



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS

FOR

THE

FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

Published by the National Assembly of Zambia

REPORT

OF

THE

COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS

FOR

THE

FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

TABLE OF CONTENTS

ITEM	PAGE
1.0 Membership of the Committee	1
2.0 Functions of the Committee	1
3.0 Meetings of the Committee	1
4.0 Programme of Work	1
5.0 Procedure Adopted by the Committee	1
6.0 Arrangement of the Report	2

Part I

7.0	Consideration of Topical Issue The Ratification of International Agreements in Zambia Challenges and Opportunities	2
7.1	Background of the Study	2
8.0	Stakeholders	3
9.0	Summary of Submissions by Stakeholders	3
10.0	Committee's Observations and Recommendations	13

Part II

11.0	Consideration of Outstanding Issues from the Action Taken Report for the Fourth Session of the Twelfth National Assembly	16
11.1	The Regulation of Private Security Companies in Zambia vis-a-vis Homeland Security	16
11.2	An Update on the Shift from Political to Economic Diplomacy	17
11.3	The Operations of the Department of Immigrations vis-a-vis the Issuance and Management of Employment Permits	20
11.4	The State of Infrastructure in Missions Abroad vis-a-vis the Implementation of the Mortgage Financing Strategy	27
11.5	An Update on the Shift from Political to Economic Diplomacy: The case of China	28
11.6	The Management and Operations of the Zambia Army, Zambia Air Force, National Service and Selected Missions Abroad	29
11.7	Foreign Tour	31
	11.7.1 Zambian Mission in Windhoek-Namibia	31
	11.7.2 Zambian Mission in Pretoria-South Africa	32
11.8	The Management and Operations of the Police Service, Drug Enforcement Commission, Citizenship Board of Zambia, Department of Immigration and Zambia Correctional Services	33
	11.8.1 The Zambia Police Service	34
	11.8.2 The Zambia Correctional Service	34
	11.8.3 Mwembeshi Maximum Correctional Facility	36
	11.8.4 The Drug Enforcement Commission	37
	11.8.5 The Department of National Registration, Passport and	

Citizenship	39
11.9 Local Tour: - Lusaka, Central, Copperbelt and North Western Provinces	39
11.9.1 Construction of Mini-Hospital at Mukobeko Maximum Correctional Facility	39
11.9.2 Regulation of the Movement of Arms	40
11.10 Permanent Commissions on Zambia’s Borders with the DRC and Tanzania	40
11.11 Construction of Staff and Office Accommodation at Zombe and Lumi Border	41
11.12 Provision of Security and Staff Accommodation at Nsumbu Border Post	41
11.13 Acquisition of Title Deeds for Kanfinsa School of Public Order and Maintenance	42
12.0 Conclusion	43

Appendix I - List of National Assembly Officials

Appendix II– List of Witnesses

REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS FOR THE FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

1.0 MEMBERSHIP OF THE COMMITTEE

The Committee consisted of: Dr M Malama, MP (Chairperson); Ms A M Chisangano, MP (Vice Chairperson); Mr E J Muchima, MP; Brig Gen M Sitwala (Rtd), MP; Mr A K Mbangweta, MP; Mr L Nyirenda, MP; Mr A B Malama, MP; Dr F Ng'ambi, MP; Ms M Miti, MP; and Ms M Lubezhi, MP

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

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

2.0 FUNCTIONS OF THE COMMITTEE

The functions of the Committee are set out in Standing Order No. 157(2) of the National Assembly Standing Orders, 2016.

3.0 MEETINGS OF THE COMMITTEE

The Committee held twelve meetings during the year under review to consider the topical issue.

4.0 PROGRAMME OF WORK

At its first meeting, the Committee considered and adopted the programme of work set out below.

- a) Consideration of the Action-Taken Report on the Committee's Report for the Fourth Session of the Twelfth National Assembly.
- b) Consideration of topical issue: The Ratification of International Treaties In Zambia: Challenges And Opportunities
- c) Consideration and adoption of the Committee's Report

5.0 PROCEDURE ADOPTED BY THE COMMITTEE

The Committee requested for written memoranda from various stakeholders on the topical issue under consideration and subsequently invited them to appear before it. The purpose of the

appearance was to make oral submissions and clarifications on issues arising from their submissions.

6.0 ARRANGEMENT OF THE REPORT

The Report is in three parts: Part I is on the Consideration of the Topical Issue, Part II is on the Consideration of Outstanding Issues from the Action-Taken Report on the Committee's Report for the Fourth Session of the Twelfth National Assembly.

PART I

7.0 CONSIDERATION OF TOPICAL ISSUE: THE RATIFICATION OF INTERNATIONAL TREATIES IN ZAMBIA: CHALLENGES AND OPPORTUNITIES

7.1.1 Background to the Study

Ratification defines the international act whereby a state indicates its consent to be bound to a treaty of the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution or process of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty.

The need for the ratification of international agreements arose from the norm in treaty-making that it was necessary to ensure that the ministers or diplomats who negotiated a treaty had not exceeded their mandate, thereby making the executive bound by the text which had been signed.

The approval or ratification of international treaties largely depends on the constitution of a country, as this is unique for each country and there is a large variety of options.

The authority to approve ratification may rest with the institutions listed hereunder.

- i. The executive/head of state/head of government, for all treaties;
- ii. the executive/head of state/head of government, for all treaties, while parliament is consulted/informed but does not need to give formal approval;
- iii. the legislature, for all treaties;
- iv. the legislature, for treaties with major political importance (e.g. peace treaties, trade treaties, treaties on an international organisation), and the executive/head of state/head of government, for all other treaties;
- v. the legislature if implementing legislation needs to be passed before a State can ratify, accede to, approve or accept a treaty in accordance with the Law of Treaties.

In Zambia, Pursuant to Article 63 of the *Constitution of Zambia, Chapter 1 of the Laws of Zambia* as amended by Act No. 2 of 2016 and Section 5 of the *Ratification of International*

Agreements Act, No. 34 of 2016, the National Assembly is mandated to approve the Executive's proposal to ratify international agreements and treaties before they are acceded to or ratified. However, although Zambia is a signatory to several international agreements, many have not been ratified. Zambia is a member of 44 international organisations, with the United Nations, World Trade Organisation, African Union and Southern African Development Community among the most notable. By virtue of being a member of these international organisations, Zambia is party to several treaties which need to be ratified and domesticated. In this vein, the Committee resolved to undertake this study with a view to learn what challenges, if any, impeded the speedy ratification of international agreements in Zambia, with a view to recommending the way forward to the Executive.

8.0 Stakeholders

The Committee interacted with the witnesses listed below on the topical issue.

- i. Secretary to Cabinet;
- ii. Ministry of Justice;
- iii. Ministry of Home Affairs;
- iv. Ministry of Foreign Affairs;
- v. Ministry of Defence;
- vi. Ministry of Finance;
- vii. Ministry of Local Government;
- viii. Ministry of Health;
- ix. Ministry of Higher Education;
- x. Ministry of Youth, Sport and Child Development;
- xi. Ministry of Commerce Trade and Industry;
- xii. Ministry of Transport and Communication;
- xiii. Ministry of Works and Supply;
- xiv. Ministry of Lands and Natural Resources;
- xv. Ministry of Agriculture;
- xvi. Ministry of Fisheries and Livestock;
- xvii. Ministry of Mines and Minerals Development;
- xviii. Ministry of Energy;
- xix. Ministry of Water Development, Sanitation and Environmental Protection
- xx. Ministry of Information and Broadcasting Services;
- xxi. Ministry of Gender;
- xxii. Ministry of Tourism and Arts;
- xxiii. Ministry of Labour and Social Security;
- xxiv. Policy Monitoring and Research Centre (PMRC);and
- xxv. Members of the Public.

10.0 SUMMARY OF SUBMISSIONS BY STAKEHOLDERS

The submissions made by the stakeholders on the topical issue are summarised below.

i. The Process of Signing and Ratifying International Agreements

The Committee was informed that treaties and other international agreements were written agreements between sovereign states (or between states and international organisations) governed by international law. A treaty was a formal and binding written agreement entered into by actors in international law, usually sovereign states and international organisations and other actors.

The Committee learnt that treaties were classified into two types, namely; bilateral and multilateral treaties. Bilateral treaties, as the name entails, were between two states, whereas multilateral treaties were entered into by a number of states.

The Committee was informed that most of the treaties contained an arbitration clause which provided for arbitration in case the treaty was breached by any of the parties. The violation of a treaty was reported to the arbitration tribunal or the International Court of Justice.

The Committee learnt that the process of signing and ratifying international agreements went through various stages as outlined below.

(a) The Signing Process

The Committee was informed that under international law, a signature was one of the means by which a state expressed consent to be bound by a treaty. For the Republic of Zambia which followed the dualist legal tradition, the signature alone was not sufficient to bind the country. It was a requirement that the signing should be followed by ratification for the process to be complete. This, therefore, made the expression of consent to be bound by a treaty a dual process consisting of signature and ratification.

(b) The Ratification Process

The Committee learnt that the ratification of international treaties and conventions in Zambia was governed by the *Ratification of International Agreements Act, No. 34 of 2016*.

Generally, the responsibility for ratifying international agreements lay with the Minister responsible for the subject matter of the international agreement. Section 3 provided that where the question of ratification of an international agreement arose, the Minister responsible for the subject matter of the international agreement shall consider whether it was in the best interests of the State to ratify the international agreement. The Minister should, in determining whether it was in the best interest of the State to ratify an international agreement, consider the following:

- (a) the object of the international agreement;
- (b) whether existing legislation adequately addresses the object of the international agreement;
- (c) the impact of implementing any measure specified in the international agreement; and
- (d) any legislative measures that may be required to give effect to the international agreement.

Where, in the opinion of the Minister, it was in the best interest of the State to ratify an international agreement, the Minister should in consultation with the Attorney General, initiate

the process of ratification by way of a Cabinet Memorandum, seeking Cabinet approval in principle of a proposal to ratify the international agreement.

