

**REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS FOR THE SECOND SESSION OF THE TENTH NATIONAL ASSEMBLY APPOINTED ON 17<sup>TH</sup> JANUARY, 2008**

*Consisting of:*

Ms E K Chitika, MP (Chairperson); Mr H L Imasiku, MP; Mr C W Kakoma, MP; Mr A Sejani, MP; Mr B Sikazwe, MP; Mr O C Chisala, MP; Mr M J C Misapa, MP; and Mr A M Nyirenda, MP.

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

Sir,

Your Committee have the honour to present their Report for the year 2008.

**2. Functions of the Committee**

In addition to any other duties conferred upon them by the Hon Mr Speaker or any other order of the House, your Committee oversee operations of the Ministries of Defence, Home Affairs and Foreign Affairs.

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

- (i) 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;
- (ii) carry out detailed scrutiny of certain activities being undertaken by the Ministries of Defence, Foreign Affairs, Home Affairs, departments and/or agencies under their portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
- (iii) make, if considered necessary, recommendations to the Government on the need to review certain policies and/or certain existing legislation; and
- (iv) consider any Bills that may be referred to them by the House.

**3. Meetings of the Committee**

Your Committee held twenty-two (22) meetings during the year under review.

**4. Programme of Work**

At their third meeting held on 5<sup>th</sup> February, 2008, your Committee considered and adopted the following programme of work:

- (a) consideration of the Action-Taken Report on the report of the previous Committee;
- (b) consideration of topical issues;
  - (i) operations of Defence and Security wings vis-a vis information technologies: new tools and challenges in Zambia;
  - (ii) operations of the Drug Enforcement Commission (DEC);
  - (iii) operations of the Zambia Mine Action Centre (ZMAC);
  - (iv) up-date on the current situation on the Sudanese conflict; Kenyan conflict; Chadian conflict and the Zimbabwean crisis;
- (c) consideration of Reports from Zambian Parliamentary Delegations to various Parliamentary meetings and any other Report referred to them;

- (d) tours arising from topical issues; and
- (e) consideration of the Committee's Draft Report for 2008.

**5. Procedure adopted by the Committee**

Your Committee requested detailed memoranda on the topics under consideration from concerned stakeholders. The stakeholders were invited to appear before them to give verbal submissions and clarifications on issues arising from their submissions.

Your Committee also undertook local tours during the year under review.

**PART I**

**SUBMISSIONS ON CURRENT ISSUES**

**6. Operations of Defence and Security wings vis-a vis information technologies: new tools and challenges in Zambia**

The following institutions made both written and oral submissions on the subject:

- (a) SACCORD;
- (b) Communications Authority of Zambia;
- (c) Ministry of Communications and Transport
- (d) Ministry of Home Affairs; and
- (e) Ministry of Defence.

**CONSOLIDATED SUMMARY OF SUBMISSIONS**

Your Committee were informed that the Defence Policy as it stood did not address issues of Information and Communication Technologies (ICTs). However, it was important that the Defence Policy addressed this matter adequately. On the other hand, the National ICT Policy addressed the matter from a civilian perspective with emphasis on the deployment and use of ICTs for social and economic development.

**INFORMATION AND COMMUNICATION TECHNOLOGY VIS-A VIS SECURITY CHALLENGES TO THE COUNTRY**

The emerging trend for increased information access/exchange resulting from integrating ICTs within the social, cultural and economic sphere of the country has brought to the fore a number of security, privacy and consumer protection issues that need to be addressed as part of the efforts of developing an information society.

In general, one of the greatest concerns in "connected" societies was security of information passing through networks and systems such as computers, financial transactions, health records etc. As Zambia embraced ICTs, more security concerns and abuse would arise if no counter measures were put in place.

Already, Zambia had experienced cases of misuse of ICTs, especially with respect to "corrupting" website content and bank frauds. The proliferation of Internet and other ICT applications would also create opportunities for misuse. However, with measures such as implementing security policies, laws and technology solutions aimed at securing information, networks and systems, the impact could be mitigated.

Zambia like most countries in the world was, therefore, vulnerable to some of the negative implications that might hinder the mainstreaming of ICTs in society. Therefore, specific security measures and mechanisms to ensure the safety of citizens, communities, businesses and the nation at large were needed as part of implementation of the ICT policy.

The ICTs had the potential to create serious security challenges if not well addressed in terms of deployment and application. Therefore, the National ICT Policy addressed some of the major challenges likely to be faced by the nation. The quick implementation of the Policy would accelerate the manner in which Zambia responded to such threats.

Even though the Defence Policy did not address the challenges ICT posed to security, the National ICT Policy attempts to address the challenges faced by Defence and Security wings of the country in Chapter 13 of the document, states as set out hereunder.

**"6.13 Promoting Security in the Information Society**

Zambia like most countries in the world is vulnerable to some of the negative implications that may hinder the mainstreaming of ICTs in society. Therefore, specific security measures and mechanisms to ensure the safety of citizens, communities, businesses and the nation at large are needed as part of implementing this policy.

**6.13.1 Policy Goal**

To safeguard national, institutional and individual security concerns to support the development, deployment and effective use of ICTs within the Zambian economy and society at large.

**6.13.2 Commitments**

In order to achieve the above goal, the Government shall;

- (a) establish a Computer Crimes Investigation Unit for cyber law enforcement and the National Electronic Communication Security Centre within the internal organs of specialised security agencies to safeguard information and communication infrastructure, networks and systems as part of the reform process to-
  - (i) ensure the availability, authenticity, integrity and confidentiality of the Government, public and private communication networks and systems;
  - (ii) ensure data and information content integrity;
  - (iii) ensure consumer privacy and protection as well as address security and issues aimed at damaging or corrupting Zambia's cultural heritage, national image and identity;
- (b) compel all organisations providing public information services such as telecommunication services, internet and email to deliberately incorporate administrative, technological and other such practical measures to enable national security agencies to curb misuse and unsolicited content and/or information products to their customers and the general public;
- (c) enact and enforce legislation that allows for effective investigation and prosecution of cyber related crimes; and
- (d) ensure that due regard, recognition and protection of intellectual property rights and protection of individual/personal information and privacy rights are adhered to in the pursuit of implementing security measures. Therefore, security agencies shall not in any way interfere with the privacy, the right to communicate and freedom of expression by citizens without lawful warrant.

**6.13.3 The objectives of the ICT Policy are-**

- a) to secure the nation's electronic communication system (individual, private and public) as part of creating the information society;
- b) to enhance user confidence and trust among the public as well as to both protect data and network integrity;
- c) to prevent, detect and respond to cyber-crime and misuse of ICT so as to contribute to the fight against national, regional and international crimes such as pornography, fraud, money laundering, drug trafficking and terrorism; and
- d) to ensure cross-sectoral linkages and co-ordination among security agencies in order

to adequately address ICT related security concerns.

**6.13.4 The Strategies to achieve the goals and objectives of the policy are to-**

- a) develop security policies, standards and procedures to guide the implementation of ICTs in the country;
- b) implement ICT security awareness programmes amongst corporate and users as well as the general public;
- c) implement systems that will help in the detection, prevention and timely response to threats relating to ICT crimes and misuse;
- d) deploy ICTs to facilitate, support and enhance the management, operation and administration of security matters as well as the command and control structure of national security agencies; and
- e) implement ICT skills development within the security agencies to support effective deployment and application of ICTs in operations and service delivery.”

**Other relevant information**

Currently, the Government was developing the draft ICT Bill and the Electronic Communications and Transactions Bill which were designed, among other things, to address security concerns posed by ICTs. Therefore, there was need for defence and security wings to work closely with relevant ministries to set up a mechanism for implementing the strategies outlined in the National ICT Policy, including making amendments to the Defence Policy if need arose.

Technologically, there were a number of areas where the defence system was highly affected. This included civilian access to Global Positioning System Tools and Satellite Remote Sensing "maps" that might lead to "uncovering" military installations/facilities.

In order to ensure guidance in the ICT Industry, the Board of the Communications Authority of Zambia incorporated a representative of the defence and security wings in order to address any security matters in the ICT industry.

On whether the Government had capacity to effectively spearhead the implementation of the ICT Policy in the country, your Committee heard that the Government at the moment lacked manpower to adequately deal with the demands of the Policy. However, the Government needed to have a fully fledged department dedicated to ICT instead of relying on seconded staff as was currently the case.

As to what specific measures the Government was putting in place to prevent computer crimes, your Committee were informed that the main measure was the forthcoming enactment of the draft Bills which would provide for penalties, including imprisonment.

On whether the defence and security wings were consulted when coming up with the ICT Policy, your Committee heard that the defence and security wings were not consulted as they did not participate in various meetings and workshops leading to the development of the Policy and the Bills. However, the 13<sup>th</sup> pillar of the ICT Policy addressed some concerns on security and could be revised to address any other concerns.

On whether the Government was maintaining an inventory of ICT equipment in the country, your Committee heard that this would only be done after the enactment of the draft Bills that had made a provision for such.

With regard to Google Earth technology, your Committee heard that this was satellite based technology with the main purpose of scanning the world and was difficult to control. The technology was also used to

provide vital data on weather patterns around the world. However, measures were being explored to guard against unnecessary exposure.

### **Observations and recommendations**

Your Committee observe with dismay, that the defence and security wings were not consulted when drawing up the ICT Policy, the draft ICT Bill and the Electronic Communications and Transactions Bill, which were designed, among other things, to address security concerns posed by ICTs. In addition, the Defence Policy does not address challenges posed by ICTs. Your Committee, therefore, recommend that the 13<sup>th</sup> Chapter of the ICT Policy be reviewed in order to address some security concerns and any other concerns. They also urge the various stakeholders to consult among themselves in order to address concerns in the draft Bills before presentation to Parliament. Further, they urge the Ministry of Defence to review the Defence Policy in order to address challenges posed by the ICTs in the Defence Policy in order not to be in conflict with the National ICT Policy.

