



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS

FOR THE

**SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY
APPOINTED ON WEDNESDAY, 20TH SEPTEMBER, 2017**

Printed by the National Assembly of Zambia

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REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS FOR THE SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY APPOINTED ON WEDNESDAY, 20TH SEPTEMBER, 2017.

Consisting of:

Dr M Malama, MP, (Chairperson); Ms A M Chisangano, MP (Vice Chairperson); Mr E J Muchima, MP; Brig Gen M Sitwala, MP; Mr A K Mbangweta, MP; Mr L Nyirenda, MP; Mr A B Malama, MP; Mr F Ng'ambi, MP; Ms M Miti, MP; and Mr E K Belemu, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir,

Your Committee has the honour to present its Report for the Second Session of the Twelfth National Assembly.

2.0 Functions of the Committee

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

In overseeing the activities of these Ministries, your Committee is mandated to:

- a) study, report and make recommendations to the Government through the House on the mandate, management and operations of the Ministries of Defence, Foreign Affairs and Home Affairs, departments and/or agencies under its portfolio;
- b) carry out detailed scrutiny of certain activities being undertaken by the Ministries of Defence, Foreign Affairs, Home Affairs, departments and/or agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
- c) make, if considered necessary, recommendations to the Government on the need to review certain policies and/or certain existing legislation;
- d) examine annual reports of Government ministries and departments under their portfolios in the context of autonomy and efficiency of Government ministries and department and determine whether the

affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders;

- e) exercise powers conferred on it under Article 203 of the Constitution;
- f) consider Bills;
- g) consider International Agreements and Treaties in accordance with Article 63 of the Constitution;
- h) consider special audit reports;
- i) where appropriate, hold public hearings on a matter under its consideration; and
- j) consider any matter referred to it by the Speaker or an Order of the House.

3.0 Meetings of the Committee

Your Committee held twelve meetings during the year under review to consider the three topical issues identified for the Second Session of the Twelfth National Assembly.

4.0 Programme of Work

At its second meeting, held on 17th October, 2016, your 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 First Session of the Twelfth National Assembly.
- b) Consideration of the topical issues:
 - i) 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;
 - ii) Statelessness and the Protection of Stateless Persons in Zambia; and;
 - iii) Consideration of Reports from Parliamentary Delegations.
- c) Local and Foreign Tour.
- d) Consideration of the Draft Report for the Second Session of the Twelfth National Assembly.

5.0 Procedure adopted by the Committee

Your Committee requested for written memoranda on the topical issues under consideration from various stakeholders and invited them to appear before it in order to make verbal submissions and clarifications on issues arising from their submissions.

6.0 Arrangement of the Report

The Report of your Committee is in four parts: Part I is the consideration of topical issues and findings from the local tour; Part II deals with the foreign tour; Part III is the Consideration of Outstanding Issues from the Action-Taken Reports on the previous Reports of your Committee; and Part IV is the conclusion.

PART I

7.0 CONSIDERATION OF TOPICAL ISSUES

7.1 TOPIC ONE: 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.

Background to the Study

In its continued effort to familiarise itself with the operations of ministries and institutions under its charge, your Committee undertook an inquiry into the operations and management of institutions under the Ministries of Defence and Foreign Affairs. This activity afforded your Committee an opportunity to appreciate the operational challenges that the institutions under these ministries faced and what opportunities existed for enhanced efficiency.

Witnesses

Your Committee received oral and written submissions from the witnesses listed below.

- i) Ministry of Defence.
- ii) The Zambia Army.
- iii) The Zambia Air Force.
- iv) Zambia National Service.
- v) Ex-Servicemen's League of Zambia.

7.1.2 Summary of Submissions by Stakeholders

The submissions of the stakeholders on the subject matter are summarised below.

Your Committee was informed that the three defence force institutions were professional institutions drawing their membership from eligible Zambian men and women from all regions of the country. Your Committee was further informed that of the three, the Zambia Army was the senior most service with presence in all the ten provinces. The Zambia Army had infantry brigades in Lusaka, Kabwe and the Copperbelt Provinces, with several combat arms and combat support services. Your Committee was informed that the Zambia Army had regional offices in Northern, Muchinga, Luapula, North Western, Eastern, Western and Southern Provinces, with three infantry battalions being raised.

Your Committee further learnt that as part of the Zambianisation process initiated during the Second Republic, a joint command for the Zambia National Defence forces (ZNDF) was established in 1976. However, in October, 1980, the ZNDF was disintegrated, reverting to a single service command system.

7.1.2.1 Mandate and Functions of the Defence Forces

Pertaining to the mandate and functions of the defence forces, your Committee learnt that the *Constitution of Zambia* and the *Defence Act, Chapter 106 of the Laws of Zambia, as amended by Act No. 32 of 1971*, formed the legal basis for the creation and operations of the Zambia Defence Forces. Article 192 (2) of the *Constitution of Zambia*, provided that “the defence force shall preserve and defend the sovereignty and territorial integrity of the Republic from both external and internal aggression, as well as ensure the sustenance of peace and security for all citizens, their property and national assets.” Further, the defence and security wings were mandated to uphold the interest and values of democracy, transparency, accountability and good governance.

As for the functions, your Committee was informed that within the parameters of their respective mandates, the Zambia Army, the Zambia Air Force and the Zambia National Service, performed the functions set out hereunder.

- i) Preserve and defend the sovereignty and territorial integrity of the state against internal and external aggression.
- ii) Support the civil authority in the maintenance of law and order whenever called upon.
- iii) Participate in emergency and relief operations and disaster management.
- iv) Engage in development activities for the development of the country.
- v) Perform any other duties as may be directed by the Government from time to time, which included;

- a) transportation of VVIPs and VIPs;
- b) conduct of search and rescue missions; and
- c) casualty evacuation missions.

Further, as regards the Zambia National Service, your Committee was informed that the mandate and functions of the Service included: training of citizens to serve the Republic; deployment of its members in tasks of national importance; and employment of its members in the service and defence of the Republic.

7.1.2.2 Relationship and Collaboration among Defence Services

Your Committee was informed that Article 192 (2) (b) of *the Constitution of Zambia* implored the defence forces of Zambia to foster harmony and understanding among themselves and between themselves and members of society. In line with the foregoing, the relationship among the defence forces was based on mutual engagement and collaboration in order to achieve and maintain strategic, operational and tactical direction. This collaboration was essential for mission accomplishment given the multiple functions the defence forces performed and the often difficult interactions necessary to ensure success. The three defence institutions engaged with each other through the Ministry of Defence. The functional areas of integration included assistance to civil authorities on anti-crime, disaster relief operations, targeted infrastructural projects and basic service delivery.

Your Committee was further informed that although the Zambia Army was the senior most Service, each of the Service Chiefs reported directly to the Commander-in-Chief of the Defence forces, a situation which tended to weaken the relationship among them. Your Committee was informed further, that in the current legal framework, co-ordination of the Services was vested in the Ministry of Defence, resulting in the defence forces rarely engaging each other, with the net effect of weakening strategic interaction amongst them.

There was another view, however, that a unified command would result in an all-too-powerful four –star- general as commander of the armed forces, a situation likely to create instability.

Your Committee learnt that overall, the channels for meaningful engagement and collaboration among the defence forces had been increasing. This was partly due to the expansion of the range of secondary tasks for the defence forces with new mandates from the Government, such as assistance to police for anti-crime activities, disaster management and mitigation, infrastructure projects, and basic service delivery such as combating cholera.

Your Committee learnt that at a more substantive level, collaboration took place at higher echelons of command as highlighted below.

(i) **The Defence Council**

The Defence Council advises the President on policy matters affecting the commands, discipline and administration of personnel of the defence forces. The Council performed such other functions as may be referred to it by the President from time to time.

(ii) **The Central Joint Operations Committee (CJOC)**

The Committee was responsible for coordinating and liaising on issues of defence and security among the defence and security wings of the nation. They also supervised Provincial Joint Operations Committees (PJOC), which were further divided into District Joint Operations Committees (DJOC).

7.1.2.3 Relationship with the Public and Measures and Programmes in Place to Enhance the Relationship

Your Committee was informed that as provided in *Article 191(a)*, of the *Constitution of Zambia*, the defence forces were subordinate to civilian authority. Further, the Constitution required that harmony and understanding be fostered between the defence forces and members of society.

Your Committee learnt that over the years, the relationship with the public had grown through interactions via the medium of sports, business with individual companies, Public-Private Partnership (PPP) projects and also through novelties such as open days, where members of the public were invited, free of charge, to interact with defence personnel and to view selected machinery. Your Committee was informed that disaster relief operations also presented an opportunity through which the Zambia Defence Forces interfaced with other Government departments and members of the public at large.

Other areas of interaction included extension of free health services to the general public in the areas where they operated and the provision of education services. In the area of infrastructure development, the defence forces constructed feeder roads in rural areas and in any other areas that required such roads, as directed by the Government. The defence forces also empowered surrounding communities outside regular employment. The Zambia National Service, for instance, engaged surrounding communities during the peak periods of the agricultural season in activities which mostly involved weeding and harvesting.

7.1.2.4 Operational Challenges of the Defence Forces

Your Committee was informed that the challenges listed below were affecting the operations of the Zambia Defence Forces.

i) **Unpaid Other Emoluments**

Your Committee learnt that the 2018 budget did not include other emoluments, such as: Cash in Lieu of leave (CIOL); Long Service Bonus for civilian employees; Leave Grant; and Contract Gratuity, which had resulted in the accumulation of unpaid claims.

ii) **Inadequate Funds for the Implementation of the Notching System**

Your Committee was informed that since the harmonisation of salaries through the notching system undertaken in 2013, the Government had not provided money to move officers, soldiers and civilian employees (CEs) from one notch to another. As a result, all personnel were static in their notches. This was compounded by the lack of a substantial salary increment since 2013.

iii) **Lack of Funds for the Recruitment of Officers, Soldiers and Civilian Employees (CEs)**

Your Committee was informed that for a long time, there had been no recruitment in the three defence forces, due to lack of funds.

iv) **Inadequate Funds for Capacity Based Training**

Your Committee learnt that whereas estimates for both local and overseas training were made, there was no allocation in the 2018 budget, thereby limiting the number of personnel that could be trained. As for the Zambia Air Force, there was inadequate funding for Monthly Continuation Training (MCT) of pilots. Your Committee further learnt that in an ideal situation, every pilot should fly a minimum of ten hours per month or 120 hours in a year. However, this was not tenable at the moment.

v) **Mass Retirement due to Constitutional Provision**

Your Committee was informed that the amended Constitution provided for personnel to retire and remain on full salary and allowances until they were paid their lump sum. This, unfortunately, had become attractive to personnel because retirees got paid without working, thereby causing personal emolument imbalances.

Article 189 (2) of the *Constitution of Zambia (Amendment) Act, No. 2 of 2016* is couched in part as follows:

“Where a pension benefit is not paid on a person’s last working day, that person shall stop work but the person’s name shall be retained on the pay roll, until payment of the pension benefit...”

Apart from the personnel referred to above, others had separated from the defence forces through mandatory retirement, dismissals and deaths but without corresponding recruitment. This had not only negatively affected manpower levels, but had also created generational gaps in the defence forces.

vi) **Accumulated General Claims Arrears**

Your Committee learnt that as a result of inadequate funding, the defence forces had huge outstanding claims and personal emoluments in the form of Contract Gratuity; Officers General Claims; Soldiers General Claims; Civil Clothing; Funeral Grants; Claims for CEs; Last Pay Certificate; and Repatriation Allowances.

vii) **Inadequate Funds for the Dismantling of Ration Arrears**

Your Committee was informed that the accumulated total of ration arrears for the Zambia Army, for instance, as at 30th November, 2017, was K70 million and that by December, 2018, suppliers would be owed approximately K100 million.

viii) **Inadequate and Inconsistent Disbursement of Recurrent Departmental Charges**

Your Committee was informed that arrears for rent and repairs arising from terminated lease agreements had created problems resulting in some landlords developing resentment towards the Zambia Defence Forces. Further, the funding for aircraft spares was erratic and inadequate. Utility arrears comprising electricity and water bills had also been rising.

ix) **Lack of Funds for Procurement of Uniforms**

Your Committee learnt that ideally, there was supposed to be kit exchange for soldiers every six months. However, this had not been possible due to inadequate funds.

x) **Inadequate Troop Carriers**

Your Committee was informed that there were inadequate troop carriers in the defence services.

xi) Inadequate Funds for the Procurement of General Stores

Your Committee was informed that procurement of general stores such as band instruments; beds; mattresses; barrack room equipment; and generators could not be done due to lack of funds.

xii) Dilapidated Houses, Offices and Social Infrastructure in Cantonments

Your Committee was informed that although the renovation of houses, offices and social infrastructure, was budgeted for, only part of the funding had been released. This had made it difficult to undertake renovations in military cantonments.

xiii) Inadequate Medical Equipment and Essential Drugs in Camp Hospitals

Your Committee was informed that whereas the forecasts for the procurement of medical equipment and essential drugs in camp hospitals were made, the allocation in the 2018 budget fell far short, making it difficult to procure essential equipment and drugs.

xiv) Poor Water and Sewer Infrastructure in Cantonments

Your Committee was informed that the sanitation in most cantonments was below the expected standard because of the rundown water and sewer infrastructure. However, there was no funding to address this matter.

xv) Poor Road Infrastructure in Cantonments

Your Committee learnt that the road infrastructure in barracks was very poor. In an effort to improve the roads, K75 million was estimated for 2017. However, Road Development Agency had only resurfaced a stretch of 5.7km of the roads in Arakan Barracks, while an additional 5km of road infrastructure was yet to be resurfaced in Lusaka West (L 85) and ZAF, Lusaka Base.

xvi) Challenges of Funding Defence Forces Sponsored Sports Clubs

Your Committee was informed that since 2015, sports disciplines had been sponsored through contributions by members. This had been a challenge as no money had been set aside for the development of sport. As a result, the basketball team of the Zambia Army, for example, could not travel to Angola in 2017, due to financial constraints. Further, K4 million had been projected to cater for continental games for Green

Buffalos Football Club (GBFC), Red Arrows and Green Eagles. However, the funding had not been availed.

xvii) **Inability to Train School Cadets and Territorial Forces**

Your Committee was informed that the training of school officer cadets in most Government secondary schools was irregular due to inadequate funding. A budget of K6, 380, 111 was projected for the year 2018 to raise the falling standards in schools and training establishments. However, no funds had been provided by the Government for school cadet training programmes in the 2018 budget.

xviii) **Inability to Rehabilitate Filling Stations in Barracks**

Your Committee learnt that the Army had fifteen filling stations in cantonments across the country but most of them were in a deplorable state. The estimated cost of rehabilitating these filling stations was K1, 084,170.00. However, funding for the rehabilitation works had not been catered for in the 2018 budget.

xix) **Lack of Security Fences**

Your Committee learnt that a number of military cantonments did not have security fencing around them. This had resulted in serious encroachments in some cases.

xx) **Inadequate Specialised Equipment**

Your Committee was informed that the defence services lacked modern military equipment. For the Zambia National Service, farm machinery and earth-moving equipment were inadequate. There was also lack of modern training facilities and equipment for small scale industries. For the Zambia National Service, whereas there was demand in the area of land development services, lack of adequate farm equipment had remained an inhibiting factor to the full exploitation of the potential in this area.

xxi) **Lack of Fire Fighting Equipment**

Your Committee was informed that whereas the Government had constructed prefabricated houses in Lusaka West (L85), Kabwe (Chindwin Barracks) and in Mufulira for the Zambia Army and for ZAF in Twin Palm area, there was no fire fighting equipment and requests to procure such equipment had not yet been honoured. This posed a danger to life and property, since the materials used were inflammable.

7.1.2.5 The Way Forward

Your Committee was informed that given the complexity of modern security threats and the transformative trajectory of military development in the country and the region at large, the following were strongly proposed as a way forward.

- i) Measures should be taken to enhance civil military relations by strengthening the relationship between the military and civilian institutions so as to enlighten the general public on the nation's security policies. Further, senior Government officials should be offered courses in defence and security studies to deepen the relationship between the Army and the populace.
- ii) The mutual relationship among defence services should be strengthened. One way of doing this was to conduct joint training for officer cadets recruited in the defence units. The other way was through holding of regular senior officers' defence conventions to foster mutual engagement and comradeship among defence units.
- iii) There was need to provide legislation for the Central Joint Operations Committee (CJOC), Provincial Joint Operations Committee (PJOC) and the District Joint Operations committee (DJOC) which currently operated on an ad hoc basis.
- iv) The Government should put in place an aggressive and deliberate programme to revamp defence industries. This should include manufacturing of fast running spare parts and motor vehicle assemblies. The Government should also ensure that defence services are offered tenders for road construction and other infrastructural development as they had since built up their engineering capacity, for instance through the establishment of the Engineering and Construction Regiment in the Zambia Army.
- v) The Zambia Defence Forces should continue deploying troops in peace keeping operations with the African Union and United Nations. In this regard, there was need for capacity building and modernising of military hardware and equipment.

7.1.3 Local Tour

Your Committee undertook a tour of selected military cantonments and institutions in Lusaka, Kabwe, Ndola and Mufulira.

The purpose of the tour was to conduct a verification and on-the-spot assessment of the management and operations of the defence forces, namely; the Zambia Army; the Zambia Air Force; and the Zambia National Service, as a follow-up to the submissions received during the long meetings.

Your Committee visited the institutions listed hereunder.

Zambia Army

- (i) Arakan Barracks- Zambia Army Headquarters, Lusaka;
- (ii) Mikango Barracks, Lusaka;
- (iii) Military Training Establishment of Zambia (MILTEZ)-Kohima Barracks, Kabwe;
- (iv) 3 Mechanised Infantry Battalion - Chindwin Barracks, Kabwe;
- (v) 1st Battalion Zambia Regiment - Tug Argan Barracks, Ndola;
- (vi) 25 Light Air Defence Regiment-Tug Argan Barracks, Ndola;
- (vii) 17 Cavalry Regiment - Kalewa Barracks, Ndola;
- (viii) 10 Medium Regiment - Kalewa Barracks, Ndola;
- (ix) 1 Commando Battalion, Ndola; and
- (x) 1 Engineer Regiment - Taung-Up Barracks, Mufulira.

Zambia Air Force

- (i) Zambia Air Force Headquarters;
- (ii) Zambia Air Force- Lusaka Base; and
- (iii) Zambia Air force-Kabwe Base.

Zambia National Service

- (i) Zambia National Service Headquarters;
- (ii) Zambia National Service Airport Farm; and
- (iii) Zambia National Service – Chisamba.

7.1.3.1 Findings from the Local Tour

7.1.3.2 Zambia Army

During its tour of selected cantonments and institutions under the Zambia Army, your Committee learnt that:

- i. the Zambia Army was operating below the approved manpower establishment;
- ii. the equipment and their storage sheds were old;
- iii. the water reticulation and sewer system in most cantonments had corroded and broken down, resulting in poor sanitary conditions;
- iv. there was a critical shortage of accommodation, resulting in many soldiers building their own structures which in many instances were not fit for human habitation. Further, houses which were meant to be single quarters were now occupied by up to six families who shared toilets and shower rooms, consequently compromising sanitation and privacy;
- v. staff houses, which were built in the sixties, were dilapidated with ceilings falling off. To make matters worse, the roofing was made of asbestos, which was no longer being manufactured, making repairs very difficult;
- vi. there were plans to turn the Military Training Establishment of Zambia (MILTEZ), into a military university. However, most of the infrastructure such as sleeping quarters, kitchen, library and dining area, training circuit, parade square and equipment was generally run down due to lack of maintenance. As a result of fallen standards, the Institution, which for many years trained officer cadets from around the SADC region could no longer do so;
- vii. there were inadequate recreation facilities in many barracks. Where messes and canteens were functional, they were sustained by contributions from patrons.
- viii. the 1st Battalion Engineering Regiment (Taung-Up Barracks) had inadequate plant equipment and other requisite machinery for it to function as an engineering unit; and
- ix. regiments such as 25 Light Air Defence and First Battalion Zambia Regiments, were co-located in one barrack though performing different functions. The same applied to Kalewa Barracks which houses 17 Calvary Regiment and 10 Medium Regiment.

7.1.3.3 Zambia Air Force

Some of the operational challenges faced by the Zambia Air Force are highlighted hereunder.

- i) Inadequate modern surveillance equipment.
- ii) High cost of maintenance of aircraft and pilot exercises but no corresponding funding.
- iii) There were low manpower levels due to early retirement exacerbated by the constitutional provision requiring that retirees be kept on the payroll until their benefits were paid in full.
- iv) ZAF had difficulties taking part in UN peacekeeping missions because of difficulties in upgrading the M17 helicopter.
- v) The institution's training areas had suffered serious encroachment.

7.1.3.4 Zambia National Service

The challenges faced by the Zambia National Service are highlighted hereunder.

- i) Inadequate human resource, inadequate funding and inadequate transport.
- ii) Inadequate farm machinery and earth-moving equipment as well as implements such as seed drills, planters, ploughs and other modern machinery.
- iii) The issue of the Rural Roads Unit (RRU) moving to the Zambia National Service while the relevant payroll was being managed by Ministry of Works and supply had become a recipe for confusion and insubordination. Although it was a presidential directive, it had not been implemented in full.
- iv) Whereas the Service was doing very well in ranching and serving the needs of the local community, there was no collaboration with the Government Cattle Restocking Programme.

- v) Apart from the mandate of food production, the Zambia National Service was also involved in operations such as guarding border areas and Government installations. With the low staffing levels obtaining, this had resulted in poor service delivery, particularly in its core mandate, that of food production.

7.1.3.5 Committee's Observations and Recommendations

Arising from the submissions during the long meetings and its findings during the tour, your Committee makes observations and recommendations as outlined below.