The Cabinet Memorandum referred to in subsection (3) shall outline the following:

- (a) The objectives and subject matter of the international agreement;
- (b) any constitutional implications, including:
 - (i) consistency of the international agreement with the Constitution; and
 - (ii) legislation that may need to be amended or enacted;
- (c) the national interests which may be affected by the ratification of the international agreement;
- (d) obligations imposed on the State by the international agreement;
- (e) requirements for implementation of the international agreement;
- (f) policy considerations;
- (g) financial implications;
- (h) ministerial responsibility;
- (I) the date of signature of the international agreement by the State;
- (j) the date of entry into force of the international agreement;
- (k) the number of States that were party to the international agreement;
- (l) whether the international agreement sought to be ratified permitted reservations, any recommendations on reservations, and declarations which had been made by the State or other States; and
- (m) the proposed text of any reservations that should be entered when ratifying the international agreement in order to safeguard the interests of the State.

Section 4 of the Act obligated Cabinet to consider and approve or disapprove a proposal set out in a Cabinet Memorandum to ratify an international agreement. Where Cabinet approved, in principle, a proposal to ratify an international agreement, with or without any reservations, the Vice-President was required to submit the proposal to the National Assembly for approval in accordance with Article 63 of the Constitution.

The National Assembly then referred the international agreement to an appropriate committee for consideration.

Section 5 (2) of the Act required that where the National Assembly approved the proposal for ratification, with or without any reservations, the Minister responsible for foreign affairs should prepare the Instrument of Ratification, which was a document that contained, among other things, an unambiguous expression of the will of the Government, acting on behalf of the State, to recognise itself as being bound by the international agreement concerned and to undertake faithfully to observe and implement its provisions.

Section 8(1) of the Act mandated the Minister responsible for foreign affairs to deposit the Instrument of Ratification at the depository and in the manner designated by the International Agreement or negotiating States. The original copy of the Instrument of Ratification should be filed at the Registry in the Ministry of Foreign Affairs and a copy submitted to the Ministry responsible for justice.

ii. The Status of International Agreements Signed in the Last Ten Years

The Committee learnt that a good number of ministries had signed international treaties a decade ago but they had neither been ratified nor domesticated.

Table one below is a summary of some of the international treaties and conventions under selected ministries that had been signed but not ratified at the time of the Committee's meetings.S/N	Ministry	Convention/Treaty	Signature Date	Status
1	Ministry of Commerce Trade and Industry	Zambia – Angola Bilateral Trade	2016 Zambia issued SI no. 74 of 2018	Awaiting Angola to reciprocally ratify so that the Agreement becomes operational
		Zambia – Congo DR Bilateral Trade	2016 Zambia issued SI no. 74 of 2018	Awaiting DRC to reciprocally ratify so that the Agreement becomes operational
		African Continental Free Trade Area (AfCFTA)	Cab memo for ratification submitted to Cabinet	Scheduled to be operational by 1 st January, 2021
2	Ministry of Higher Education	International Agreement on the Southern African Science Service Center for Climate Change and Adaptive Land Management (SASSCAL)		Pending
		Africa Regional Cooperative Agreement for Research, Development and		Pending

		Training Related to Nuclear Science and Technology (AFRA)		
		Convention on Intangible Culture		Pending
		The Southern African Science Service center for Climate Change and Adaptive Land Management (SASSCAL)		Pending
		Revised Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and other Academic Qualifications in Higher Education in African States.		Pending
		Southern African Science Service Centre for Climate Change and Adaptive Land Management (SASSCAL) Treaty		Pending
		Regional Universities Forum for Capacity Building in Agriculture (RUFORUM) Charter		Pending
		The International Atomic Energy Agency (IAEA) Convention on Nuclear Safety		Pending
3	Ministry of Labour and Social Security	Labour Inspections Convention 1947 (No.81);		Pending
		Labour Inspections (Agriculture) Convention 1964 (No. 129);		Pending
		Occupational Safety and Health Convention 1981 (No.155);		Pending
		Private Employment Agencies Convention 1997(No.176)		Pending
		Occupational Safety and Health Convention 2006 (No.187		Pending

		Labour Inspections Convention 1947 (No.81)		Pending
		Labour Inspections (Agriculture) Convention 1964 (No. 129)		Pending
		Occupational Safety and Health Convention 1981 (No.155)		Pending
4	Ministry of Lands and Natural Resources	The Paris Agreement	20/09/16	Pending
		The Doha Amendment To The Kyoto Protocol	22/08/19	Pending
5	Ministry of Finance	The Agreement on the Operationalisation of the SAD Regional Development Fund (RDF)	August, 2018	Pending
6	Ministry of Energy	The International Solar Alliance (ISA)	April, 2018.	Pending
7	Ministry of Water Development and Sanitation	The International Atomic Energy Agency (IAEA) Additional Protocol		Pending
		AA amendment to the Montreal Protocol	24/01/90	Pending
8	Ministry of Health	The International Atomic Energy Agency (IAEA) Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency		Pending
		The International Atomic Energy Agency (IAEA) Convention on Civil Liability for Nuclear Damage and Protocol to amend the Convention		Pending
		The International Atomic Energy Agency (IAEA) Convention on Nuclear Safety		Pending
		The International Atomic Energy Agency (IAEA) Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities		Pending
		The International Atomic Energy Agency (IAEA) Joint Convention on the		Pending

		Safety of Spent Fuel Management and Safety of Nuclear material		
		The International Atomic Energy Agency (IAEA) Joint Convention on Early Notification of a Nuclear Accident		Pending
		Convention of the East, Central and Southern African Health Community		Pending
		The Treaty for the Establishment of the African Medicines Agency (AMA)		Pending
9	Ministry of Home Affairs	The Protocol for the Suppression of Unlawful Acts Against The Safety of Fixed Platforms Located on the Continental Shelf of 1980		Pending
		The Convention for the Suppression on Unlawful Seizure of Aircraft of 1970		Pending
		The Convention on the Physical Protection of Nuclear Material of 1980		Pending
		The 1961 Convention on Reduction of Statelessness		Pending
		The 2000 Protocol against the smuggling of migrants by land, sea and Air supplementing the United Nations Convention against transnational organized crime		Pending
		The Convention for the Suppression on Unlawful Seizure of Aircraft of 1970		Pending
		The Convention on the Physical Protection of Nuclear Material of 1980;		Pending
		Malawi/Zambia Trans-		

		Frontier Conservation Area		Pending
10	Ministry of Tourism and Arts	Convention on Migratory Species	07/07/15.	No Ratification needed
		Optional Protocol sale of children, child prostitution and child pornography	07/07/15	No Ratification needed
11	Ministry of Youth and Sport	UNESCO Convention Against Doping in Sport	18/01/08	Pending
		African Youth Charter		Pending
12	Ministry of Transport and Communications	Convention on Compensation for Damage Caused by Aircraft to Third Parties.	02/05/09	Pending
		Protocol Supplementary to the Convention for The Suppression of Unlawful Seizure of Aircraft	05/10/10	
		Convention on Compensation for Damage to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft	02/05/09	Pending
		Convention for the Unification of Certain Rules for International Carriage by Air	02/5/09	Pending
		Convention for the Unification of Certain Rules for International Carriage by Air	28/5/99	Pending
		African Road Safety Charter	28/5/99	Pending
		Nacala Corridor Development Agreement (Zambia, Malawi and Mozambique)	17/07/16	Pending
		Tripartite Road Transport Agreement (Zambia, Malawi and Mozambique)		Pending
		SADC Multilateral Cross Border Road Transport Agreement		Pending
		SADC, COMESA and EAC vehicle Load		Pending

		Management (VLM)		
13	Ministry of Gender	Maputo Declaration		Pending
14	Ministry of Justice	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	09/06/98	
		<i>Protocol on the Statute of the African Court of Justice and Human Rights</i>	31/01/10	
		The Protocol on the Tribunal in the Southern African Development Community	18/08/14	
		The Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	21/09/10	

iii. Challenges Encountered by Various Ministries in Ratifying International Agreements

The Committee learnt that the challenges faced by various ministries in ratifying outstanding international agreements included, but were not limited to those set out below.

a) *Limited financial and human capacity*

The Committee was informed that due to financial constraints, Zambia did not always send the requisite number of officials with requisite expertise to undertake the cost-benefit analysis and to negotiate international agreements. This resulted in reduced capacity and in the signing of international instruments that did not resonate with the country's aspirations. As a result, long and costly consultations to convince the stakeholders locally to achieve a buy-in had to be undertaken after signing such agreements.

b) *Absence of a dedicated desk in line ministries*

The Committee learnt that ministries did not have a desk dedicated to the ratification of international agreements. This had made it difficult to track their status.

c) *Fragmented Responsibility*

Just as there was no dedicated desk for international agreements at ministry level, there was no overarching institution tasked with the responsibility of coordinating the process of ratification

across the various ministries. Each ministry was left to move at its own pace as there was no reporting mechanism in place. This had resulted in line ministries taking a lackadaisical approach to the duty of initiating both the ratification and domestication process.

d) *Ignorance of the Law Governing the Ratification of International Treaties*

The Committee learnt that arising from an apparent ignorance of the provisions of the *Ratification of International Agreements Act, No. 34 of 2016*, a good number of ministries as well as members of the public were under the mistaken impression that the responsibility to initiate the process of ratification lay with the Ministry of Foreign Affairs and the Ministry of Justice.

e) *Poor Record Keeping*

The Committee learnt that it was the responsibility of the Ministry of Foreign Affairs to deposit the Instrument of Ratification at the depository, and to file the original copy of the Instrument of Ratification at the Registry domiciled at the Ministry of Foreign Affairs, with a copy submitted to the ministry responsible for justice. However, there was no easily accessible data base, which could readily avail to the general public information about the status of international agreements across the various ministries. Further, none of the individual ministries had this information readily available.

d) *Paying a blind Eye to Financial Implications*

The Committee was informed that while appreciating the benefits that could accrue to Zambia through ratification of certain international agreements, ratification often required payment of annual subscriptions and/or contributions. If the cost of subscriptions out-weighed the benefits, there was a reluctance to ratify. As observed earlier, the cost-benefit analysis was often not seriously employed at the initial stage due to limited capacity and expertise of the officers responsible for negotiating these agreements. Many times the costs were only realised after the treaty had been signed.

