for deployment; and
- (ii) plans to set up a peace support operations training centre included, among others, the introduction of programmes namely the Peace and Conflict Studies at the Dag Hammarskjöld Institute and the Defence and Security Programme at the University of Zambia. Furthermore, plans were in place by the Joint Secretariat of the Ministry of Defence and the Foreign Affairs to host the Peace Support Centre at the Zambia Institute of Diplomatic and International Studies in Lusaka.

Committee's Observation and Recommendation

While noting the response, your Committee awaits an update on the matter.

Establishment of an-all embracing department of peace keeping

12.7 Your previous Committee had urged the Zambian Government to consider establishing a department of peace keeping and embrace the competences of various stakeholders such as the Ministries of Foreign Affairs, Defence, Home Affairs and other civilian competences.

Executive's response

In its response, the Government had stated that the Ministry was yet to engage the stakeholders on the establishment of the said department.

Committee's Observation and Recommendations

Your previous Committee had resolved to await an update on the matter.

Executive's response

Your Committee was informed that the Establishment of a Department of Peace Keeping was work in progress. Modalities were still being worked on.

Committee's Observation and Recommendation

Your Committee resolves to get an update on the issue.

Purchase of a new residence for the Zambian Mission in New York

12.8 In its response to the previous Committee, the Government had submitted that the request to get a mortgage to finance the purchase of a new residence for the Zambian Mission in New York was authorised by the Secretary to the Treasury. The mortgage would be for a period of three (03) years. The Ministry of Foreign Affairs had not yet secured the mortgage that was authorised to purchase a new Residence for the Zambian Mission in New York. The Ministry had however, written to the Ministry of Finance requesting for clearance to proceed with the mortgage. This was because the Ministry of Finance was responsible for the management of all international debt in the country.

Your previous Committee had wished to get an update on whether clearance to proceed with the mortgage had been obtained.

Executive's response

Your Committee was informed that the Ministry of Foreign Affairs had not yet received clearance to proceed with the acquisition of a mortgage to purchase a new residence for the UN Permanent Representative in New York. However, the Ministry had continued to make follow-ups on the issue.

Committee's Observation and Recommendation

Your Committee is not satisfied with the response and wishes to urge the Ministry to continue pursuing the matter.

Repairs on the Zambian Chancery building in New York

12.9 Your previous Committee had urged the Government to look at the old Chancery structure of a five (5) storey building in New York which was in a deplorable state and needed urgent repairs. In response, the Government had stated that the Ministry had taken note of the need to repair the old chancery structure at the five-storey building in New York.

Committee's Observation and Recommendations

Your previous Committee was not satisfied with the response and wished to get an update on what the deadline for repairing the old Chancery Building was.

Executive's response

Through the Action-taken Report, your Committee was informed that due to lack of adequate funding to cater for all the Mission properties, in 2011, the Government, through the Ministry of Foreign Affairs, undertook an assessment exercise to identify

the level of dilapidation of Mission Properties so as to engage in a phased approach to rehabilitation works depending on the state at which they were in and the level of urgency for rehabilitation works. In view this and having assessed the Chancery, it was not identified as one that needed urgent attention and was therefore not among the Mission properties earmarked for priority rehabilitation in the first two phases. A deadline could not be given at this moment in this case.

Committee's Observation and Recommendation

Your Committee requests the Ministry to try and source for more funding for rehabilitating the Chancery.

Support to the Zambian Mission in New York

12.10 Your previous Committee had requested the Zambian Government to increase support to the Zambian Mission in New York, as the cost of living there was very high in terms of medical expenses. In its response, the Government had stated that the matter was under active consideration. Currently, the Ministry was in the process of finalising the Foreign Service Regulations and Conditions of Service and matters relating to the high cost of living and medical expenses in the Missions including, New York, were included in the review.

Your previous Committee had urged the Government to treat the issue of the New York Mission as a special case which required immediate decisions. The Committee recommended urgent interim relief for the New York Mission.

Executive's response

Your Committee was informed that the Government was holistically reviewing the Foreign Service Regulations and Conditions of Service which would, among other things, result in the compensation of duty bearers in Missions becoming commensurate with the cost of living and medical expenses in the host cities.

Committee's Observation and Recommendation

Your Committee is satisfied with the response awaits an update on the matter.

The Security Situation in ICGLR Member Countries

The security situation in the eastern DRC, the CAR, the Sudan and South Sudan

12.11 Your previous Committee had urged the Zambian Government to continue monitoring the security situation in the Eastern DRC, the CAR, the Sudan and South Sudan.