In addition, your Committee note that investment in ICTs in the defence and security wings is an expensive venture. However, your Committee urge the Government to seriously consider investing in the ICT industry in order to keep the Zambian defence and security wings abreast with the world modern dictates in the military.

### **7. Operations of the Drug Enforcement Commission (DEC)**

The following institutions made both written and oral submissions on the subject:

- a) Drug Enforcement Commission; and
- b) Ministry of Home Affairs.

### **CONSOLIDATED SUMMARY OF SUBMISSIONS**

Your Committee were informed that the Drug Enforcement Commission (D.E.C) was established under the *Dangerous Drugs (Forfeiture of Property) Act* of 1989. In 1993, the Act was revised to become the *Narcotic Drugs and Psychotropic Substances Act* (CAP 96 of the Laws of Zambia). The Commission also has the mandate to enforce the *Prohibition and Prevention of Money Laundering Act 14* of 2001 (PPMLA) to curb money laundering and related offences. Through CAP 96, the Commission is constituted as a department under the Ministry of Home Affairs. The aforementioned pieces of legislation stipulate the core functions of the D.E.C.

#### ***Operational Constraints***

Your Committee heard that despite the Commission carrying out its duties according to its mandate, the Commission has operational constraints as follows:

- (i) inadequate funding to enable the Commission meet all its operational and administrative needs. The budget ceiling for the Commission was determined by the Ministry of Home Affairs. In the year 2008, for example, the Commission's total budget allocation was K6,573,828,715.00 out of the total budget ceiling of K85,320,990,218.00 (for the whole Ministry of Home Affairs), representing a meagre 7.7% of the total budget ceiling allocated to the Ministry of Home Affairs.

Of the K6.5 billion allocated to the Commission, only K2.9 billion was meant for operations, when in an ideal situation, the Commission should be allocated a total of K6 billion for operations alone. For recurrent departmental charges (RDCs), the Commission required at least K10 billion annually to meet its expenditure (purchase of goods and services);

- (ii) lack of specialised, reliable and adequate transport delays the timely execution of operations. The Commission currently has a fleet of old vehicles, most of which were acquired by way of forfeiture to the state some years back. Further, the Commission lacks transport for general administration for officers including marine transport for curbing drug trafficking in water body areas such as Luapula, North-Western, Lusaka, Southern and Western Provinces was lacking; each of these provinces required about three boats each. Furthermore, the Commission's workshop lacked machinery to repair and service motor vehicles in order to reduce costs for motor vehicles repairs;

- (iii) inadequate specialised training for officers in various fields (e.g. canine unit, forensic analysis, drug demand reduction, operations-investigations and intelligence, management, chemical analysis);
- (iv) insufficient manpower in the Commission to handle general as well as specialised duties. The ratio of officers to the general public is 1 officer to 35,500 persons since the current establishment (338 operational ranks out of the total established 514) is not adequate. The Commission's vision was to engage 200 officers per year for the next five years so that the establishment might be increased. The plan was supposed to have been embarked on from 2006 to 2011, but authority from Cabinet had not yet been granted as of 29<sup>th</sup> April 2008;
- (v) lack of, and inadequate, office space at Headquarters, provincial centres and districts;
- (vi) lack of accommodation for officers. The Commission did not have its own institutional houses and this had contributed to the huge rental bills (K750 million as of 31<sup>st</sup> December, 2007) in a bid to accommodate officers;
- (vii) inadequate legislation on the precursor chemicals (chemicals used in the illicit manufacture of psychotropic substances and narcotic drugs) as mentioned under CAP 96 of the Laws of Zambia;
- (viii) lack of own laboratory for analysis and monitoring of drug trends among drug dependent persons; this laboratory would also attend to the needs of the proposed treatment and rehabilitation centre;
- (ix) lack of funds for the production of information, education and communication materials to use in sensitization programmes;
- (x) lack of, and inadequate, office furniture, office equipment, ICT equipment such as computers as well as intelligence equipment;
- (xi) insufficient advocates of the High Court at the Commission; currently there were only three advocates in the Commission as opposed to the twelve provided for in the staff establishment; and
- (xii) lack of a training institute for in-service training for the Commission; currently, the Commission spent substantial amounts of money to train its officers at other institutions.

### ***Way forward***

Your Committee were informed that the way forward was enshrined in the revised Drug Enforcement Commission Strategic Plan 2008-2012 which provides` as follows:

- separate budget line should be established for the Commission and funding to the Commission should be increased to enable it meet the various operational needs and acquisition of the much needed equipment as well as other programmes. The Government should thus raise the budget ceiling for recurrent departmental charges (RDCs) for the Department. Further, the Commission intends to seek donor support in as far as equipment and infrastructure acquisition was concerned in order to complement Government efforts;
- the Commission should acquire more office space; thus the Commission had embarked on acquiring land for possible construction of office space and accommodation for officers, countrywide;
- amendments should be undertaken to both the *Narcotic Drugs and Psychotropic Substances Act and the Prohibition and Prevention of Money Laundering Act in order to strengthen the operations of the Commission;*
- the staff establishment should be expanded;

- information, communication and technology (ICT) equipment and other operational equipment should be acquired for the Commission;
- the training of officers in fields of specialisation was a priority for the Commission and would be embarked on when funds were available;
- a national survey on drug trends should be undertaken and its consequences on the socio-economic aspect of the country;
- advocacy efforts should be continued with cooperating partners through the already existing programmes and audio/visual mobile vans should be acquired for the Commission. More regular production of information, education and communication (IEC) material was a priority for the Commission in a bid to enhance sensitisation programmes against illicit drugs and money laundering;
- collaboration with the Ministry of Agriculture and Cooperatives should be strengthened to provide alternative development or crop substitution to encourage peasant farmers to cultivate food crops instead of cannabis;
- a chemical and forensic laboratory should be constructed and personnel in the laboratory should be gazetted as public analysts;
- construction of the treatment and rehabilitation centre was being ardently followed and the project would commence this year (2008);
- autonomy of the Commission needed to be considered in order to ensure direct and independent funding from both the Government and donor support towards operations;
- the Commission would embark on an expansion programme of the canine unit to other strategic points i.e. border areas and airports as it was wary of the new concealment methods for illicit drugs. and
- in line with the provisions of the *Narcotic Drugs and Psychotropic Substances Act* (Section 4), there was need to embark on income generating ventures such as the breeding of canines for sale, running of a fleet of passenger transport and a service garage.

***Additional Information on the Drug Enforcement Commission***

- The Commission was in the process of upgrading its clinic according to the laid down standards.
- The Commission was lagging behind in preparations for the 2010 Soccer World Cup and the 2011 All-Africa games. The Commission needed more funding for the measures being put in place in strategic entry/exit points to be implemented. The two events would expose the country to issues of terrorism, smuggling of cash, cyber crime and other criminal activities. These measures would only be consolidated after intelligence gathering. There was also need to intensify regional cooperation by way of exchange visits and network with the neighbouring countries.
- The Commission had been creating a conducive environment for sporting and recreational activities among officers countrywide in order to enhance physical fitness.

With regard to funding, your Committee heard that there was need to fund DEC directly and independently in order to make it more autonomous as was the case with the Zambia Police Force. This type of funding would help enhance its operations as the Commission would not be tied to the Ministry of Home Affairs budget and budgetary ceiling. However, there was need to have in place mechanisms in order for the Controlling Officer to provide checks and balances on the Commission's operations.

On the need for DEC to use the *Anti-Terrorism Act* to control importation and exportation of precursor weapons, your Committee were informed that DEC would use the Act in addition to the *Pharmaceutical Act*.

With regard to DEC having its own forensic and laboratory facilities, your Committee heard that this would speed-up the determination of cases that required such facilities as it would decongest the laboratories of Zambia Police Force and University Teaching Hospital which were currently being used by DEC.

#### **Observations and recommendations**

Your Committee observe that the main operational constraint in the operations of the Drug Enforcement Commission is inadequate funding to the DEC which is tied to the Ministry of Home Affairs budgetary ceiling. Further, they observe that strategies to address some of the constraints are contained in the revised Drug Enforcement Commission Strategic Plan 2008-2012.

Your Committee, therefore, recommend that DEC be funded directly and independently in order to make it more autonomous as is the case with the Zambia Police Force. This funding arrangement would help enhance its operations as it would not be tied to the Ministry of Home Affairs budget and budgetary ceiling. However, there is need to have in place mechanisms in order for the Controlling Officer to provide checks and balances on the Commission's operations.

#### **8. Operations of the Zambia Mine Action Centre (ZMAC)**

The following institutions made both written and oral submissions on the subject:

- (a) Yezi-Arts Promotions and Productions;
- (b) Zambia Mine Action Centre; and
- (c) Ministry of Foreign Affairs.

#### **CONSOLIDATED SUMMARY OF SUBMISSIONS**

Your Committee were informed that the Zambia Mine Action Centre (ZMAC) operated in six out of nine of Zambia's provinces – Eastern, Southern, Lusaka, Western, North-Western and Luapula - where land was contaminated with landmines in varying degrees. These mines which were left behind by warring liberation factions in neighbouring countries had continued to injure Zambians trying to make a living mainly in the border areas.

In 2001, Zambia appended its signature to the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Landmines and their Destruction*, also referred to as the *Ottawa Convention* or *Anti-Personnel Mine Ban Treaty* (APMBT). Zambia deposited this ratification with the United Nations on 23<sup>rd</sup> February 2003. The Convention obligated all signatories to be mine free within ten years of ratification, which meant that Zambia had undertaken to clear all landmines within its jurisdiction by 2011.