The Committee was informed that for instance, Zambia currently owed the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO) a cumulative total of 66,299 USD (K1,352,499.6) over a five year period towards Nuclear Test Ban Treaty which it signed in 1996 and ratified it in 2006. This had resulted in the country being suspended and her right to vote or speak during important CTBTO events lost.

iv. Opportunities

The Committee was informed that there were a number of opportunities and benefits in signing and ratifying international agreements. For instance, as a member of the CTBTO, the country stood a better chance of benefiting from the shift in the energy sector from hydro generation to the use of uranium. In addition, Zambia had made a declaration for peaceful use of nuclear energy through the development of nuclear power stations so as to ensure energy security. To benefit from this shift, Zambia needed to be a compliant member of the International Atomic

Energy Agency (IAEA) which fell under the umbrella of CTBTO prior to mining of uranium and undertaking nuclear related activities due their hazardous nature.

The Committee was informed, further, that apart from benefiting from the technical cooperation and assistance available to state parties to international agreements and conventions, Zambian nationals would be availed an opportunity to compete for jobs in such organisations. As the case stood, Zambians were ineligible to apply for jobs in institutions where Zambia was not compliant.

v. The Way Forward

The Committee was informed that in order to improve the pace at which international agreements were signed, ratified and domesticated, there was need to undertake the measures set out below.

- a) All ministries should acquaint themselves with the *Ratification of International Agreements Act, No. 34 of 2016*, which was the law governing the ratification of international agreements.
- b) The Registry of International Agreements should be easily accessible, especially electronically, to ease retrieval of information, which process was currently lengthy and tedious. This would enable tracking of agreements and the stage at which they were. It would also make monitoring easier, especially by civil society organisations that played a role in monitoring implementation.
- c) There was need to raise awareness across government ministries and among the general public on the process of ratification and how international agreements influenced domestic legislation.
- d) Adequate funding should be provided in order to widen the scope of consultations prior to entering into international agreements, particularly with regard to the financial implications of such agreements.
- e) There was need to improve coordination between the Ministry of Foreign Affairs and line ministries to streamline the processes, as well build capacities of the officers concerned.
- f) There was need to create desks designated to ratification of international agreements in all line ministries.
- g) An inter-ministerial body domiciled at Cabinet Office or Office of the Vice President to superintend over the process in all line ministries should be created.
- h) There should be increased funding to ministries dedicated to the ratification of international agreements.

10.0 Committee's Observations Recommendations

Arising from the submissions on the topic, the Committee makes observations and recommendations as set out below.

- i. The Committee observes that line ministries do not have a budget line dedicated to the ratification of international agreements and are subsequently either underfunded or not

funded at all in this regard. This has resulted in Zambia being unable to send the requisite number of staff to the negotiation forums, thereby hampering the country's capacity to negotiate.

In this vein, the Committee recommends that the Government should provide adequate funding in order to increase the number of staff on delegation and so as to widen the scope of consultation prior to entering into international agreements, particularly with regard to financial implications.

- ii. The Committee observes that, coupled with inadequate funding is the limited expertise of the officers sent on delegations to negotiate international agreements as Zambia generally suffered from limited capacity to negotiate at international level for agreements in various fields. This has resulted in signing international instruments that do not have a direct benefit to the country, thereby making the consultations to achieve buy-in from local stakeholders lengthy and costly.

In this regard, the Committee recommends that there should be sufficient funding and intensified capacity building generally in line ministries, particularly in the area of negotiating international agreements.

- iii. The Committee observes that ministries do not have a desk dedicated to the ratification of international agreements, which has made it difficult to track their status. While the Committee appreciates the existence of the planning unit in ministries, the aspect of international agreements had been overshadowed by other function. In this regard, the Committee recommends that each ministry should establish a desk within the planning unit to specifically deal with international agreements.

- vi. The Committee observes that just as there is no desk to specifically deal with international agreements at the ministry level, there is no super ordinate body at the national level to coordinate the ratification of international agreements. As a result, each ministry moves at its own pace, resulting in delayed ratification

While appreciating that the creation of an overarching institution to spearhead the process of ratifying international agreements has cost implications which cannot be accommodated by the Treasury at the moment, the Committee recommends that in the long run, such a body should be created. This will also cure the lack of dedicated funding to the activity in ministries as this body will be funded directly from the national budget.

- vii. The Committee observes that there is apparent ignorance of the law governing the ratification of international treaties in line ministries. This has resulted in the perception that the responsibility to initiate the process of ratifying international agreements lies with the Ministry of Foreign Affairs and Ministry of Justice and lapses in the process of ratifying such agreements.

The Committee, therefore, recommends that deliberate efforts must be made by Cabinet Office to acquaint relevant officials in the line ministries with the provisions of the *Ratification of International Agreements Act, No. 34 of 2016*.

- viii. The Committee observes that the registry of international instruments at the Ministry of Foreign Affairs has remained in hard copy format making retrieval and tracking of international agreements a tedious undertaking. Consequently, individual line ministries also have problems in determining the status of international agreements under their purview. The situation is even worse with the general public

In this regard, the Committee recommends that the process of digitising the International Instruments Library should be accelerated to enable ministries and members of the general public have easy access to data.

- ix. The Committee observes that due to limited expertise among the officers tasked to negotiate international agreements, the cost-benefit analysis is not adequately undertaken prior to signing these agreements. As a result, there has been a reluctance to ratify international agreements whose benefit to the nation is obscure, even though they have been signed.

In this vein, the Committee recommends that capacity to undertake the initial cost-benefit analysis should be enhanced in the officers tasked with the responsibility to advise the Government before international agreements are signed.

- x. The Committee observes that as a result of not being up-to-date in its payment of annual subscriptions and/or contributions, Zambia has been suspended from organisations such as the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO), thereby losing the right to vote or speak during important CTBTO events.

In this regard, the Committee urges the Executive to settle these outstanding subscriptions and any other arrears in order to enable the country maintain its voice in critical international fora such as the Comprehensive Nuclear-Test-Ban Treaty Organisation, particularly as the country seeks to embrace nuclear power generation.

- xi. The Committee observes that as a result of not ratifying certain international agreements and/or not being up-to-date with subscriptions to the treaty organisations, Zambian nationals are denied the opportunity to compete for jobs in the organisations related to those treaties.

In this regard, the Committee urges the Executive to ensure that all international agreements that are beneficial to the nation are ratified without undue delay and outstanding subscriptions settled at the earliest opportunity.

PART II

11.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION TAKEN REPORT FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

The Committee, in considering the Action-Taken Report on its Report for the Fourth Session of the Twelfth National Assembly, made the following observations and recommendations on the issues still outstanding.

11.1 The Regulation of Private Security Companies Vis-À-Vis Homeland Security in Zambia

i. The Legal and / or Policy Framework Guiding the Operations of Private Security Companies

The Committee, in the previous Session, was concerned that there was no policy or legal framework guiding the operations of private security service providers in Zambia. This was not only unfortunate but also unacceptable as it had the capacity to undermine the provision of security services in the country.

In this regard, the Committee had strongly recommended that the Government should urgently put in place a policy and a legal framework to guide the operations of private security companies.

Executive's Response

The Committee was, through the Action-Taken Report, informed that the Government was in the process of developing the legal and policy framework to guide the operations of security companies in the country.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to await a progress report on the development of the legal and policy framework to guide the operations of private security companies in Zambia.

ii. Capacity of Private Security Companies to Respond to and Manage Emerging Security Threats

The Committee had, in the previous Session, observed that in their current state, private security companies had no capacity to respond to and manage emerging security threats due to the manner in which they were established and managed. This could be attributed to the training given to security officers which was generally uncoordinated and unregulated.

The Committee, had, therefore, strongly urged the Government to consider creating a regulatory authority which would, among other things, ensure high standards of training and regulation of

the operations of security companies in order for them to contribute to the enhancement of homeland security.

Executive's Response

Through the Action-Taken Report, the Committee was informed that one of the objectives of the legal framework being developed was to provide for training of licensed persons in relation to private security services, as well as provide the code of conduct of private security companies and security guards.

Committee's Observations and Recommendations

The Committee awaits a progress report on the formulation and subsequent implementation of the legal framework.

iii. Best Practices in the Region and Beyond

In the previous Session, the Committee had observed that in order to regulate the operations of private security companies, most jurisdictions in the SADC region and beyond had put in place some form of legislation, some of which had even gone further to restrict ownership of security companies to indigenous citizens.

In this regard, the Committee had reiterated its recommendation that due to the sensitive nature of the security matters that security companies handled in the course of execution of duty, Zambia should put in place necessary legislation and even consider restricting the ownership of private security companies to indigenous Zambians.

Executive's Response

The Committee was informed through the Action Taken Report that in developing the Private Security Companies Bill, Government would endeavour to consult all stakeholders on whether to put in place legislation to restrict the ownership of private security companies to indigenous Zambians.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to await a progress report on the formulation of the legal framework and the subsequent presentation to Parliament of the relevant legislation.

11.2 Topic Two: An Update on the Shift from Political to Economic Diplomacy in Zambia's Missions Abroad

Having considered the submissions from stakeholders regarding the shift from political to economic diplomacy, the Committee made the observations and recommendations set out below.

Trade Mediation Programmes Support

While noting the strides made in trade mediation programme support and the Foreign Direct Investment (FDI) emanating there from, the Committee had, in the previous session, observed that very few manufacturing companies, particularly those involved in value addition, had set up base in Zambia. This had resulted in Zambia remaining largely a trading economy. The Committee was further concerned that the trade imbalance between Zambia and South Africa had remained very huge and in favour of South Africa.