In response, the Zambian Government had stated that they would continue to monitor the security situation in the eastern DRC, the CAR, the Sudan and south Sudan.

Your previous Committee had desired to get an update on the situation in the Great Lakes Region.

Executive's response

Your Committee was informed that the security situation in the Great Lakes Region, had relatively improved with the defeat of the M23 Rebel Group in Eastern Democratic Republic of Congo (DRC). However, the situation in South Sudan and Central African Republic was still of great concern. Further, the sexual gender-based violence in the Great Lakes Region had not improved to satisfactory levels in spite of the launch of the Zero-tolerance campaign.

Committee's Observation and Recommendation

Your Committee is satisfied with the response and wishes to get an update on the matter.

Zambia's arrears to the FP/ICGLR

12.12 Your previous Committee had noted that Zambia was in arrears in contributing to the FP/ICGLR and urged her to meet her financial contributions. In its response, the Zambian Government had stated that it was currently dismantling its arrears to the FP/ICGLR.

Your previous Committee had desired to get an update on how Zambia was dismantling its arrears, with details of how much had been paid already and how much was remaining to be paid.

Executive's response

Your Committee was informed, through the Action-Taken Report, that regarding Zambia's annual assessed contribution to the Secretariat of the ICGLR payments were up to date until January 2014. Before January 2014, Zambia would pay its dues five (5) years in advance. As of January 2014, the annual assessed contribution to the ICGLR Secretariat of all member states was increased based on the modified AU scale of assessment model. According to the new approved scale, the contribution for the Republic of Zambia was pegged at Three Hundred and Eighty Thousand, Three Hundred and Fifty Seven Dollars and twenty five cents (U\$ 380,357.25). The Republic of Zambia, as of February 2014, paid a total sum of Three Hundred and One Thousand Eight Hundred and fifty five Dollars and Ninety four Cents (U\$301,855.94), leaving an outstanding balance of Seventy Eight Thousand Five Hundred and One Dollars and thirty One Cents, (U\$ 78,501.31).

Committee's Observation and Recommendations

Your Committee requests for an update on the payment of the balance (US\$ 78,501.31).

Tours for the Second Session of the Eleventh National Assembly

Permanent Commissions on Zambia's boundaries with the DRC and Tanzania

12.13 Your previous Committee had urged the Zambian Government, through Joint Permanent Commissions, to seriously address the various challenges Zambia was facing regarding her international boundaries with the DRC and Tanzania. It had stated that this could be done by quickly reclaiming Zambian land that had been encroached upon along the Zambia/DRC and Tanzanian international border boundaries so that life and security for Zambians living along these border boundaries could return to normal.

In its response, the Government submitted that the misunderstanding over the common border between Zambia and Congo-DR was resolved by the signing of the Boundary Delimitation Treaty of 1989. What remained to be concluded on this border was the physical placement of boundary beacon pillars along the agreed international boundary between Lake Mweru and Lake Tanganyika. However, this had not been accomplished bilaterally to date due to instability in the Democratic Republic of Congo. The two countries had agreed to hold bilateral technical meetings in Congo and Zambia in 2013 to plan for the physical demarcation during the year 2014.

Subsequent to the response, your previous Committee wished to get an update on the matter and a confirmation about the reclaiming of the 35 kilometres of land encroached upon along the Kaputa-Nsumbu/DRC border.

Executive's response

Through the Action-taken Report, your Committee was informed that the Government had prepared a comprehensive work plan and budget to undertake the demarcation of the boundary stretch between Lake Tanganyika and Lake Mweru. However, this boundary had not been budgeted for in this year's budget. The works would be undertaken upon the availability of resources. With regard to the Zambia/Tanzania international boundary, the Government of Zambia and the Government of Tanzania had commenced the densification and rehabilitation exercise of the existing beacon pillars.

Committee's Observation and Recommendation

Your Committee is not satisfied with what has been done so far and urges the Government to do more and awaits an update on the matter.

Re-installation of tempered with beacons

12.14 Your previous Committee had urged the Zambian Government to ensure that the beacons tempered with were reinstalled and visible intermediate beacons put in between the colonial ones.

Executive's response

In response, the Government had stated that the Zambia/Tanzania border was defined by the colonial concrete beacon pillars. However, there was need to put additional intermediate beacons between the big boundary pillars which were located far apart. Zambia had been making preparatory meetings with Tanzania to start the physical building of additional intermediate beacons and repair of boundary beacon pillars in 2014.

In its follow-up to the response, Your Committee was disappointed with the response and sought to get a specific response and update on the situation on the ground concerning the reinstallation of the beacons on the Zambia/Tanzania border.