- i) Your Committee observes, with concern, that the defence forces are operating below the approved establishment levels due to non-recruitment over a long period of time.
- ii) Your Committee observes with serious concern that the funding to the defence forces is not only erratic but also inadequate. As a result, the defence forces have been unable to procure modern equipment and armour.

Your Committee, therefore, recommends that aside from the usual allocation to the Ministry of Defence, the Government should dedicate a specified percentage of the national budget to recruitment and modernisation of the defence forces.

- iii) Your Committee notes that there is a lack of infrastructure and equipment, particularly for the Zambia Army, in newly established provincial capitals to support operations.

Your Committee, therefore, recommends that the Government should embark on a vigorous infrastructure development programme and provision of equipment, particularly for the defence forces in newly established provincial capitals.

- iv) Your Committee expresses grave concern at the rampant encroachment on military land, some of which is not even on title.

Your Committee, therefore, recommends that military cantonments which are not fenced be secured and title deeds obtained for those not on title.

- v) Your Committee observes that the mandatory retirement age of 55 years, for military personnel, has deprived the defence forces of highly skilled personnel, such as doctors and pilots, who are trained at great cost. It is disheartening to note that upon retirement, the same personnel are hired by other institutions, including Government ones.

In this regard, your Committee recommends that in order to maximise the utilisation of highly skilled personnel in the Defence forces, the Government should consider revising the retirement age upwards, particularly for specialised fields such as medicine, aeronautics and piloting.

- vi) Your Committee also notes that holders of the office of Permanent Secretary at Ministry of Defence may not be conversant with military issues and were consequently unable to articulate the needs of the defence forces.

Your Committee, in this regard, recommends that Officers appointed as Permanent Secretary at Ministry of Defence, should undergo some orientation to enable them appreciate the needs and demands of the defence forces.

- vii) Your Committee is concerned that although the Constitution of Zambia provides for the establishment of 'other units as prescribed,' the Reserve Force of the Army and Air Force, which the *Defence Act, Chapter 106* of the Laws of Zambia provides for, has not been established due to lack of enabling rules and regulations for its establishment.

Your Committee, therefore, strongly urges the Government to provide the necessary rules and regulations for the establishment of a Reserve Force of the Army and Air Force, as provided in the *Defence Act*, and the Constitution of Zambia.

- viii) Your Committee expresses concern that the Ex-Servicemen's League of Zambia, which should be a repertoire of skill and experience for the defence forces, is not provided for in the *Defence Act* and only exists as a voluntary club.

Your Committee, in this regard, recommends that the *Defence Act* should be amended to provide for the establishment of the Ex-Servicemen's

League of Zambia as a body corporate. This is in light of the fact that the *Constitution of Zambia* provides for the establishment of 'other units as prescribed.'

- ix) Your Committee is concerned that there is inadequate modern and specialised medical equipment at Maina Soko and other military hospitals, which has hampered service delivery.

Your Committee, therefore, urges the Government to ensure that military hospitals in the country are provided with adequate modern and specialised medical equipment in order for them to deliver quality service.

- x) Your Committee observes that there is no uniformity across the Services in the entitlement of officers, such as the model of the personal-to-holder vehicles they should possess.

In this regard, your Committee urges the Government to provide guidelines on the procurement of motor vehicles to ensure that there is uniformity across the Services, in the entitlement of officers, such as the model of personal-to-holder vehicles they should use and the type of houses they should occupy.

- xi) Your Committee observes that water and sanitation infrastructure in the barracks has broken down completely due to age, resulting in serious shortages of water and spillage of sewer waste. The water reservoir in Tug-Argan Barracks, for instance, is constantly leaking, resulting in serious loss of water.

Your Committee, therefore, strongly recommends that the Government should create a special fund to address water and sanitation issues in military cantonments. A separate fund is recommended in order to avoid inflating the budget of the Ministry of Defence.

- xii) Your Committee notes that there is a critical shortage of accommodation. The institutional houses, as well as the self built houses, are so dilapidated that they are not fit for human habitation. Houses which were originally meant to be single quarters are now occupied by families who share toilets and shower rooms, thereby exerting pressure on the sanitation facilities and depriving the occupants of privacy. Further all

houses in the barracks were roofed with asbestos, which has since been declared a health hazard by the World Health Organisation (WHO) and is, therefore, no longer manufactured. This has compounded the problem of maintenance.

Your Committee recommends, therefore, that the Government moves quickly on the housing scheme for the defence forces. For now, the asbestos roofing sheets should be replaced with iron ones. The Government should also make it clear what should happen to houses built by individuals when such individuals retire.

- xiii) Your Committee expresses concern at the state of the messes and canteens, particularly for non-commissioned officers, which are run down and are consequently not patronised. The Corporals' Mess in Tug-Argan Barracks, for instance, is a health hazard. Your Committee discovered that where messes were operational, it was as a result of members contributing their own resources. This had a negative effect on the morale of soldiers.

Your Committee, in this regard, urges the Government to increase the mess grant to the barracks in keeping with the soldiers' conditions of service and to release the grant in good time.

- xiv) Your Committee observes that the road network, including the physical fitness training circuits are in a state of disrepair, posing a serious hazard to trainees in particular and soldiers in general.

Your Committee, in this regard, recommends that the Link Zambia 8000 the C 400 and L 400 projects, which have been extended to the barracks be expedited.

- xv) Your Committee observes that although there are plans to turn the Military Training Establishment of Zambia (MILTEZ), into a military university, most of the infrastructure such as sleeping quarters, kitchen, library and dining area, and equipment at the facility is run down due to inadequate funding. As a result, the Institution which for many years enrolled officer cadets from around the SADC region can no longer do so.

While your Committee lauds the Executive for the idea of turning MILTEZ into a military university, it urges the Government to ensure that adequate funding is provided so that appropriate new infrastructure

can be constructed and the maintenance and upgrade of existing structure to bring them to the level of a university is undertaken. Further, an elaborate staff development plan should be rolled out to ensure that staff shortages do not derail the plans.

- xvi) Your Committee notes that the 1st Battalion Engineering Regiment (Taung-Up Barracks) is in dire need of funding for it to function as an engineering unit.

Your Committee, therefore, recommends that this Unit be recapitalised expeditiously.

- xvii) Your Committee notes that Regiments such as the 25 Light Air Defence Regiment and First Battalion Zambia Regiment on one hand and 17 Cavalry Regiment and 10 Medium Regiment on the other, are co-located in Tug-Argan and Kalewa Barracks respectively, though they perform different roles. This has compounded the water, sanitation and housing problems at these facilities.

Your Committee therefore recommends that the Government should build separate barracks for each regiment.

- xviii) Your Committee notes that the Zambia Air Force has difficulties taking part in UN peacekeeping Missions because of the inability to upgrade the M17 helicopter and other requisite equipment.

Your Committee, in this regard, recommends that funding be sourced to upgrade the M 17 and to buy additional aircraft to enable ZAF take part in the UN Peace keeping Missions and improve local operations.

- xix) Your Committee observes that in spite of the Presidential directive that the Rural Roads Unit (RRU) should move from the Ministry of Works and Supply to the Zambia National Service, the payroll of the RRU is still under the Ministry of Works and Supply which has become a recipe for confusion and maladministration.

Your Committee, therefore, recommends that this matter be resolved without further delay by ensuring that RRU in its entirety moves to the Zambia National Service.

- xx) Your Committee observes that although the Zambia National Service, Chisamba, is doing very well in ranching and is serving the needs of the local community by providing heifers, there is, regrettably, no

collaboration between the Service and the Government Cattle Restocking Programme. This has resulted into an uncoordinated programme which is not supported and checked by the Ministry of Fisheries and Livestock.

It is the view of your Committee that ZNS Chisamba should be used as a breeder for cattle restocking and therefore, recommends that there be collaboration between ZNS and the Ministry of Fisheries and Livestock.

- xxi) Your Committee observes that the involvement of the Zambia National Service in operations such as guarding border areas and Government installations vis-à-vis the low staff levels, has resulted in poor service delivery, particularly in its core mandate, that of food production.

Your Committee, therefore, recommends that the functions of the Zambia National Service be streamlined particularly towards food production to ensure efficiency and that more personnel should be recruited into the Service for this purpose.

- xxii) Your Committee notes that the Zambia National Service has concentrated on the production of maize and wheat which have proved unprofitable. Further, there is no value addition, largely due to insufficient funding for appropriate machinery.

Your Committee, in this regard, recommends that the Zambia National Service should be allowed to diversify into producing other crops that might be more profitable than maize and embark on value addition for job creation. Further, owing to the animal husbandry activities being carried out at Chisamba and others, ZNS should be enabled to run abattoirs so that the Service can add value to its products through the processing of meat into sausages and other products, on the same lines as Fringilla.

In summary, your Committee urges the Government to seriously consider addressing the following areas: staffing levels, accommodation and sanitation, infrastructure development and modernisation of the equipment and the operations of the defence forces, which all hinge on funding.

7.2 TOPIC TWO

7.2.1 STATELESSNESS AND THE PROTECTION OF STATELESS PERSONS IN ZAMBIA

Background/Rationale

The aftermath of World War II and the reconfiguration of nation states created a surge of stateless populations, which led the drafters of the 1948 Universal Declaration of Human Rights to include Article 15, which states that “Everyone has the right to a nationality,” and should not be deprived arbitrarily of his or her nationality. Statelessness exists in every region of the world, but remains a largely hidden problem without government recognition.

A stateless person is someone who, under national laws, does not enjoy citizenship – the legal bond between a government and an individual – in any country. While some people are *de jure* or legally stateless (meaning they are not recognised as citizens under the laws of any state), many people are *de facto* or effectively stateless persons (meaning they are not recognised as citizens by any state even if they have a claim to citizenship under the laws of one or more states.) At the end of 2011, the UN High Commission for Refugees, the agency mandated to prevent and reduce statelessness, counted over 3.5 million stateless persons in sixty four countries, but estimated that the actual number of stateless persons worldwide may be as high as 12 million.

Your Committee was of the view that considering that Zambia is host to so many refugees, it may not be a farfetched assumption that there exist stateless persons within its boundaries. Your Committee, therefore, engaged state institutions and other stakeholders to determine the extent of statelessness in Zambia and what was being done to address it.

Witnesses

The witnesses listed here under made submissions to your Committee on this matter.

- i) Ministry of Justice;
- ii) Ministry of Foreign Affairs;
- iii) Ministry of Home Affairs (Department of Immigration);
- iv) Human Rights Commission;
- v) United Nations High Commission for Refugees (UNHCR);
- vi) Zambia Civic Education Association (ZCEA);
- vii) The University of Zambia, School of Law; and
- viii) The Law Association of Zambia (LAZ).

7.2.2 Summary of Stakeholders' Submissions

Presented below is a summary of the stakeholder's submissions.

7.2.2.1 The Extent and Prevalence of Statelessness in Zambia

Pertaining to the extent and prevalence of statelessness in Zambia, your Committee was informed that statelessness or a stateless person was defined under Article 1 of the 1954 UN Convention in relation to the Status of Stateless Persons as:

“A person or someone who is not considered a national by any state under the operation of its law”.

Your Committee heard, further, that from the various studies done both in Zambia and around the world, it was difficult to accurately estimate the extent of statelessness as the statistics were difficult to collect.

Some notable reasons for this challenge in collecting accurate data on stateless persons were that, more often than not:

- i) stateless persons were mixed with the general population and thus hidden from the authorities and rarely revealed their status;
- ii) some asylum seekers (or refugees) could have an uncertain nationality but were unwilling to bring this to the attention of relevant officials and ended up giving false information; and
- iii) there were some persons who thought that they were Zambian because they were born in Zambia and felt that they would automatically be granted citizenship by virtue of their birth, yet they were supposed to claim nationality elsewhere.

Your Committee was informed, however, that according to the findings of a recent study that was commissioned by the Zambian Government with support from the United Nations High Commission for Refugees (UNHCR) in 2015/2016, statelessness was rare in Zambia and that there were virtually no statistics on stateless people. The study, however, was largely limited to Lusaka which made it likely that more cases could have been discovered in a study with wider coverage. The findings of the study further attested to non-availability of statistics on statelessness in Zambia and the fact that very few organisations, whether under the Government or outside the Government, dealt with issues of statelessness as part of their formal mandate.

Your Committee learnt that in spite of the isolated potential cases of statelessness that were cited in the study, the research findings indicated that there was still a certain risk of certain individuals becoming stateless in Zambia.

7.2.2.2 The Legislative and Administrative Framework

Your Committee learnt that whereas there was a legislative framework in nationality matters that addressed statelessness, it was imperative to distinguish between nationality and citizenship. Your Committee was informed that nationality and citizenship were often used interchangeably. The nationality of a person indicated his or her place or country of birth and the relationship between that person and the state, whilst citizenship was a juristic concept which showed where a person was registered as a citizen and was enlisted as a citizen by the Government of that state. Nationality was the place of birth and it could not change, whereas citizenship was conferred by the Government of the state and it could change.

Your Committee was informed that Zambia had a number of pieces of legislation in relation to matters of statelessness mostly with regard to citizenship. These include:

- i. *The Constitution of Zambia (Amendment) Act No.2 of 2016;*
- ii. *The Citizenship Act, No. 38 of 2016;*
- iii. *The Passport Act, No. 28 of 2016; and*
- iv. *The Registration of Births and Deaths Act, No. 13 of 1994.*

Your Committee learnt that the *Constitution of Zambia (Amendment) Act, No.2 of 2016* in Articles 33 to 40 provided for citizenship. Article 33 provided:

“A person who was a citizen of Zambia, immediately before the commencement of this Constitution, shall continue to be a citizen of Zambia and shall retain the same citizenship category from the date the citizenship was acquired”.

Article 34 of the Constitution specifies the mechanisms through which citizenship may be attained by a person. An additional category of citizenship introduced by the amendment is citizenship by adoption. It provides that:

“Citizenship may be acquired by birth, descent, registration or adoption in accordance with this Part”.

Article 35 of the Constitution of Zambia, as amended provides for a person to be considered a citizen by birth if at least one parent of the person is a citizen. Article 36 of the Constitution of Zambia also provides for citizenship by descent.

Article 37 provides that a person who is, or has been married to a citizen, for a period of at least five years, is entitled to apply to be registered as a citizen of Zambia.

Article 39 of the Constitution also provides that a citizen shall not lose citizenship by acquiring the citizenship of another country.

Article 40 provides for ways in which citizenship could be lost, including through renunciation or deportation.

Provisions under the *Citizenship Act*

The Citizenship Act, No.33 of 2016 makes procedural provisions for the acquisition, deprivation and renunciation of citizenship of Zambia.

Section 25 of the Act, provides for dual citizenship as follows:

(1) A citizen may apply for dual citizenship in the prescribed manner and form.

(2) Subject to Article 39 of the Constitution and this Act, a citizen who acquires the citizenship of another country is entitled to retain the citizenship of Zambia.

(3) A dual citizen shall, subject to the limitations contained in the Constitution, be entitled to a passport and other travel documents and to such other rights that citizens are entitled to.”

Provisions under the *Passports Act*

The Passport Act, No.28 of 2016 defines a stateless person as:

“A person who is not considered as a national by any State under the operation of its law”.

Your Committee was informed that the Act also provided that a travel document may be issued to a stateless person for the purpose of exiting Zambia. This was found under *section 6(3)(2)*. This did not, however, provide for the circumstances of the exit but merely provided for the issuance of a travel document. Further clarity would, therefore, need to be provided to ensure that these powers were not exercised in a manner that resulted in the forcible repatriation of stateless persons, who were already at risk by their very status.

Section 6(4) of the Act further provides that a travel document shall be issued to a stateless person for travel to a specified country on the direction of the Minister. This provision confers the discretion on the Minister to direct the issuance of a travel document to a stateless person for travel to a specified

country without specifying the criteria for the application of this discretion in order to provide a clear safeguard in its use.

Court Decisions

Examples were given to your Committee of instances where statelessness had been decided upon in the Zambian courts of law.

Your Committee learnt that Zambian courts had pronounced themselves on various occasions on the issue of statelessness. These are:

- (a) *the case of William Steven Banda v the Chief Immigration Officer and The Attorney General (1994) S.J. 82 (SC)*
- (b) *the Case of John Lyson Chinula v the Chief Immigration Officer and The Attorney General; and*
- (c) *the case of the Legal Resources Foundation v Zambian Courts (2001) AHRLR 84 (ACHPR 2001)*

7.2.2.3 Consistency of the Legislative Framework and Administrative Practices with International Standards on the Prevention and Resolution of Statelessness as well as Stateless Persons

Your Committee learnt that the legislative framework in Zambia was in substantial conformity with international standards. The 1954 UN Convention in relation to the Status of Stateless Persons and the 1961 UN Convention on the Reduction of Statelessness were the principal international conventions addressing statelessness. Zambia was a state party to the 1954 UN Convention, which provided a framework for the protection of people rendered stateless, but had not ratified any of its provisions.

Your Committee heard that from the analysis of the 1961 Convention relating to statelessness, it was apparent that the Zambian constitutional amendments had begun to integrate the requirements of the 1961 UN Convention into the legal framework of Zambia in line with the aspiration of the country to implement principles of international law, particularly with regard to statelessness. Zambia should, therefore, consider ratifying the 1961 UN Convention on the Reduction of Statelessness since the legal framework had already implemented the main requirements of the 1961 Convention.

Your Committee was informed that administratively, there were challenges as there was no systematic mechanism for collection of data on statelessness in Zambia. However, there were Government departments that could be in a position to collect information on statelessness such the Department of Immigration, but it had no legal mandate to do so.

7.2.2.4 Legislative Reforms Addressing Gaps or Challenges such as Discrimination on the Basis of Race, Ethnicity, Religion or Gender

Your Committee was informed that for any reforms to take place, gaps, challenges and/or indicators ought to be identified. To identify and determine the extent of these gaps, research had to be conducted.

7.2.2.5 Laws, Policies and Practices Adversely Affecting the Rights of Women and Girls to Nationality and Citizenship in Zambia

Your Committee heard that Zambia's legal framework recognised the phenomenon of stateless persons and the need to ensure the reduction or elimination of statelessness among these persons if they became stateless and were found within the territorial jurisdiction of Zambia. Zambia, a state party to various international instruments that recognised the right to a nationality within various contexts, had been reviewing its legal framework with the objective of enhancing the protection of the rights of stateless persons, particularly within the context of the right to nationality. In effect, Zambia did not have laws or policies that may adversely affect the rights of women and girls to nationality and citizenship. In fact, it could be said that the laws in place tended to provide for women and children as well as all persons in general. Some of the instruments to which Zambia was party and covered the right to nationality included:

- i) the Universal Declaration of Human Rights;
- ii) 1954 UN Convention relating to the Status of Stateless Persons;
- iii) International Convention on Civil and Political Rights;
- iv) UN Convention on the Elimination of all forms of Racial Discrimination against Women;
- v) UN Convention on the Rights of the Child;
- vi) African Charter on the Rights and Welfare of the Child; and
- vii) the Protocol on the African Charter on Human and People's Rights on the Rights of Women in Africa.

Your Committee learnt that Zambia, through the Ministry of Justice and the Ministry of Community Development and Social Welfare, was in the process of domesticating the Conventions related to children in line with her obligation under international law.

7.2.2.6 Means to Collect Gender Disaggregated Data on the Extent and Degree of Statelessness

Your Committee heard that Zambia already had an institutional framework capable of dealing with issues of statelessness. Studies had shown that the rare occurrence of and the non-availability of statistics on statelessness in

Zambia could be attributed to the fact that very few organisations, whether under the Government or outside the Government dealt with the issue of statelessness as part of their formal mandate. Consequently, there was no systematic mechanism for collection of data on statelessness in Zambia.

7.2.2.7 Measures Addressing the Vulnerabilities of Stateless Women and Children

Your Committee learnt that the notable measures that had been called for to address the issue of statelessness generally regardless of gender lay in the domestication of all international conventions on statelessness. For instance, the 1961 UN Convention on the Reduction of Statelessness together with the 1954 UN Convention on the Status of Stateless persons provided the legal basis at the global level for addressing the causes and consequences of statelessness which were not addressed in any other treaty.

7.2.2.8 Committee's Observations and Recommendations

Having considered submissions from stakeholders, your Committee observes and recommends as outlined below.

- i. Your Committee notes that statistics on the prevalence of statelessness in Zambia are very scanty and there is no specific institution dealing with the matter.

In this regard, your Committee recommends that in order to ensure that accurate and aggregated statics on statelessness are collected, the Government should identify an institution, such as the Passport and Citizenship Office, to deal with issues of statelessness.

- ii. Your Committee notes that there is limited awareness among officials in relevant Government institutions on the issue of statelessness.

Your Committee, therefore, urges the Government to mount a vigorous sensitisation campaign among officials in relevant government departments to protect stateless persons.

- iii. Your Committee notes that although there are no laws that may adversely affect the rights of women and girls to citizenship in Zambia directly, the administrative practices and procedures regarding issuance of birth certificates throughout the country are highly centralised, thereby disadvantaging vulnerable persons who live in remote areas, particularly women who have to travel long distances to health facilities and registration centres to apply for and collect birth certificates.

Your Committee, in this regard, recommends that the Government should take measures to make birth certificates more accessible by decentralising the issuance of these documents to health centres as well as capturing information about births occurring outside health centres for subsequent issuance of birth certificates.

- iv. Your Committee notes, with concern, that Zambia has not ratified the 1961 Convention on the Reduction of Statelessness although its provisions are partly reflected in the *Citizenship Act, Chapter 124 of the Laws of Zambia* and the Constitution of Zambia.