In this regard, the Committee had urged the Government to ensure that more effort and resources were committed to attracting Foreign Direct Investment (FDI) that would be skewed towards value addition, thereby creating employment. The Committee had further recommended that the Mission in Pretoria, South Africa, should work much harder to reduce Zambia's trade deficit with that country.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Government had taken note of the concerns and recommendations of the Committee. Further, it was not the sole responsibility of the Mission in Pretoria to ensure that the trade deficit with that country was reduced. Rather, reduction of the trade deficit was a collaborative responsibility of various sectors. In addition, efforts to reduce Zambia's trade deficit were under serious consideration at individual sectoral levels and also collectively through Cluster strategy implementation of the 7NDP. The Government, through the Ministry of Foreign Affairs, would continue to engage potential investors on Zambia as a potential destination for investment in the agriculture, manufacturing and processing industries, to mention but a few.

Committee's Observations and Recommendations

The Committee resolves to request for regular updates on the engagement with potential investors on Zambia as a potential destination for investment in the agriculture, manufacturing and processing industries.

The Scaling up of Career Diplomats

The Committee had, in the previous Session, observed that inadequate funding had hampered the training and recruitment of career diplomats. The Committee was concerned that in the absence of a legal framework to ensure the development of career diplomats, appointments into the Foreign Service had still continued to be made along partisan lines. In the view of the Committee, this had in some instances resulted in ill qualified staff being sent to Missions Abroad.

In this regard, the Committee had recommended that funding to the programme of the scaling up of career diplomats should be improved. Further, the Foreign Service Bill, which could help curb the problem of partisan appointments into the Foreign Service, should be finalised and presented to Parliament without further delay.

Executive's Response

Through the Action-taken Report, the Committee was informed that the Government had taken note of the Committee observations and recommendations and informed the Committee that the Ministry of Foreign Affairs, through diplomatic engagements, had continued to train diplomats through fully and co-sponsored trainings with a number of countries such as India, Egypt and China to mention but a few. The Government, therefore, reported that training of diplomats had not been hampered. With regard to the Foreign Service Bill, the Committee was informed that the draft Bill was still under further consultation by the Legislative Sub Committee of Cabinet.

Committee's Observations and Recommendations

The Committee, in noting the response, regrets the delay in the completion of consultations on the Foreign Service Bill. In this regard the Committee requests for a definite timeframe within which the process of consultations will be completed and the legislation presented to Parliament for enactment.

Private Sector Regional and International Trade Negotiations Integration

The Committee had, in the previous Session, observed, with serious concern, that although the private sector was an important partner of the State with regard to economic development and job creation, it had remained on the periphery in regional and international trade and investment negotiations.

The Committee, had therefore, strongly recommended that the Government should provide incentives for the private sector to be involved in regional and international trade negotiations and investments in order to expand the economy and create jobs.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Government had taken note of the Committee's recommendation and would, through collaboration between the Ministry of Foreign Affairs and the Ministry of Commerce, Trade & Industry, endeavour to provide incentives for the private sector to be involved in regional and international trade negotiations and investments in order to expand the economy and create jobs. To this end, the Committee was further informed that the Government, through the Ministry of Foreign Affairs, was already ensuring the involvement of Zambians living abroad through the implementation of the Diaspora Policy to participate in economic activities that could expand the economy and create jobs back home.

Committee's Observations and Recommendations

The Committee notes the progress made with regard to the formulation of the Diaspora Policy but desires an update on the actual response from the Zambians living abroad.

Global and Regional Development Agendas Integration

In the previous Session, the Committee had observed that despite Zambia having signed numerous international agreements, most of them had not been ratified, which had resulted in the country losing out on the economic benefits that would have accrued from those agreements.

In this regard, the Committee had strongly recommended that the Government should take steps to ensure that all international agreements that the country had signed were ratified and domesticated to ensure that the country benefitted from international best practices.

Executive's Response

Through the Action-Taken Report, the Committee was informed that in developing the Private Security Companies Bill, Government would endeavour to consult all stakeholders on whether to put in place legislation to restrict the ownership of private security companies to indigenous Zambians.

Committee's Observations and Recommendations

The Committee notes that this response is misplaced as it relates to the regulation of private security companies and not the ratification of international agreements. In this regard, an appropriate response is awaited.

11.3 The Operations of the Department of Immigration Vis-À-Vis the Issuance and Management of Visas and Employment Permits

Arising from the submissions during the long meetings the Committee in the previous Session had made the observations and recommendations set out below.

i. Inadequate Staffing Levels

The Committee had noted with concern the response that the Ministry of Home Affairs had written to the Management Development Division (MDD) at Cabinet Office, requesting for authority to revise the establishment and that once approval was given, the Ministry would embark on the exercise to review the establishment in order to make it more robust and responsive to the current trends and needs.

In this regard, the Committee had bemoaned the apparent lackadaisical approach taken by the Executive towards this matter and therefore, urged the Executive to treat the matter with the seriousness it deserved. The Committee awaited a progress report.

Executive's Response

The Committee was informed that the Government shared the concern about inadequate staffing levels in the Department of Immigration, and was actively working towards a lasting solution.

In that regard, that the proposed staff establishment was currently being reviewed by the Remuneration Division under Cabinet Office, and once approved it would be implemented.

Committee's Observations and Recommendations

The Committee resolves to await further update on the matter.

ii. Inadequate and Erratic Funding

The Committee had noted with concern the response that the Ministry had been engaging the Treasury to lobby for increased funding to the Immigration Department on the grounds that the Immigration Department was critical to the security of the and required adequate resources to effectively undertake its operations and the Department raised substantial revenue for the Government from non-tax revenue and if adequately funded, it would raise even more revenue. . The Committee noted that the Ministry had continued engaging the Treasury for increased funding to the Department and therefore, urged the Executive to treat the matter with the seriousness it deserved and requested a further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Government was committed to ensuring that funding was made available to all sectors of the economy. However, due to the fiscal challenges being faced currently in the wake of Covid-19 pandemic, the Treasury had had challenges in meeting demands from all Ministries, Provinces and Spending Agencies (MPSAs). Further, when the fiscal position improved, the Treasury would endeavour to increase budgetary allocations to all MPSAs, including Ministry of Home Affairs and particularly the Immigration Department. The Committee was further informed that the Treasury was currently engaging the various MPSAs, including the Ministry of Home Affairs, on matters pertaining to the Appropriation in Aid (AIA) programme whose aim was to increase funding towards operations that would increase the mobilisation of non- tax revenue.

Committee's Observations and Recommendations

The Committee resolves to await further update on the matter.

iii. Management Information Systems

In noting the strides made in the roll-out of the Zambia Immigration Management System (ZIMS), the Committee had urged the Executive to ensure that the programme was extended to the remaining seventy-seven stations. The Committee awaited a progress report on the matter.

Executive's Response

In the Action-taken Report, the Committee was informed that the Government, through the Ministry of Home Affairs and the Department of Immigration, had continued to roll out the Zambia Immigration Management System (ZIMS). The Department had increased the number

of stations running on ZIMS from twenty two to thirty nine, and had continued to make efforts to expand the use of ZIMS.

Committee's Observations and Recommendations

The Committee resolves to await fresh update on progress made on the extension of ZIMS to the remaining stations.

iv. Updated Skills Inventory and Labour Audits

The Committee had noted the response that the Government, through the Immigration Department, issued work permits through the Immigration Permits Committee which always consulted relevant professional bodies such as the Engineering Institute of Zambia (EIZ), the Zambia Institute of Chartered Accountants (ZICA), the Civil Aviation Authority (CAA), the Zambia Institute of Marketing (ZIM) to mention but a few, on whether the skills presented by foreigners were locally available before issuing work permits. It was further reported that the Ministry of Home Affairs was aware that the Ministry of Labour and Social Security had the mandate to develop and maintain a skills database in the country.

In this regard, the Committee urged the Executive to ensure that a skills database of the country was established under the Ministry of Labour and Social Security which could be used by the Immigration Department.

Executive's Response

The Committee was informed through the Action-Taken Report that the Government had noted the observations and recommendations of the Committee, and that the Ministry of Labour and Social Security was in the process of finalising the 2020 Skills Demand and Supply Survey, which would establish the gaps that existed between the demand side (industry) and the supply side (training). The Skills Survey was jointly being conducted with the Ministry of Higher Education and Zambia Statistics Agency (ZAMSTATS). The Skills Survey would henceforth be conducted every two years as the database of skills was required for providing real time data for evidence based planning, policy formulation and decision making.

With regard to the Skills Audit and Inventory, the Committee was informed that the Government, through the Ministry of Labour and Social Security, had plans to conduct an audit and inventory on skills that existed through the establishment of the Labour Market Information System (LMIS) as soon as budgetary allocation to the labour sector could accommodate the undertaking.

Committee's Observations and Recommendations

The Committee resolves to await a progress report on the Skills Demand and Supply Survey and on the inventory on skills and the establishment of the Labour Market Information System (LMIS).

v. Processing Time for Employment Permits and Visas

The Committee had noted the response that since the installation of the ZIMS version 3.0 at twenty two stations out of the ninety nine stations, the processing time for employment permits and visas had reduced to less than fourteen days. The Committee had urged the Executive to expedite the roll out of ZIMS version 3.0 to the remaining stations for enhanced visa processing.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the deployment of ZIMS version 3.0 to the remaining stations was ongoing and was being carried out as and when funds were made available.

Committee's Observations and Recommendations

The Committee resolves to await an update on the roll out of ZIMS version 3.0 to the rest of the country.

vi. Absence of the Zambianisation Committee

The Committee had noted the response that the Government, through the Department of Immigration, fully supported the Zambianisation policy and worked together with the Ministry of Labour and Social Security in monitoring expatriates and their understudies and that for expatriates with understudies, the Department of Immigration issued employers with two year permits to which a notice was attached that the permit was not renewable to enable understudies to take over the positions held by expatriates when their permits expired.