Your Committee was subsequently informed, through the Action-Taken Report, that the Government of Zambia and the Government of Tanzania had commenced the densification and rehabilitation exercise of the existing beacon pillars along the Zambia Tanzania Border and the erection of additional intermediate beacons.

Committee's Observation and Recommendation

Your Committee would like to know how much progress has been made so far on the matter.

Construction of accommodation and offices at Zombe and Lumi border posts

12.15 Your previous Committee had urged the Zambian Government to construct infrastructure in terms of accommodation and office space at Zombe and Lumi border posts. It had also urged the Government to seriously consider re-locating Lumi Border Post which was currently located ten kilometres away from the borderline to near Mosi Border Post in Tanzania. Zombe and Lumi Border Posts in Zambia share border boundaries with Kaseshya and Mosi Border Posts in Tanzania, respectively. In its response, the Government had stated that Zombe was an established border post and was the most active between the two. It had a big house, and an officers' mess, which could accommodate at least two officers. There was an officer already in residence. Plans were underway to build more houses so that the border post could host more officers. There were also plans to create a border post at Lumi under the infrastructure development underway in the Ministry.

Your previous Committee was not satisfied with the response from Government. It sought specific responses on the need to re-locate Lumi Border post which is located 10 kilometres away from the borderline.

Executive's response

In the Action-taken Report, your Committee was informed that the Government, through the Ministry of Home Affairs, had plans to re-locate Lumi Boarder post but there was no budget line yet for the relocation.

Committee's Observation and Recommendation

Your Committee is not satisfied with the response and wishes to urge the Government to treat this matter with the seriousness it deserves by allocating money to the exercise, and give an update on the matter.

Provision staff and office accommodation to security personnel at Nsumbu border post.

12.16 Your previous Committee had urged the Zambian Government to provide staff and office accommodation to security personnel at Nsumbu. In addition, there was need to provide both land and water transport to security personnel at that post. Your previous Committee took note of the response and wished to get an update on these matters.

Executive's response

In the Action-Taken Report, the Government informed your Committee that it would consider constructing staff and office accommodation under the infrastructure development programme.

Committee's Observation and Recommendation

Your Committee is not satisfied with the response and wishes to get a time frame as when this will be done.

Provision of maps depicting beacons showing international boundaries

12.17 Your previous Committee had urged the Zambian Government to provide maps depicting beacons, for not only the districts visited, but to all districts lying on international boundaries.

In its response, the Government stated that, through the Ministry of Lands, Natural Resources and Environmental Protection under the Office of the Surveyor-General, it would soon distribute maps to all District bordering international boundaries. The Office of the Surveyor-General would also be sensitising the communities living along the border on the physical marking of the international boundaries in all districts bordering international boundaries during its Joint exercise with the neighbouring countries.

Your previous Committee had resolved to await an update on how soon the provision of maps depicting beacons on international boundaries will be done.

Executive's response

Through the Action-Taken Report, your Committee was informed that the Government through the Office of the Surveyor-General was in the process producing boundary maps for the Zambia/Malawi Boundary. This exercise would be completed before the end of the year.

With regard to the Zambia/Mozambique Boundary, the Government, with the support of the Germany Government under GIZ, had procured satellite imagery to be used as base for the mapping of the boundary. Once the two Technical Survey Teams meet, maps would be produced depicting beacons.

As for Zambia/Zimbabwe Boundary, the two Governments met in Livingstone and Siavonga. Comprehensive work plans and budgets had since been prepared. However, the work had not yet commenced as the two countries were sourcing for funds to undertake the exercise.

In the case of Zambia/DRC Boundary regarding the demarcation and beaconing, *the two countries were still sourcing for funds.*

Pertaining to the Zambia/Angola International Boundary, the Government of Zambia awaited to meet the Government of Angola to strategise on how to undertake the exercise.

As for Zambia/Namibia International Boundary, the two Governments would meet through a Joint Permanent Commission (JPC) to agree as to when the two Surveyors-General could meet to come up with the work plans and budget.

Pertaining to the Zambia/Tanzania International Boundary, the Government of Zambia received an invitation from the Government of Tanzania and the Zambian Government was making preparations for the Joint Survey Team meeting in Nakonde, scheduled for the third week of September, 2013. It was only after the international boundaries were clearly marked with beacons that maps would be produced and distributed to all the Districts located along the international boundaries.

Committee's Observation and Recommendation

Your Committee resolves to await an update on all issues regarding borders and boundaries with neighboring countries.