In addition, Parliament passed the *Prohibition of Anti Personnel Mines Act No. 16 of 2003* which led to the establishment of the Zambia Anti Personnel Mine Action Centre (ZMAC) with the assistance of the Government of the United States of America. The Centre was equipped with de-mining apparatus, motor vehicles, computers and other machinery. They also trained centre personnel.

#### ***The Impact of the Landmine Problem***

Many of Zambia's border areas affected by mines and unexploded ordnances (UXO) were currently unpopulated areas. In those areas that were populated, there were two communities affected from a human risk and socio-economic perspective. The first were local Zambian communities who were affected in terms of physical safety, livelihood and agriculture with the denial of areas for agricultural purposes being the most serious issue. The other affected community were the over 60,000 mostly Angolan and Congolese refugees living in five refugee camps in Zambia. Extensive mine risk education and mine awareness was being given to these groups before they returned to their homelands because of the high level of contamination in these countries.

### ***Operations of ZMAC***

Mine Action referred to the activities which aimed at reducing the social, economic and environmental impact of mines and unexploded ordnance.

ZMAC was responsible for the five pillars or core components of Mine Action in Zambia. These were: mine clearance (humanitarian de-mining), mine risk education; victim assistance; stockpile destruction; and advocacy.

### ***Mine Clearance/ Humanitarian de-mining***

Humanitarian de-mining, a core component of mine action, covers a range of activities which leads to the removal of mines and unexploded ordnance hazards. These include technical survey, mapping, clearance, marking, post clearance documentation, community mine action liaison and the handover of cleared land. Clearance operations were only a part of the humanitarian de-mining process but they were also the most expensive part.

Some major clearance exercises have been carried out since the creation of the ZMAC. One such assignment was the clearance in 2002 of approximately 220 kilometres of the Bottom Road in Southern Province. This was undertaken to facilitate the implementation of the Gwembe – Tonga Development Project which was being funded by the World Bank and the Zambia Electricity Supply Corporation (ZESCO). Another project was the clearance in 2004 of 7,780 square meters of land in Mwapula, Chongwe District, to facilitate the resettlement of the local population. Both these areas were handed over to their local authorities as safe land.

More recently, a technical survey was undertaken along the sixteen kms of the cattle disease cordon line in the Western Province in cooperation with the Ministry of Agriculture and Cooperatives.

In addition, EOD (explosive ordnance disposal) teams have cleared (and continue to clear) hundreds of UXO/AXO/ERW around the country. ZMAC works in collaboration with the Zambia Army Corps of engineers and the Zambia Police to conduct clearance activities.

### ***Mine Victim Assistance***

The International Mine Action Standards (IMAS) defined a victim as “an individual who has suffered harm as a result of a mine or UXO accident”. This harm might not be physical only but also social, economic, environmental and psychological. In a wider context, the term “victim” might include the dependants of the mine casualty and his/her community.

The principle aim of victim assistance was, therefore, to ensure a mine accident casualty/survivor received emergency medical care and whatever continuing medical care might be required. This was thereafter, followed by physical rehabilitation (assistive devices/prostheses) and psycho-social counselling to enable them reintegrate into their communities.

However, not much had been done in the area of victim assistance mainly because a sustainable and effective victim assistance package/program had not been developed as there was no reliable data on the number of mine victims in the country. A program was now being developed to help in the design of a sustainable and effective mine victim assistance program.

It was expected that close collaboration with relevant ministries would result in better socio-economic rehabilitation of mine survivors.

### ***Mine Risk Education***

Mine Risk Education (MRE) was also known as mine awareness. This was a process that promoted the adoption of safer behaviour by ‘at-risk groups’ and provided the links between affected communities, other mine action and other sectors. As Zambia had not cleared all known areas of mines, MRE was critical in areas suspected to be mine contaminated to reduce the possibility of accidents.

ZMAC has conducted extensive MRE exercises in suspected hazard areas and known contaminated areas both for refugees and local communities.

The Centre had been carrying out Mine Risk Education (MRE) in refugee camps around the country whenever the UNHCR had been conducting voluntary repatriation exercises.

The MRE exercise has, however, had challenges due to insufficient funds. Therefore, the Centre only undertook MRE when funds were made available.

### ***Stockpile destruction***

Stockpile destruction refers to the process of destroying physical national stockpiles of anti-personnel mines or any other stock of explosive ordnance in accordance with the APMBT which obligates all state parties to destroy all stockpiled mines within four years of becoming party to it.

Zambia was in compliance having destroyed 3,345 anti-personnel mines (APMs) in 2004 ahead of the deadline of 2005. However, a small number of APMs were retained for training purposes only as allowed for under the Convention and would be destroyed soon.

### ***Advocacy against the use of anti-personnel mines***

Advocacy in the context of mine action refers to activities which endeavour to garner public support, recommendation and positive publicity with the aim of removing, or at least reducing, the threat from and impact of mines and UXO.

Zambia continued to urge nations that had not already done so to ratify the APMBT. It also extended this advocacy to non-state parties engaged in conflict in their territories to adhere to the tenets of the Mine Ban Treaty.

### ***Operational Constraints***

#### **Financial**

By far, the major constraint faced by the Centre in meeting its annual work plans was insufficient funding. Since its inception, the department had never been funded as requested. For instance, out of the K1.5billion requested for ZMAC's operations for the financial year 2007, only K500million was made available. The realistic request for 2008 was approximately K2.5billion but only K550, 993,582 was approved due to ministerial budgetary ceilings.

Of the K3.4 billion requested in 2005, only 10% was approved. In 2006, of the required K3.2billion to conduct operations, only K282, 206,357 was approved. Of this amount, only K239, 461,780 had been disbursed by 20 December, 2006.

As a result of this poor funding, de-miners who conducted some clearance work in 2004 in Mwapula were to date owed their allowances amounting to approximately K18, 000,000. This demoralised the de-miners whose stable mental state of mind was critical in ensuring ZMAC maintained a 100% safety record in the field.

#### **Administrative**

To a much lesser extent, human resource shortfalls had contributed to the non- achievement of annual targets.

The establishment of permanent staff at the Centre was five: the Director, Operations Officer – De-mining, Mine Risk Education and Quality Assurance, Information Officer – IMSMA, Victim Assistance and Impact Survey, Procurement/Stores Officer and a secretary with a driver and office assistant supporting the office. However, the Centre currently employed on full time basis, the Director, Information Management Officer and the four support staff. The De-mining Operations Officer remains to be recruited or seconded from the Ministry of Defence.

There were six other members of staff of partner ministries and thirty-six Zambia Army Engineering Regiment staff on part time attachment and only reported when required for assignment. All had undergone training in more than one field of Mine Action. The Ministries of Finance and National Planning and Information and Broadcasting Services had also recently submitted names of officers that would be attached to the Centre to replace officers from their ministries who had retired.

At least ten other part time members of staff trained at the inception had since left the Centre due to retirement or reassignment. There was, therefore, urgent need for more staff to be attached as well as refresher training for all staff.

### ***The Way Forward***

#### **Inter Ministerial Collaborations**

ZMAC had in the recent past been collaborating with stakeholder ministries in an effort to increase clearance operations. Ministries with projects that needed to be undertaken in suspected contaminated areas were requested to build into their budgets a component for de-mining.

In this regard, in early 2007, ZMAC was able to conduct a technical survey in the areas around a 16km stretch of the cordon line which required de-mining before the fence could be erected by the veterinary department of the Ministry of Agriculture and Co-operatives. The Ministry availed a total of ZMK149, 200,000 out of the sum of ZMK726,000,000 required to complete the clearance work. ZMAC was currently waiting for the Ministry of Agriculture and Cooperatives to source and remit the outstanding balance to enable completion.

The Ministry of Tourism, Environment and Natural Resources had also availed K55, 000,000 for de-mining to be undertaken in the Lower Zambezi National Park. The de-mining team was scheduled to deploy and complete the exercise by the end of the second quarter of 2008.

In addition, the Ministry of Foreign Affairs recently circulated a draft Cabinet Memorandum to all ministries seeking to mainstream mine action into all ministerial budgets.

#### ***Increased donor funding/ resource mobilization***

There was an urgent requirement for external assistance to eliminate the risks of contamination as it was a serious hindrance to socio-economic development in the areas where it exists. Approximately \$5m was required to declare Zambia mine free by 2010 which was the country's new target for completion. Originally, the target for a mine-free Zambia was 2007 but as the Centre was dormant most of 2005 and budgetary funding had been insufficient, the completion date had been pushed forward by three years to 2010.

Fortunately, Zambia was one of the few countries that had been identified by the UN to be part of the Completion Initiative which aimed to assist countries with a small but nonetheless significant landmine problem clear the mines quickly. The Completion Initiative provided potential international donors with a comprehensive document on the national strategy to meet Convention obligations within the stipulated deadlines. It was believed that, with adequate funding, Zambia could have been Mine Free well ahead of schedule.

The funding from the Canadian Government channelled through UNICEF enabled the Centre to conduct a data collection exercise in late 2007, which identified 152 victims, who included a number of Angolans. However, the exercise was hampered by unreliable transport and difficulties in accessing some of the areas. During the exercise, the Centre also carried out mine awareness campaigns amongst the affected communities.

ZMAC was also focusing on supplementing funding from the national budget through mobilising resources from other bilateral and multilateral donors. This was done through presentations to potential donors at different fora and through a project profile document that the United Nations Mine Action Services

produces every year. Zambia received approximately US\$500,000 for an impact survey and a further sum of US\$200,000 for Victim Assistance and Mine Risk Education for 2007/8 through this process.