Following this response, the Committee had observed that the absence of the Zambianisation Committee had not been addressed and that the reality on the ground was quite different from what the response was portraying. In this regard, the Committee had resolved to await an update on the revamping of the Zambianisation Committee and on what the Government was doing to enforce the two year understudy period.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Government had taken note of the observations and recommendations of the Committee. The Employment Code Act, had provided for the establishment of the Skills Advisory Committee which had been constituted and whose purpose was to, among other things, be responsible for carrying out Zambianisation programmes and advise the Minister of Labour and Social Security on measures necessary to ensure that citizens were accorded priority in respect of opportunities for employment, certain categories of employment were restricted to citizens in the interest of state security, and citizens were accorded the same wages as an expatriate for work of equal value. The Skills Advisory Committee was also responsible for carrying out surveys and research on expatriate skills required in Zambia.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to request a report on the actual operations of the Skills Advisory Committee and how far it has gone in ensuring that the Zambianisation Programme is on course.

vii. Compliance with the Zambian Labour Law and Resistance to Inspections

The Committee had noted the response that the Government would not take kindly to any foreign investors who were abrogating the labour laws during their business operations and that the Zambia Development Agency (ZDA) had, among other things, provided guidelines on the number of expatriates the foreign investors should employ in Zambia as enshrined in the *Zambia Development Agency Act, No. 11 of 2006*. Further, the *Immigration and Deportation Act* and the *Zambia Development Agency Act* provided that employers seeking to employ expatriate staff were required to follow the laid down procedures. Furthermore, the Act provided that investors who invested a minimum of US\$ 250,000 and employed a minimum of 200 employees shall be entitled to Investor's Permit for up to five expatriate employees.

In this regard, the Committee had observed that the problem had not been the absence of the law but rather enforcement. The Committee, therefore, urged the Executive to ensure enforcement of the labour laws by recruiting more labour inspectors and providing the requisite funding for operations. The Committee awaited statistics on how many companies had been found contravening this piece of legislation and the action taken against them.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Government had taken note of the observations and recommendations by the Committee and that the Ministry of Labour and Social Security, through its Labour Inspectorate Unit, was enhancing its collection of data system as labour inspectors carry out inspections to ensure that there was full compliance with the *Employment Code Act, No. 3 of 2019*. The Committee was further informed that the *Employment Code Act* had allowed contracts of employment that were made prior to commencement of the Act and were materially inconsistent with the provisions of the Act to comply within one year of the commencement of the Act. The one year allowance had since elapsed and all employers were now expected to be in compliance with the law. The Ministry was currently undertaking a massive programme to inspect and find out if there were any companies abrogating the law, and this was an ongoing process.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to await further update on the outcome of the inspection programme instituted by the Ministry aimed at determining if there were any companies abrogating the law, and what action will be taken against such employers.

viii. Porousness of Borders vis-à-vis Inadequate Transport and Poor Roads

The Committee had awaited an update on the deployment of vehicles to border points on the Copperbelt and North Western Provinces.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Government intended to deploy vehicles to all border areas countrywide in order to enhance operations and that Chililabombwe and Sakania border points in Copperbelt Province had received vehicles for police officers. Efforts were underway to ensure that active border points in North-Western Province also received vehicles. The Committee was further informed that the Department of Immigration had deployed motor vehicles to all the borders points with the Democratic Republic of Congo on the Copperbelt and North Western Provinces.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await an update on the distribution of motor vehicles to police posts in the managing of border posts in North- Western Province.

ix. Encroachment of the No-man's Land (Kasumbalesa)

Committee's Observations and Recommendations

In noting the response that the Government would engage the Ministry of Lands and natural Resources, the Ministry of Foreign Affairs and Copperbelt Provincial Administration on this matter in order to come up with the best way to resolve it amicably, the Committee had urged the Executive to treat this matter with the seriousness it deserved and therefore expedite execution of the Committee's recommendation to demolish the structures erected on the no man's land. The Committee awaited an update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that through the Ministry of Lands and Natural Resources, a meeting comprising the Ministries of Lands and Natural Resources, Foreign Affairs and Home Affairs was scheduled with counterparts from the Republic of Congo for December, 2019 to visit the site at Kasumbalesa and Jointly Re-affirm the common international boundary. This exercise was expected to, among other things, establish the level of encroachment on the No-Man's Land and consequently identify the structures that needed to be demolished. Unfortunately, participants from the Republic of Congo were unable to attend and the meeting was rescheduled. The Government reassured the Committee that it remained in contact with the DRC and efforts were being made to secure an appropriate date when all Congolese stakeholders would be available for the exercise.

Committee's Observations and Recommendations

In noting the response, the Committee resolves to await further update on the matter and urges the Executive to continually engage their counterparts in the DRC on this matter.

x. Absence of Beacons to Mark the Boundary

While noting the response that a meeting between the two countries scheduled for 5th to 29th July, 2019 had been postponed by the Democratic Republic of Congo to a date to be communicated to the Republic of Zambia, the Committee had awaited an update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the international boundary between Zambia and Democratic Republic of Congo covering Kasumbalesa area was demarcated. However, the boundary pillars were far apart, making it difficult for people to clearly interpret the boundary on the ground. A Joint Survey Team Meeting was organised with the Democratic Republic of Congo scheduled for December, 2019 to reaffirm and densify the boundary by way of building intermediate boundary pillars to make the boundary more visible and easier to interpret on the ground. The Zambian Survey team was and remained ready to carry out the exercise. However, counterparts from the DRC were not ready. Efforts had been made to engage the Democratic Republic Congo through correspondence in March, 2020 for a meeting to be held. However, no feedback had been forthcoming. The Government, therefore, continued to make efforts to ensure that this very important meeting was held.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await further update on the matter.

xi. Lack of Police Presence at Border Posts

In noting the response, that the Ministry of Home Affairs would consider deploying Zambia Police officers to some of the borders lacking police presence in order to enhance security both for the immigration personnel and the revenue collected, the Committee had urged the Executive to provide a timeframe within which the deployment of officers would be concluded and awaited an update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Government, through the Ministry of Home Affairs, recently recruited 1,500 Police Officers and deployed them across the country in all the ten provinces. It should, however, be noted that despite the recruitment, the ratio of police officers to the population stood at about one officer to 900 people which still did not meet the international required standard of one officer to 450 people. The Zambia Police Service, through the Ministry of Home Affairs, shall provide for annual recruitment in the budget to adequately cater for areas where there were shortages of officers,

including border areas with inadequate police presence. Currently, particular attention was paid to activating border points that had the potential to turn hostile.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

xii. Morale among Department of Immigration Staff

The Committee had been informed that the Ministry of Home Affairs would present a request to Cabinet for authority to harmonise the salaries and conditions of service for the Immigration Department with those of the security agencies in order to boost the morale of immigration staff. The Committee had requested the Executive to provide a timeframe within which this matter would be resolved and awaited an update on it.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Government, through collaboration between the Ministry of Home Affairs and Cabinet Office, was making progress on the harmonisation of salaries and conditions of service for immigration officers. The matter was actively being addressed by the Remuneration Division at Cabinet Office.

Committee's Observations and Recommendations

The Committee notes the response resolves to await further update on the matter.

11.4 An Update on the State of Infrastructure in Missions Abroad Vis-À-Vis the Implementation of the Mortgage Financing Strategy

Having considered submissions received from stakeholders on the topical issue, the Committee in the previous Session had made the observations and recommendations outlined below.

i. Diplomatic Immunity

In noting the response that the Ministry of Foreign Affairs would explore the possibility of engaging the IDC and other entities like NAPSA on the purchase, construction and maintenance of Government property, the Committee had requested for an update on the outcome of engagements with IDC and Zambians in the diaspora, as the case may be.

Executive's Response

The Committee was informed that the Zambian Diaspora through the Missions Abroad had been engaged on their possible involvement in maintaining Zambia's properties abroad as registered Property Managers in the respective host countries. This initiative was ongoing. The Committee was further informed that IDC and NAPSA had not yet been engaged because the

Ministry was handling the issue of development of Mission Abroad properties case by case. This was on the understanding that the different host countries had varying regulations and not all Missions may have a situation that would require a strategy that would need the Government to incorporate the two institutions.

Committee's Observations and Recommendations

While appreciating the efforts made, the Committee requests further update on the matter.

11.5 An Update on the Shift from Political to Economic Diplomacy: The Case of China

In order to enhance operations at the Mission in Beijing, particularly with regard to the enhancement of the shift from political to economic diplomacy, the Committee made observations and recommendations set out below.

i. Relationship with China

Committee's Observations and Recommendations

In noting the submission that the Ministry of Foreign Affairs would engage the Treasury regarding additional funding required for each Mission Abroad as a result of the shift from political to economic diplomacy, the Committee had, in the previous Session, awaited a further update on this matter, particularly with regard to the engagement between the Treasury and the Ministry of Foreign Affairs.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Ministry of Foreign Affairs and the Treasury were engaged on the need for increased funding for Recurrent Departmental Charges (RDC's) for many other activities in addition to those that encompassed Economic Diplomacy on a regular basis.

The Ministry had engaged the Treasury for this purpose at the Medium-Term Expenditure Framework (MTEF) at Cabinet, Permanent Secretary and Senior Official Level, collectively at 7NDP cluster level and solely for adhoc financing of programmes. In the mentioned engagements the unique spending of the Ministry of Foreign Affairs, in that since it had its Missions across the globe where it had to remit funds in foreign exchange whilst having to budget in Kwacha, which in most cases was a depreciating currency, was brought out. The engagements between the Ministry of Foreign Affairs and the Treasury to secure increased funding in this respect were ongoing.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await further update on the matter.