Cessation Clause on Rwandese Refugees

12.18 In response to your previous Committee's recommendation, the Executive had informed your Committee that the Government of the Republic of Zambia had completed the exemption procedures for the Rwandan caseload. Those exempted would continue to enjoy refugee status while those not exempted had appealed to the Minister of Home Affairs for a final decision. The Government of the Republic of Zambia with the support of the UNHCR further engaged the Government of Rwanda in April 2013, at a meeting in Pretoria, to consider issuing national passports to their citizens who were refugees in Zambia. The foregoing meeting yielded positive results as a Rwandan delegation led by the Minister for Disaster Management and Refugees visited the country from 3rd to 7th July, 2013.

Your previous Committee had resolved to get an update on the matter.

Executive's response

Your Committee was informed that the process of issuing national passports by the Rwandan Government to the Rwandese citizens who were refugees in Zambia was underway.

Committee's Observation and Recommendation

Your Committee is not satisfied with the response and awaits an update on when this process will be completed.

Involvement of women in drug trafficking

12.19 Your previous Committee had noted the response regarding the study undertaken by the Ministry of Home Affairs through the Research, Planning, and Information Department and resolved to have an up-date on its outcome.

In response, your Committee was informed that the Consultants submitted the draft report of the Study. The draft report had been reviewed by a Ministerial Committee and comments had since been sent to the Consultants to finalise the report.

Your previous Committee had resolved to await an update on the matter.

Executive's response

Your Committee was informed that the final report was ready but it had not yet been disseminated to the relevant departments.

Committee's Observation and Recommendations

Your Committee is not satisfied with the response and wishes to get a time frame within which the dissemination will be done.

Mutual Agreement to combat drug trafficking

12.20 Your previous Committee, while noting the response, to the recommendation that Zambia should revive the mutual agreement with India, concerning drug trafficking, had resolved to have an up-date on the matter.

In response, the Executive had informed your previous Committee that the Commissioner (Drug Enforcement Commission) held a meeting with His Excellency, the Indian High Commissioner to Zambia last year to discuss the revival of the mutual agreement between Zambia and India. Due to lapse of time, the Commission was in the process of sending a copy of the Mutual Agreement to the High Commissioner's office for scrutiny.

Your previous Committee took note of the response and resolved to get an update on the matter.

Executive's response

Through the Action-taken Report, your Committee was informed that the status quo had remained the same. The Government of India had not yet given its position on the matter.

Committee's Observation and Recommendation

While noting the Executive's response, your Committee urges the Government to pursue this matter further and provide an update on it.

Kamfinsa School of Public Order and Maintenance - Firing Range

12.21 Your previous Committee had resolved to await a progress report on the acquisition of title deeds on the Firing Range for Kamfinsa School of Public Order and Maintenance.

In response, the Government stated that the Institution had engaged land surveyors to survey the Firing Range as well as the whole land area for the Kamfinsa School of Public Order and maintenance. The land was on a map and once the surveyors completed their work, the process of acquiring title deeds for the land would commence.

Your previous Committee resolved to await an update on the matter.

Executive's response

Your Committee was informed that the Government, through the Office of the Surveyor General, undertook the beacon location for the Firing Range as well as the whole land area for the Kamfinsa School of Public Order and Maintenance.

Committee's Observation and Recommendation

Your Committee would like to get an update on the outcome of the survey for the Firing Range, as well as the whole land area for the Kamfinsa School of Public Order and Maintenance.

CONCLUSION

13.0 Mr Speaker, your Members wish to extend their gratitude to you for appointing them to serve on your Committee on National Security and Foreign Affairs and for the support rendered to your Committee throughout the year. It is indebted to all the stakeholders who appeared before it for their cooperation in providing the necessary memoranda and briefs.

Your Committee is hopeful that the observations and recommendations contained in this Report will be favourably acted upon by the Executive.

Finally, Sir, your Committee wishes to express its appreciation to the Office of the Clerk of the National Assembly for the invaluable and tireless assistance rendered to it throughout its deliberations.

Rev Lt Gen R Shikapwasha, MP
CHAIRPERSON

May 2015
LUSAKA

APPENDIX 1

LIST OF OFFICIALS National Assembly

Mr S C Kawimbe, Principal Clerk of Committees
Ms M. K. Sampa, Deputy Principal Clerk of Committees
Mr F Nabulyato, Committee Clerk (SC)
Mr M F Kateshi, Committee Clerk (FC)
Mrs M. K. Siwo, Assistant Committee Clerk
Mr C Chishimba, Assistant Committee Clerk
Mrs G M C Kakoma, Stenographer
Mr R Mumba, Committee Assistant
Mr C Bulaya, Committee Assistant