Your Committee, therefore, recommends that the Government should ensure that Zambia is fully compliant by ratifying the 1961 UN Convention and ensuring that both the 1954 and the 1961 UN Conventions are domesticated in their entirety.

- v. Your Committee observes that, with the exception of those with refugee status, Zambia has made no provision for maintaining statistical information regarding the number of stateless persons and potentially stateless persons within its jurisdiction.

Your Committee, therefore, recommends that the Government should develop a strategy to deal with the prevention of statelessness as it is bound to arise in future.

- vi. Your Committee observes that the *Immigration and Deportation Act, Chapter 123 of the Laws of Zambia*, permits the Minister of Home Affairs to declare a person's presence in Zambia inimical to the public interest and further to deport that person, without explaining his/her reasons and without notice or an opportunity to be heard in advance. This means that a person may be subjected to statelessness arbitrarily.

In this regard, your Committee recommends that this provision be revised to provide for an appeal process should there be grounds for such, to forestall the potential for human rights abuses that could emanate from the infliction of a sanction as severe as deportation without any safeguards.

- vii. Your Committee observes that the administrative practice of forcible removal without confirming the citizenship of the deportee with the receiving country exacerbates the risk of statelessness.

In this regard, your Committee recommends that there should be a requirement to confirm the citizenship of the deportee with the receiving country before a person can be deported.

- viii. Your Committee notes that section 29 of the *Refugee Act, Chapter 120 of the Laws of Zambia*, appears to limit the bar on discrimination against refugees and potentially stateless persons to “recognised” refugees only, leaving out a whole class of asylum seekers and stateless persons that fall short of the requirements for formal recognition as “refugees”.

Your Committee, therefore, recommends that the law be amended so that protection against discrimination is extended to asylum seekers and those who have not yet attained recognition as refugees.

7.3 TOPIC THREE: CONSIDERATION OF REPORTS FROM PARLIAMENTARY DELEGATIONS TO INTERNATIONAL PARLIAMENTARY ORGANISATIONS

7.3.1 Background and Purpose

The purpose of this activity was to consider Reports from Parliamentary Delegations to international parliamentary organisations, with a view to making the necessary observations and recommendations to the Executive for action

Your Committee considered Reports from the Parliamentary delegations listed hereunder.

- i) Commonwealth Parliamentary Association (CPA).
- ii) Pan African Parliament (PAP).
- iii) SADC Parliamentary Forum (SADC-PF).
- iv) The Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR).
- v) Southern Africa Development Community Public Accounts Committees (SADCOPAC).
- vi) African-Caribbean and Pacific European Union Joint Parliamentary
- vii) Assembly (ACP-EU JPA).
- viii) Inter-Parliamentary Union (IPU).

7.3.2 REPORT OF THE DELEGATION TO THE COMMONWEALTH PARLIAMENTARY ASSOCIATION (CPA)

Your Committee was informed that the Commonwealth Parliamentary Association (CPA) was an inter-parliamentary association of parliaments

from Commonwealth countries which believed in and practised the ideals of democracy. Its membership was open to parliamentarians from both national and sub-national parliaments. In this regard, it had 175 branches in national, state, provincial and territorial parliaments with a membership of about 17,000 parliamentarians.

Your Committee heard that the purpose of the CPA was to assist member parliaments promote the ideals of parliamentary democracy contained in the Commonwealth Charter. These included the conducting of free and fair elections, separation of powers, respect for human rights, good governance and the rule of law, tolerance and respect and the promotion of sustainable development. The CPA organised two annual conferences; one at regional and the other at international level. The CPA also held a conference of Commonwealth Women Parliamentarians (CWP) which, as far as possible, was held alongside the main conference. In 2017, the CPA Zambia Branch sent delegations to both conferences.

The 48th CPA Africa Region Conference and Annual General Meeting Owerri, Imo State, Nigeria October, 2017

Your Committee learnt that the CPA Zambia Branch sent a delegation of five Members of Parliament led by Mr Mwansa Mbulakulima, MP, Vice-President I of the CPA Zambia Branch Executive Committee, to the 48th Regional Conference and Annual General Meeting held in Owerri, Imo State, Nigeria. The Conference theme was “Africa Agenda 2063: Vision and Master Plan” and the delegates discussed several thematic topics and unanimously came up with the following resolutions on each topic:

- a) **Inclusive Development: Gender-Mapping Africa’s Agenda 2063 and Sustainable Development Goals (SDGS)**
 - i) African Parliaments should enact laws to create Equal Opportunity Commissions as a basis for challenging all laws, policies, customs and traditions that discriminated against women and people with disabilities;
 - ii) Governments in Africa should be encouraged to formulate National gender policies with a view to ensuring gender equity in the distribution of political offices, promoting affirmative action and social inclusion;
 - iii) African Parliaments should ratify treaties and protocols relating to gender parity such as the Maputo Protocol of March, 2016 and the African Charter on Human and Peoples’ Rights;

- iv) African Parliamentarians, Human Rights Groups and other stakeholders should champion advocacy against patriarchy and other harmful cultural practices which tended to hinder the access of girls and women to social and economic opportunities, including career advancement, credit facilities, ownership of land, property, businesses and signing of business contracts;
 - v) African parliaments should enact legislation promoting girl-child education as well as prohibiting early child marriages, female genital mutilation, gender-based violence, sexual abuse and forced surrogacy;
 - vi) African Parliaments should enact family rights laws to promote girls' and women's rights to property and family inheritance;
 - vii) Governments, parliaments and non-state actors should improve on tools for gender mainstreaming, such as gender mapping, gender surveys and studies, the use of data, guidelines and checklists disaggregated by sex, for planning and programming; and
 - viii) Policy makers, research institutes, civil society organisations and other stakeholders should adopt instruments and methodologies such as gender-impact analysis for monitoring and evaluation.
- b) **Free Movement of People, Goods and Services: Is Africa Ready for a Common Passport, a Common Market and a Single Customs and Monetary Union?**
- i) African Governments should ratify and domesticate the 1991 Abuja Treaty on Free Movement of Africans within Africa by adopting a common passport and abolishing all visa regimes;
 - ii) African Governments should encourage intra-regional trade by implementing the Continental Free Trade Area (CFTA) Agreement of 2012, removing restrictive tariffs and prohibitive laws that hindered the exchange of goods and services on the continent;
 - iii) African Governments should invest in cross-border communication and infrastructure networks to ease air, land and sea transportation of people, goods and services in Africa; and
 - iv) African countries should fast-track the process of adopting a single Customs Union as well as a common currency to streamline border clearance, simplify issuance of work permits and promote ease of doing business within the continent.

c) **Silencing the Guns: A Parliamentary Agenda for Peace Building, Conflict Resolution, Post Conflict Trauma Management and the Development of a New Security Architecture by the Year 2020**

- i) African Governments should develop a new security architecture with emphasis on conflict prevention through peace-building, identification of early warning signs, diplomacy and accommodation;
- ii) African Governments should establish Alternative Dispute Resolution (ADR) mechanisms to promote arbitration, mediation, reconciliation, negotiation and conflict resolution in order to avert unnecessary disputes;
- iii) African Parliaments should enact anti-terrorism and anti-money laundering legislation as well as laws prohibiting cyber-crime;
- iv) African Parliaments should regulate against the proliferation of small arms in the continent;
- v) Political leaders should deliberately promote free and fair elections, good governance, fairness, justice, transparency and accountability, youth employment and poverty reduction, thereby eliminating primary sources of conflict and security threats;
- vi) African Parliaments should carefully scrutinise budget estimates of the defence sector with a view to curtailing the unnecessary diversion of scarce resources to arms procurement, especially in peace times;
- vii) Governments in Africa should establish and equip post-conflict trauma centres and initiate programmes to rehabilitate victims of wars as well as address their social and psychological challenges;
- viii) Governments in Africa should establish an African multi-national standby force to defend the continent against common security threats occasioned by coup d'états, insurgencies, piracy, trans-national organised crimes and wars; and

- ix) African Governments should adopt a human rights approach in tackling the menace of terrorism instead of treating suspected terrorists as war criminals.
- d) **Infrastructure Deficit in Africa: The Challenge of Mobilising Domestic Resources for Funding Agenda 2063 Programmes and Projects**
- i) African Governments should strengthen their tax regimes to increase their capacity to generate capital for the implementation of projects and programmes;
 - ii) African Parliaments should enact legislation aimed at curbing illicit outflow of funds;
 - iii) African Governments should create an enabling environment to retain skilled human resources and reverse the present trend of human capital flight or brain drain;
 - iv) Governments in Africa should promote transparency and accountability in the management of public finances, thereby encouraging performance budgeting and good governance; and
 - v) Governments in Africa should recognise, mobilise and ensure the buy-in and ownership of all African stakeholders including the youth, women, organised labour, civil society organisations, the Diaspora, the media, African think-tanks and research institutions, the organized private sector, among others in terms of resourcing, monitoring and implementation of the vision and master plan.

The 63rd Commonwealth Parliamentary Conference and General Assembly Meeting Dhaka, Bangladesh, November 2017

Your Committee was informed that Zambia was represented at the 63rd Commonwealth Parliamentary Conference by a delegation of four Members of Parliament led by Hon. Madam First Deputy Speaker. The Conference, which was held in Dhaka, Bangladesh, was organised in workshops in which delegates deliberated upon and resolved on several thematic topics.

During the Conference, the Foreign Minister of the People's Republic of Bangladesh, briefed delegates on the plight of the Rohingya refugees who had fled to Bangladesh from Myanmar. On a proposal by the CPA Malta Branch, the delegates adopted the following statement on the Rohingya humanitarian crisis:

“The 63rd General Assembly of the Commonwealth Parliamentary Association CPA:

- i) Affirms the collective will of the membership of the Commonwealth Parliamentary Association to call for urgent action from the international community to resolve the ongoing humanitarian crisis facing the Rohingya as an ethnic minority.
- ii) Recalls the importance of Commonwealth Parliaments and Parliamentarians engaging and collaborating at both the international and national levels to establish strategies of conflict prevention to promote global peace and security, respect for human rights and the rule of law.
- iii) Calls on all Commonwealth Parliaments and Parliamentarians to condemn the atrocities, oppression, ethnic cleansing, displacement and all gross violations of human rights, including loss of innocent lives in the Rakhine State of Myanmar.
- iv) Invites all Commonwealth member states to help in securing basic rights for the Rohingyas, extend humanitarian support to the Rohingyas and join the efforts of Bangladesh and the international community towards a sustainable return of Rohingyas to their homeland in the Rakhine State of Myanmar. Delegates to workshops held during the 63rd CPC deliberated on and noted or endorsed recommendations on the following thematic topics:

Workshop A: Democracy Must Deliver: The Role of Parliament in addressing the Challenges

The workshop discussed the importance of the Sustainable Development Goals (SDGs), specifically Goal 16 which related to parliaments and good governance. Delegates endorsed the following recommendations on the topic:

- i) Parliaments should ensure that Parliamentarians were equipped and enabled to make informed decisions on law-making, budgeting, oversight and public outreach in effectively implementing the SDGs;
- ii) Parliamentarians should proactively play a role in translating the seventeen SDGs into legislation and policies for country-specific goals;
- iii) Parliament to foster the promotion of democracy and good governance, thereby enhancing people’s participation, it should be more transparent and easily accessible to the public; and

- iv) A democratic Parliament should reflect the social diversity of the population in terms of gender, geography, language religion, race, ethnicity and any other politically-significant characteristics.

Workshop B: **The Role of Parliamentarians in Building Stronger Ties Within the Commonwealth: Including New Trade Issues, Visa Issues, Travel Restrictions and Non-Tariff Restrictions**

Delegates fully recognised the value of international trade to achieving economic and social progress and meeting the targets of the SDGs. They further noted that improving trade facilities and logistics at the national and regional level could significantly reduce trade costs and boost trade. Additionally, simplifying customs procedures and tariff systems, upgrading systems to expedite the movement, release and clearance of goods and performing as logistic hubs were important factors for the increase in free trade.

In view of this, Delegates made the following recommendation:

- i) Free movement was key to building stronger ties within the Commonwealth. National parliaments, should, therefore, champion visa free regimes for Commonwealth citizens.
- ii) There was need to set up a committee charged with arranging a seminar with experts to examine the reasons for the decline in momentum in removing obstacles to international trade and to recommend appropriate remedies; and
- iii) In the Commonwealth, visa issues and travel restrictions operated against free movement of citizens to promote trade. Parliaments must ensure that immigration reform is enacted.

Workshop C: The Climate Change Debate: A Challenge for the Commonwealth

Delegates observed that Commonwealth countries which had signed the COP 21 Paris Agreement should address the problem of climate change. They, however, acknowledged that most Commonwealth countries had not done much in terms of implementation of the Agreement.

Delegates made the following recommendations:

- i) Legal reform can make a low carbon and climate resilient development pathway possible by reinforcing policy, strengthening institutions and mobilising resources towards climate change activities; and

- ii) Parliaments within the Commonwealth should ensure a framework for combating climate change is developed and implemented within each Region and updated at Regional Conferences.

Workshop D: Sustainable Development Goals: How Can CPA Members Work with their Own Governments in Ensuring that the Goals have a Proper Gender Lens to Ensure Success in the Areas of Alleviating Poverty and Women’s Empowerment?

Delegates noted that in September 2015, the United Nations adopted seventeen Sustainable Development Goals, which would inform the development agenda for states up to 2030. The delegates further noted that SDG 5 specifically related to gender equality and the empowerment of women and girls. Delegates, in this regard, considered how Parliamentarians could work with their respective governments to ensure that the implementation of the SDGs had a proper gender lens.

The workshop delegates made the following recommendations:

- i) CPA members should ensure that, as their parliament works towards achieving the SDGs, it meaningfully consulted and incorporated perspectives from women across a variety of demographics;
- ii) Empower the Committees of Parliament to champion gender consideration of all budgets and Bills and promote gender sensitive annual reports that are tabled in Parliament; and
- iii) Parliaments, vested with powers to make laws, allocate resources and represent the people were best placed to ensure promotion of gender equality and empowerment of women, and women’s representation in the parliament was central to ensuring that no women or girls were left behind as new targets to achieve the SDG goals critical to human development and human survival were set.

Workshop E: Critical Mass: Small Jurisdictions and Big Problems Logistics and Infrastructure Challenges

The delegates noted that there was a large variation between jurisdictions within the CPA, both in size and the level of development. There were problems in some jurisdictions in coping with a high demand for infrastructure but with a low national income. Several options for raising revenue for infrastructure development were explored. These included raising taxes; seeking private funding; seeking partnerships with private enterprises; selling off assets; lowering expectations and spending less.

The delegates endorsed the following recommendations:

- i) Parliaments must ensure that governments enhanced the policy and regulatory framework for market-led growth, whilst strengthening the financial sector to expand and better manage infrastructure;
- ii) Small jurisdictions with limited funding and resources must be strategic, creative and competitive in addressing their unique logistical and infrastructure challenges;
- iii) Knowledge and good practice sharing by Commonwealth parliaments at national and sub-national levels, should wherever practicable, be facilitated to help overcome resource gaps; and
- iv) The CPA should facilitate better knowledge sharing between Branches and be an advocate for better coordination of assistance from development partners to its members.

Workshop F: CPA Benchmarks for Democratic Legislatures: Progress in the Past Ten Years:

The CPA recommended Benchmarks for Democratic Legislatures were first developed in 2006 with the assistance of all nine regions of the CPA and support from international organisations including the World Bank. These CPA Benchmarks had provided a minimum standard to be met by all Commonwealth Parliaments and a description of how a Parliament should act, behave and function.

This workshop discussed the CPA Benchmarks and their implementation to date. It was noted that regular updates were important to ensure that the CPA Benchmarks were relevant to each jurisdiction. Delegates noted that many CPA Branches had undertaken self-assessment of their parliaments and legislatures using the CPA Benchmarks. It was noted that self-assessments by Parliaments to evaluate their performance and highlight areas in which they could improve was useful. Additionally, these assessments would enable comparison between legislatures.

The workshop made recommendations as follows:

- i) Branch Presidents/Clerks to assess their legislatures against the CPA Benchmarks to identify improvements and enhancements and to report on progress at future conferences;

- ii) Where relevant, citizens, civil society and academia should be consulted when Parliaments conducted self-assessments with the CPA Benchmarks to promote transparency and accountability;
- iii) Parliaments should use the updated CPA Benchmarks on Democratic Legislatures as a tool to ensure their contribution to SDG 16 (on inclusive and accountable governance); and
- iv) To conduct a regular meeting to review and enhance the CPA Benchmarks to suit the current developments.

Workshop G: Giving Voice to the Youth: Mechanisms for Ensuring Effective Participation of Youth in the Governance Process

Delegates noted the importance of giving a voice to the youth and the mechanisms for ensuring the effective participation of youth in governance. Delegates further noted the emergence of positive role models in Parliament for young people with young leaders recently elected as Heads of States and Government in a number of jurisdictions including Canada, New Zealand and France.

The following recommendations were made by the workshop delegates:

- i) Parliaments must ensure that youth Parliamentarians were given a voice in all parliamentary, national, regional and international representative bodies;
- ii) Parliament needed to give a voice to the youth by making sure the policies addressing their needs were actively considered;
- iii) Parliaments and parliamentarians should ceaselessly endeavour to ensure the mainstreaming of the youth in governance and nation building so as to equip and empower them to shape the destinies of democracies the world over;
- iv) Introduction of youth quotas in parliament and youth quotas at the party level in the case of choosing candidates should be prioritised; and
- v) Youth must be mentored through internships and apprenticeships in statutory bodies and parliamentary functions should be taught within mainstream education.

Workshop H: What Factors Fuel the Rise of Different Kinds of Nationalism?

Delegates defined nationalism as something that stemmed from internal or external forces pressuring unity and cohesion among native individuals of societies. Further, the delegates noted that nationalism had the capacity to bring about varying effects that could either ameliorate the livelihood of the citizens of a society or it could cause its detrimental to it.

The workshop made the following recommendation unanimously:

This CPC workshop recognises that different factors, history, political systems and geography can influence different types of nationalism across different countries of the world.

Commonwealth Women Parliamentarians (CWP) Session: If We Want Genuine Positive Change in the World, We Need More Women Leaders. How Can We Persuade the World that the Future is Dependent on Gender Equality?

This workshop for the Commonwealth Women Parliamentarians (CWP) network discussed how a society with greater equality of opportunity was a more economically dynamic society. It was highlighted that girls and young women usually needed mentors. Successful female legislators had a responsibility to be visible and to make themselves available to those who would benefit from their experience.

The following recommendations were endorsed by the workshop delegates:

- i) Using data driven strategies to increase women's political participation, women Parliamentarians should be allowed to serve as role models, and better support policies that promote gender equality;
- ii) Women were born equal and, to strive and achieve equity and equality, the playing field should be made even to enable and provide equal opportunities for all. Parliaments had a key role to play in making this happen; and
- iii) World leaders should create a conducive environment in their countries for women to enter politics and positions of leadership to achieve the goal of gender equality.

CWP Workshop Discussion on Gender Equality and the Role of Male Parliamentarians:

Delegates discussed the role of male parliamentarians in championing gender equality. The delegates noted that self-sustaining patriarchal power relations had prevented women from making progress in parliamentary representation. They observed that the problem was not just getting women into parliament, but ensuring that they stayed there. Delegates also noted that female parliamentarians faced scorn and disapproval in the mass media to an extent not experienced by their male counterparts.

The following recommendations were made by the workshop delegates:

- i) For too long, parliaments had been male dominated. For real change, male parliamentarians must work in equal partnership with women in championing gender equality; and
- ii) The male-dominated mind-set and personnel of the media must change and the reportage should promote gender equality objectives and sensitivities.

Committee's Observations and Recommendations

Your Committee, in noting the submission from the Zambia Branch of the CPA, urges the Zambian Parliament and Government to take note of the resolutions and recommendations of the CPA and implement them in the Zambian context.

7.3.3 REPORT OF THE DELEGATION TO THE PAN AFRICAN PARLIAMENT (PAP)

Your Committee was informed that the theme of the Session was "*Harnessing the Demographic Dividend through Investments in the Youth*". As is stated in the Seventh National Development Plan, the demographic dividend referred to the economic benefit a society enjoyed when fertility and mortality declined rapidly and the ratio of working-age adults significantly increased relative to young dependants. Zambia's large youthful population presented an opportunity for harnessing the demographic dividend with appropriate investments made in priority areas of the economy such as education and health. This entailed investing in creating opportunities and a supportive environment for innovation and entrepreneurship for all persons of all ages, particularly young people.

The Fifth Session of the Fourth Parliament culminated in resolutions and recommendations presented hereunder.

- i) Engage with key stakeholders, particularly National Parliaments, relevant government ministries and civil society organisations to

create awareness, promote education on, and promote the adoption of, international, regional and national human rights instruments and policies, including the Maputo Protocol.

- ii) Work with National Parliaments to advance the ratification, domestication and implementation of the Maputo Protocol, and where relevant, to amend national laws in line with the Protocol.
- iii) Engage with National Parliaments to promote increased women's participation in decision-making, including through the implementation of the African Union Gender Policy.
- iv) Promote the implementation by African Union member states of the African Union Continental Framework on Sexual Reproductive Health Rights and the Maputo Plan of Action 2016-2030.

Committee's Observations and Recommendations

In noting the resolutions of the Pan African Parliament, your Committee urges the Zambian Government to:

- i) enhance women's participation in decision-making through the implementation of the African Union Gender Policy; and
- ii) expedite the implementation of the African Union Continental Framework on Sexual Reproductive Health Rights and the Maputo Plan of Action 2016-2030.

7.3.4 REPORT OF THE DELEGATION TO THE SADC PARLIAMENTARY FORUM (SADC-PF)

Your Committee was informed that the SADC Parliamentary Forum (SADC PF) was a parliamentary institution for the member States of the Southern Africa Development Community (SADC) and that currently; the membership of the Forum consisted of the Parliaments of all SADC member countries, except Madagascar.