11.6 The Operations and Management of Institutions under the Ministries of Defence and Foreign Affairs: The Zambia Army; the Zambia Air Force; Zambia National Service and Selected Missions Abroad.

i) Defence Forces Operating below Approved Establishment Levels

The Committee had, in the previous Session, noted that the Ministry had continued to engage the Ministry of Finance on the release of funds for the recruitment exercise and awaited an update.

Executive's Response

The Committee was informed that the Treasury had released part of the funds in September, 2020 and that all the three Services were in the process of advertising for recruitment.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await an update on the actual recruitment in the three services, with specific figures.

ii) Inadequate Infrastructure and Equipment in newly established Provincial Capitals

The Committee had requested for an update on the construction of regional offices and 7ZR in Choma, Southern Province and 8ZR in Muchinga Province.

Executive's Response

The Committee was informed in the Action-Taken Report that the status on the construction of regional offices of 8ZR barracks in Muchinga Province, Chinsali still remained the same as the financing agreement between the Ministry of Finance and the Industrial Commercial Bank of China had not yet been signed. With regard to construction of the Battalion Headquarters, construction was still underway and so far 80% of the project had been completed.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the matter.

iii) Encroachment on Military Land

The Committee had, in the previous session, urged the Executive to expedite the fencing of KDK and the acquisition of certificates of title for the remaining military cantonments and awaited a progress report on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that following the submission of the site plans to the Ministry of Lands and Natural Resources for preparation of title deeds, out of the eleven sites, four titles have been issued, which included:-

- 1) Mikango Borehole site;
- 2) Central Mechanical Workshop;
- 3) Garrison Barracks; and
- 4) 7th Infantry Battalion Construction Site.

The processes of land survey, site plans and title deeds for the other facilities were still ongoing.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await further update on the land survey, site plans and title deeds for the other facilities.

iv) Water and Sanitation Infrastructure in the Barracks

In the previous session, the Committee had noted the response that the contract between Sinomine and the Government had not yet been finalised, due to the fact that the financing agreement between the Ministry of Finance and the Industrial Commercial Bank of China had not yet been signed by both parties.

Committee's Observations and Recommendations

The Committee, in noting the response, awaits further update on the matter.

v) Shortage of Accommodation

The Committee had noted the response that the Government, through the Ministry of Housing and Infrastructure Development, had requested for submission of baseline infrastructure data to be incorporated in the National Infrastructure Development Plan. Currently, the Ministry was compiling data on the status of infrastructure in all the cantonments to be submitted to the Ministry of Housing and Infrastructure, although this had proven to be a challenge due to limited resources as the process involved physical inspections. The Committee awaited a further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the outstanding baseline infrastructure data to be incorporated in the National Infrastructure Development Plan was compiled and submitted to the Ministry of Housing and Infrastructure Development by the Ministry of Defence. The Government, therefore, was in the process of consolidating the data and developing a workable development plan.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await a further update on the matter.

vi. Statelessness and the Protection of Stateless Persons in Zambia

Having considered submissions from stakeholders, the Committee in the previous Session had observed and recommended as outlined below.

i) Documentation of Statelessness

The Committee had noted the response that the Government, through Ministry of Home Affairs, would engage the Ministry of Justice to commence the process of preparing the Citizenship Bill for documentation of stateless persons and the National Registration Bill and the Birth and Death Registration Bill for the maintenance of a population register. Once the bills were finalised, the Ministry of Home Affairs would present them to Parliament for consideration and possible enactment. In this regard, the Committee had requested for a timeframe within which the two Bills would be presented to Parliament and awaited a further update on the matter.

Executive's Response

In the Action-taken Report, the Committee was informed that Government, through the Ministry of Home Affairs, had conducted a desk review of the *National Registration Act* and the *Births and Deaths Registration Act*. The process to present the two Bills to Parliament would commence in 2021.

Committee's Observations and Recommendations

In noting the response, the Committee awaits an update on the two pieces of legislation.

11.7 Foreign Tour

11.7.1 Zambian Mission in Windhoek- Namibia

i) Mission Properties

The Committee had, in the previous Session, noted the response that the Ministry had made considerable progress on the matter as the procurement process had been completed. A draft contract submitted to the Ministry of Justice was approved on 8th January, 2020 and the signing of the contract to start the rehabilitation works with the contractor was scheduled for February, 2020. The Committee had requested for an update on the matter.

Executive's Response

In the Action-taken Report, the Committee was informed that progress continued to be made on the matter of the rehabilitation of the properties in Windhoek. The contractor was currently on site for the subject assignment and works were ongoing.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to await an update on progress made on the rehabilitation works.

11.7.2 Zambian Mission in Pretoria - South Africa

i) Motor Vehicles for the Mission

The Committee had, in the previous Session, noted the response that Government had not yet purchased motor vehicles for the Mission in Pretoria but the Mission had continued to maintain the existing fleet through regular service. Funds allowing, the Ministry would consider purchasing a new fleet. The Committee, therefore, awaited a further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that unfortunately, owing to financial constraints on the Treasury, no purchase of motor vehicles had been made for the Mission in Pretoria to date. However, the provision of adequate transportation for the Mission remained important to the Government and efforts were being made to fulfil this need.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

ii) Birth Certificates

The Committee had noted the response that the Ministry of Home Affairs would engage the Ministry of Foreign Affairs on the urgent need to facilitate a bilateral meeting with the Republic of South Africa in order to address this matter amicably without delay. The Ministry of Home Affairs would thereafter present a progress report to the Committee accordingly. The Committee had awaited a progress report on the matter.

Executive's Response

The Committee was informed that the Government, through the Foreign Mission in Pretoria, had, through diplomatic engagement, scheduled a meeting for the Director General of Immigration and his counterpart from the Republic of South Africa to deliberate on the matter. The meeting was held in Pretoria in August, 2019 and a Report from the Mission stated that the Republic of South Africa clarified that issuance of birth certificates to children of foreign nationals born in South Africa would distort their population register and as such, it was the reason why their Government only issued Record of Birth documentation.

The Ministry of Home Affairs and the Ministry of Foreign Affairs also met and recommended for the review of the *Births and Deaths Registration Act* to provide for the registration of births

of children born of Zambian nationals abroad. This was expected to address the needs of Zambians whose children were not registered in South Africa.

Committee's Observations and Recommendations

The Committee, in noting the response, resolves to await a further update on the review of the *Births and Deaths Registration Act* and its subsequent presentation to Parliament.

11.8 The Management and Operations of Law Enforcement Agencies in Zambia: (The Police Service; the Drug Enforcement Commission (DEC); the Citizenship Board of Zambia; Department of Immigration and the Zambia Correctional Services)

11.8.1 The Zambia Police Service Continuous Recruitment Exercise

The Committee had, in the previous Session, noted the response that the Government would endeavour to recruit police officers annually, funds permitting, in order to attain the new recommended United Nations International Standard Police to Population ratio of one police officer to 450 people. Funds permitting, the Government was committed to expanding existing training facilities for the Zambia Police Service and build new ones in order to recruit more police officers and also meet changing training needs. The Committee had awaited a further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the rehabilitation works on the existing infrastructure in training facilities were under way in order to ensure that they met the basic training facility standards. Once funds were available, construction of new training facilities would commence. The Committee was further informed that the major focus was towards the construction of a Modern Police Academy in Chibombo which would undoubtedly increase the training capacity for both in-service and recruits.

Committee's Observations and Recommendations

The Committee notes the response but observes that the initial issue was continuous recruitment and therefore resolves to await further update on the matter.

Provision of Appropriate Modern Equipment

In the previous Session, the Committee had noted the earlier response and requested for an update on the outstanding consignments.

Executive's Response

In the Action-Taken Report, the Committee was informed that the outstanding consignments had slightly delayed to reach the country due to the outbreak of the COVID-19 Pandemic which brought about some restrictions to major activities at points of entry into the country. However,

it was reported that most of the outstanding consignments which included modern equipment had started arriving in the country while other consignment were expected within the third quarter of 2020.

Committee's Observation and Recommendations

Considering that 2020 had ended, the Committee sought a fresh update on this matter.

Executive's Fresh update

In a letter dated 9th February, 2021, the Committee was informed that the outstanding consignment comprising marine, ICT and Communication equipment had not been shipped owing to unpaid interest on the loan. In this regard, the outstanding consignment would only be dispatched when the interest was fully paid.

Committee's Observations and Recommendations

On noting the fresh update, the Committee expresses concern at the shift from the outbreak of the COVID-19 Pandemic as the cause of the delay of the shipment, to the unpaid interest on the loan, which was not initially mentioned. In this regard, the Committee request for an explanation as why the interest on the loan issue was not mentioned in the earlier submission and further requests for an update on the payment of the interest on the loan and the subsequent delivery of outstanding equipment.

11.8.2 The Zambia Correctional Service

Provision of Transport and Upgrade of Road

In the previous Session, the Committee had noted the response that the Ministry of Home Affairs was in the process of engaging the Ministry of Housing and Infrastructure Development to consider including the upgrading of the 7.5km road stretch in the national road network plan in the 2020 national budget. Pertaining to transport, the Committee had noted the response that the Government had already procured motor vehicles, among other equipment, through the Poly-Technologies contract which was a government to government contract with the People's Republic of China. In this contract, the Katombora Reformatory School, through the Zambia Correctional Service, among other departments, would be allocated some vehicles. The Committee had awaited further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Ministry of Home Affairs had received a consignment of modern equipment from the Poly-Technologies of China for the Zambia Correctional Service. The consignment included: 66,816 assortment of officers' uniforms; 18,000 assortment of protective equipment; 45 generators; 43 pick-up vans; 15 ambulances; 45 buses, 20 tractors; 3 bulldozers; and 6 combine harvesters. However, 95 light

truck vehicles were yet to be delivered. It was expected, therefore, that some of the vehicles would be assigned to Katombora Reformatory School.