***Extra budgetary funding granted***

In order for Zambia, through ZMAC, to meet its obligations under the Ottawa Treaty within the prescribed timeframe, there was need for increased funding to the department.

For the department to be able to meet all projected targets set out for the year, at least ZMK2billion was required in the initial year and thereafter gradually reducing amounts. ZMAC remained confident that the total clearance of landmines and ERW could be done well before the 2011 deadline with adequate funding.

Another solution would be to remove ZMAC funding from the ministerial budget ceiling for a limited period of three years or until the de-mining exercise was completed.

Your Committee was also informed that Zambia was appointed as coordinator of Africa's work towards the Dublin Conference to negotiate the future treaty to ban cluster munitions. The appointment of Zambia was decided at the Livingstone Conference on Cluster Munitions held from 31<sup>st</sup> March to 1<sup>st</sup> April 2008. The Livingstone Conference, attended by forty African countries, adopted the Livingstone Declaration, with the exception of Egypt and South Africa, on the need to have cluster munitions totally banned in Africa.

On how many countries had signed the Treaty, your Committee heard that 153 had, as of 1<sup>st</sup> March 2007, ratified the Treaty. Zambia, being a party to the Treaty and with the help of the donor community, had cleared over 50% of land contaminated with landmines in Southern and Western Provinces. Central Province had no landmines as it was mainly being bombed.

With regards to the use of the *Apopo Project* (Giant Rats), your Committee were informed that the defence and security wings undertook training in that field and its use would depend on the survey results as the rats could not operate effectively where landmines were placed randomly. However, the Zambian Government was concerned with the issue of landmines, hence the creation of ZMAC. Thus, there was need to allocate more resources to ZMAC as already indicated.

On approaching the de-mining exercise from a regional dimension, your Committee heard that this was being addressed through Joint Permanent Commissions and would also be done with the Great Lakes Region Secretariat when it became more operational.

**Observations and recommendations**

Your Committee observe that inadequate funding is the major factor that was slowing down the de-mining exercise for Zambia to meet the set deadline of 2011 to clear all landmines in the country. Therefore, your Committee recommend that a total of K6 billion, as submitted by ZMAC, be budgeted for in the next three years starting from 2009 to enable Zambia meet all projected targets in the clearance of landmines.

Your Committee also observe that ZMAC received around US\$500,000 from bilateral and multilateral organisations to undertake some of its activities. Your Committee, therefore, urge ZMAC to urgently undertake an impact survey of landmines in Zambia from the US\$500,000. The other funds amounting to US\$200,000 for Victim Assistance and Mine Risk Education for 2007/8 also from bilateral and multilateral organisations should also filter through to landmine victims.

**9. Up-date on the current situation on the Sudanese, Kenyan; Chadian conflicts and the Zimbabwean crisis**

The following institutions made both written and oral submissions on the subject:

- (a) SACCORD; and
- (b) Ministry of Foreign Affairs.

## **CONSOLIDATED SUMMARY OF SUBMISSIONS**

### **THE SUDANESE CONFLICT**

Your Committee were informed that the Republic of the Sudan that became independent in 1956 after being ruled by both Egypt and Britain since 1899 is the largest country in Africa. The country has one of the most diverse ethnic and religious make-up with a population of about 60% black African and 40% Arab. The country experienced Africa's longest civil conflict since independence for about thirty-eight years which pitted the Arab Muslims to the North against the African-Christians and animists to the South. The country boasts of vast mineral, oil and other resources.

The fighting between the southerners and northerners first broke out in 1958. The country's political landscape had been characterised by military *coups detat* since 1956. Several short-lived ceasefire agreements and unsuccessful peace negotiations between the Government and the Sudan People's Liberation Movement/Army (SPLM/A) were entered into up to 1983. Since then to-date, this war has led to over two million deaths and more than four million displaced people. Several millions more have been subjected to hunger and other human rights abuses as a result of the war.

In 1992, the Government of The Sudan and the rebel SPLM/A signed the Abuja I and II Peace Agreements after a series of negotiations to end the war between the two warring parties. Several countries, including Egypt, Libya, Eritrea and Nigeria, had been actively involved in initiatives aimed at finding a lasting solution to the war which was later compounded by the imposition of the Islamic (Sharia) law on the country by the Sudanese Government.

In 2002, the Government of The Sudan and the SPLM/A led by the late Dr. John Garang signed the Machakos Protocol at negotiations mediated by the Government of Kenya and the IGAD. By that Protocol Agreement, the South agreed not to secede, but to discuss Sharia Law imposition, self-determination for the people of the south, power-sharing and issues of human rights.

Between 2003 and 2004, continuous negotiations held in Naivasha, in Kenya, led to more agreements and signing of six other Protocols.

The Protocols signed outlined how the two sides would share power and wealth, and the formation of a unified army and settling of the questions of the contested regions of Abyel, Nuba Mountains and the Blue Nile. They also agreed to leave Sharia law in the capital Khartoum and that it would be observed by Muslims only. The SPLM/A were allowed to form a regional government to govern in Southern Sudan and also participate in the National Government where they were allocated several senior positions including that of Vice President, Foreign Affairs Minister and others.

Unfortunately, the agreements between the SPLM/A and the Sudanese Government in Khartoum did not extend to all other regions and movements in the country. So as peace was just emerging in the country, another conflict over the sharing of resources and power broke out in the Darfur Region in Western Sudan in 2003.

The fighting in Darfur pitted the Government of Sudan and the ethnic African movements that had emerged to press for equitable sharing of power and wealth in the region. Unlike in the South where the SPLM/A unified most of the rebel movements that had emerged to fight the Government, several groups emerged in Darfur and were neither coordinated nor united in the war against or demands from Government.

The Darfur conflict led to new deaths of over two (2) million people and about four and half million displaced in Darfur alone. Another one and half million people were displaced in neighbouring countries, mainly in Chad, the Central African Republic and Egypt.

However, there were accusations by the International Community that the Government of Sudan was carrying out ethnic cleansing and genocide against ethnic Africans either through direct attacks or by using pro-Arab and Government supported militias such as the Janjaweed. The war had also caused unprecedented humanitarian problems such as huge camps of displaced people and refugees in other

countries who were faced with hunger, insecurity, diseases and violent abuses such as rape, slavery and property deprivation.

Many initiatives by Libya, Saudi Arabia, the League of Islamic countries, the African Union, the United Nations, the European Union and the United States of America had been made to try and end the fighting in Darfur, which had now spilled over and fuelled other conflicts in countries such as Chad and the Central African Republic. Although further agreements such as the Tripoli Agreement of 2007 had been signed, violence had not ceased and people, especially women and children, continued to die and suffer as a result of the conflict.

In 2007, the Government of The Sudan agreed to allow an International (Hybrid) peacekeeping force of 26,000 uniformed men and women supported by other humanitarian aid agencies to Darfur after being threatened with tougher action of sanctions through the UN Security Council. This force was expected to take over peacekeeping duties from the current AU force of about 10,000 personnel who had been unable to stop the fighting in the vast region.

Zambia has been actively participating in peace efforts to end the violence in The Sudan. This was exemplified through her contributions to efforts such as the AU Peacekeeping Force, where the country had contributed about 1,500 troops. The country also supported all efforts by the International Community through the AU and the UN to find a negotiated peace settlement to the problem. The Government of the Republic of Zambia has shown its commitment in this effort by rendering its support to peace talks and by urging both the Government of The Sudan and the rebels to agree to a ceasefire and to dialogue as a way of ending the conflict.

#### **Observations and recommendations**

Your Committee observe that the country's political landscape had been characterised by instability since 1956 and that several ceasefire and peace agreements entered into between the Government and the warring factions to solve the Sudanese conflict have not been successful. Your Committee, therefore, urge the Sudanese Government to respect the agreement of 2007 by guaranteeing smooth passage and operations of the UN Hybrid Peacekeeping Force in the Darfur Region. This is in view of the agreement with the UN Security Council in 2007 to deploy an International (Hybrid) Peacekeeping Force of 26,000 uniformed men and women supported by other humanitarian aid agencies to Darfur following the failure by the AU Peacekeeping Force to contain the Darfur crisis.

Your Committee also commend the Government of Zambia for her role in trying to find a lasting peaceful settlement to the conflict in The Sudan through her participation in the AU and the UN Peacekeeping Forces.

#### **KENYAN SITUATION**

Your Committee were informed that Kenya used to be the envy of everyone in terms of political stability and development. The country had a booming economy with a growth rate of seven percent annually and its agriculture, tourism, manufacturing and trade economy alongside its level of political maturity were second to none.

The situation in Kenya changed with the re-introduction of multi-partyism in its political system at the beginning of the 1990s. At first, when political issues came to the fore, the country saw little divisions of its population on economic, social and ethnic/tribal lines. However, after the elections of 27<sup>th</sup> December 2007, Kenya was plunged into ethnic violence and conflict to a level that shocked the world.

However, after the elections in which the opposition ODM led by Mr Raila Odinga got most of the seats in Parliament, Mr. Mwai Kibaki was declared winner of the Presidential vote. As a result, there were a number of events that led to the refusal by the opposition to accept the declaration of President Kibaki as re-elected. There was a delay in announcing the results by the Kenya Electoral Commission (KEC). In addition, KEC delayed in confirming whether the votes President Kibaki was said to have received were those which had been reflected in different polling areas around the country. The news black-out on the presidential election

result in the period prior to the announcement and the manner in which President Kibaki was declared winner and re-installed as President of the country heighten the already tense situation in the country.

On 2<sup>nd</sup> January, 2008, violence broke out after the ODM Party refused to accept the results pointing to these factors as well as others. The Party called on its supporters to reject the results by staging mass demonstrations around the country. That action triggered the wave of violence which claimed many Kenyan lives.