Your Committee was informed that the vision of the Forum was to become a delivery-focused, people-centred institution that accelerated and promoted parliamentary participation in regional decision making for the benefit of the citizens of SADC. Its Mission was to facilitate strategic partnerships within the SADC region, promote information sharing, initiate and implement projects that enhanced regional integration and promoted effective and professional parliamentary practice.

Your Committee learnt that during the period November, 2016 to November, 2017, two Plenary Assembly Sessions were held. These were the 40th Session, hosted by the Parliament of Zimbabwe in Harare, Zimbabwe from 3rd to 15th November, 2016 and the 41st Session, held from 4th to 15th July, 2017 in Mahé, Seychelles. The Zambian Parliament was represented at both Plenary Assemblies and took part in several other activities organised by the Forum during the period under review.

The 40th Plenary Assembly

a) **Symposium Organised on the Sidelines of the 40th Plenary Assembly Session on “*Statelessness in the SADC Region*”**

Your Committee was informed that a Symposium was held on the sidelines of the 40th Plenary Assembly. The Symposium was aimed at creating a common understanding of statelessness and the right to a nationality. It was also aimed at clarifying the international legal framework on the right to a nationality and the prevention of statelessness; recalling regional commitments with regard to the right to a nationality; and enhancing the understanding of the role of UNHCR with regard to statelessness.

The Symposium, therefore, called upon SADC Parliaments to:

- i) contribute to the resolution of existing situations of statelessness;
- ii) review national legislation to ensure its consistency with international standards on the prevention and reduction of statelessness;
- iii) promote legislative reform that could address any gaps;
- iv) strengthen Parliamentary oversight of implementation of relevant domestic and international instruments by the Executive; and
- v) promote accession to the 1954 and 1961 Statelessness Conventions.

In addition to the above, key resolutions were passed during the 40th Plenary Assembly Session on the issues set out below.

- i) Promotion of parliamentary accountability through openness and accessibility.
- ii) The Prevalence of the Dual Epidemic of Tuberculosis (TB) and Diabetes around the World.
- iii) Tackling Hunger and Poverty in Southern Africa.

- iv) The Need for SADC Member States to Expedite the Signing and Implementation of the Tripartite Free Trade Area Agreement Aimed at Creating an Enlarged Market extending from Cape to Cairo.
 - v) The Negative Impact of Political Violence on Women’s Participation in Politics.
 - vi) The Prevention of Statelessness and the Protection of Stateless Persons in the SADC Region.
 - vii) Responding to the SADC Energy Crisis through the Adoption of Renewable Energy (Harnessing the Inga Dam – Phase Three).
 - viii) The implementation of the SADC PF Sexual and Reproductive Health and Rights (SRHR), HIV and AIDS and Governance Project.
 - ix) Supporting the African Union’s Theme for *the Commemoration of Africa Youth Day 2016: “Promoting Youth Mainstreaming as a Catalyst towards Harnessing the Demographic Dividend.”*
 - x) The Need for Gender Balance in SADC PF Election Observation Missions.
 - xi) The Decentralisation of the UN Women and RWPC He-For-She Global Solidarity Movement Project to SADC National Parliaments.
 - xii) Parliamentary Oversight Mandate and Elections in the SADC Region. In this Motion, the Plenary Assembly implored the Forum to focus its efforts on the entire electoral cycle in its elections programme in line with the six-step approach that was approved by the 34th Plenary Assembly in 2013, so that it could capture the full range of issues in order to influence electoral reforms in member states.
 - xiii) Interim Statement by the SADC PF Election Observation Mission to the 2016 Zambia General Elections and Referendum. The Forum commended Zambia for holding credible elections, notwithstanding some observed shortcomings.
- b) **Update on the Transformation of SADC PF into a SADC Regional Parliament**

The Plenary Assembly noted that the SADC 36th Ordinary Summit of Heads of State and Government had again rejected the request by the SADC PF to be transformed into a SADC Regional Parliament on the basis that the matter had not come through the normal procedures. The Plenary Assembly resolved that a letter be written to the SADC Executive Secretary and the Chairperson of the

Council of Ministers requesting for the transformation of SADC-PF into a SADC Regional Parliament to be an agenda item for the SADC Council of Ministers' meeting scheduled for March, 2017.

The 41st Plenary Assembly Session

a) **Symposium on “*Harnessing the Democratic Dividend in the SADC Region through Investment in Youth*”-the theme of the 41st Plenary Assembly Session**

During the 41st Plenary Assembly Session, a Symposium was held on the theme “*Harnessing the Democratic Dividend in the SADC Region through Investment in Youth.*”

Arising from the deliberations on various issues relating to the theme, the Plenary Assembly called upon national parliaments and Governments in the SADC Region to:

- i) promote the concept of demographic dividend widely in order to make sure that duty bearers, especially Members of Parliament at national and SADC level, were adequately informed about it so that they could get involved;
- ii) facilitate the allocation of resources to undertake national and sub-national demographic dividend research, and national roadmaps in each member state within SADC which would identify viable areas where investments to harness the demographic dividend would be made;
- iii) develop and adopt a SADC roadmap and action plan on harnessing the demographic dividend through investment in youth covering various activities as a matter of urgency; and
- iv) enact laws that ensure universal ratification, domestication and full implementation of all the African Union Shared Values instruments, including the African Youth Charter (AYC) and the African Charter on Democracy, Elections and Governance (ACDEG) by all Member States within SADC as a matter of priority.

The key focus areas of the region to leverage on the demographic dividend were employment and entrepreneurship; education and skills development; health and well-being; and rights, governance and youth empowerment.

b) **Meeting of the Regional Women’s Parliamentary Caucus – 5th to 6th July, 2017, Eden Island, Seychelles**

Your Committee learnt that a meeting of the Regional Women’s Parliamentary Caucus was held on Eden Island in the Republic of Seychelles. The meeting

was the first of its kind and focused on UN Resolution 60/2 on “*Women, Girls and HIV and AIDS*”. The objective of the meeting was to develop a framework for sustained engagement by SADC Parliaments on the implementation of Resolution 60/2 of the UN Commission on the Status of Women (CSW) entitled “*Women, the Girl Child and HIV and AIDS*”. The meeting called on SADC PF to commit to the following principles to guide its work in advocating for the implementation of the SADC-sponsored Resolution 60/2 of the CSW Resolution 60/2:

- i) **Address the Structural Determinants**
The root causes of high HIV prevalence among women and girls must be addressed, including poverty, lack of access to quality integrated and adolescent and youth friendly health services, information and education opportunities with a special focus on comprehensive sexuality education for in- and out-of-school youth, and eradication of child marriage as defined in the SADC PF Model Law on Eradicating Child Marriage and Protecting those Already in Marriage.
- ii) **Focus on Human Rights and Gender**
Efforts must be garnered to ensure that continentally and internationally recognised human rights norms informed and drove the HIV response and the establishment or strengthening of a gender sensitive legislative and policy framework.
- iii) **Promote a coordinated, coherent and holistic response**
There was need to ensure integration of SRHR and HIV efforts at national level as part of a multi-sectoral response to women and girls’ specific needs.
- iv) **Involve Adolescents, Young People and People Living with HIV**
Adolescents, young people and people living with HIV must be involved at all levels including conceptualisation, monitoring and implementation of programmes designed to benefit them.
- v) **Foster Community Participation**
Community participation was identified as key to turning the tide against AIDS and promoting social accountability.
- vi) **Reduce Stigma and Discrimination**
New and innovative ways must be found to end stigma and discrimination of people living with HIV, including through specific legal and policy reform.

- vii) Recognise the Centrality of Sexuality
The centrality of sexuality to human life and in individual, family, and community well-being must be recognised.

c) **Interim Mission Statement – Lesotho National Assembly Elections**

The Plenary Assembly also noted and adopted the Interim Statement of the SADC PF Election Observation Mission to the Lesotho National Assembly elections. In doing so, the Plenary Assembly noted that the Snap Elections were called for in line with the electoral law when the King of Lesotho proclaimed 3rd June, 2017 as Election Day, pursuant to section 37 of the *National Assembly Electoral Act, 2011*. The Plenary Assembly, commended political parties and candidates, the electorate and all the stakeholders in Lesotho for the mature and tolerant manner they conducted themselves during the pre – election and election period.

d) **Joint Session of the Democratisation, Governance and Human Rights and the Human and Social Development and Special programmes (DGHR and HSDSP)**

The Plenary Assembly noted the proceedings of the Joint Session of the Standing Committee on Democratisation, Governance and Human Rights and the Human and Social Development and Special programmes. In this vein, the Plenary Assembly further:

- i) reiterated that Parliamentarians had a sacred duty to represent all citizens, and to stand up for human rights for all, without prejudice or discrimination. In this regard, SADC Parliamentarians should lead advocacy efforts and open debates on apparently difficult topics with a view to promoting non-discrimination and the enjoyment of human rights by all;
- ii) implored all Parliamentarians in SADC to hold their governments, as duty bearers, accountable on their commitments such as those on financing of HIV, Comprehensive Sexuality Education and others related to Sexual and Reproductive Health. In this light, the Plenary Assembly should implore all Parliamentarians in the region to comprehensively monitor various government interventions in the health sector focusing on actual impact on service delivery, including quality of service; and
- iii) directed the SADC PF Secretariat to innovate around the nature of support they could offer to the Members of Parliament to enable them carry their social accountability work forward from

regional to national level through careful analysis, prioritisation, planning, and programme design.

e) **Establishment of a Monitoring Mechanism regarding the Domestication and Implementation of SADC Model Laws**

The Plenary Assembly resolved to establish a monitoring mechanism on the domestication and implementation of SADC Model Laws. In particular, it was resolved that a Standing Committee be established for this purpose. This Standing Committee would be established primarily for strengthening the institutional capacity at regional level to conduct oversight over the implementation of model laws developed by SADC PF, implementation of SADC PF Programme related Plenary Assembly Resolutions and other ancillary matters in relation to the model laws in members states. In this respect, the Committee would be entrusted with the regular monitoring of performance indicators related to the implementation of model laws in order to assess the means used by national parliaments to in turn monitor the intended actions and desired progress.

f) **Request by the United Liberation Movement for West Papua**

The Plenary Assembly noted the request by the Secretary General of the United Liberation Movement for West Papua, an organisation fighting for the decolonisation of West Papua New Guinea. West Papua is currently colonised by Indonesia.

g) **Other Deliberations**

Other Motions adopted and resolutions passed during the 41st Plenary Assembly Session are set out below.

- i) Motion calling for Gender Mainstreaming as a Strategy for Accelerating Gender Equality.
- ii) The African Union (AU) Decision on the Institutional Reform of the African Union.
- iii) Motion on Gender-Based Violence in the Southern African Development Community (SADC) Region.
- iv) Motion on the Increase in Non-Communicable Diseases, Obesity as a result of excessive consumption of sugary foods and beverages and their impact on harnessing the demographic dividend in the SADC Region.
- v) Resolution on the Status of SADC National Women's Parliamentary Caucuses.

- vi) Resolution condemning all forms of Harassment, Bullying and Abuse of Children in Schools and their Environment in the SADC region.
- vii) Resolution on Consultative Meeting on the SADC Model Law on Private Sector Participation in Mining.
- viii) Resolution on the Development of the Strategic Plan for the Implementation of the Youth Development Policy in the SADC Region.
- ix) Resolution on the Participation of the Standing Committee on Gender Equality, Women's Advancement and Youth Development at the UN Commission on the Status of Women (CSW).
- x) Resolution on the Role of Governance in Attaining Sustainable Development Goals (SDGs) in SADC and the Role of Parliaments in Advancing the Social Accountability Agenda in SADC.
- xi) Resolution on Progress Made in Implementing the SADC HIV Financing and the SRHR, HIV and AIDS Governance Project.
- xii) Resolution on Enhancing Access to Medicine through the adoption of a Human Rights Approach and Harnessing the TRIPS Flexibilities.
- xiii) Resolution on Sustained Engagement by SADC Parliaments to implement Resolution 60/2 of the Commission on the Status of Women on "Women, the Girl Child and HIV and AIDS."
- xiv) Resolution on Sustained Technical and Financial Support by SADC Parliaments and Partners to Strengthen the Committee System of SADC Parliamentary Forum.
- xv) Resolution to nominate a SADC candidate for the 2018 Pan African Parliament (PAP) Presidency: it was resolved that the SADC Caucus should support Mozambique, the current Deputy President, for the 2018 PAP Presidency.

Your Committee was informed that these resolutions had since been forwarded to the relevant Ministries for appropriate action by the Office of the Clerk of the National Assembly.

Other Activities

In addition to the above two Plenary Assemblies which are mandatory meetings, the Zambian Parliament also actively participated in various other activities organised under the auspices of the SADC Parliamentary Forum. These included the following:

- a) April, 2017- Joint Session of the Standing Committees on Democracy, Governance and Human Rights and Human and Social Development and Special Programmes which took place from 6th to 7th April, 2017; and
- b) November, 2017- The meeting of the Standing Committees on Democracy, Governance and Human Rights and Human and Social Development and Special Programmes which took place from 6th to 7th April, 2017
- c) The SADC PF organised training in October, 2017 in natural resource governance. It was targeted at Members serving on committees responsible for natural resources and mining. This was aimed at enhancing the capacity of the Members of Parliament to interrogate matters relating to natural resource governance.

Your Committee learnt that the National Assembly of Zambia had continued to actively participate in the SADC PF Sexual Reproductive Health Rights and Governance (SRHR) Project. During the period under review, Zambia conducted two workshops for members of Parliament serving on Committees to orient them on the operations of the Project; participated in a mid-term review of the Project and held a Workshop for women Parliamentarians on SRHR as well as an interaction between some of the Project partners and Members of selected Committees of Parliament.

Committee's Observations and Recommendations

In noting the Report of the delegation to the SADC-PF, your Committee urges the Zambian Government to implement the resolutions and recommendations of the 40th and 41st plenary Assemblies of the SADC-PF, which have already been forwarded to the relevant ministries by the Office of the Clerk of the National Assembly for appropriate action.

7.3.5 REPORT OF THE DELEGATION TO THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR)

Your Committee was informed that the Forum of Parliaments of the International Conference on the Great Lakes Region (FP/ICGLR), held its Eighth Ordinary Session of the Plenary Assembly in Bangui, Central African Republic from 5th to 7th December, 2017.

The Security Situation in ICGLR Member Countries

(i) The Democratic Republic of the Congo (DRC)

The Plenary Assembly noted the insecurity and humanitarian crisis in the Eastern Democratic Republic of Congo brought about by destabilising activities of both national and foreign armed groups and by the persistence of these armed groups especially the Democratic Forces for the Liberation of Rwanda (FDLR) and the Allied Democratic Forces (ADF), the Lord's Resistance Army (LRA) and other active armed groups committing massacres of civilians especially in the provinces of North and South Kivu, Tanganyika, Lomami, Sankuru, Kongo Central and Kasai. It also noted that the Agreement signed on 31st December, 2016 that provided for elections in the DRC before the end of 2017 and welcomed the progress made in voter registration process so far.

The Plenary Assembly, thereafter:

- a) strongly condemned the violence and violations of human rights in eastern DRC, particularly the multiple and successive brutal killings, sexual and gender violence perpetrated with extreme brutality against civilian populations committed by armed groups such as ADF-NALU, FDLR, (National Forces of Liberation (FNL) and LRA and urged the Government of DRC to carry out thorough investigations into the atrocities;
- b) urged the Government of the DRC and all the parties concerned to ensure that a conducive environment existed for the holding of free, fair, credible, open, transparent and peaceful presidential and legislative elections;
- c) encouraged the Government of the DRC to promote and strengthen cooperation with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the countries of the region to continue the military offensive against the FDLR, ADF-NALU and other negative forces, with particular attention to neutralise their command structures; and
- d) expressed concern at the alarming humanitarian situation in the DRC including the displacement of people, food insecurity, epidemics and natural disasters, called on the humanitarian agencies to continue supporting the internally displaced persons (IDPs), vulnerable persons and refugees by meeting their needs.

(ii) The Central African Republic (CAR)

The Plenary Assembly noted some efforts made in stabilising the situation in the Central African Republic (CAR) through the adoption of a parliamentary Peace Plan of 26th May, 2016; Roadmap for Peace and Reconciliation of 17th July, 2017 and the Security Council Resolution 2387 of 15th November, 2017 extending and strengthening the mandate of United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). It also noted that the UN arms embargo imposed on the Central African Republic was negatively affecting the country and urged the country to use the existing mechanisms to procure the weapons it needed in accordance with the principal of traceability.

The Plenary Assembly, thereafter:

- a) condemned the violence and massacres perpetrated with impunity by armed groups and other negative forces on the civilian population and international forces in the Central African Republic;
- b) called upon the Government of the Central African Republic to take necessary measures in cooperation with its partners to implement the security service reforms including the disarmament, demobilisation, reintegration and repatriation (DDRR) programme and the rebuilding of a professional and republican security services that would reflect the entire Central African Republic;
- c) requested the Government of the Central African Republic to work in accordance with the constitutional order, in conjunction with all the legitimate institutions in both the quest and implementation of genuine solutions for a speedy return to security and lasting peace in the country;
- d) urged the Government to continue the dialogue with armed groups already identified as part of the DDRR Programme in order to seek positive solutions;
- e) called upon the Central African Republic to take appropriate measures to meet the victims' right to compensation;
- f) requested the Government to take necessary measures to improve good governance practices in general and especially the fight against corruption to ensure that the resources mobilised could have their effect on the economic recovery of the country; and

- g) called upon the United Nations to lift both the sanctions and ongoing arms embargo imposed on the Central African Republic in order to facilitate the restoration of a functional security force and to lift the measures concerning the diamond trade within the framework of the Kimberley process, among others.

(iii) **South Sudan**

The Plenary Assembly noted the efforts made in the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCRSS), including the formation of a Transitional Government of National Unity (TGNU), the reinstatement of the National Transitional Legislative Assembly (NTLA) and the Transitional Council of States and the incorporation of the provisions from the ARCRSS into the Transitional Constitution. The Plenary Assembly noted with concern, the resurgence of fierce fights between the Government and anti-government forces against defenceless civilians, causing loss of life and destruction of property. It also noted with concern the humanitarian situation in the Republic of South Sudan, which had deteriorated due to instability and hunger with about 1.9 million internally displaced persons (IDPs) and refugees estimated at about 1.6 million.

The Plenary Assembly, thereafter:

- a) strongly condemned the killing of civilians, all forms of violence and human rights abuses committed in the Republic of South Sudan during the civil war;
- b) urged the Transitional Government of National Unity in South Sudan to implement the Peace Agreement for the benefit of the country and its population and ensure that the national dialogue process was inclusive and transparent so as to complement the ARCRSS;
- c) urged humanitarian agencies to proceed with their support and assistance to internally displaced persons (IDPs) or refugees and advocate the implementation of an urgent programme to assist women and the vulnerable persons to ensure their integration; and
- d) urged the Sanctions Committee of the United Nations Security Council not to impose any sanctions, whether targeted or arms embargo, on the Republic of South Sudan.

(iv) **Burundi**

The Plenary Assembly noted that although the political and security situation had improved, the socio-economic situation remained worrying. The Plenary Assembly also noted the efforts made towards an inclusive inter-Burundian dialogue by the regional and international community, particularly the mediation by the East African Community led by the Ugandan President through the facilitation by the former Tanzanian President Benjamin Mkapa.

The Plenary Assembly, thereafter:

- a) condemned all forms of violence against civilians and all kinds of human rights violations that occurred;
- b) called upon the Government of the Republic of Burundi to take necessary measures to ensure the protection of the entire civilian population;
- c) requested the Burundian Government to continue to be engaged in the inter-Burundi dialogue process in an inclusive manner with the view to finding lasting solutions to the recurrent conflicts;
- d) requested the Burundian authorities to take necessary measures to build confidence, expand the space for political expression and facilitate the voluntary return of exiled refugees and political leaders;
- e) urged the international community in general and in particular the United Nations to promote cooperation in its relations with the Government of the Republic of Burundi and to support mediation in the peaceful settlement of the conflict in Burundi; and
- f) called upon the Government and its development partners to engage more constructively in order to carry out actions aimed at supporting the recovery of the Burundian economy.

The Plenary Assembly implored the Secretary General to continue monitoring the security situation in the DRC, the CAR, South Sudan and Burundi and to report progress at the next Session of the Plenary Assembly.

Election Observation Missions

Pursuant to the Pact of the ICGLR and the Inter-Parliamentary Agreement establishing it, the FP/ICGLR sent Parliamentary Election Observation Missions to countries which held elections in 2017 namely; Angola, Congo, Kenya, and Rwanda. The Missions were aimed at observing the general conditions of the electoral process and the general atmosphere under which the elections were conducted in order to determine whether the elections met the standards of the states in question, and other related international instruments.

The Missions concluded that the elections observed generally complied with the requirements of Chapter III of the ICGLR Protocol on Democracy and Good Governance as well as with the other international and regional instruments.

Fight against all Forms of Corruption in ICGLR Member Countries: The Role of Parliaments

The Plenary Assembly considered the topic “Fight against all forms of corruption in the ICGLR Member Countries: The Role of Parliaments”. The Plenary Assembly noted the negative effects of corruption on the economic development of the Great Lakes Region and urged the governments and parliaments of the ICGLR Member States to commit themselves to enhancing improving the fight against corruption in order to transform the Great Lakes Region into a haven of peace, and a rich and prosperous region.

The Plenary Assembly, thereafter:

- a) urged parliaments and governments of member states to strengthen parliamentarian’s capacity to oversee good governance and implement anti-corruption awareness-raising campaigns in ICGLR parliaments; and
- b) urged member Parliaments to strengthen the legal framework for combating corruption by adopting binding measures at regional level.