The Committee was further informed that the upgrading to bituminous standard of the road to Katombora Reformatory School would be considered in future work plans subject to funds being secured for the project. The project had not been included in the 2020 Road Sector Annual Work Plan (RSAWP) due to budgetary constraints.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the upgrading of the road and provision of transport to Katombora Reformatory School.

Staff Accommodation and Provision of Blankets and Mosquito Nets for Lads

In the previous Session, the Committee had noted the response that the construction of staff houses at selected correctional centres under Phase I was still ongoing and covered Mwembeshi, Kamfinsa, Mkushi, Serenje, Monze, Mumbwa and Chitumba. Katombora Reformatory School fell under Phase II, which would only commence after Phase I. Phase I was expected to be completed in the year 2020. The Committee had requested for an update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that in Phase 1 of the housing project, the Zambia Correctional Service was allocated a total of 692 housing units. All the houses under Phase 1 were completed. However, Phase II of the Housing project where Katombora Reformatory School was scheduled to benefit in terms of accommodation for staff had not yet been implemented. The Government, therefore, stated that construction of staff Houses under Phase II, which included Katombora Reformatory School, would only commence subject to availability of funds.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

Provision of Start-up Capital for Graduate Juveniles

In the previous Session, the Committee had noted the response that the start-up capital or tools for graduate juveniles was not provided for in the 2019 budget due to inadequate fiscal space allocated to the Zambia Correctional Service and that the Zambia Correctional Service may consider including the provision of start-up capital for graduate juveniles when the budgetary allocation improved substantially. The Committee had requested for an update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the provision of start-up capital for graduate juveniles was not provided for in the 2020 Zambia Correctional Service budget due

to budget cuts resulting from austerity measures. The Zambia Correctional Service, however, may consider including the provision of start-up capital for graduate juveniles in the 2021 budgetary allocation.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

11.8.3 Mwembeshi Maximum Correctional Facility

Upgrading and Expanding of Staff Establishment

In the previous Session, the Committee had noted the earlier response that the Ministry of Home Affairs had been engaging the Treasury seeking Treasury Authority to operationalise the 5,500 staff establishment that was recently approved by Cabinet. The staff establishment prior to approval of the 5,500 stood at around 3,000 officers. The Ministry of Home Affairs, however, was granted partial Treasury Authority for the newly approved establishment and managed to recruit 941 officers who recently passed out from the Zambia Correctional Training School at Nyango Staff Training Centre in Kaoma District, Western Province. Following the pass out, the number of officers had increased from 3,056 to 3,997. The Ministry of Home Affairs would continue to engage the Treasury for the remaining deficit of 1,503 of the newly approved 5,500 staff establishment. Once this was achieved, the Ministry would engage Cabinet to consider approving the 7,500 staff establishment which was initially submitted for consideration by Cabinet, out of which only 5,500 was approved. Following Cabinet decision to harmonise salaries and conditions of service for security wings, about 2,000 positions had since been upgraded in terms of salary scales and Treasury Authority had already been granted for Zambia Correctional Service. The Committee had awaited further update on the remaining 1,503 of the newly approved 5,500 staff establishment

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Ministry of Home Affairs had engaged the Ministry of Finance for Treasury Authority to recruit 1,503 Zambia Correctional Service staff. However due to austerity measures, authority had not yet been granted.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

Alternatives to Custodial Sentences

In the previous Session, the Committee had noted the response that the process of formulating guidelines for community sentencing for inmates had been initiated, however, it could not be finalised until after the enactment of the Zambia Correctional Service Act.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the status of the Zambia Correction Service Bill.

Construction of New Juvenile Reformatory Schools

In the previous Session, the Committee noted the response awaited a progress report on the matter.

Executive's Response

Committee was informed in the Action-Taken Report that the construction of new juvenile schools in Kabwe, Kitwe and Lusaka, as recommended by the Committee had not commenced. This was due to the current policy of the Government that all ministries, provinces and spending agencies should not embark on any new construction projects until after the completion of ongoing projects. In view of the foregoing, the construction of new juvenile reformatory schools in the three towns may only be considered after ongoing projects were completed and funds allocated to new projects.

Committee's Observations and Recommendations

The Committee notes the response and awaits a further update on the matter.

11.8.4 The Drug Enforcement Commission Treasury Authority for the Implementation of Full Establishment

The Committee had in the previous Session noted the response that the staff establishment at the Drug Enforcement Commission stood at 535, of which 521 were filled and fourteen were vacant. During the same year, the Commission had its proposed staff establishment structure of 1,821 positions approved. Further, the Commission was granted partial Treasury Authority for twenty one new positions, thereby raising the establishment to 555. In 2018, the Commission, through the Ministry of Home Affairs, recruited and trained twenty-one officers who had since taken up the newly approved positions. The Commission, through the Ministry of Home Affairs, would continue to engage the Treasury for Authority over the remainder of the positions in the approved staff establishment in order to fully operationalise it. The Committee awaited a further update on the remainder of the positions in the approved staff establishment in order to fully operationalise it.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Ministry of Home Affairs and the Ministry of Finance had continued to engage in order to secure issuance of Treasury Authority to facilitate full implementation of the 1,821 Drug Enforcement Commission staff establishment. The engagement was ongoing.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

Revision of Legislation

In the previous Session, the Committee had noted the response that the process of revising the *Narcotic Drugs and Psychotropic Substances Act* and the review of the *Prohibition and Prevention of Money Laundering Act* had been put on hold until after the Constitution of Zambia was reviewed to remove the Drug Enforcement Commission (DEC) from Investigative Commissions and appropriately place it under the National Security Services. Currently, the Commissioner for DEC also served as Commissioner for the Anti-Money Laundering Investigations Unit (AMLIU). Therefore, reviewing the Constitution to place DEC under the National Security Services would lead to the harmonisation of the legal framework which provided for the mandate of DEC. This would further facilitate the review of subsidiary legislation to be in tandem with the proposed new name of the Commission, which was Anti-Drug, Economic and Financial Crimes Agency. The Committee had awaited further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the process of revising the *Narcotic Drugs and Psychotropic Substances Act* and the review of the *Prohibition and Prevention of Money Laundering Act* was still on hold pending the amendment of the Constitution of Zambia to remove the Drug Enforcement Commission (DEC) from Investigative Commissions and appropriately place it under the National Security Services.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

Formulation of Drug and Alcohol Policy

In noting the response, the Committee had, in the previous Session urged the Executive to own the development of the Drug and Substance Control Policy rather than depend on donor funding and awaited an update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Executive had not engaged any donors to fund the Drug and Substance Control Policy. Instead, the Executive had owned the Development of the Drug and Substance Control Policy by funding the process. The Drug and Substance Control Policy was currently at validation and costing exercise stage.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

11.8.5 National Registration, Passport and Citizenship Department Digitisation of Record Management System

In the preceding Session, the Committee had resolved to continue monitoring the digitisation process and requested for regular updates on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Government had not engaged data entry clerks to clear the backlog of physical records due to austerity measures in place.

Committee's Observations and Recommendations

The Committee in noting the response awaits further update on the matter, with a time frame in which the exercise will be completed.

11.9 Local Tours of Lusaka, Kabwe, Kapiri-Mposhi, Ndola, Kitwe and Solwezi

11.9.1 Construction of a Mini Hospital within the Mukobeko Maximum Facility

In the previous Session, the Committee had noted the response that the construction of a Mini Hospital within Mukobeko Maximum Facility had not commenced because the President's Emergency Plan for AIDS Relief (PEPFAR), a United States of America Government initiative that had indicated their willingness to fund the project, withdrew their pledge. However, due to the urgent need for a Mini Hospital at Mukobeko Maximum Facility, the Ministry of Home Affairs was in the process of engaging the Ministry of Housing and Infrastructure Development to consider including this project in the infrastructure development plan budget for the year 2020. The Committee awaited further update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the Project could not be budgeted for in the 2020 budget in line with the 2020 Call Budget Circular which guided all Ministries and other spending agencies to only budget for on-going projects at and above 80% completion stage. The construction of a Mini Hospital within Mukobeko Maximum Facility would only be considered in future work plans, once Treasury guarantees funding.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

11.9.2 Regulation of the Movement of Arms

In the previous Session, the Committee had noted the response that the Ministry of Defence, had requested for assistance from the Arms Trade Treaty (ATT) Voluntary Trust Fund (VTF) to assist Zambia develop its National Control List. This request had been approved and the process of coming up with a control list would start in September with the help of Small Arms Survey of Switzerland. The control list would be ready by end of the year 2019. The domestication of the ATT was in the process. Draft legislation had been prepared and would be circulated to members of the Inter-Ministerial Committee for their input. A Cabinet Memorandum requesting Cabinet to approve, in principle, the domestication of the ATT had also been prepared and would soon be sent to Cabinet Office for consideration and if approved, the domestication process was expected to be concluded by the course of 2020. The Committee had awaited further update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that a draft National Control list had been developed and would be an attachment to the draft legislation. The draft legislation would be submitted for Cabinet approval in 2020 and once approved it would be submitted to Parliament for consideration by early 2021.

Committee's Observations and Recommendations

The Committee, in noting the response, awaits further update on the matter.

11.10 Permanent Commissions on Zambia's Boundaries with the DRC and Tanzania

In the previous Session, the Committee noted the response that the continuation of the demarcation exercise which started at Nakonde/Tunduma could not commence despite GIZ providing support in terms of fuel logistics and the Zambian Government providing other logistics including allowances, the Tanzanian Joint Survey Team counterparts could not mobilise to fulfil their commitment as agreed.