The most worrying thing about the violence was that instead of it being perpetuated along political affiliations, it quickly took on economic and ethnic or tribal dimensions. The conflict saw the Kikuyus, the Kalenjins, the Nilotic group and other Bantu groups fighting each other.

However, on 28<sup>th</sup> February, 2008, President Kibaki and Mr Odinga signed an agreement to form a power-sharing government of national unity in Kenya. This was after lengthy talks brokered by the AU's Special Envoy and former UN Secretary-General Mr Koffi Annan as the mediator in the crisis. By this Agreement, Kenya was expected, once Parliament amended the law, to have a Government headed by a Prime Minister and a Cabinet of both parties. President Kibaki was expected to continue in his seat while Mr Odinga would be Prime Minister.

On 17<sup>th</sup> March, 2008, the Kenyan Parliament passed the first stage of approving the law which would usher in a new government of national unity for the country. It was hoped that although there were underlying factors to the cause of the conflict such as tribe/ethnicity, economic inequalities, nepotism and corruption, the country's bloody post-election crisis would come to an end.

Your Committee heard that calm had returned to Kenya through the formation of a National Unity Government following the appointment of Mr R Odinga as Prime Minister and Cabinet Ministers from both parties in mid-April 2008.

Zambia as a peace-loving nation supported all peace efforts by the international community such as by the African Leaders Forum, the European Union and indeed the AU through Mr. Annan. Zambia believed that dialogue between adversary parties was always the best course of resolving conflicts and as such the country was fully supportive of the power-sharing agreement which the Government and opposition parties in Kenya had put in place.

#### **Observations and recommendations**

Though your Committee are concerned about the post election violence, they are happy to note that some solution has been found in the Kenyan crisis through the establishment of a National Unity Government with the support of the African Union and the international community. Therefore, your Committee wish to commend the people of Kenya for agreeing to end the electoral crisis that had engulfed the country.

#### **CHADIAN CONFLICT**

Your Committee heard that the Republic of Chad is a largely semi-desert country rich in gold and uranium and, recently, in 2003, it became an oil-producing nation. Chad has a population of 10.8 million. French and Arabic are the main official languages.

Chad's post independence history had been marked by instability and violence stemming mostly from the tension between the mainly Arab-Muslim north and the predominantly Christian and animist south.

Since 1969 to the mid-1990's, Chad had never experienced a stable political environment. However, by the mid-1990's, the situation had stabilised and, in 1996, Mr Idriss Derby was confirmed President in Chad's first election.

In 1998, an armed insurgency began in the north, led by President Derby's former defence chief, Gen. Youssouf Togoimi. A Libyan-brokered peace deal in 2002 failed to put an end to the fighting.

From 2003, unrest in neighbouring Sudan's Darfur Region spilled across the border, along with hundreds of thousands of Sudanese refugees. They were joined by thousands of Chadians who were fleeing rebel fighting as well as violence between ethnic Arab and ethnic African Chadians. Since then, Chad and The Sudan had been accusing each other of backing and harbouring rebels.

President Derby was almost toppled in April, 2006 when rebels attacked the capital. In February, 2008 rebels again stormed the capital, but were driven back by Government forces backed by French war planes and troops offering logistics, intelligence and protection.

On 11<sup>th</sup> March, 2008, leaders of the Economic Community of Central African States (ECCAS) held a one-day Summit in Kinshasa which focused on the situation in Chad following the failed rebel attacks on the Chadian capital, N'Djamena, in February, 2008.

The Zambian authorities, together with the rest of the African Union, continued to urge both countries to respect the various peace agreements which encouraged Chad and The Sudan to stop supporting rebels in their respective countries. There was also need for the regional groupings such as ECCAS and the African Union to put pressure on Chad and The Sudan to expel rebel groups from their soils.

#### **Observations and recommendations**

While noting the causes of conflict in Chad, your Committee urge the AU and the UN to continue searching for a lasting solution to the conflict in Chad through peace negotiations.

#### **THE ZIMBABWEAN SITUATION**

Your Committee requested to be briefed on the situation in Zimbabwe. In the brief, your Committee were informed that problems started after the delayed announcement of Presidential election results after the 29<sup>th</sup> March 2008 tripartite elections. As a result of this, a SADC Extraordinary Summit was called on 12<sup>th</sup> April 2008 in Lusaka, Zambia, to find possible solutions to the crisis in Zimbabwe. The Extraordinary Summit resolved to, among others:

- establish a fact finding group of former Heads of State to interact and solicit views of all political parties in Zimbabwe on the political situation in the country; the group of former Heads of State would report to the SADC Troika;
- call on the people of Zimbabwe to maintain calm and patience and urge the governing ZANU-PF and opposition parties to put national interest above all other interests; and
- reaffirm SADC's commitment to assisting the people of Zimbabwe in finding a lasting and acceptable solution to the impasse over the Presidential election results.

Zambia was supporting all necessary steps to resolving the impasse in Zimbabwe following the tripartite elections and would continue monitoring the events in that country.

#### **Observation and recommendations**

Your Committee observe that there was an impasse that arose in Zimbabwe following the Tripartite Elections of 29<sup>th</sup> March 2008, compounded by the Presidential runoff of 27<sup>th</sup> June 2008. Despite interventions by the SADC, the AU and the UN, efforts to resolve the impasse of the Presidential runoff of June 2008 did not yield the desired results. Your Committee, therefore, urge the SADC and the AU not to tire in trying to address the Zimbabwean crisis so that there is unity, peace and development not only in Zimbabwe but the SADC region as whole. Your Committee note with satisfaction that an agreement was reached in September 2008, to form a Government of National Unity in Zimbabwe.

#### **10. REPORTS FROM PARLIAMENTARY DELEGATIONS**

Your Committee considered two reports received from Parliamentary Delegations to regional parliamentary fora: "the Report of the Second Regional Meeting of the Parliamentarians of the International Conference on the Great Lakes Region (IC/GLR) Member States from 3<sup>rd</sup> to 4<sup>th</sup> March 2008" and the "Ninth Ordinary

Session of the Pan African Parliament (PAP) from 5<sup>th</sup> to 16<sup>th</sup> May 2008.” These reports are in the National Assembly Library for easy reference. Below is the summary of the reports:

### **Highlights of the IC/GLR Report**

Your Committee were informed that the Second Meeting of the Parliamentarians of the Countries of the Great Lakes Region was held at the Parliament of Burundi, Bujumbura in Burundi from 3<sup>rd</sup> -4<sup>th</sup> March 2008. The Meeting was co-organised by the International Conference on the Great Lakes Region Conference (ICGLR) Secretariat and the Association of European Parliamentarians for Africa (AWEPA).

### **Objectives**

The objectives of the Second Regional Meeting of Parliamentarians were to, among other things discuss:

### **The role of Parliamentarians in the implementation of the Pact on Security, Stability and Development in the Great Lakes Region and Establishment of the Regional Centre on Democracy, Good Governance, Human Rights and Civic Education**

Your Committee were informed that the role of parliamentarians in the implementation of the Pact would mainly be dissemination of the Pact in their constituencies. They also

heard that the Regional Centre on Democracy, Good Governance, Human Rights and Civic Education being hosted by Zambia would become operational after being inspected by the Secretariat during the course of 2008.

### **The modalities for the establishment of a Regional Parliamentarians Forum and Domestication of the Pact**

Your Committee heard that there was need to have a Charter on the Regional Forum for Parliamentarians of IC/GLR put in place. However, funding of the Forum would come from Member State contributions and that each member country should appoint five members to the Forum of whom at least two would be women. A Follow- up Committee that would finalise the modalities for setting up the Regional Forum for Parliamentarians of the Great Lakes Region composed of eleven members, one from each of the eleven member states, chaired by Burundi, was formed. Mrs A K C Mwamba, MP was elected to represent Zambia on this Committee.

### **The status of ratification and domestication of the Pact and its Protocols in each Member State**

Your Committee heard that Zambia was among four core countries of the ICGLR that had not yet ratified the Pact despite being among the first two countries to pay the contributions.

### **The role of Parliamentarians in the Africa Peer Review Mechanism (APRM)**

Your Committee were informed that the role of parliamentarians in the APRM process was to, among others:

- have a major role in representing stakeholders in the country self-assessment by ensuring the report's objectivity;
- be able to use the APRM to articulate the needs, demands and wants of their constituencies; and
- ensure that the National Programme of Action that came out of the APRM was implemented either through laws, rules-making or oversight functions.

Your Committee were also informed that there would be three vacancies in July 2008 on an establishment of seven African Peer Review (APR) Panel of Eminent Persons. This Panel oversaw the peer review process. Therefore, member states and governments were implored to nominate an eminent person to be part of a panel of eminent persons for APRM.

Further, your Committee were informed that out of fifty-three African Union member states, twenty-seven had acceded to the APRM process. However, fourteen out of twenty-seven countries had launched the process. Out of eleven IC/GLR member states and governments that had acceded to the APRM, six, including Zambia, had not yet started the process. The six member states were urged to start the process.

The ultimate objective was to encourage ownership of the Pact by Parliamentarians for the speedy ratification and implementation of the Pact.

On whether the Kenyan crisis was discussed at the meeting, your Committee heard that the issue was discussed in an open manner bringing out the root causes of the conflict that included issues of land, political power base and control of resources of the country.

With regard to Zambia's ratification of the Pact, your Committee heard that ratification would be done by the Executive. However, the National Assembly could influence this through debate in the House.

### **Observations and recommendations**

While noting your delegation's recommendations from the Second Meeting of Parliamentarians of the Great Lakes Region, your Committee urge the Government to ratify the Pact on Security, Stability and Development. They also urge the Government to identify an eminent Zambian to be nominated as a member of the establishment of seven African Peer Review (APR) Panel of Eminent Persons representing the IC/GLR. This would be in recognition of Zambia's efforts to finding lasting peace in the region.