Appointment of the New Secretary General

The Plenary Assembly postponed the appointment of the Secretary General as it could not settle on one candidate between the one proposed by the Parliament of the Central African Republic and the one proposed by the Parliament of Uganda since the Rules did not provide for voting on the selection of Secretary General. To this effect, the Plenary Assembly requested the outgoing Secretary General of the FP/ICGLR to continue carrying out the day-to-day administration of the General Secretariat of the FP/ICGLR until the Extraordinary Session of the Plenary Assembly of the FP/ICGLR to be held not later than 31st March, 2018 in Kinshasa, Democratic Republic of Congo.

The first Extraordinary Session of the Plenary Assembly of the FP-ICGLR held in Kinshasa DRC, from 19th to 20th March, 2018, resolved to appoint Hon Onyango Kakoba, candidate presented by the Parliament of Uganda, as Secretary General of the FP-ICGLR for three years, non-renewable and thereafter, the candidate presented by the Central African Republic to serve as Secretary General, for the next three years, non-renewable.

The Bangui Declaration

The Plenary Assembly adopted the Bangui Declaration which, *inter alia*, stated the following:

- i) strongly condemned the human trafficking taking place on the African continent in general and the slavery taking place in Libya in particular. The Assembly expressed its indignation of these developments and called on the relevant authorities to investigate the activities so as to bring the perpetrators of the acts to justice;
- ii) commended Member Parliaments that had paid their financial contributions to the FP/ICGLR and urged others to pay their contributions, including arrears in a timely manner; and
- iii) urged Member States of the ICGLR that would be holding elections in 2018 to take necessary measures to ensure free and transparent elections.

Committee's Observations and Recommendations

In noting the Report from the delegation to the FP-ICGLR, your Committee urges the Executive to continue monitoring the situation in the Democratic Republic of the Congo, the Central African Republic, South Sudan and Burundi and to speak and act against the slave trade in Libya.

7.3.6 REPORT OF THE DELEGATION TO THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PUBLIC ACCOUNTS COMMITTEES (SADCOPAC)

Your Committee was informed that the Southern African Development Community Public Accounts Committees (SADCOPAC), held its 13th Annual Conference and 14th Annual General Meeting from the 9th to 14th October, 2017 in Maputo, Mozambique. The theme of the Conference was “*Effective Parliament Financial Oversight to Ensure Transparency and Control of Public Financial Management*”.

The Conference made resolutions highlighted hereunder.

- i) SADCOPAC member states that had not yet promulgated legislation on access to information to do so.
- ii) Ensure that the forensic and other audit reports were presented to parliaments through legislation review.
- iii) Establish subcommittees to address the recommendations made by the Public Accounts Committees to the Government.
- iv) Involve the Members of Parliament in the supervision of the implementation of Sustainable Development Goals (SDGs).
- v) Reinforce the procedures regarding the appointment of staff in the various investigative agencies.
- vi) Carry out capacity building and training workshops for the members of the PACs and similar committees on matters related to national budgets, external aid and public debt in order to broaden their general view on the use of external aid and public debt.
- vii) Strengthen tax laws and enforce punitive measures in cases of non-compliance.
- viii) Parliaments to involve the tax authority and the Supreme Audit Institutions (SAIs) in the strengthening of tax legislation.
- ix) SAIs should conduct audits in the mining industry.
- x) National parliaments to advocate for the establishment of Parliamentary Budget Offices and increase their funding.

Committee's Observations and Recommendations

Your Committee's observations and recommendations are presented below.

- i) The National Assembly of Zambia should, as a matter of extreme urgency, commence producing an annual report, highlighting all the activities undertaken by the Institution, including delegations to regional and global level events, in every given year to ensure that all relevant stakeholders were kept abreast with the developments at high level meetings.

- ii) Attendance at the regional and international meetings should be extended to the Office of the Vice President, Parliamentary Division who are the interface between the National Assembly and the Executive so as to have timely action on resolutions from both regional and global meetings.
- iii) The Committee on National Security and Foreign Affairs should consider the Reports of the consultative meetings of regional and international delegations every Session, so as to provide oversight on the Executive on the implementation of resolutions and recommendations.

7.3.7 REPORT OF THE DELEGATION TO THE AFRICAN, CARIBBEAN, PACIFIC-EUROPEAN UNION JOINT PARLIAMENTARY ASSEMBLY (ACP-EU JPA)

Your Committee was informed that the African, Caribbean, Pacific-European Union Joint Parliamentary Assembly (ACP-EU JPA), held a Plenary Assembly in Haiti, from 13th to 20th December, 2017. Your Committee was further informed that ACP-EU JPA was birthed from of a common desire to bring together the elected representatives of the European Community - the Members of the European Parliament - and the elected representatives of the African, Caribbean and Pacific states (ACP countries) that signed the Cotonou Agreement.

The Cotonou Agreement

Your Committee learnt that the Cotonou Agreement was a treaty among the European Union and the African, Caribbean and Pacific Group of States. It was signed in June 2000, in Cotonou, Benin, by seventy nine ACP Countries and the then fifteen Member States of the European Union, which came into force in 2003. The roles of the Joint Parliamentary Assembly, as a consultative body, were to:

- i) promote democratic processes through dialogue and consultation;
- ii) facilitate greater understanding between the peoples of the European Union and those of the ACP States and raise public awareness of development issues;
- iii) discuss issues pertaining to development and the ACP-EU Partnership; and

- iv) adopt resolutions and make recommendations to the Council of Ministers with a view to achieving the objectives of the Cotonou Agreement.

The report to your Committee centred on four key issues, namely:

- i) The Post-2020 relations between the European Union and African, Caribbean and Pacific Group of States;
- ii) Economic Partnership Agreements;
- iii) Improving Aid Effectiveness; and
- iv) Existence of slavery in Libya.

Post-2020 Relations between the European Union and African, Caribbean and Pacific Group of States

Your Committee was informed that the Cotonou Agreement (2000–2020) provided the legal basis for the ACP-EU partnership, which currently comprised seventy nine ACP countries and twenty eight EU member states. The Agreement would expire in February, 2020 at the end of the current EU multi-annual financial framework (MFF 2014-2020). The changing global context, as well as institutional, political and socio-economic developments in both the EU and the ACP, had raised many questions on the best way to maintain and promote effective and close cooperation between the EU and the three regional groupings after 2020.

Your Committee learnt that negotiations between the parties in order to examine provisions to govern future relations were expected to start not later than August 2018. Your Committee was informed that the expiry of the Partnership Agreement marked a strategic opportunity to rejuvenate the ACP-EU relationship taking into account the changed global context to focus the partnership on common interests, objectives and shared responsibilities. Currently attention was drawn to the nature of the partnership with the EU, which over the years had extended to new key issues such as the fight against climate change, counter-terrorism, migration and mobility.

The ACP Approach to the new Partnership

Your Committee was informed that in order to adapt the ACP group to current challenges, three major pillars were proposed for the ACP's future partnership with the EU, intra-ACP cooperation and also the South-South and Triangular cooperation.

Pillar 1: Issues Related to Trade, Investment and Private Sector Development.

This would allow ACP countries to industrialise, create jobs, in particular for the younger generation, and accelerate socio-economic development. New partners beyond the EU would also be targeted to take advantage of opportunities offered by the emergence of new partners.

Pillar 2: Development Cooperation

Development cooperation, which for years had been the backbone of the ACP, had considerably improved under the Cotonou Agreement, with respect to the absorption of funds, aid implementation and results. To make sure this new development cooperation ensured social and economic progress and development in ACP countries, new dimensions such as science and technology were added to this pillar.

Pillar 3: New Policy Dialogue and Advocacy

Political dialogue was a pillar of the ACP and would remain an important dimension of its successor. However, political dialogue was the weakest dimension of the ACP and had often failed to deliver the expected political outcomes. The ACP believed that a meaningful policy dialogue was vital in overseeing the partnership and would make sure it could contribute to shaping the political agenda in significant ways. In this regard, the Government should clearly give its position on the future relations with the EU, so that Members of Parliament could make an input.

Economic Partnership Agreements

Your Committee was informed that Economic Partnership Agreements (EPAs) were ‘development-focused’ trade agreements negotiated between the African, Caribbean and Pacific (ACP) countries/regions and the European Union (EU). They were reciprocal but asymmetric trade agreements, where the EU, as one regional block, provided full duty free and quota free market access to EPA countries and/or regions and where ACP countries/ regions, committed to open at least 75% of their markets to the EU. Your Committee learnt, further, that EPAs were trade instruments that replaced the unilateral trade regime that governed the trade relationship between EU and ACP countries for almost forty years. The Cotonou Partnership Agreement (CPA), established in 2000, was the last one that granted unilateral preferences to ACP countries. In fact, this unilateral trade regime was considered in breach of a fundamental principle of the World Trade Organization (WTO) because it granted more favourable treatment only to ACP countries but not to other developing countries, which were members of the WTO. The European Union had thus been negotiating the World Trade Organisation (WTO)-compatible Economic

Partnership Agreements (EPAs) with the African, Caribbean and Pacific (ACP) group of states since 2002.

EPA Negotiations Focusing on the East and Southern Africa (ESA) EPA Grouping

Your Committee was informed that the interim ESA EPA was approved by the European Parliament in January 2013 and that the EPA negotiations in the ESA region were not limited to the free trade in goods but would in the second phase extend to free trade in services, investment, government procurement and matters to do with competition rules and property rights. Your Committee was informed that Zambia had not made any progress in EPA negotiations.

Improving Aid Effectiveness and ACP-EU Development Cooperation

Your Committee was informed that the effectiveness of the aid used in EU-ACP cooperation, was a question that had been discussed for decades. It had been observed that in order to increase the impact of development aid in reducing poverty, it was vital to link aid to stability and sustainability. It emphasised that the sovereignty of the recipient countries in determining their priorities, the availability of sufficient development funds and the promotion of value addition in ACP states were some of the key issues that needed to be addressed if the intended objectives of aid were to be achieved. The Assembly reflected on these challenges and proposed recommendations such as careful assessment of needs, situations and priorities, better coordination of aid programmes and enhanced cooperation to increase aid effectiveness.

The Report further, underlined the failure by the European Union to meet its commitment to provide 0.7 percent of its Gross National Income or GNI by 2015, which had led to more than USD 2.0 billion not being made available to developing countries to attain their Millennium Development Goals.

The resolutions, among other things, called for the following:

- i) the importance of safeguarding the self determination of the peoples in ACP countries and the sovereignty of their countries;
- ii) the need for a more careful assessment of local needs and situations by donors in order to maximise aid effectiveness and that aid recipient countries should provide timely and accurate information and put in place effective monitoring mechanisms to ensure that aid received in these economies was effectively employed for the intended purposes;
- iii) the need for recipient countries to come up with clear development priorities and plans which they wished to implement;

- iv) the need to direct aid at poverty eradication and capacity building in recipient countries;
- v) the need for improved democratic governance and accountability systems amongst recipient countries;
- vi) The need for aid to take the form of grants as opposed to loans to avoid another round of a debt crisis in ACP countries;
- vii) the need for increased investment in value-addition activities in ACP countries to create more wealth, jobs and improve wealth redistribution, hence fighting poverty;
- viii) the need for aid to work itself into irrelevance as it gets supplanted by investment and trade relations; and
- ix) The need to put forward a clear road map on how the EU would achieve the goal of 0.7 percent of their GNI individually and collectively well before the year 2030 in order to foster the attainment of the SDGs.

The Existence of Slavery in Libya

Your Committee heard that during the Plenary Session in Haiti, held from 13th to 20th December, 2017, the Zambian representative raised concern on the emerging slave trade in Libya and proposed a motion from the floor urging the ACP-EU JPA to pass a Declaration on the matter, condemning the situation and calling for urgent attention to address the humanitarian crisis that was emerging. Libya had been the main hub for refugees and migrants attempting to reach southern Europe by sea. It was learnt that the factors contributing to the emergence of slave trade in Libya, taking advantage of the migrants' desperation to enter Europe, included among others, the fact that Libya was considered a failed state. After the debate, the motion was adopted and a Declaration on the situation in Libya was issued by the two Co-Presidents of the ACA-EU JPA.

The Declaration stressed the need to urgently improve the conditions of migrants and refugees in Libya and requested that the international community to provide the necessary assistance to ensure the protection of migrants and refugees and full respect for their cultural identity in accordance with the 1951 Refugee Convention, and its 1967 Protocols on Refugees. It called on all partners to collaborate in promoting respect for human rights and humanitarian law regarding the treatment of migrants in Libya. It also challenged European governments to respond to the issues raised in the 12th December, 2017 report by Amnesty International on the detention and conditions of tens of thousands of refugees and migrants in Libya.

Committee's observations and Recommendations

Your committee, in noting the submission, urges the Zambian Government to:

- i) provide timely and accurate information and put in place effective monitoring mechanisms to ensure that aid received is effectively employed for the intended purposes;
- ii) increase investment in value-addition activities to create more jobs, wealth, and improve wealth redistribution;
- iii) to come up with clear development priorities and plans for implementation; and
- iv) to direct aid to poverty eradication and capacity building in the populace.

7.3.8 REPORT OF THE DELEGATION TO THE INTER-PARLIAMENTARY UNION (IPU)

Your Committee was informed that the Inter- Parliamentary Union (IPU), which comprised 178 Member Parliaments and twelve associate members, was established in 1889 as a focal point for worldwide parliamentary dialogue to work for peace and cooperation among peoples and for the solid establishment of representative institutions. The headquarters for the IPU were in Geneva, Switzerland. The 137th IPU Assembly took place in St. Petersburg, Russia from 14th to 18th October, 2017.

Your Committee was informed that the IPU worked closely with the United Nations and shared its objectives and supported its efforts. It also had roles in the following areas:

i) Strong Parliaments

The IPU aimed to realise a vision of parliaments that were fully representative, transparent, accessible, accountable and effective. The IPU took concrete steps to strengthen parliaments as institutions and support Members of Parliament and staff in their work.

ii) Gender Equality

The IPU worked for a world where women lived in equality and justice, where their rights were respected and their lives were no longer blighted by violence and discrimination. In this regard, the IPU established the Forum of Women Parliamentarians which solicited and ensured that there was gender parity in the IPU and in its Member States. As a

demonstration of its commitment to gender equality, the IPU elected a new female president at the 137th IPU Assembly that took place in St. Petersburg Russia from 14th to 18th October, 2017. Ms Gabriela Cuevas Barron from Mexico succeeded Mr Saber Chowdhury of Bangladesh at the end of his three year term of office. Ms Barron was the second woman to be elected President of the IPU and the youngest President the IPU has had so far.

iii) **Human Rights**

Human rights were essential to democracy and development. One of the IPU's key roles was protecting the rights of ordinary citizens and those representing them in parliament.

iv) **Sustainable Development**

The IPU believed that growth should go together with improved quality of life for all, respect for the environment's regenerative capacities and more inclusive decision-making processes.

v) **Peace and Security**

Throughout its history, the IPU has worked tirelessly to promote peace and stability through dialogue and negotiation. Currently, the IPU helped parliaments deal with threats such as terrorism, cyber warfare and the proliferation of weapons of mass destruction.

vi) **Global Governance**

The IPU was committed to increasing parliaments' role in global affairs, helping overcome the democratic deficit in international relations, and ensure international commitments were translated into national realities.

vii) **Youth**

The IPU encouraged youth participation in parliaments by supporting parliaments in facilitating the access of youth to political decision-making, empowering young MPs and young people in general, and including a youth perspective in legislation and policies. In view of the above, the IPU Forum of Young Parliamentarians below the age of 45 years old was established and its members met at every IPU Assembly.

Resolutions from the Governing Council and Standing Committees

a) Standing Committee on Peace and International Security

The Standing Committee on Peace and International Security examined the following items:

- i) the role of parliament in monitoring the action of national armed forces participating in UN peacekeeping operations;
- ii) the implementation of a previous resolution on cyber warfare; and
- iii) sustaining peace as a vehicle for achieving sustainable development, the subject of a resolution that was expected to be adopted by the 138th IPU Assembly due to be held in Geneva Switzerland; and
- iv) the UN process for the prohibition of nuclear weapons.

b) Standing Committee on Sustainable Development, Finance and Trade

The Committee discussed the draft outcome document of the Parliamentary Meeting at the UN Climate Change Conference in Bonn, due to take place on 12th November 2017. The Parliamentary Meeting was being organised by the IPU in cooperation with the Parliaments of Fiji and Germany. The Committee also debated the subject item of the next resolution, *“Engaging the private sector in implementing the Sustainable Development Goals (SDGs), especially on renewable energy”*. In addition, the Committee held a panel discussion entitled, *“Using science and research to achieve the highest health standards”*.

c) Standing Committee on Democracy and Human Rights

The Committee considered the draft resolution presented by co-Rapporteurs, Ms. S. Dev (India), Mr. N. Schrijver (Netherlands) and Mr. I. Umakhanov (Russian Federation), on *“Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy”*.

The Committee considered two proposals for its next resolution proposed by Morocco and of Syria. After a vote, the Committee endorsed the item proposed by Morocco, *“Strengthening inter-parliamentary cooperation on migration and migration governance in view of the adoption of the Global Compact for Safe, Orderly and Regular Migration”*. A preparatory debate on the next resolution

will take place at the 138th Assembly in March, 2018. The subject item for the next resolution was consequently approved by the Assembly.

The Committee also considered a proposal by Belgium to hold a panel discussion at the 138th Assembly entitled, *“The role of parliaments in ending discrimination based on sexual orientation and gender identity, and ensuring respect for the human rights of Lesbian, Gay, Bisexual, Trans, and/or Intersex (LGBTI)”*, which would not lead to a resolution.

On the recommendation of the Bureau, the Committee also endorsed a document submitted by the IPU Advisory Group on Health, entitled, *“Review and follow-up action on the 2012 IPU Resolution on Access to Health as a Basic Right: The Role of Parliaments in Addressing Key Challenges to Securing the Health of Women and Children”*.

d) **Standing Committee on United Nations Affairs**

The first debate took stock of the relationship between the IPU and the United Nations over the past twenty years and assessed the extent to which the original vision of a "parliamentary dimension" to the work of the United Nations had been realised. The debate drew attention to a new resolution which the UN General Assembly would debate and adopt in May, 2018 on interaction between the United Nations, national parliaments and the IPU. The second debate focused on the question of the relevance of the UN General Assembly in today's system of international governance. The Bureau of the Committee on United Nations Affairs resolved to dedicate the Committee session at the 138th Assembly, in March, 2018 to preparations for the UN High-Level Political Forum on Sustainable Development (HLPF).

e) **Forum and Bureau of Women Parliamentarians**

The 26th Session of the Forum of Women Parliamentarians took place on 14 October 2017. It brought together 114 delegates from seventy four countries and representatives of various international organisations. The participants examined, from the point of view of gender parity, the draft resolution entitled, *“Sharing our Diversity: The 20th Anniversary of the Universal Declaration on Democracy”*. This is the same topic that was discussed by the Standing Committee on Democracy and Human Rights.

It was agreed that education, gender equality and gender parity in access to internet and new technologies were fundamental to strengthening democracy. In this regard, the need to design school curricula that would contribute to gender equality was stressed. A recommendation was made for parliaments to establish partnerships with enterprises in the technology sector and legislate to prevent and eliminate all forms of online hate speech, harassment, intimidation

and violence, in particular against women and girls. To this end, the Forum made proposals to amend the draft resolution of the Standing Committee on Democracy and Human Rights that were currently in the draft resolution.

f) **Forum of Young Parliamentarians of the IPU**

The Forum of Young Parliamentarians met on 15th October, 2017. A total of sixty young parliamentarians attended, of which thirty six per cent were women. Participants welcomed the endorsement by the Executive Committee of the Forum's proposal for all delegations to IPU Assemblies to include at least one young female or male member less than 45 years of age by 2020. The Forum also welcomed the inclusion of its recommendations on youth participation in the draft resolution, "*Sharing our Diversity: The 20th Anniversary of the Universal Declaration on Democracy*".

The Forum nominated Zambia to submit to the co-Rapporteurs the draft resolution, "*Sustaining Peace as a Vehicle for Achieving Sustainable Development*" a written youth-related contribution on behalf of the Forum. Israel would be the Rapporteurs of the draft resolution, "*Engaging the Private Sector in Implementing the SDGs, Especially on Renewable Energy*" with a similar report on behalf of the Forum.

g) **Debate on the Emergency Item**

The debate on the emergency item, "*Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar*" took place on Monday, 16th October, 2017 with the Speaker of the Parliament of Finland Chairing the proceedings. Participants heard accounts of the alarming situation involving hundreds of thousands of Rohingya people who had fled to Bangladesh since August, 2017, as well as the tens of thousands of Rohingya who remained internally displaced inside Myanmar without access to vital humanitarian aid.

Many delegates strongly condemned the violence and called on the Government of Myanmar to protect human rights and grant humanitarian organisations access to the affected areas. Delegates further condemned the ethnic cleansing in Myanmar and expressed grave concern for the Rohingya people, many of whom had been left stateless and were thereby deprived of their fundamental rights and access to basic services. Participants reiterated the urgent need for the international community to take swift action to alleviate the suffering of the Rohingya people. Participants underlined the necessity to facilitate the safe return of the Rohingya refugees to their homeland and raise further international awareness on the matter.

In view of the above, the Assembly referred this emergency item to a drafting committee made up of representatives from Australia, Bangladesh, Benin, Canada, Iran, Mexico, Morocco, Slovenia, Sudan and Venezuela. The plenary sitting of the Assembly adopted the resolution by consensus. However, the delegation of Myanmar rejected the entire resolution while the delegation of China expressed a reservation to parts of the resolution.