There were now efforts, however, to implement the programme in the first quarter of 2020, starting with Minister's visit to the Nakonde/Tunduma border on 28th January, 2020 with field work by the Zambia-Tanzania Joint Survey Team still awaiting Tanzanian counterparts to respond to the letter from the Ministry. Should Tanzania be ready, Zambia was also expected to mobilise resources for the whole exercise as provided in the approved Cabinet Memorandum on International Boundaries. Funds to facilitate the reaffirmation /demarcation of all international boundaries with neighbouring countries was expected to be financed as per the Cabinet Memorandum on International Boundaries approved by Cabinet in December, 2018. In this regard, the Committee had awaited a further update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that with reference to a report MLNR 70/3/11 of 30th July, 2019 by the Ministry of Lands and Natural Resources which was gazetted with the responsibility for International boundaries the Republic of Zambia secured assistance from GIZ for the undertaking which was scheduled for the 1st quarter of 2020. The Ministry awaited feedback from the Tanzanian counterparts on newly proposed dates for the undertaking in cognisance that the exercise did not take place during the first quarter.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

11.11 Construction of Accommodation and Offices at Zombe and Lumi Border Posts

In the previous Session, the Committee had noted the response that the construction of accommodation and offices at Zombe and Lumi Border Posts had not started. This was because the implementation of on-going projects had not yet been completed to allow the Government to free resources for new projects. In this regard, the Committee had requested for further update on the matter.

Executive's Response

In the Action-Taken Report, the Committee was informed that the Government was still implementing on-going projects which were at least 80% complete. The construction of accommodation and offices at Zombe and Lumi Border Posts would only commence once the on-going projects were completed and resources were made available.

Committee's Observations and Recommendations

The Committee notes the response and awaits further update on the matter.

11.12 Provision of Staff and Office Accommodation of Security Personnel at Nsumbu Border Post

In the previous Session, the Committee had noted the response that the Ministry was up to date with payments in respect of the contractor for the Nsumbu project. The contractor was on site and works were expected to be completed soon. In this regard, the Committee had awaited an update on the matter.

Executive's Response

Through the Action-Taken Report, the Committee was informed that construction works at Nsumbu Immigration office block had stalled due to non-availability of funds. The project required some extra works to be done for it to be completed. The extra works came as variations on the project as these were not included in the contract documents, i.e. the bills of quantities.

These works included ceiling works in the office building, external water supply reticulation for the staff houses, Boundary fence and guard house. The consultant had since prepared the engineers' estimates of the cost of the extra works which would be procured once funds were available.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await further update on the matter.

11.13 Kamfinsa School of Public Order and Maintenance – Firing Range

In the previous Session, the Committee had noted the response that the funds for this activity were not released in the first quarter of 2019 as scheduled. The funds were, however, released later in the year but were varied to cater for the urgent needs for the Zambia Police recruits. As such, the activity was included in the 2020 budget and would, therefore, be undertaken as soon as funds were released by the Treasury.

In this regard the Committee had urged the Executive to treat the matter with the seriousness it deserved, considering that it had been outstanding for a very long time and to indicate a timeframe within which it would be done.

Executive's Response

Through the Action-Taken Report, the Committee was informed that the process of acquiring the title deed for Kamfinsa School of Public Order and Maintenance Firing Range was ongoing and the Ministries of Home Affairs and Lands remained engaged on the matter, to ensure that the title was issued at the earliest possible time.

Committee's Observations and Recommendations

In noting the response, the Committee resolves to await further update on the matter.

12.0 CONCLUSION

The Committee notes that being a member of forty four international organisations, including the United Nations, World Trade Organisation, African Union and Southern African Development Community among the most notable, Zambia is party to several international treaties and agreements. The Committee notes however, that many of these instruments have not been ratified and some that have been ratified have not been domesticated for a period spanning a decade.

The Committee is cognisant of the fact according to the law, the responsibility to initiate the process of ratifying an international agreement lies with the line ministry. However, many ministries were under the impression that this responsibility lies with the Ministry of Foreign Affairs and Ministry of Justice. This has been compounded by the absence of an overarching institution tasked with the responsibility of coordinating this process across the various ministries.

In this regard, the Committee recommends that the Secretary to Cabinet should create an inter-ministerial Coordinating Committee to superintend over the ratification of international agreements.

The Committee wishes to express its gratitude to all stakeholders who appeared before it and tendered both oral and written submissions. The Committee also wishes to thank you Mr Speaker and the Office of the Clerk of the National Assembly for the guidance and services rendered to it during the Session.

Dr M Malama, MP
CHAIRPERSON

April, 2021
LUSAKA

APPENDIX I - OFFICIALS OF THE NATIONAL ASSEMBLY

Ms C Musonda, Principal Clerk of Committees
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)
Mrs Chitalu K Mumba, Senior Committee Clerk (FC)
Mr C Chishimba, Committee Clerk
Mrs G Chikwenya, Typist
Mr M Kantumoya, Committee Assistant
Mr D Lupiya, Committee Assistant

APPENDIX II – LIST OF WITNESSES

MINISTRY OF DEFENCE

Dr F V Phiri, Permanent Secretary
Brig. Gen. Makauta,
Mr Edwin L Zimba, Director

MINISTRY OF LABOUR AND SOCIAL SECURITY

Mr Chanda Kaziya, Permanent Secretary
Mr Moffat Bili, Director Planning
Mr Chibesa Lupili, Assistant Labour Commissioner
Mr George Kasinga, Director Occupational Safety and Health

MINISTRY OF LOCAL GOVERNMENT

Dr. Bishop ED Chomba, Permanent Secretary
Ms Sylvia Masabo, Principal Planner

MINISTRY OF JUSTICE

Ms Thandiwe Daka Oteng, Permanent Secretary
Ms Hawa Musonda, Legal Counsel
Mr Eddie Kwesa, State Advocate
Mr Martin M Lukwasa

MINISTRY OF FOREIGN AFFAIRS

Mr Sylvester Mudenda, Director
Ms Lydia Matapa, Legal Counsel
Ms Malingose Banda, Planner

MINISTRY OF HOME AFFAIRS

Mr Godwin Sinyengwe, Director HARID
Mr Sundie M Kunda, Deputy Director NATC
Mr Bob Mwewa, Legal Counsel

Mr Alex Mukisi, Parliamentary Liaison Office
Ms Maria M Ntembwa, Research and Development
Mr Nondo Raphael, research and Planning Officer

MINISTRY OF TRANSPORT AND COMMUNICATION

Eng. Misheck Lungu, Permanent Secretary
Mr Stephen Mbewe, Director Planning
Mrs Ireen B M Tembo, Chief Planner

MINISTRY OF GENDER

Mr Gastone Silomba, Permanent Secretary
Ms Lynn S Habanji, Director-Gender Rights Protection
Mr Habweza Andrea, Chief Planner

Mr William Kabwe, Director Planning

MINISTRY OF LANDS AND NATURAL RESOURCE

Mr Ndashe Yumba, Permanent Secretary
Ms Mwape Carol Zulu, Climate Change Officer
Mr Makumba Ignatus, Director Forestry
Ms Agness Mpolokoso, Chief Planner
Mr Jonathan Kaoma, Principal Land Surveyor

MINISTRY OF WORKS AND SUPPLY

Mr Lewis Mwila, Assistant Director Planning
Ms Ann M Mufeya, Senior Planner
Mr Chanda Mulenga, Parliamentarian Liaison Officer

MINISTRY OF AGRICULTURE

Mr Songwayo Zyambo, Permanent Secretary
Mr Moses Mwale, Director
Mr Derrick Sikombe, Deputy Director
Ms Alice Mpalula, Economist
Mr Musadabwe Chulu, Principal Policy Analysis
Mr Brian Ngulube, Parliamentary Liaison Officer

MINISTRY OF COMMERCE TRADE AND INDUSTRY

Mr Mushuma Mulenga, Permanent Secretary
Mr Nsangwe Ngwira, Director
Ms Bessie Chelema, Director-Foreign Trade
Brian Mwanza, Chief Planner

MINISTRY OF YOUTH, SPORT AND CHILD DEVELOPMENT

Dr John Phiri, Acting Permanent Secretary
Mr John Zulu, Director-Sport
Mr Nelson Nyangu, Director Planning and Information
Matthews Nyirongo, Planner
Mr John Chilume, Chief Child Development

MINISTRY OF FISHERIES AND LIVESTOCK

Mr Young Vibeth, Deputy Director
Mr Gift Phiri, Senior Planner

MINISTRY OF MINES MINERALS AND DEVELOPMENT

Mr Barnaby Mulenga, Permanent Secretary
Mr Fred Banda, Director of Planning
Mr Alfred Phiri, Assistant Mining Cadastre
Ms Mercy C Zulu, Chief Planner
Mr Desiderious Chapewa, Chief Geologist

MINISTRY OF ENERGY

Mr Travor Kunda, Permanent Secretary
Mr Arnold Simwaba, director- Energy
Ms Francesca Zyambo, Director -Planning
Mr Mwape Chipili, Chief Planner

CABINET OFFICE

Mr Bernard Kamphasa, Permanent Secretary
Mr Patrick Kangwa, Deputy Secretary to Cabinet (A)
Mr Andrew Nkunika, Permanent Secretary
Mr Chalwe Lombe, Permanent Secretary
Mr Lydia Matapo, Legal Counsel
Ms Malingose Banda, Planner

MINISTRY OF INFORMATION

Ms Nalituba Mwale, Director- Human Resource Development (Acting Permanent Secretary)
Dr Rurh Mulenga, Acting Director- Planning and Information
Ms Suzen Ndumingo, Assistant Director –Press and Media Development

MINISTRY OF WATER DEVELOPMENT

Mr Tobias Musonda, Director-Planning and Information
Mr Fishani Gondwe, Director-Environmental Management
Ms Mutinta Diangamo, Senior Planner

MINISTRY OF HEALTH

Ms Kakulubelwa Mulalelo, Permanent Secretary
Dr Chrispin Sichone, Director-Health Policy
Mr Evanas Malikana, Deputy Director Policy

Ministry of Finance

Mr Mukuli Chikuba, Permanent Secretary EMF
Mr Kasonde Makumba, Senior Economist
Mr Chabu Kapambwe, Senior Economist
Mr Mwaba Mwape, Economist
Ms Inonge L Mwenya, Principal Economics