Your Committee are happy to report that Zambia has identified premises to house the Regional Centre on Democracy, Good Governance, Human Rights and Civic Education and has paid her contribution to the Special Fund for Development and Reconstruction of the IC/GLR.

Your Committee while noting the efforts the Government is making on APRM, wish to have a progress report on the matter.

### **Highlights of the PAP Report**

Your Committee were informed that the Ninth Ordinary Session of the Pan-African Parliament (PAP) was held at Gallagher Estates, Midrand, Johannesburg, Republic of South Africa from 5<sup>th</sup> to 16<sup>th</sup> May, 2008 and the highlights are set out below.

### **Official Opening of the Session**

The President of the Pan-African Parliament, Hon Dr G Mongella, MP, officially opened the Session. She informed the Assembly that the PAP participated in a number of activities that included, among others, the tenth Assembly of Heads of State and Government of the African Union which was held in Addis Ababa, Ethiopia, from 24<sup>th</sup> January to 2<sup>nd</sup> February 2008. At the assembly, the PAP presented a budget estimate of US\$17,231,000 for its activities for 2008 and a budget of US\$12,600,000 was granted in accordance with the decision made by the Executive Council to maintain zero growth budgets.

The PAP delegation also presented a proposal to amend decision Ex.CL/Dec.98 (v) of the Executive Council. The decision was amended and was now Ex.CL 407 (XII). The new decision would now allow the PAP to provide accident and health insurance cover for Members of Parliament of the PAP during non-statutory sittings and activities of the PAP. The decision would also allow the PAP to cover costs and allowances of Members of Parliament during non-statutory activities of the PAP.

The Ninth Ordinary Session marked the beginning of the fifth year of the Pan African Parliament's existence and reminded them of Article 25 of the Protocol which states that: *"five years after the entry into force of this protocol, a conference of State parties to this Protocol shall be held to review the operation and effectiveness of this protocol with a view to ensuring that the objectives and purposes of this protocol, as well as the vision underlying the protocol, are being realised and that the protocol meets with the*

*evolving needs of the African continent.”* The PAP would, therefore, carry out an assessment of the Protocol through the Committee of Rules and Privileges on the transformation of the PAP from an advisory and consultative organ into a fully fledged legislative organ of the AU.

#### **Observations and Recommendations**

Your Committee, while noting the submission, welcome the proposed assessment of the Protocol on transforming the PAP from an advisory and consultative organ into a fully fledged legislative organ of the AU.

### **2. Address by the Chairperson of the SADC Parliamentary Forum (SADC PF) Hon P K Balopi, MP Speaker of the National Assembly of Botswana**

The SADC PF implored the Pan African Parliament to play its part as Africa’s leading voice in Geneva at the Inter-Parliamentary Union (IPU) 119<sup>th</sup> Assembly in October this year were the President of the IPU would be elected. Under the principle of rotation, there was a general understanding among IPU members that it was now African’s turn to head the organisation. It was stated that the Africa Group had identified Hon Theo-Ben Gurirab, the Speaker of the National Assembly of Namibia, to stand for the IPU Presidency and called on the PAP member countries to support the candidature of Hon Gurirab, MP at the IPU Assembly.

#### **Observations and Recommendations**

Your Committee wish to urge the PAP and Zambia in particular to support the candidature of Hon Theo-Ben Gurirab, the Speaker of National Assembly of Namibia, for the position of IPU President.

### **3. REPORT ON PEACE AND SECURITY SITUATION IN AFRICA**

#### **(a) Presentation by Hon EL Hadj Diao Kante MP, Chairperson of the Committee on Cooperation, International Relations and Conflict Resolutions**

The Assembly was given briefings on the situation in Darfur, The Sudan; Chad; the Central African Republic; the Democratic Republic of Congo; Somalia; Cote d’Ivoire; and the Saharawi Arab Democratic Republic.

#### **(b) Situation in the Central African Republic (CAR)**

Although President Francois Bozize was elected by universal suffrage in May 2005, legitimacy of his government had remained questionable because of his earlier accession to power in 2003 through a coup d’etat. However, there had been conflict in the North-East and North-West of the country.

In view of the intertwining nature of conflicts in Chad, The Sudan and the Central African Republic, the Pan-African Parliament was called upon to draw the attention of Governments and the international community to apply global rather than piecemeal solutions to the conflicts in the region.

#### **Observations and Recommendations**

Your Committee observe that peace is eluding the Central African Republic due to the intertwining nature of conflicts in Chad and The Sudan and urge the regional bodies and the international community to find a lasting solution to the conflict.

#### **(c) Situation in the Democratic Republic of Congo**

Two peace agreements recently signed were the November 2007 Nairobi Agreement and the 23<sup>rd</sup> January 2008 Goma Agreement between the DRC and Rwanda, and the DRC Government and warring factions, respectively.

However, on 28<sup>th</sup> January, 2008, armed clashes erupted between General Nkunda’s soldiers and the Mai-Mai militia near Goma. The key to the restoration of peace in the east of the DRC was to convince the warring parties to return to the negotiation table.

### **Observations and Recommendations**

Your Committee note with happiness that some peace agreements have been entered into between the DRC and Rwanda, and the DRC Government and warring factions respectively. They therefore, urge them to respect the peace agreements signed.

#### **(d) Situation in Somalia**

A governmental vacuum came into being after the death of President Siad Barre in 1991. A Transitional National Government set up in 2000 established working relations with local Islamic Courts. The recognised Transitional Federal Government (TFG) by the AU and the UN came into being in 2004. However, the TFG's appeal for foreign military assistance resulted in the Islamic Courts and their associate militias waging war against the TFG. The AU's plan to send a force in order to strengthen internal security failed due to logistical problems. Uganda was the only country that sent troops. The TFG was supported by Ethiopian troops, which had launched an assault on the Islamic militias on 24<sup>th</sup> December 2006.

The TFG lost its grip as a national Government and depended on the continued presence of the Ethiopian forces.

### **Observations and Recommendations**

Your Committee observe that the AU and the UN are not exerting enough pressure to have the Somalia situation under control. They, therefore, implore the UN and AU to find a lasting solution to the crisis in Somalia.

#### **(e) Situation in Cote d'Ivoire**

Due to the peace process made so far, the United Nations Peace Keeping Mission had reduced most of its observation posts in the former confidence zones separating the Government controlled areas and those controlled by the rebels. There were only two observation posts left out of the original seventeen.

The committee charged with the responsibility of monitoring the implementation of the Ouagadougou Political Agreement accepted the certification of the validity of the upcoming elections on 30<sup>th</sup> November 2008.

The decision to set the date for elections had been welcomed by several political personalities and the UN Peacekeeping forces.

### **Observations and Recommendations**

Your Committee are happy at the progress made so far in Cote d'Ivoire and hope that the upcoming elections on 30<sup>th</sup> November 2008 will be peaceful and acceptable to all stakeholders.

#### **4. Reports on Election Observer Missions**

The Pan African Parliament sent election observer missions to Kenya and Zimbabwe during the year under review.

#### **5. REPORTS OF THE PERMANENT COMMITTEES OF THE PAP**

Chairpersons of the various permanent Committees of the PAP presented their Reports to the Assembly. All the reports were adopted by the Assembly.

##### **(1) Report of the Committee on Transport, Industry, Communications, Energy, Science and Technology; Hon Boudina Moustafa, MP**

The Assembly heard that the Committee had held all its ordinary and extraordinary sittings. However, the Committee experienced some setbacks, especially absenteeism by members resulting in quorum problems. Absenteeism was due to:

- Members were either not invited or their invitations reached them late; and
- their Parliaments did not facilitate their travel.

## **Observations and Recommendations**

Your Committee note the Report and hope that invitations to Members will be sent in good time.

### **(2) Report of the Committee on Rural Economy, Agriculture, Natural Resources and Environment: Hon A S Janguo, MP, Chairperson**

The Committee observed that Africa, which was mainly a rural continent, had for a long time been considered as a potential granary of the world due to large areas of available land and fertile soils but still remained the only region in the developing world where food production per inhabitant had experienced constant decline during the past forty years. It was also the only region where famine and malnutrition had increased during the same period.

The identified causes of the dismal performance of the agricultural sector in Africa were the adverse climatic conditions; inappropriate agricultural policies; poverty; cost of production against marked prices and conflicts.

### **Way Forward**

The Committee proposed the following measures to address the problems:

- Members of Parliament should ensure that their governments implement the 2003 Maputo Declaration by allocating 10% of the national budget to agriculture;
- governments, with the help of NEPAD, FAO and financial institutions such as the African Development Bank, should embark on regional and sub-regional agricultural programmes to produce more food;
- the African Union should work towards the creation of a Trust Fund for disbursement to agricultural programmes;
- governments should provide a multiplicity of measures of tax reliefs, subsidies in food and agricultural inputs, export restrictions; and
- research to provide better seeds to farmers and the development of infrastructure.

## **Observations and Recommendations**

While noting the proposed measures by the PAP's Committee, your Committee urge the Zambian Government to implement the 2003 Maputo Declaration on Agriculture.

### **(3) Report of the Committee on Gender, Family, Youth and People with Disability; Hon Blandine O Sawa dogo MP, Chairperson**

The Committee reported that it had held three seminars and made the recommendations, among them, were:

- (a) **Protection of Children in conflict areas**
  - Members of PAP should encourage their states to ratify the African Charter on the Rights of the Child;
  - Parliamentarians should ensure that their respective Governments ratify and implement the Protocol on the Rights of Women in Africa; and
  - the Pan African Parliament should work with regional Parliaments to work out strategies to protect orphans and vulnerable children.
- (b) **Violence against Women in Conflict, with reference to the Rwandan Genocide**
  - the PAP should encourage member states to adhere to the UN Resolutions.