Implementation of Resolutions in Zambia after IPU Assemblies

In terms of the implementation by the Zambian government of the resolutions made at the IPU Assemblies , it was submitted that the resolutions emanating from the general debate and standing committees at the General Assembly, were presented in a group report to the National Assembly Management for approval and then to Members of Parliament in the delegation. The approved report and any verbal input by the Members of the delegation were then presented to the IPU Zambia National Group Executive Committee after which the report was sent to relevant committees and ministries for action.

The Report also acted as a resource for debates on the floor of the House and for moving private members' motions. The action taken by ministries and committees were then reported back to the standing committees of the Assembly as a way of feedback.

Examples of Action Taken on IPU Resolutions and Related Meetings

The actions listed below were given as examples of action taken on IPU resolutions.

- i) In April, 2017, a Letter was sent to the Office of the Vice President, Disaster Management and Mitigation Unit (DMMU) to inform the Office on the emergency item, "Urgent International Action to Save Millions of People from Famine and Drought in Parts of Africa and Yemen." Government was urged to take mitigation measures in parts of Zambia where this was applicable.
- ii) In April, 2017, the Ministry of Foreign Affairs was informed about all the Resolutions of the 136 IPU Assembly that took place in Bangladesh in March 2017. This included the resolution, "The Role of Parliament in Respecting the Principle of Non-Intervention in the Internet.
- iii) IPU Related Meetings: Following an IPU Seminar on Sustainable Development Goals in China from 20th to 22th September 2016, on Wednesday 19th October, 2016 Mr Ambrose Lufuma, MP submitted a Private Member's Motion as follows "That this House Urges the Government to Accelerate the Implementation of the United Nations

Sustainable Development Goals.” A division was called for after the debate. Thirty-Eight voted in favour of the motion, Seventy Five voted against, and one abstained. However, it was gratifying that the resolution was brought to the attention of the House and debated.

- iv) In June/July, 2017, two questions for oral answer were also asked by Hon Lufuma to the Minister of Commerce, Trade and Industry and Hon Howard Kunda, MP to the Minister of Gender on how their respective Ministries were implementing the SDGs. This was a follow up on the IPU Regional Seminar that took place in Beijing in September, 2016. The SDGs follow up was part of the work of the IPU Standing Committee on Sustainable Development, Finance and Trade. Responses were received and delivered by the two Ministers of the respective Ministries.

Zambia’s Participation at IPU Assemblies

Your Committee was informed that currently, Zambia’s participation and positions at the IPU were as follows:

- i) *General Debate*- The Hon Speaker or Deputy Speaker delegated;
- ii) *Forum for Women Parliamentarians* – Hon Nkandu Luo, MP, ex officio-Member of the Bureau of the Forum, until March, 2019;
- iii) *Standing Committee on Peace and Security* – Ms Given Katuta, MP, Member of the Bureau until March, 2019;
- iv) *Forum of Young Parliamentarians* – Mr Pavyuma Kalobo, MP, Member of the Bureau until March, 2019;
- v) *Association of Secretaries General of Parliaments (ASGP)*: The Clerk or Deputy Clerk as delegated represents the National Assembly at meetings. The former Clerk of the National Assembly of Zambia was President of the ASGP from October, 2014 – May, 2017.

IPU Seminars at the National Assembly of Zambia

The Hon Speaker and President of the IPU Zambia National Group encouraged the Executive Committee of the IPU Zambia National Group to hold Seminars for all Members of Parliament as the number of Members that could travel to IPU Assemblies and Related Meetings was limited. Experts from the IPU were invited to give talks to the Members of Parliament.

Proposed Way Forward

The following recommendations were made for the *Zambian Parliament*:

- i) The *Zambian Parliament* should continue to participate in the IPU Assemblies so that it can learn best practices and procedures by sharing experiences with other Parliaments worldwide;
- ii) Members of the IPU Zambia National Executive Committee and selected Members of Parliament should rotate as much as possible to give an opportunity for other Members of Parliament to participate in IPU Assemblies;
- iii) IPU Seminars should continue to be held and experts invited from the IPU to apprise Members of the *Zambian Parliament* on current Parliamentary issues at the global level;
- iv) The Resolutions from IPU Assemblies and Related Meetings should continue to be sent to relevant Committees at the National Assembly of Zambia for further debate and action and to Government Ministries and other institutions that had the mandate to implement the Resolutions;
- v) Ways should be found for Members of Parliament from the ruling party and the opposition to table motions jointly on issues of development such as implementation of the Sustainable Development Goals (SDGs); and
- vi) The *Zambian Parliament*, like other parliaments, was encouraged to establish partnerships with enterprises in the technology sector to promote development, especially for marginalised people in society and make legislation to prevent and eliminate all forms of online hate speech, harassment, intimidation and violence, in particular against women and girls.

Committee's Observations and Recommendations

In noting the IPU submission, your Committee urges the *Zambian Government* to take an interest in resolutions passed by this important international parliamentary body and to ensure their implementation to the extent possible.

8.0 PART TWO: FOREIGN TOUR: WINDHOEK-NAMIBIA AND PRETORIA-SOUTH AFRICA

Your Committee undertook a familiarisation tour of the *Zambian Missions* in Namibia and South Africa, from 10th to 17th December, 2017. This tour was fully sponsored by the Ministry of Foreign Affairs. The purpose of the tour was for the Committee to appreciate the operations of *Zambian Missions Abroad*

generally and how the shift from political to economic diplomacy was being mainstreamed in their operations.

8.1 Findings

8.1.1 Windhoek-Namibia

Your Committee was informed that Zambia and Namibia had been cooperating since pre-independence times and that the two countries enjoyed cordial relations at bilateral and multilateral levels. Your Committee learnt further that the Zambia High Commission in Namibia was established in 1989, mainly to facilitate the implementation of the UN Resolution No. 435 which demanded Namibia's independence. Guided by the new Foreign Policy and the new world order dynamics, the Mission's mandate was to foster Zambia's political and economic interests in Namibia.

Your Committee learnt that there were about 10,716 Zambians granted permanent residence in Namibia, representing 15.2% of total number of foreigners living in Namibia. The Mission had continued to engage and collaborate with Zambians living in Namibia, through the Association of Zambians Living in Namibia (AZANA). There were also about 400 Zambian students at the University of Namibia.

Your Committee was informed that bilateral relations between Namibia and Zambia remained excellent and that collaboration between the Mission and Ministry of International Relations and Cooperation (MICRO) was good except for delays by the host Government in responding to Mission requests.

(i) Administration

Your Committee was informed that the Mission had a total staff establishment of eight diplomatic staff, of which one position, that of Deputy High Commissioner was vacant. This Mission was headed by the High Commissioner as Head of Mission, who was deputised by the Deputy High Commissioner as Head of Chancery and Administration.

Further, your Committee was informed that the operations of the Mission were undertaken by First Secretaries as operations officers. Apart from the diplomats, the High Commission had an establishment of thirteen locally engaged staff. One vacancy for locally engaged staff, that of driver, was vacant.

Your Committee was informed that the Zambian Mission in Windhoek had six properties, including the Chancery, on title and three rented ones. However, owing to the insecurity of the chancery, due to its location, there were plans to shift it to No. 9 Schwerlingsburg Street, Luxury Hill, which was located in an area where most embassies, including the American Embassy, were situated.

This property was on tile and had enough space for a chancery. Your Committee heard that shifting to this locality would free the current property for business as it was currently undersubscribed because most business people were hesitant to conduct their businesses in a place they thought was constantly monitored. Your Committee was informed that this plan and estimates had been communicated to the parent Ministry, and the Mission was awaiting approval and funding.

(ii) ***Economic Diplomacy***

Your Committee was informed that Zambia and Namibia had a Joint Permanent Commission of Cooperation, which focused mainly on social and economic matters ranging from trade, education, health, and agriculture. Your Committee was further informed that Zambia and Namibia had signed a number of MoUs in the following areas:

- i) Walvis Bay -Ndola - Lubumbashi Corridor (Trans Caprivi);
- ii) Inland Water Way - Zambezi River Bridge; and
- iii) Kavango - Zambezi Trans Frontier Conservation Area (KAZA), among others.

(iii) ***Trade and Investment Promotion***

Your Committee was informed that the balance of payment position as of 2016 was that Zambia recorded a trade deficit with Namibia of N\$400 million (USD 30,769,230.77). This was largely due to the misinterpretation of non-tariff barriers which had resulted into restrictions on Zambian goods entering Namibia. Your Committee learnt that, whereas the trade agreements allowed free entry of goods in the SADC region, South Africa was quite protective of its interests in Namibia and had a lot of influence on which Zambian goods could enter Namibia and in what quantities.

Your Committee was informed that Zambia and Namibia were in the process of establishing a One-Stop Border Post (OSBP) at Katima Mulilo/Wenela Border Post and had continued exchanging vital information in order to learn best practices. In September, 2017, the Mission facilitated a study tour for a Zambian delegation aimed at learning best practices on management of trade centres. Your Committee also learnt that feasibility studies for the Trans Caprivi Railway Project were under way. This was a project agreed upon by Zambia and Namibia to connect their rail networks to form the Trans Caprivi Railway line.

Your Committee learnt that the Mission had continued to entice investors-particularly in the energy, manufacturing and agriculture sectors in line with the 7NDP. To this effect, investment meetings were conducted in the Kavango Region which culminated in over twenty investors declaring interest to invest in Zambia.

(iv) ***Investment Promotion and Protection Agreement (IPPA)***

Your Committee was also informed that the two countries were in the process of putting in place an Investment Promotion and Protection Agreement and that this was being reviewed at Cabinet level in Namibia. The others were the Agreement on Scientific, Technological and Innovation which was at draft stage and the Walvis Bay-Ndola Lubumbashi (Trans-Caprivi) Corridor. Under the Walvis Bay-Ndola Lubumbashi (Trans-Caprivi) Corridor, Zambia, the Democratic Republic of Congo (DRC) and Namibia, signed a tripartite road transport agreement in 2016, aimed at addressing transportation bottlenecks among the parties. Other trade activities resulted into the twinning of Ndola City and Walvis Bay; and Lusaka City to the City of Windhoek.

Your Committee was further informed that in 2007, the Republic of Namibia gave land (approx. 30,410 sq. metres) to Zambia to develop a dry port in Walvis Bay. In 2009, the Republic of Zambia and Africa Union Financial Services (AUFS) signed an MoU for AUFS to operate the dry port on behalf of GRZ as concessionaire, for twenty five years. The dry port was operational and mainly handling frozen products for export. The project was in Phase I. Going by the MoU, AUFS was to pay to the Zambian Government 2% of annual turnover within 90 days of completion of audited financial statements. Unfortunately, AUFS had not remitted the 2% up to 2015. The Zambian Government undertook to participate in this project through the Ministry of Communications and Transport at steering committee level. However, the Steering Committee was not yet in place. The Mission was pursuing the issue of AUFS paying the 2% of annual turnover as per the agreement.

(v) ***Agriculture and Marketing***

Your Committee learnt that Namibia had a comparative disadvantage in crop production and to some extent livestock farming, mainly due to sparse rainfall. In this regard, Namibia was a ready market for cereals for human as well as livestock consumption, a fact which Zambia had not fully taken advantage of. The Mission had been engaging Agro-Marketing and Trade Agency (AMTA) of Namibia to facilitate exchange of vital market information, with a view to forwarding relevant information to key market players in Zambia

Your Committee was also informed that Namibia was renowned for its expertise in packaging and other value addition aspects. In this vein, Zambian

businesses could learn best practices in terms of packaging and other value addition activities from Namibian companies.

(vi) ***Mining***

Your Committee learnt that a diversified and export oriented mining sector was only tenable if value addition was enhanced. In this regard, your Committee noted that Namibia polished its diamonds before exporting in semi-finished form to the European Union, which created additional jobs. Further, your Committee noted that the demand for uranium was expected to grow due to energy deficits worldwide. Since Zambia had uranium deposits, it could consider collaborating with the Namibian Government on intricacies surrounding uranium mining. Namibia had six uranium mines and had twenty percent stake in Hausab Uranium mine co-owned with China. Exchange visits between the two countries could facilitate learning and enhance replication of best practices.

(vii) ***Energy***

Your Committee learnt that the Namibian authorities had supported investment in solar energy and encouraged the public to supply excess to the national grid (*net metering*). To this effect, wind and mass solar energy generating companies had set up plants in Namibia. Zambia could benefit by learning best practices from such undertakings. In this vein, the Mission facilitated a visit by InnoSun Company to Zambia with a view to starting the processes of investing in the energy sector.

(viii) ***Tourism***

Your Committee learnt that Zambia and Namibia were developing an MoU in tourism, with a view to furthering cooperation in this sector. The Mission, together with the Namibia Wildlife Resorts, Heads of Zimbabwe, Botswana and Turkey, came up with a tourism package – the KAZA tourism tour (circuit). The same was piloted from 10 to 15 November, 2017. The tour started in Namibia, entered the Okavango Delta and Chobe National Park in Botswana, through Katima Mulilo in the Zambezi Region and proceeded to Livingstone and then Zimbabwe (Victoria Falls Town). The eighteen member delegation spent about K42, 000 on accommodation alone in Zambia, signifying that the route could be a money spinner for Zambian resorts. Your Committee learnt that Namibia was a key player worth engaging in this sector, considering that it had direct flights to and from the EU. The next tour was scheduled for February and May, 2018.

Your Committee was further informed that Zambia stood to benefit from its relations with Namibia. It was paramount, though, to resolve trade frictions, especially those emanating from non-tariff barriers.

8.1.2 Challenges

Your Committee learnt that the Mission faced the challenges highlighted hereunder.

- i) Delayed Funding. This had negatively affected operations, including administrative efficiency as well as the organisation of national functions. At the time of your Committee's visit, in December, 2017, staff salaries for November, 2017, had not yet been paid.
- ii) The Mission properties, including the Chancery, which were purchased in 1989, were dilapidated due to lack of maintenance arising from insufficient funding.
- iii) The location of the Chancery building, which was in the central business district, posed serious security challenges.
- iv) Of the seven Mission vehicles, only two were in good working condition. The rest were old and constantly under repair, thereby increasing operational costs.
- v) There were no funds to undertake regular consular visits to prisons and other needy areas.

8.1.3 Committee's Observations and Recommendations

From the findings, your Committee makes the observations and recommendations hereunder.

- i) The funding to the Mission is inadequate and erratic, resulting in failure to implement programmes and effectively manage operations, including payment of salaries. This does not reflect well on Zambia's image as Namibians working for the Mission were also affected. In this regard, your Committee recommends that the Government should improve the funding and release funds timely to the Mission in order to enhance efficiency.
- ii) Most of the Mission properties, including the Chancery, which were purchased in 1989, are dilapidated due to lack of maintenance arising from insufficient funding.

Your Committee, therefore, recommends that the Government should adequately fund the Mission to enable it carry out maintenance works on the Mission properties, including the Chancery as a matter of urgency.

- i) The location of the Chancery in the centre of town has rendered it insecure.

In this regard, your Committee recommends that in order to secure the Embassy and leave the current Chancery for business only, the Government should move the Mission to House No. 9 Schwerlingsburg Street, Luxury Hill, which is located in an area where most embassies, including the American Embassy, are situated.

- ii) The infrastructure (office space and shops) at the Chancery cannot be rented partly due to its poor state of repair and the presence of the embassy, which business people thought was constantly under surveillance and therefore unsuited for business.

Your Committee, therefore, recommends that the relocation of the Chancery from its current location to House No. 9 Schwerlingsburg Street, Luxury Hill, should be expedited in order to leave the current Mission building free for business. This will enable the Mission to raise funds, which can be used, through the Appropriation-in-Aid, to improve its operations.

- iii) The fleet of vehicles at the Mission is old resulting in constant repair and increased operational costs.

In this regard, your Committee recommends that the Government should replace the current fleet of vehicles in order to save resources spent on constant repairs.

- iv) Zambia is losing revenue by the non payment of the 2% of annual turnover by Africa Union Financial Services (AUFS), which is managing the dry port at Walvis Bay on behalf of Government of the Republic of Zambia (GRZ), as concessionaire.

Your Committee, therefore, recommends that the *Zambian* Government should vigorously pursue the outstanding payment of the 2% of annual turnover by Africa Union Financial Services (AUFS), managing the dry port at Walvis Bay, which has not been paid since 2015.

- v) Although Zambia has a comparative advantage in crop production and to some extent, livestock farming over Namibia, mainly due to sparse rainfall, Zambia has not fully taken advantage of its superior position. In this vein, your Committee recommends that Zambia should make every effort to take advantage of her stronger position over Namibia in crop production and animal husbandry.

- vi) Whereas the SADC Protocol on Trade requires Member States to implement measures eliminating all existing non-tariff barriers and to refrain from adding any new ones, Namibia, influenced by South Africa, who is Zambia's competitor for the Namibian market, imposes quite a few non - tariff barriers on *Zambian goods*.

Your Committee, therefore, recommends that the *Zambian Government* should dialogue with Namibia or make an appeal to SADC to ensure that the Protocol on Trade which requires Member States to implement measures to eliminate all existing non-tariff barriers and to refrain from adding any new ones is complied with by Namibia.

- vii) Zambia has not taken full advantage of its central position in the Southern Africa region to promote tourism and trade, let alone take advantage of Namibia which has direct flights to and from the European Union.

In this vein, your Committee recommends that Zambia should take full advantage of its central position in the Southern Africa region to promote tourism and trade, by entering into a partnership with Namibia which has direct flights to and from the EU.

8.2 Pretoria – South Africa

Your Committee learnt that South Africa and Northern Rhodesia were part of the British Empire and shared common characteristics, which included the settlement of Europeans and dispossession of land from native black Africans. The South African region was brought into the Empire by the British South African Company led by John Cecil Rhodes. The two peoples shared identical cultural backgrounds as evidenced by their similarities in language, cultural practices, values and interests. Following its attainment of independence, Zambia actively supported the African National Congress (ANC), whose headquarters were domiciled in Zambia for twenty five years. In 1990, the ANC formally expressed gratitude to Zambia for her selfless support.

Your Committee was informed that formal diplomatic relations with South Africa were established in May 1992 when South Africa opened her office in Lusaka, Zambia. In 1993, Zambia also opened an office in Pretoria, South Africa. Your Committee learnt that the Mission had a staff establishment of fourteen diplomats and thirteen locally engaged staff.

Your Committee learnt that the Mission owned the Chancery, the Residence of the High Commissioner and one staff house and that other than the High Commissioner and First Secretary - Political, the rest of the Diplomatic Staff stayed in rented houses and the Mission paid an average of R 317,665.27, equivalent to ZMW 209,624.13 monthly.

8.2 .1 Status of Property

a) The Chancery

Your Committee discovered that although the Chancery, which was insured and on title and had a good external look, it had serious structural defects. The building was believed to be sinking over the years causing an imbalance in the structure which had resulted in cracks and separations. Further, it was believed that there was a river running underground, which had added to its instability. Your Committee was informed that the Mission was in the process of engaging the City of Tshwane Council over these matters.

b) The Residence

Your Committee noted that although the Residence was in a fairly good condition, it was located in an unsuitable and insecure area for a diplomatic residence. Your Committee was informed that in view of the above, the Ministry, under the Mortgage Financing and Outright Purchase Initiative, had commenced the process of buying a new Residence in the appropriate residential area in Pretoria.

8.2 .2 Bilateral Relations with the Host Government and Members of the Diplomatic Community

Your Committee was informed that Zambia and South Africa had continued to enjoy warm and cordial bilateral relations which were characterised by high level engagements between the two countries over the years.

Further to the visits, the First Session of the Joint Commission for Cooperation (JCC) was held in South Africa in December, 2016 and was followed by the second session of the JCC in October 2017. During the aforementioned JCC, the leaders of the two countries agreed to elevate the Commission to a Bi-National Commission (BNC) which would be held annually and presided over by the Presidents of the two countries. Your Committee learnt that Zambia and South Africa currently had twenty-three signed Agreements and Memoranda of Understanding (MoUs). This was in addition to the collaboration under the Southern African Development Community (SADC) and the African Union to which both countries were members.

Your Committee learnt that the Zambia High Commission related with the rest of the diplomatic community within the framework of Zambia's Foreign Policy anchored on achieving economic growth and development as well as achieving the status of being an effective and influential player on the regional and international platform.

8.2 .3 Consular Matters

Your Committee was informed that there were twenty-six Zambians in South African prisons, charged with crimes such as murder and aggravated robbery and serving sentences of up to twenty years. Your Committee learnt, further that the Consular Department was inundated with stranded Zambian nationals whose genuineness could not even be established. Due to lack of funding to the Destitute Fund, officers at the Mission were often forced to contribute money from their own resources to help out, which was unsustainable. Most of these Zambians had entered South Africa illegally and when the time for exiting came, they were afraid of being arrested and therefore pretend to have lost their travel documents or passports.

Your Committee also learnt the South African Government was very reluctant to provide birth certificates to Zambian children born in South Africa. This was mainly because, by the South African laws, a child born on South African soil qualified to be a citizen. For fear of having so many foreigners, especially Zambians, having a claim to South African nationality, they refused to give them birth certificates and referred them to their home country. The challenge, however, was that the Zambian authorities could not give a birth certificate to a child born outside its borders. These children were, therefore, on the verge of being stateless.

8.2 .4 Economic Diplomacy

Your Committee was informed that the operations of the Mission, in this regard was guided by the Foreign Policy Guidelines, Circular No. 57/2017 on Zambia's geo-economic interests, which guided that Foreign Policy orientation was towards economic diplomacy. This emphasised the key role of economic diplomacy in national development, with peace and security as indispensable conditions for the country's development. Your Committee was informed that the Mission aimed at enhancing market access for Zambian products and ensuring that non-tariff barriers were addressed. Further, the Mission aimed at promoting and attracting investment into Zambia and into South Africa for Zambian investors, as well as boosting the image and national brand of Zambia. One notable achievement in this regard was the Mission's involvement in pushing for the lifting on a seven year old ban on Zambian honey on the South African market, among other initiatives.