(c) **Research on Instruments Relevant to the Committee and their Status of ratification, Implementation and Domestication**

- all member countries of the PAP should ratify and implement the provisions of the Charter on Gender, Equality, Youth and People with disability.

**Observations and Recommendations**

Your Committee note the observations and recommendations of PAP Committee and urge the Zambian Government to ratify the AU and UN conventions on Protection of children, violence against women and the Charter on Gender, Equality, Youth and People with disabilities.

(4) **Committee on Rules, Privileges and Discipline by Hon Ismael Tidjani Serpos, Chairperson**

Following the presentation, the PAP Committee concluded that the Pan African Parliament (PAP) was now ready for transformation into an organ with full legislative power. The Committee was of the view that the transformation would depend on the appraisal by the conference of state parties to the PAP Protocol.

The Committee recommended for the creation of a working group to prepare the PAP's input to the proposed appraisal conference of the state parties.

(5) **Committee on Cooperation, International Relations and Conflict Resolution, Hon E L Hadj Diao Kante**

Following the presentation, the Committee recommended that all Committees of the PAP should be facilitated with a retreat focussing on election observation missions conducted by the AU. The objective of the retreat would be to take stock of the failures of each election in accordance with the provisions of the African Charter on Democracy, Elections and Governance.

(6) **Committee on Education, Culture, Tourism and Human Resources Hon. Maidagi Allambeye, MP**

The Committee reported that it had considered two presentations by Experts on:

(a) **The Acts of the African Union on Education, Culture, Human Resources, Science and Technology by Mr M Dicko**

The Committee noted the Acts of the AU on education, culture, human resources, science and technology that had been compiled for harmonisation. It was expected that after the failure of the First Decade on Education, African States would agree on the fundamental issues on education in order to guarantee the success of the Second Decade on Education.

(b) **Human Resources and integration in the face of globalisation by Mr D Acouetey, Executive Director of "Africa Search"**

Following the presentation, the Committee recommended that there was need to revise the document entitled "One Africa, One Voice" and publish it in all the working languages of the Pan African Parliament.

(7) **Committee on Health, Labour and Social Affairs by Hon Dr Belly Aribot, Chairperson**

The Committee reported that it had considered submissions on the following:

**Harmonisation of Drug Regulations in order to facilitate access to safe and essential medicines**

Following the presentation, the PAP Committee resolved to:

- approve the principle on the harmonisation of regulations on drugs on condition that it supported traditional African therapies. Studies on traditional medicines should be carried out;

- an African centre for pharmaceutical products relevant to Africa should be established to assist in studying the efficacy of drugs before distributing them to countries; and
- there should be more cooperation with emerging countries such as India, Brazil and China, which had made strides in the area of pharmaceuticals.

### **Global Fund for the Fight against Aids Tuberculosis and Malaria**

As an independent public and private partnership, the Fund was mandated to:

- raise and disburse resources;
- operate transparently and accountably; and
- achieve sustained impact on HIV/AIDS, TB and Malaria.

### **Observations of the Committee**

- there was perception that the Global Fund dictated programmes to countries;
- there was ignorance or lack of assessment of the programmes of the Fund at country level; and
- there was lack of clarity for eligibility for country funding.

### **Recommendations**

- the Fund should avail information on its operations to all Members of the PAP; and
- a seminar on the operations of the Fund should be held for all Members of the PAP.

### **The International Labour Organisation (ILO) on International Labour Standards and the Status of Ratification of Instruments related to Labour**

According to the Constitution of the ILO, Governments had the obligation to submit all newly adopted conventions and recommendations to national Parliaments in twelve or eighteen months after their adoption.

### **Observations and Recommendations**

Your Committee note the observations and recommendations of the PAP Committee and urge the Zambia Government to strive to achieve them.

#### **(8) Committee on Justice and Human Rights by Hon Dr Gamaledin Abdelahad**

The Committee reported that it had carried out its activities by considering Reports on the International Committee of the Red Cross on International Humanitarian Law; African Commission on Human and People's Rights and Appeals and Petitions.

#### **(9) Committee on Trade, Customs and Immigration Matters by Hon Keletso J Rakhuda, MP**

The Committee reported that it held two seminars on Treaties, Protocols and Policies of the African Union relating to Trade, Customs and Immigration and on the Impact of migration in Africa and Economic Partnership Agreements (EPAS).

### **Seminar on Treaties, Protocols and Policies of the AU Relating to Trade, Customs and Immigration**

The issues that arose included the modalities for a comprehensive continental integration to come up with the African Economic Community. The challenges were identified as:

- the route to regional and continental harmonisation and divergence of laws;

- mutual suspicion among countries brought about by lack of political will for fear of losing sovereignty;
- poorly developed or lack of physical and telecommunication infrastructure to facilitate easy movement and communication among the people of Africa; and
- divergence of immigration and border post controls, laws, rules and regulations.

### **Seminar on the Impact of migration in Africa and Economic Partnership Agreements (EPAs)**

The Committee observed that following the expiry of the Cotonou Agreement on 31<sup>st</sup> December, 2007, the EPAs became the main instruments of negotiations for economic development and market access of the ACP nations' goods into the EU. The Committee also observed that economic activities could not be de-linked from persons and the pattern of their movements and negotiating teams for EPAs must take the issue of migration and immigration on board.

### **Recommendations**

The Committee made the following recommendations;

- governments must put in place legislation to protect migrants and their investments when they return to their home countries;
- governments should involve Members of Parliaments in the EPAs negotiations; and
- Treaties, Protocols and Policies of the Regional Economic Communities and the AU should be acceded to, ratified and domesticated.

## **PART II**

### **11. TOURS FOR THE YEAR 2008**

#### **Matters arising from Local Tours**

Your Committee undertook local tours of border and de-mined areas and the following were the highlights of their findings:

#### ***Kasumbalesa Border Post***

This Border Post is located in Chililabombwe District on the Copperbelt Province. The following were the findings of the Committee:

- inadequate staffing levels in all the departments;
- long and porous border making it difficult to patrol;
- inadequate office and house accommodation;
- lack of water and sanitation facilities for staff, including travellers;
- lack of concrete surface on no man's land;
- lack of a dry port on the Zambian side for trucks;
- lack of documentation on the trench dug on the Zambian side to stop smuggling that could lead to Zambia losing the correct boundary;
- inadequate room resulting in delay in clearing trucks at the Border Post;
- inadequate office equipment;
- encroachment of Government land by the private sector;
- inadequate transport for staff; and
- revenue collection of about K6 billion and K800 million per month by the Zambia Revenue Authority and the Immigration Department respectively.

### **Observations and recommendations**

From the above findings, your Committee recommend that Kasumbalesa Border Post be considered for Appropriation In Aid in order to help address issues of office and residential accommodation; office equipment; transport; water and sanitation facilities. They also recommend that the Government, through the Joint Permanent Commission, seriously addresses the matter concerning the land where trenches were dug on the Zambian side so as to maintain the correct boundary with the Democratic Republic of Congo in the Kasumbalesa area.

Your Committee are, however, happy to report that banking facilities have now been provided at the border. This will remove the risk of moving huge sums of money collected at the border to banks in town using only public transport and own transport money as is the case in the rest of the border posts visited.

### ***Kipushi Border Post***

This Border Post is located in Solwezi District in the North Western Province. The following were the findings of your Committee:

- inadequate staffing levels in all the departments;
- long and porous border making it difficult to patrol;
- office and residential accommodation needed rehabilitation and some new office blocks constructed;
- the no man's land was not clearly defined;
- lack of water and sanitation facilities for staff and travellers. Constructed rain harvest tanks were not adequate. Water was being bought at K1000 per twenty litres container from DRC;
- lack of transport and other communication facilities;
- lack of a police post and cells;
- no provision of sleeping kits for mobile police;
- there were no reported casualties due to landmines but the area was reportedly not safe. However, sensitisation on dangers of landmines was done; and
- revenue collection of about K22 million and US\$ 16,000 per month by the Zambia Revenue Authority and the Immigration Department, respectively.

### **Observations and recommendations**

From the above findings, your Committee urge the Government to seriously address the water problem by putting a water pump at the Kafue (Lwenge) river in Yowela Village which is seven kilometres from the Border Post. They also recommend that the Ministry of Home Affairs facilitates the construction of a Police post with adequate requisites such as transport and communication in addition to the provision of necessary requisites to the mobile police.

Furthermore, your Committee urge the Government to rehabilitate the offices and houses at the Border Post, in addition to the construction of a new office block. Your Committee were also of the view that the Joint Permanent Commission should address the issue of no-man's land at the Border post.

### ***Jimbe Border Post***

This Border Post is located in Mwinilunga District in the North-Western Province. The following were the findings of your Committee:

- inadequate staffing levels in all the departments;
- long and porous border making it difficult to patrol;
- office and housing accommodation needed rehabilitation;
- lack of water and sanitation facilities for staff and travellers;
- lack of transport and other communication facilities;
- police post and cells needed rehabilitation;

- no provision of sleeping kits for mobile police;
- two casualties were reported and attributed to landmines, thus the area was not safe. However, sensitisation on the dangers of landmines had been done;
- need for vegetation control on border line;
- beacons at Kayuka and the confluence of Zambezi-Jimbe River areas on the Zambia-Angola-DRC border were removed, thus causing tension among the countries;
- lack of electricity due to the break down of a generator;
- revenue collection of about US\$ 2000 per month by the Immigration Department; and
- Kamapanda Border Post is not manned despite being reported to have a huge volume of business, thus losing out on revenue.

### **Observations and recommendations**

From the above findings, your Committee urge the Government to provide the Border Post with an electricity generator and a water pump. They also implore the Government to rehabilitate the office and housing accommodation, including the police station. There is also need to provide transport and other communication facilities at the Border Post.

Furthermore, your Committee implore the Government, through the Joint Permanent Commission, to seriously address the matter of missing beacons at Kayuka and the confluence of Zambezi-Jimbe River areas on the Zambia-Angola-DRC border, in addition to opening up of a Border Post at Kamapanda.

### ***Chavuma (Chingi) Border Post***

This Border Post is located in Chavuma District in the North-Western Province. The following were the findings of your Committee:

- inadequate staffing levels in all the departments;
- long and porous border; un-manned border on the West Bank of the Zambezi river;
- office and residential accommodation for all departments needed urgent rehabilitation;
- lack of water and sanitation facilities for staff. Water for use is from shallow wells;
- lack of transport and other communication facilities. There was need to acquire 4 x 4 vehicles for operations;
- no provision of sleeping kits for police;
- 16 casualties were reported due to landmines, making the area not safe. However, sensitisation on dangers of landmines was done. Your Committee managed to visit two of the victims who were in Chingi Village at the time of the tour and found out that no support was rendered to the victims by Zambia Mine Action Centre (ZMAC);
- no beacons along the border;
- a suspected dangerous object in the Nyatanda area has not been attended to by ZMAC despite reports having been made;
- lack of hardship/rural allowance for staff at the Border Post;

- lack of district police station;
- inadequate electricity power supply to the Border Post;
- lack of a bridge on the Zambezi River for easy crossing from East to West of Chavuma;
- lack of warehouse, poster entry/exist and searching bay;
- internal security was being threatened as a result of the presence of Karavinas;
- security personnel were not fully aware of the amnesty on guns (Buy-Back Exercise); and
- revenue collection of about K20 million and K 600 000 per month by the Zambia Revenue Authority and the Immigration Department, respectively.

### **Observations and recommendations**

From the above findings, your Committee urge the Government to provide the Border Post with an electricity generator and a water pump. They also implore the Government to rehabilitate the office and housing accommodation, including the provision of a district police station. There is also need to provide 4 x 4 transport and other communication facilities at the Border Post.

Furthermore, your Committee implore the Government, through the Joint Permanent Commission, to seriously address the matter of beacons by having vegetation control along the border line of the un-manned long and porous border on the West Bank of the Zambezi river.

The threat to internal security through the presence of ‘Karavinas’ causes concern to your Committee and they urge the Government to create village security committees to help address the situation.

Your Committee are concerned at the *laissez-faire attitude* of the Government towards the presence of a suspected dangerous object in the Nyatanda area despite reports having been made to ZMAC. Therefore, they strongly urge the Government through ZMAC, to urgently attend to the suspected dangerous object and dispose of it.

Your Committee are happy to report that they managed to visit two of the victims of landmines who were in Chingi Village at the time of the tour. A total of sixteen victims of landmines are reported to be in Chavuma District. However, your Committee are concerned that no support is rendered to the two victims whom they visited by the Zambia Mine Action Centre (ZMAC) despite the Centre having a programme for such activities and funds from bilateral and multilateral organisations.

## **PART III**

### **12 ACTION-TAKEN REPORT FOR 2007**

Your Committee considered outstanding issues in the Action-Taken Report on your Committee’s Report for 2007.

#### **OPERATIONS OF THE LILAYI POLICE TRAINING COLLEGE**

*Paras 6 page 3*

Following recommendations in their previous Report, your Committee were informed in the Action-Taken Report that in order to ensure efficiency and effective performance of the Zambia Police, the Government, through the Ministry of Home Affairs, was in process of affiliating the Lilayi Police College with institutions of higher learning such as TEVETA and the University of Zambia. The issue of rehabilitation and provision of adequate quality infrastructure was also a priority consideration of Government and is being addressed gradually through the annual budgets.

### **Observations and Recommendations**

Your Committee note the response and wish to have a progress report on the matter.

#### OPERATIONS OF THE IMMIGRATION AND PASSPORT OFFICE

*Para 7, Page 4*

Following your previous Committees' recommendation that had urged the Government to seriously consider categorising the Immigration Department by legislation as a security wing, they were informed through the Action-Taken Report that the Government would consider the recommendation to categorize the Immigration Department by legislation as a security wing during the restructuring of the Ministry of Home Affairs in 2008. Staffing levels were also expected to improve with the expected recruitment of officers during the restructuring exercise.

### **Observations and Recommendations**

Your Committee wish to have a progress report on the matter.

#### ZAMBIA'S MEMBERSHIP TO COMESA, SADC AND THE GREAT LAKES REGION

*Para 12, page 13*

Following your Committees' recommendation in the previous report on the matter, they were informed in the Action-Taken Report that a study undertaken proposed five different policy options that Zambia could consider in her future relationships with both COMESA and SADC. These included:

- (i) Option 1 - joining one Customs Union and withdrawing membership from the other Regional Economic Community (REC);
- (ii) Option 2 - joining one Customs Union and maintaining Free Trade Area (FTA) Membership with the other;
- (iii) Option 3- withdrawing from Customs Union arrangements of both RECs and not to accede to the SADC -FTA;
- (iv) Option 4- Withdraw from the Membership of both COMESA and SADC; and
- (v) Option 5- Withdraw from current Customs Union arrangements but maintain FTA status with both RECs.

### **Observations and recommendations**

While noting the response, your Committee wish to be up-dated on the matter.

#### REPORTS FROM PARLIAMENTARY DELEGATIONS

#### **Report on the 22<sup>nd</sup> Plenary Assembly Session of the SADC Parliamentary Forum**

*Para 13, page 16*

Your previous Committee had observed that the Southern African Region was the only region without a regional legislature. Other African regions, as geographically defined, notably Eastern and Western Africa, have already established such parliaments to advance common values, mission and objectives of their respective economic communities through the participation of elected parliamentary representatives. They, therefore, urged the Government to put the transformation of the SADC PF into a SADC Parliament on the agenda of 27<sup>th</sup> Ordinary SADC Summit.

In response in the Action-Taken Report, your Committee heard that the issue could not appear on the Summit Agenda as it was felt that it was a political matter, which needed political will from the Heads of State and Government. However, Zambia as the current Chair of SADC had put the issue on its priority list of activities to lobby SADC member states for support for its formation.

**Observations and recommendations**

Your Committee, while noting the response from the Action-Taken Report, urge the Government to put the transformation of the SADC PF into a Parliament on the agenda of the next SADC Summit.

**Report of the First Regional Meeting of the Parliamentarians of the International Conference on the Great Lakes Region (IC/GLR) Member States from 26<sup>th</sup> to 28<sup>th</sup> February 2007***Para14, Page 26*

Your previous Committee had urged the Government to ratify the Pact on Security, Stability and Development of the Great Lakes Region and its Regional Programmes of Action.

From the Action-Taken Report, your Committee were informed that the Ministry of Foreign Affairs was in the process of dispatching Instruments of Ratification to the Executive Secretariat.

**Observations and Recommendations**

Your Committee note the response and wish to be up-dated on the matter.

## SADC PROTOCOLS

*Para15, Page 37*

Your previous Committee had requested the Government to state which SADC Protocols were ratified by Zambia.

In response in the Action-Taken Report, your Committee were informed that Zambia had ratified fourteen Southern African Development Community (SADC) Protocols out of nineteen Protocols.

**Observations and recommendations**

Your Committee, while noting the response, wish to have an up-date on the ratification of the remaining five Protocols

## MWEMBESHI OPEN AIR PRISON

*Para 16, page 39*

Your previous Committee had urged the Government to allocate more budgetary resources to enable the Ministry of Home Affairs complete the buildings at Mwembeshi Open Air Prison.

In response in the Action-Taken Report, your Committee heard that the construction of the Mwembeshi Prison Complex was on-going. Your Committee were further informed that, apart from the completion of one dormitory which had been reported to them in the previous report, further progress had since been made on the project. A new kitchen had been built, the dining hall had been completed, the security fence had been erected, the security towers had been erected and boreholes had been sunk. The new structures were ready for use and would be put to use as soon as Zambia Electricity Supply Company Limited (which had since been paid) installed power supply to the complex.

The remaining works included the construction of more dormitories, an office block and a boundary wall. In order to enable the completion of the remaining works, a provision had been made in the 2008 Budget.

**Observations and Recommendations**

While commending the Government on the progress made so far, your Committee wish to be up-dated on the progress made on the project as this will go a long way in decongesting prisons.

## THE ZAMBIA HIGH COMMISSION IN MOZAMBIQUE

*Para 17, Page 44*

Your previous Committee had urged the Government to provide enough budgetary allocation to the

incomplete building in Mozambique in order to have it completed.

From the Action-Taken Report, your Committee were informed that a total amount of four hundred million Kwacha (K400, 000, 000), which was equivalent to one hundred and four thousand, six hundred and seventy six united states dollars (US\$104,676) for renovations was remitted to the mission in 2007 and works were to commence as soon as title deeds for the incomplete nine-storey building were issued by Mozambican Government.

**Observations and Recommendations**

Your Committee note the response and wish to have a progress report on the matter.

**PART IV**

13 **CONCLUSION**

In conclusion, your Committee wish to extend their gratitude for being appointed to serve on the Committee on National Security and Foreign Affairs and for the support rendered to them throughout the year.

They are indebted to all the stakeholders who appeared before them for their co-operation in providing the necessary memoranda and briefs.

Your Committee are very hopeful that the observations and recommendations contained in this report will go a long way in improving matters of national security and foreign affairs in Zambia.

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

Ms E K Chitika, MP  
**CHAIRPERSON**

September 2008  
**Lusaka**