8.2 .5 Trade and Investment Promotion

Your Committee learnt that the Mission, in collaboration with South Africa's investment promotion agencies, organised investment talks and inward and outward Trade and Investments Missions. In 2017 alone, the Mission facilitated fifteen investment Missions to Zambia in an effort to enhance Zambia's economic growth.

On the South Africa-Zambia Bilateral relations, the Mission continued to push for the implementation of deliverables that were agreed upon at the JCC in Zambia. Your Committee was informed that the Mission remained one of Zambia's most strategic Missions, not only due to South Africa's developed economy, but also because South Africa was widely used as a gateway to Africa by countries and investors that wished to invest in Africa. The Mission had also facilitated discussions between South African Development Finance Institutions (DFI's), to create an infrastructure fund aimed at unlocking Zambia's infrastructure needs.

8.2 .6 Tourism

Your Committee learnt that the vision for the Tourism Department was to put in place, efficient and effective measures of promoting and marketing Zambian tourism attractions and making sure Zambia became the most preferred tourism destination in Africa and globally. The Mission also aimed to ensure that the tourism programmes and strategies being put in place were aligned with the Seventh National Development Plan (7NDP), which had selected tourism as one of the main transformational drivers of sustainable socio-economic growth for Zambia. The Mission was also in talks with the South African authorities on the use of the Victoria Falls as a tourist attraction, purporting that it was domiciled in South Africa.

Some of the events that the Tourism Department at the Mission was involved in included:

- i) Meetings Africa;
- ii) World Travel Market (WTM Africa);
- iii) Zambia Travel Expo (ZATEX) (April);
- iv) Indaba Tourism Expo (May);
- v) Road Shows (2013, 2015 and 2016);
- vi) Diplomatic Fun Fair;
- vii) Zambia South Africa Business Forum (ZSABF); and
- viii) Miss Tourism World.

Your Committee was informed that one of the handicaps in the promotion of tourism in South Africa was the fact that the Mission did not have a fully fledged office but just a department, with skeleton staff.

8.2 .7 Challenges

The Mission in South Africa was faced with various challenges as highlighted below.

- i) Insufficient funding to the Mission Trade and Investment Promotion Department.

- ii) Inadequate and delayed funding for salaries and capital projects to resolve structural challenges at the Chancery and residences.
- iii) Escalating maintenance costs at the High commissioner's residence due to dilapidation. In 2017, for instance, the Mission spent ZAR121, 496.33 on maintenance.
- iv) Old fleet of motor vehicles, resulting in high maintenance costs.
- v) Failure to conduct immigration clinics due to funding constraints.
- vi) Difficulties in repatriating stranded Zambian Nationals due to limited resources.
- vii) Lack of capacity among Zambian entrepreneurs to enable ease of partnering with South African investors.
- viii) Poor media reporting resulting in most developmental issues undertaken by the Mission not being covered in the local media.
- ix) Communication breakdown between the Protocol Department and ministries back in Zambia. Whereas the State Protocol Lounge at Oliver Tambo International airport required that all travel bookings were sent forty eight hours prior to departure or arrival time in order to provide protocol courtesies, most ministries in Zambia usually sent the itinerary a few hours before the delegation departed, resulting into VVIPs not being offered the necessary protocol courtesies.

8.2 .8 Committee's Observations and Recommendations

From the findings during its tour to the Zambian Mission in Pretoria, South Africa, your Committee observes and makes recommendations as outlined below.

- i) Funding to the South African Mission is insufficient and erratic, resulting in;
 - a) delayed salaries for staff;
 - b) inability to undertake capital projects and maintenance works;
 - c) failure to repatriate stranded Zambians and attend to other consular matters;
 - d) incapacitation of the Mission Trade and Investment Promotion Department.

In this vein, your Committee recommends that the Government should improve the adequacy and predictability of funding to the Mission as a matter of urgency;

- ii) The High Commissioner's residence is dilapidated and in an insecure locality, resulting into huge maintenance costs. The residence also has very limited parking space, forcing guests to park on the side of the road.

In this regard, your Committee recommends that the Government should procure a new property for the High Commissioner's residence in a more secure and appropriate locality;

- iii) The fleet of motor vehicles at the Mission is old and breaks down every so often, thereby pushing up maintenance costs.

In view of the above observation, your Committee recommends that the Government should procure a new fleet of motor vehicles for the Mission so as to cut down on maintenance costs;

- iv) Your Committee is seriously concerned that the reluctance by the South African authorities to give birth certificates or notice of birth for fear of making them potential citizens will render stateless, many Zambian children born in that country.

Your Committee, in this regard, recommends that the Zambian Government should take this matter seriously and engage the South African Government in order to protect such children from becoming stateless. This should be done as a matter of urgency;

- v) The claim by the South African tour industry that the Victoria Falls is found in South Africa has robbed Zambia of substantial amounts of revenue and is a potential source of bilateral conflict.

Your Committee, therefore recommends that the Zambian Government should use all possible means, including appealing to the International Court of Justice, over the use, by the South African tour industry, of the Victoria Falls, purporting that it is found in South Africa;

- vi) The non-availability of a fully fledged tourism office at the Mission in South Africa has hampered the promotion of Zambian tourism and consequently, denied the country revenue.

In this regard, your Committee recommends that the Government should create a fully fledged tourism office, with staff from the Zambia Tourism Agency, for the promotion of Zambian tourism.

- vii) There is a serious trade imbalance between Zambia and South Africa. Whereas South African goods have free entry into Zambia, there are restrictions on the types of Zambian goods which can enter the South African market.

Your Committee, therefore, recommends that the Zambian Government should ensure reciprocity in trade with South Africa; and

- viii) There is communication breakdown between the Protocol Department of the Mission and ministries intending to use their services, resulting into VVIPs being delayed or receiving inadequate protocol services and courtesies.

Your Committee, therefore, recommends that communication between the ministries and government departments needing the services of the Protocol Department at the Mission should be timely.

PART THREE

9.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION TAKEN REPORT FOR THE FIRST SESSION OF THE TWELFTH NATIONAL ASSEMBLY

9.1 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)

9.1.1 THE ZAMBIA POLICE SERVICE

Need for Improved Infrastructure

Your previous Committee had recommended that in order to improve service delivery of the Police Service, the measures presented hereunder should be put in place.

- (i) In order for the Police Service to operate efficiently and effectively, the Government should undertake infrastructure development such as the construction of police camps, office blocks and holding cells, complete on-going infrastructure projects and commence new ones in places lacking police presence. Funding to the Institution should also be improved.

Executive's Response

In the Action-Taken Report, your Committee was informed that the Zambia Police totally agreed with your previous Committee's observation and

recommendations as this would improve the police operations as well as boost the morale of police officers.

Committee's Observations and Recommendations

Your Committee does not consider this response as action taken or to be taken by the Executive, and therefore, requests for a more appropriate response, indicating what the Executive has done or intends to do on the matter.

Continuous Recruitment Exercise

In order to meet the standard police-population ratio of one officer to 250 citizens, the Government should embark on a continuous net recruitment exercise of 3, 000 police officers every year to reach the projected 27, 000.

Executive's Response

In the Action-Taken Report, the Executive informed your Committee that this recommendation of your previous Committee should be the case and would go a long way in ensuring that Zambia had sufficient numbers of officers that would be able to police the nation adequately. Further, that the projected number of 27,000 was calculated ten years earlier, hence the need to increase the number to perhaps 53,000 or more.

Committee's Observations and Recommendations

Your Committee considers this response inadequate as it does not provide an action or action plan on the part of the Executive. Your Committee, therefore, requests for an appropriate response.

Provision of Appropriate Modern Equipment

The Government should provide the police with modern equipment for communication and investigations, including forensic investigations and anti-riot operations.

Executive's Response

Your Committee was informed, through the Action-Taken Report, that modern policing required that police officers were not only properly trained but equally equipped with appropriate technology and necessary investigative tools. This would ensure safety of not only the public but the officers as well. The equipment could also enhance investigative skills and techniques required to address public disturbances.

Committee's Observations and Recommendations

Your Committee considers this response inadequate as it does not indicate what action the Executive has taken or will take on your previous Committee's recommendation. Consequently, your Committee requests for an appropriate action-oriented response.

Provision of Modern Training Facilities

The Government should construct modern police training institutions in order to make the environment for training of recruits and in-service officers conducive. The curriculum must also be revised to include new methods of policing, consonant with the respect for human rights.

Executive's Response

Your Committee was informed that current police training facilities were not only out of touch with current needs, but did not also have the capacity to produce well trained officers. Nevertheless, the police were in the process of developing the curriculum which was at validation stage. Further, at the request of the Government, the police submitted an Infrastructure Development Plan which included the rehabilitation of existing training facilities and construction of a modern Police Academy in Chibombo. As for now, the Institution was awaiting the budgeting process in order to include these programmes in the new budget.

Committee's Observations and Recommendations

Your Committee requests for an update on whether or not the curriculum has been validated and whether the Infrastructure Development Plan has since been approved and provided for in the 2018 budget.

Procurement of Motor Vehicles and Marine boats

In order to improve the operations of the Zambia Police Service, the Government should procure sufficient motor vehicles and marine boats.

Executive's Response

In the Action-Taken Report, your Committee was informed that Police operations hinged on police presence at the right time and equipment such as transport including marine boats. One way this would be possible was when the Police had adequate transport. It was important, therefore, that an efficient and sufficient transport system was readily provided on a regular basis to the police in order to improve operations.

Committee's Observations and Recommendations

Your Committee considers this response as a mere statement of the ideal situation rather than an indication of what action the Executive has taken or will take on your previous Committee's recommendation. Your Committee, therefore requests for a more appropriate, action oriented response.

Improvement of Police Relations with the Public

In order to recreate partnership between the Police and the Community, the Police should reintroduce programmes such as "Police and You" which was meant to educate the public on the operations of the Service and thereby build rapport.

Executive's Response

In the Action-taken Report, the Executive agreed with your previous Committee, saying that this was indeed the way to go but even so, other modern ways of interaction could further be encouraged not only at national level but down to police stations and posts through the use of social media where officers could be accessible and be able to provide necessary information to the public.

Committee's Observations and Recommendations

Your Committee considers this response inadequate as it does not indicate what action the Executive has taken or will take on your previous Committee's recommendation. Consequently, your Committee requests for a more appropriate response.

9.1.2 THE ZAMBIA CORRECTIONAL SERVICE

Improved Service Delivery

In order to improve service delivery at Katombora Reformatory School, your Committee had recommended as set out hereunder.

The Government should erect a security wall around the school to enhance security.

Executive's Response

Your Committee was informed that the erection of a security wall around the school had not been done due to the fact that it was not budgeted for and being a capital project, may require substantial amounts of money. Therefore,

depending on the Government directive on new capital projects, it may be included in the 2018 budget estimates.

Committee's Observations and Recommendations

Your Committee requests for an update on whether this project has been budgeted for in 2018 and how soon it will be embarked upon.

Provision of Transport and Upgrade of Road

The Government should provide transport and upgrade the road to the school to bituminous standard.

Executive's Response

In response, the Executive informed your Committee, through the Action-Taken Report, that the school had two Nissan vans, a Mitsubishi Rosa mini bus and a Canter truck besides the Land Cruiser Ambulance, which, though old, was serviceable. In terms of upgrading the 7.5km stretch from Kazungula Road Junction to the school, your Committee was informed that the Ministry of Home Affairs was in the process of engaging the Ministry of Infrastructure for consideration of the same stretch of road to be included in the National Road Network Plan for upgrading.

Committee's Observations and Recommendations

Your Committee requests for an update with regard to the consultations with the Ministry of Infrastructure on this matter.

Staff Accommodation and Provision of Blankets and Mosquito Nets for Lads

Your previous Committee had recommended that the Government should provide accommodation for staff and blankets as well as mosquito nets for lads.

Executive's Response

In the Action-Taken Report, your Committee was informed that the Phase I of the project for the construction of houses for members of staff was underway but did not include Katombora. It was hoped that Katombora would be considered under Phase II for both staff and lad's accommodation. In terms of provisions for blankets and mosquito nets, the facilities grant had not been adequate and due to the reduction of the Zambia Correctional Service budget in the past two years, it had not been easy to address this need. Further, mosquito nets were usually provided by the Ministry of Health through the local clinic.

Committee's Observations and Recommendations

Your Committee requests for an update on Phase II of the construction of staff houses and the provision of mosquito nets.

Provision of Start-up Capital for Graduate Juveniles

The Government should provide starter-up capital or tools for graduate Juveniles in order to curb repeat offending.

Executive's Response

In the Action-Taken Report, your Committee was informed that the provision of start-up capital or tools would be considered in the upcoming planning cycle under the Offender Rehabilitation Project Budget line.

Committee's Observations and Recommendations

Your Committee requests the latest update on the matter.

Construction and Equipping of Metal Fabrication Workshop

The Government should construct and equip the metal fabrication workshop.

Executive's Response

Through the Action-taken Report, your Committee was informed that the construction and equipping of the metal fabrication workshop would be considered under the 2018 budget, depending on Government policy on contracting of new capital projects.

Committee's Observations and Recommendations

Your Committee requests for an update on the matter.

Mwembeshi Maximum Correctional Facility

Your previous Committee had recommended that in order to improve service delivery, the measures outlined here under, should be undertaken.

Upgrading and Expanding of Staff Establishment

Your previous Committee had recommended that the Government should upgrade and expand the staff establishment of the Zambia Correctional Service to bring it to 7, 500 and to include all specialties needed in rehabilitation of citizens that find themselves in correctional centres. The staff establishment should be expanded in order to improve operations at all levels including the newly established units such as; the National Parole Board, the Medical

Directorate, Kalonga Milling, Mounted Unit and the Brass Band which have drawn their staff from the existing lean staff establishment.

Executive's Response

Through the Action-Taken Report, your Committee was informed that the Government had started addressing the need and to this effect, 4,074 staff establishment structure had been approved pending the Treasury Authority to operationalise it. However, the approved 4,074 was still low and therefore, the Ministry had since engaged Cabinet Office to revisit the matter. To operationalise the 4,074 establishment structure, the Zambia Correctional Service needed the Treasury Authority to allocate K99.85 million for Personal Emoluments and a further K10, 016,000.00 for procurement of uniforms for the additional staff.

Committee's Observations and Recommendations

While noting the response, your Committee urges the Executive to expedite this matter and to provide regular updates on it.

Adoption of Modern Techniques and Security Systems

The Government should, through enhanced funding, help the Zambia Correctional Service to embrace and adopt modern techniques and security systems which may include establishment of bio-data electronic system data base and installation of CCTVs in all the correctional centres.

Executive's Response

In response, the Executive informed your Committee that the budgetary allocation still remained a challenge for the Zambia Correctional Service to embrace and adopt the modern techniques and security systems. The Electronic Offender Management Bio-Data Electronic System Database had been developed and was on trial basis in selected facilities pending funding to be implemented in all facilities. The estimated cost for a full-fledged operational electronic bio-database with central, primary and secondary server in place was K1.4 million. CCTV was only operational at one facility and required substantial amounts of money to be installed at all facilities.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this matter and to provide regular updates on it.

Construction of New and Modern Correctional Facilities

The Government should embark on building new and modern correctional facilities, which would be in accordance with the paradigm shift from punitive to correctional and the observance of human rights. The existing ones should also be renovated and expanded and equipped with modern security features.

Executive's Response

Through the Action-Taken Report, your Committee was informed that the Government had commenced the process with Monze and Livingstone Female Correctional Facilities, which were nearing completion. Lusaka Central and Kamwala Remand were being constructed under the Public Private Partnership (PPP) and would be relocated to Lusaka West in Mwembeshi, while Mongu was on procurement of works, also under PPP. In terms of rehabilitation and expansion, Milima in Kasama, Mwense in Luapula, Mwinilunga in North Western Province, Kitumba Farm in Mumbwa Central Province and Sesheke in Western Province, were recently renovated.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this matter and to provide progress reports on it.

Alternatives to Custodial Sentences

The State should continue exploring alternatives to custodial sentences and detention for individuals coming in conflict with the law, such as community service and fines for minor offences to reduce congestion in correctional centres.

Executive's Response

Your Committee was informed, through the Action-Taken Report, that in as far as alternative sentences were concerned, the Ministry of Home Affairs had no role to play in influencing the courts to pass sentences of fines and community service. However, the Ministry of Home Affairs was exploring this alternative through the use of parole. Further, the Ministry of Home Affairs had the duty to propose reforms in as far as alternative sentences were concerned and therefore, the Ministry would initiate the process of formulating regulations for community sentencing for convicted inmates who were convicted with misdemeanors in line with the *Prisons (Amendment) Act, No. 14 of 2000*.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this matter and to provide updates on it.

Construction of New Juvenile Reformatory Schools

The Government should construct new juveniles' reformatory schools as per the proposal, in Lusaka, Kitwe and Kabwe including a girls section in the new ones.

Executive's Response

Your Committee was informed that the proposal would only be considered pending completion of the on-going projects as per Government Policy.

Committee's Observations and Recommendations

Your Committee awaits an update on the matter.

Reduction of the Prevalence of HIV and TB in Correctional Facilities

The Government should scale up efforts to reduce the prevalence of HIV and TB in correctional centres through improved nutrition and decongestion.

Executive's Response

Through the Action-Taken Report, your Committee was informed that the Government of the Republic of Zambia was committed to improving the welfare and living conditions of inmates in correctional centres. Food rations were procured as and whenever the need arose and were issued as per the prescribed dietary scale in the rules and regulations of the Prisons Act, *Chapter 97 of the Laws of Zambia*. Those whose health condition required special diet as per recommendations from medical practitioners were issued with what was available in stock, supplemented with produce by the correctional centres themselves. In terms of decongestion, the Government made use of established mechanisms like transferring some inmates to facilities that were not congested, special releases, releases on parole, releases on medical grounds, amnesty and prerogative of mercy.

Committee's Observations and Recommendations

Your Committee resolves to continue monitoring the situation in correctional facilities for further engagement with the Executive and requests for regular updates on this matter.

9.1.2 THE DRUG ENFORCEMENT COMMISSION

Enhancement of Service Delivery

Your previous Committee had recommended that in order to improve the operations of the Drug Enforcement Commission (DEC), the measures listed hereunder needed to be put in place.

Treasury Authority for the Implementation of full Establishment

The Government, through the Ministry of Finance, should expedite the issuance of the Treasury Authority to implement in full, the 1,821 DEC staff establishment.

Executive's Response

Your Committee was informed that from 2013 when Cabinet Authority was given to increase the DEC structure to 1,821, only fifty eight positions were given Treasury Authority in July, 2015. The Commission had made submissions to the Ministry of Finance to consider granting further the Treasury Authority in the 2018 budget cycle.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this exercise and provide your Committee with an update.

Upgrading of Commissioner to Commissioner General

The position of Commissioner should be upgraded to Commissioner General in order to bring it in harmony with other security wings.

Executive's Response

Your Committee was informed that the Commission made a submission to the Ministry of Home Affairs in September, 2015 seeking to upgrade the position of Commissioner to Commissioner General in order to bring it in line with other security wings. The Ministry, in conjunction with Cabinet Office was still considering the proposal.

Committee's Observations and Recommendations

Your Committee urges the Executive to treat this matter with urgency and provide an update.

Revision of Legislation

The Government should revise the *Narcotic Drugs and Psychotropic Substances Act, Chapter 96* of the Laws of Zambia and the *Prohibition and Prevention of Money Laundering Act, No.14 of 2001 (as amended by Act No. 44 of 2010)* in order to deal with new dimensions of white collar crime and effectively collaborate with other law enforcement agencies.

Executive's Response

Your Committee was informed that the revision of the *Narcotic Drugs and Psychotropic Substances Act, Chapter 96* of the Laws of Zambia was being finalised by the Ministry of Justice. The Bill was also pending review of the Constitution of Zambia (Amendment) Act, No. 1 of 2016 to appropriately place the Drug Enforcement Commission under National Security Services and not Investigative Commissions. The process of revising the *Prohibition and Prevention of Money Laundering Act, No.14 of 2001, as amended by Act No. 44 of 2010*, had also commenced.

Committee's Observations and Recommendations

Your Committee requests for an update on the matter.

Formulation of Drug and Alcohol Policy

The Government should expedite the formulation of the Drug and Alcohol Policy in order to strike a balance between supply reduction efforts and demand reduction measures and bring about effective coordination and cooperation among various stakeholders.

Executive's Response

Your Committee was informed that the Government had put in place a technical committee comprising the Ministry of Health, the Ministry of Home Affairs and the Drug Enforcement Commission, which had developed a concept note, which had since been submitted to the Secretary to Cabinet.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the matter.

Establishment of Training Centre

The Government should assist the Commission to establish its own training centre to reduce costs and enhance specialised training.

Executive's Response

Your Committee was informed that the Commission had applied for a piece of land at the Ministry of Lands and Natural Resources on which to build a training centre and feedback was still being awaited.

Committee's Observations and Recommendations

Your Committee urges the Government to look into this matter and provide a progress report.

Establishment of a National Drug Rehabilitation Centre

The Government should establish a National Drug Rehabilitation Centre.

Executive's Response

The Executive informed your Committee that the Government through the Ministry of Home Affairs had acquired a piece of land measuring 7.73 hectares at Balmoral in Chilanga District in order to build the rehabilitation centre. Cost estimates had been submitted to the Ministry of Finance and the Ministry of Development Planning for consideration.

Committee's Observations and Recommendations

Your Committee urges the Executive to treat this matter with urgency and provide an update.

Increased Budgetary Allocation

The Government should increase the budgetary allocation to the Commission in order to address various challenges such as:

- a) inadequate office accommodation and office equipment;
- b) inadequate staff accommodation;
- c) inadequate sniffer dogs and kennels;
- d) clearance of arrears;
- e) addressing operational challenges such as transport maintenance, capacity building programmes;
- f) inadequate modern and specialised (surveillance equipment); and
- g) construction of strong rooms for confiscated drugs and other exhibits.

Executive's Response

Your Committee was informed that the Commission had submitted the required budgetary allocation for projects and programmes to the Ministry of Development and National Planning and the Ministry of Finance in order to

address various challenges that the Commission was facing and feedback was awaited.

Committee's Observations and Recommendations

Your Committee urges the Executive to consider the DEC as a security institution which must be funded appropriately for it to function as such.

9.1.3 THE DEPARTMENT OF IMMIGRATION

Your previous Committee had recommended that in order to enhance service delivery at the Department of Immigration, the measures listed hereunder should be undertaken.

Revision of Staff Establishment

The Government should revise and increase the staff establishment which had remained the same since inception in 1965 as well as improve the conditions of service.

Executive's Response

Your Committee was informed that proposals for an expanded establishment had been submitted to the relevant authorities for consideration.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this matter and report progress on it.

Professional Training for Immigration Officers

Officers at the Department of Immigration should be professionally trained in the identification of vulnerable migrants (asylum seekers, refugees, victims of trafficking, unaccompanied and separated children, stateless persons and stranded migrants) in order to enable them perform as per the International Organisation for Migration (IOM) standards.

Executive's Response

Your Committee was informed that a number of immigration officers had undergone training in the identification of vulnerable migrants. Further, in June, 2016, the Department, in collaboration with the International Organisation for Migration (IOM), had developed a curricular on the Protection and Assistance of Vulnerable Migrants in Zambia. The said curricular awaited approval for use during training of new and serving officers.

Committee's Observations and Recommendations

Your Committee requests an update on the approval and implementation of the new curricular and that a copy be availed to it.

Reintroduction of Appropriation-in-Aid

In order to enhance operations at the Department of Immigration, the Government should re-introduce the Appropriation-in-Aid facility, which allowed revenue collecting institutions to spend a percentage of what they had collected instead of first remitting to Control 99.

Executive's Response

Your Committee was informed that the Government, through the Ministry of Home Affairs, had since engaged the Ministry of Finance and was awaiting a response.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite this matter as a matter of urgency and provide an update on it.

9.1.4 NATIONAL REGISTRATION, PASSPORT AND CITIZENSHIP DEPARTMENT

In order to enhance service delivery, your Committee recommended as outlined below.

Decentralisation of the Issuance of Passports

In order for the Department to effectively and efficiently provide increased accessibility to services for national identity documents, the Government should decentralise the issuance of passports to all provincial, district centres and Missions Abroad.

Executive's Response

Your Committee was informed that the Department of National Registration, Passport and Citizenship was currently receiving applications in all provincial, district centres and Missions Abroad. Issuance of passports was however, limited to three centres namely; Lusaka, Ndola, and Livingstone. The Department appreciated the recommendation by your Committee and would consider decentralising issuance of passports to all provincial, district centres and Missions Abroad once the human resource levels had improved and secure infrastructure was put in place.

Committee's Observations and Recommendations

Your Committee requests a progress report on the matter.

Digitalisation of Record management System

The Government must digitalise the record management system in order to ensure effective, efficient and easy retrieval of information and provision of services.

Executive's Response

Your Committee was informed that the Department of National Registration, Passport and Citizenship had started digitalising its records. So far, seven million records had been scanned with a view to storing them in digital form. This process would continue until all records were digitalised for easy retrieval of information and provision of effective and efficient service.

Committee's Observations and Recommendations

Your Committee will continue monitoring the digitalisation process and requests for regular updates on the matter.

Creation of Public Awareness on the Operations of the National Registration, Passports and Citizenship Department

The Government should disseminate more information on the operations of the Department in order to create public awareness and increase community participation.

Executive's Response

Your Committee was informed that the Department of National Registration, Passport and Citizenship was in the process of developing a Communication strategy to guide awareness creation activities. In this regard, the Department would submit a request to the Management Development Division (MDD) at Cabinet Office for authority to create a Public Relations Unit to oversee the implementation of awareness creation activities and community engagement.

Committee's Observations and Recommendations

Your Committee urges the Executive to provide a progress report on the matter.

Creation of a Central Database for Law Enforcement Agencies

The Government should establish a central data base for all law enforcement agencies to promote co-operation, collaboration and information flow amongst these agencies.

Executive's Response

Your Committee was informed that the Department of National Registration, Passport and Citizenship would expedite the implementation of the Integrated National Registration Information System (INIRIS), which would be a central data base, to facilitate easy information flow among law enforcement agencies.

Committee's Observations and Recommendations

Your Committee resolves to await an update on the matter.

Review of Legislation and Policies

The Government should initiate the review of legislation and policies related to National Registration, Passports and Citizenship in order to conform to the prevailing conditions in international migration.

Executive's Response

Your Committee was informed that the Zambia Law Development Commission (ZLDC) had conducted a desk review of all the pieces of legislation relating to National Registration, Passport and Citizenship to ensure that they were speaking to each other and identify gaps in view of emerging societal developments. This process would continue and would ensure conformity with prevailing conditions in international migration.

Committee's Observations and Recommendations

Your Committee awaits an update on the matter.

Digitalisation of National Identity and Travel Documents for enhanced Security Features

The Government should digitalise national identity and travel documents in order to enhance their security features and ease of cross checking at border points.

Executive's Response

Your Committee was informed that the Department of National Registration, Passport and Citizenship was implementing the Integrated National Registration Information System (INIRIS) which sought to digitise the National Identity Cards. This would be launched before the end of 2017. The Department was considering upgrading the current Machine Readable Passport to Electronic Passports and travel documents to enhance their security features and ease cross checking at border points.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite the digitalisation process and will await an update on it.

PART III

10.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT FOR THE FIFTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

The Shift from Political to Economic Diplomacy; Transparency in the Recruitment Process; and Awareness of the Code of Conduct and Financial Regulations

Your previous Committee had resolved to await the presentation of the Bill to Parliament to cover the issues raised above.

Executive's Response

In the Action-Taken Report, your Committee was informed that the Government, through the Ministry of Justice, would present the Bill to Parliament for enactment and subsequent implementation.

Committee's Observations and Recommendations

Your Committee considers this response inadequate as it does not indicate when the Government will present the said Bill. Your Committee resolves to await a more detailed update on the matter.

Dependency on Rented Office Space and Staff Accommodation

Your previous Committee was informed that following the approval of the mortgage financing strategy by Cabinet, the Ministry had started its implementation in 2016, in a phased manner, with Phase I targeting six Missions Abroad, namely: Accra, Lisbon, Riyadh, Pretoria, Canberra and Nairobi, and requested for an update.

Executive's Response

Your Committee was informed that having undertaken the first phase of verification exercises, the Ministry had since prepared a joint Cabinet Memorandum with the Ministry of Finance seeking approval to “sell and buy” property such as in the case of Nairobi and Pretoria, with additions of Berlin and Stockholm after assessment of other reports. For the costs for Accra and Pretoria, a firm Term Sheet for Mortgage Financing from UBA Bank to finance purchasing property for the two Missions and Addis Ababa had been forwarded to the Ministry of Finance for consideration and approval, while the cases of Riyadh and Canberra had been temporarily deferred pending further consultations.

For Lisbon, whose case was to assess whether or not to sell the Residence, the Committee proposed that the property be rehabilitated and be leased out on rent to generate revenue for the Government. A bill of quantities was prepared by officials from the then Ministry of Works and Supply. The Ministry had funds and would implement the rehabilitation works in due course.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite the full implementation of the Mortgage Financing Strategy for Missions Abroad. Your Committee also strongly recommends that the Government should provide a clear time frame for the implementation of the strategy and the rehabilitation of the Lisbon Residence.

Mechanism for Identifying, Grading and Strengthening Zambian Missions to Foster Economic Rather than Political Diplomacy Only

Your previous Committee had resolved to await the presentation of the Bill to Parliament for enactment and its subsequent implementation.

Executive's Response

Your Committee was informed that the Bill was submitted to Cabinet for final approval before its publication and presentation to Parliament.

Committee's Observations and Recommendations

Your Committee urges the Government to expedite the approval of the Bill and its presentation to Parliament.

11.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

Security along the Borders with Neighbouring Countries

Your previous Committee had urged the Government to ensure that police officers under the marine unit were recruited and trained and to provide an update on the matter.

Executive's Response

Your Committee was informed that the Zambia Police Service had not recruited and trained new officers under the Marine Unit due to lack of positions on the establishment. The recruitment and training of officers would be considered when the new proposed establishment, which was submitted to Management Development Division at Cabinet, was approved.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the matter.

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

Construction of a Mini Hospital within the Mukobeko Maximum Facility

Your previous Committee considered the construction of a mini-hospital at Mukobeko Maximum Correctional facility as a serious security matter which must be treated as such and urged the Government to prioritise it.

Executive's Response

Your Committee was informed that the Government through Ministry of Home Affairs under Zambia Correctional Service still felt that this project should be implemented and had been making efforts through discussions with stakeholders, mainly the Ministry of Health, to seek their support on the matter after its provision was not introduced in the 2017 budget. This happened due to Government policy on contracting new projects, before completion of those that were on-going. Further, due to the need for this project, the Zambia Correctional Service had been negotiating with the contractor building houses for staff in Mukobeko to include building one or two wards adding to the existing clinic for isolation of TB and other diseases.

Committee's Observations and Recommendations

Your Committee still considers the issue of a mini-hospital at Mukobeko a serious matter which must be treated as such. Your Committee, therefore, urges the Executive to fund the project expeditiously. Your Committee awaits a progress report.

Provision of a Generator-set at Mukobeko Maximum Facility

Your previous Committee had urged the Government to budget for this matter and look for resources to finance it. It awaited an update.

Executive's Response

Your Committee was informed that the Government did not budget for the purchase of the generator at Mukobeko Maximum due to lack of funds and ceiling limitations and that the generator would be considered in the 2018 budget as it was a necessity at the facility when power outages were experienced.

Committee's Observations and Recommendations

Your Committee awaits an update on the matter.

Revision of the Law Governing Adoption of Children

Committee's Observations and Recommendations

Your previous Committee had urged the Executive to expedite the drafting and presentation to Parliament of the Children's Code Bill.

Executive's Response

Your Committee was informed that the finalisation of the drafting of the Children's Code Bill awaited further instructions from the Ministry of Community Development and Social Services on some aspects of the Bill, such as inter-country adoptions.

Committee's Observations and Recommendations

Your Committee urges the Government to expedite the finalisation of the drafting and presentation of the Bill to Parliament for enactment. Your Committee resolves to await a progress report on the matter.

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

Issuance of Passports to former Angolan Refugees

Your previous Committee had considered the issuance of passports to former Angolan refugees as work in progress and requested regular updates on the matter.

Executive's Response

In the Action-Taken Report, your Committee was informed that the Government of the Republic of Angola had not been able to issue more passports to former Angolan refugees in Zambia due to financial constraints as it had prioritised the funding of the upcoming general elections in that country. The number of passports issued by Angolan Government was 2,215 while 1,176 residence permits had been issued and 647 applications were being processed by the Department of Immigration. In addition, the Office of the Commissioner for Refugees had screened 12, 000 of the 13,921 former refugees eligible for local integration. These were awaiting the issuance of passports by the Angolan Government.

Committee's Observations and Recommendations

Your Committee requests a further update on this matter considering that the Angolan elections which were an impediment to progress are over.

Survey and Demarcation of Plots in Meheba and Mayukwayukwa

Your previous Committee had considered this as work in progress and requested regular updates on the matter.

Executive's Response

In the Action-Taken Report, your Committee was informed that in July 2016, the Government, through the Ministry of Lands and Natural Resources, secured funds from the United Nations High Commission for Refugees (UNHCR) and the Ministry of Home Affairs Commissioner for Refugees to facilitate the surveying of properties in Meheba and Mayukwayukwa. The Ministry managed to survey a total of 651 properties in Meheba in addition to the 800 properties that were surveyed in 2015. Currently, the Ministry was working with the Department of Resettlement to ensure that the 651 survey diagrams were processed and ready before the end of 2017. Once the 651 survey diagrams were ready, the Ministry would have surveyed a total of 1,451 properties in Meheba Settlement Scheme. In Mayukwayukwa Settlement

Scheme, all the 1,335 planned properties had been surveyed by the Ministry of Lands and Natural Resources. The Ministry was currently processing the survey diagrams so as to facilitate for titling of the properties. All the survey diagrams for the 1,335 surveyed properties would be ready before the end of 2017.

Committee's Observations and Recommendations

Your Committee requests for an update on the finalisation of the survey diagrams and titling of the properties in the two settlement schemes.

Regulation of the Movement of Arms

Your previous Committee had considered the regulation of movement of arms as work in progress and requested regular updates on the matter.

Executive's Response

Your Committee was informed that Zambia had deposited the instruments of ratification for the Arms Trade Treaty (ATT) with the United Nations in New York, on 23rd May, 2016 and became a State Party to the ATT on 21st August, 2016. Regarding the course of action to be undertaken after ratification of the treaty, the following had been done:

- i) The National Focal Point for the Arms Trade Treaty has been appointed and the ATT secretariat in Geneva has been notified over the appointment.
- ii) Consultations with key stakeholders regarding the creation of a National Control System to regulate the importation and exploration of all conventional arms were on-going.
- iii) A national control list for all regulated items under the ATT had not been developed.
- iv) Legislation on Arms Trade related activities was yet to be developed.
- v) A coordinating committee comprising officers from all stakeholders dealing with ATT activities had been appointed by the Secretary to the Cabinet.

Committee's Observations and Recommendations

Your Committee requests for an update on outstanding procedures.

Improvement of Conditions of Service for Staff at the Zambian Embassy in Angola

Your previous Committee had urged the Government to expedite the exercise of improving conditions of service for staff at the Zambian Embassy in Angola and provide an update on it.

Executive's Response

The Executive informed your Committee that the Government, through the Ministry of Foreign Affairs, had reviewed the statistics of the World Bank and International Monetary Fund (IMF) with regard to the conditions of service in the Foreign Service. However, the finalisation of the review of the conditions of service awaited the enactment of the Career Foreign Service Bill into law in order to ensure that the two were harmonised. However, in certain circumstances, issues relating to housing allowance, such as in the case of Angola, were being reviewed on case by case basis.

Committee's Observations and Recommendations

Your Committee urges the Executive to expedite the presentation of the Foreign Service Bill to Parliament.

14.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

An Update on the Operations of Zambia's Missions Abroad

Your previous Committee had resolved to await an update on the rehabilitation of properties in some Missions Abroad.

Executive's Response

Your Committee was informed that the rehabilitation project in Lubumbashi had been fully completed and the site had been handed over to the Mission. However, for Brussels, the works had not been completed due to financial constraints. The Ministry would continue to engage the Treasury on the release of funds for the project to ensure the completion of the projects as soon as possible.

Committee's Observations and Recommendations

Your Committee urges the Executive to expeditiously release funds for repair works in Brussels in order to keep a positive image of the country.

Purchase of a New Residence for the Zambian Mission in New York

Your previous Committee had requested for an update on the purchase of a new residence for the Zambian Mission in New York.

Executive's Response

Your Committee was informed that the Government through the Ministry of Foreign Affairs had identified a property developer who would also provide funding for remodelling the Residence and Chancery. A draft Memorandum of Understanding (MoU) between GRZ and the developer to undertake a feasibility study on the two properties had been prepared and was under consideration for approval.

Committee's Observations and Recommendations

Your Committee urges the Government to expedite the approval of the feasibility study in order for the works to proceed. Your Committee requests for an update on the matter.

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

Your previous Committee had requested for regular updates on the progress made by Permanent Commissions on Zambia's boundaries with the DRC and Tanzania.

Executive's Response

Your Committee was informed that there was not much progress scored pertaining to the preparatory meetings by the Joint Survey Teams (JST) to plan for the commencement of the re-affirmation exercises on the Zambia/Congo and Zambia/Tanzania international boundaries due to budgetary constraints to undertake these activities in 2016 and 2017. However, Zambia attended the senior officials meeting held in Kigali, Rwanda on the Re-Affirmation/Demarcation of International Boundaries on Lake Tanganyika. The meeting included the Republic of Zambia, the Democratic Republic of Congo, the Republic of Burundi and the United Republic of Tanzania. During the meeting, Zambia engaged DRC and Tanzania on the need to commence the delimitation and re-affirmation exercises along the respective boundaries.

Zambia also attended the Annual Review and Planning Seminar in Gaborone Botswana in December, 2016 and the meeting on Re-Affirmation of international boundaries on Lake Tanganyika in Addis Ababa, Ethiopia in May, 2017, where it was further agreed with the DRC and Tanzania on the need to hold joint survey team meetings in 2017. The meetings were organised by the

African Union Border Programme (AUBP) and GIZ in an effort to help member states score progress towards the re-affirmation of international boundaries. Further, the Zambian Government invited the Democratic Republic of Congo through the Joint Permanent Commission (JPC) on Defence and Security, during which a side technical meeting should have been held between the Surveyors General of the two countries. However, the Congolese delegation cancelled the meeting which was scheduled for May, 2017, in Livingstone. DRC was yet to propose a new date for the meeting. Furthermore, the Government of the Republic of Zambia, through the Ministry of Lands and Natural Resources, was yet to meet with the Tanzanian counterparts having agreed to meet before July, 2017. However, the holding of the meeting between the two countries was dependent on the mobilisation of resources by both countries.

Committee's Observations and Recommendations

Your Committee urges the Government to continue prodding their counterparts in the DRC and Tanzania for the meetings and mobilise resources for the same. Your Committee requests an update on the matter.

Construction of Accommodation and Offices at Zombe and Lumi Border Posts

Your previous Committee had urged the Government to treat this matter with the seriousness it deserved and allocate resources to it and provide an update.

Executive's Response

Through the Action-Taken Report, your Committee was informed that in the period 2016 to 2017, no new projects were implemented by the Government. However, the said project would be considered in the 2018 budget.

Committee's Observations and Recommendations

Your Committee requests for an update on the matter.

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

Your previous Committee had urged the Government to treat the construction of staff houses with the seriousness it deserved and allocate resources to it and report progress on the matter.

Executive's Response

Your Committee was informed, through the latest Action-Taken Report, that the construction of office accommodation at Nsumbu Border Post had stalled as the contractor had not yet been paid by the Government.

Committee's Observations and Recommendations

Your Committee urges the Government to pay the contractor in order for the works to resume and also requests an update on the matter.

Cessation Clause on Rwandese Refugees

Your previous Committee had urged the Government to treat the matter with the seriousness it deserved for security reasons and provide an update on it.

Executive's Response

The Executive informed your Committee that proposals were presented to Cabinet in April, 2017 on the options available to proceed with the local integration of former Rwandese refugees in view of their reluctance to obtain Rwandan passports for the purpose of acquiring residence permits. Cabinet directed the Ministry to review the options so as to arrive at the most viable decision. It had since been proposed that in the interest of security and in keeping with international obligation to document all persons resident on Zambian territory, the former refugees would be issued with three year Residence Permits to regularise their stay in the country. All necessary steps were being taken to complete the exercise by the end of 2017.

Committee's Observations and Recommendations

Your Committee requests for an update on the matter.

Mutual Agreement on Combating Drug Trafficking

Your previous Committee had urged the Government to provide an update on the outcome of the MoU forwarded to India.

Executive's Response

Through the Action-Taken Report, the Executive informed your Committee that the revised MoU was forwarded to India and a response was received by the Zambian Government in which the Indian counterpart through a *Note Verbale* No.933/2016 indicated that the two governments already had a valid MoU which was executed in 1993. The Government of Zambia had since reiterated

its position on the need to review the 1993 MoU as per the agreed minutes and was awaiting feedback from its Indian counterpart.

Committee's Observations and Recommendations

Your Committee urges the Government to follow up the matter and submit an update on it.

Kamfinsa School of Public Order and Maintenance – Firing Range

Your previous Committee had urged the Government to pursue the matter with Kitwe City Council and provide an update on it.

Executive's Response

Your Committee was informed that the Zambia Police Service had not paid the amount of K149, 600.00 to process the title deed for the Kamfinsa Firing Range. The Zambia Police was still sourcing for funds to pay and this would be done when funds were available. Regarding the Kamfinsa police land, the Kitwe City Council issued a letter of offer and the map was issued with the Lot numbered as M250/M.

Committee's Observations and Recommendations

Your Committee urges the Government to provide funding for this exercise and provide an update on the matter.

PART FOUR

15.0 Conclusion

Your Committee wishes to express its indebtedness to you, Mr Speaker, for the guidance rendered to it during the Session. Your Committee further wishes to express its gratitude to the Permanent Secretaries, Defence Chiefs and Chief Executive Officers of various institutions for their co-operation and input into your Committee's deliberations.

Lastly, your Committee wishes to extend its appreciation to the Clerk of the National Assembly and her staff for the services rendered to it throughout the Session.

Dr M Malama, MP
CHAIRPERSON

June, 2018
LUSAKA

APPENDIX I

List of National Assembly Officials

Ms C Musonda, Principal Clerk of Committees
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)
Mr S Chiwota, Senior Committee Clerk (SC)
Mr C Chishimba, Committee Clerk
Ms S Mwale-Mensah, Personal Secretary II
Mr M Chikome, Parliamentary Messenger
Mr D Lupiya, Parliamentary Messenger