



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS**

**FOR THE**

**FIFTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

**APPOINTED ON 24<sup>TH</sup> SEPTEMBER, 2015**

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**REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS FOR THE FIFTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY, APPOINTED ON THURSDAY, 24<sup>TH</sup> SEPTEMBER, 2015**

***Consisting of:***

Bishop Lt Gen R Shikapwasha, MP (Chairperson); Prof G Lungwangwa, MP; Mr E T Chenda, MP; Mr S Katuka, MP; Mr E J Muchima, MP; Mr P Kosamu, MP; Mr S Sianga, MP; and Mrs I Mphande, MP.

The Honourable Mr Speaker  
National Assembly  
Parliament Buildings

**LUSAKA**

Sir

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

**Functions of the Committee**

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

In overseeing the activities of these Ministries, the functions of your Committee are 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 their 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 their 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 report of Government ministries and departments under their portfolios in the context of autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders; and
- (e) consider any Bills that may be referred to it by the House.

**Meetings of the Committee**

3.0 Your Committee held twelve meetings during the year under review. Your Committee's report is divided into two parts. Part I contains the topical issue on

which your Committee undertook detailed inquiry and Part II is on the outstanding issues from the Action-Taken Report on your Committee's Report for the Fourth Session of the Eleventh National Assembly.

### **Programme of Work**

4.0 At its second meeting, held on Tuesday 6<sup>th</sup> October, 2015, your Committee considered and adopted the programme of work as set out below.

- (a) Consideration of the Action-Taken Report on the Committee's Report for the Fourth Session of the Eleventh National Assembly.
- (b) Consideration of the topical issue: The Management and Operations of Missions abroad.
- (c) Consideration of the Draft Report.

### **Procedure adopted by the Committee**

5.0 Your Committee sought both written and oral submissions from relevant Government ministries, Civil Society Organisations and other relevant institutions on the topic under study.

## **PART I**

### **CONSIDERATION OF THE TOPICAL ISSUE**

#### **6.0 THE OPERATIONS AND MANAGEMENT OF ZAMBIAN MISSIONS ABROAD**

##### **Background/Rationale**

Zambia is represented across the world in thirty four (34) missions abroad and (2) two consulates. The vision of the missions is to make Zambia an effective and influential player on the regional and international arena by maximizing the benefits that accrue to the country from being a member of the international community. There have been widespread complaints about the state, role and management of Zambian missions abroad and whether or not they serve the purpose for which they were established.

There have also been issues of security of tenure for diplomats and supporting staff in these missions and whether they were qualified to hold such positions. Of late, the Government has closed some missions but opened others amid challenges of maintaining the already existing ones.

Your Committee, therefore, resolved to appreciate the operational challenges, if any, that the Government faces in managing missions abroad and advise the Executive accordingly. In order to gain insight into the topic, your Committee interacted with stakeholders as listed below.

- (i) Ministry of Foreign Affairs;
- (ii) Ministry of Home Affairs, Department of Immigration;
- (iii) Ministry of Commerce Trade and Industry;
- (iv) Zambia Institute of Diplomatic Studies (ZIDS);
- (v) Anti-Corruption Commission (ACC);
- (vi) Transparency International-Zambia;
- (vii) Office of the Auditor General;

- (viii) International Organisation for Migration (IOM);
- (ix) Cross Borders Traders Association of Zambia;
- (x) Zambia Tourism Agency; and
- (xi) Tour Operators Association of Zambia;

## **CONSOLIDATED SUMMARY OF STAKEHOLDERS' SUBMISSIONS**

7.0 Presented hereunder, is a summary of stakeholders' submissions.

### **7.1 Functions and efficiency of Zambia's Missions abroad**

Your Committee was informed that broadly, the functions of a diplomatic mission were as provided in *Article 3 of the 1961 Vienna Convention on Diplomatic Relations*. These are as set out below.

*(i) Representing the Sending State in the Receiving State*

Your Committee was informed that the function of representing the sending state – one's country, in the receiving state, to which a diplomat was sent, played a vital and fundamental role in the performance of a diplomatic mission. It was the duty of diplomatic missions to explain to officers of the receiving state, be they in government, the civil society, business and other organisations, the sending state's policies, and priorities in various areas of its endeavours. To do this effectively, diplomats of the sending state should be well versed in policies and priorities of their state. The diplomats were duty bound to speak on behalf of the sending state and to defend its policies priorities, and stand on various international issues.

*(ii) Protecting, in the Receiving State, the Interests of the Sending State and its Nationals within the Limits Permitted by International Laws.*

Your Committee was informed that the protection of interests of the sending state and its nationals entailed the use of consular functions of the diplomatic mission. With regard to nationals of the sending state, the mission was bound to safe-guard their interests by ensuring they did not suffer harm, injuries and they were treated fairly without prejudice. If the nationals were in detention or prison, the mission diplomats, using this function were expected to visit them. However, while the diplomatic mission was visiting and protecting the nationals in custody, they were not supposed to interfere with the judicial and administrative procedures and process of the receiving state.

*(iii) Negotiating with the Government of the Receiving State*

Your Committee was informed that the function of negotiating had been considered, since the establishment of diplomacy among states, as the most substantive function of a diplomatic mission, hence the term diplomacy. The work of the diplomats was centered on negotiating with various players in receiving states. Negotiating was important in both multilateral and bilateral diplomacy. Your Committee was further informed that sometimes, nations sent leaders such as Ministers of Finance, Trade, Foreign Affairs or the President to head negotiations. Even in these circumstances, the Head of the Mission played an important supporting role in following the leaders or

Special Envoy who had initiated the discussion but had departed as negotiation was a continuous process.

Further, your Committee was informed that originally, it was thought that relations would be carried out primarily between the sending and receiving states but the practice of modern diplomacy entailed negotiation not only with state actors but non-state actors too. This was particularly essential now with the shift from political to economic diplomacy.

*(iv) Ascertaining by all Lawful Means Conditions and Developments in the Receiving State, and Reporting thereon to the Government of the Sending State*

Your Committee heard that this function entailed the gathering and processing of information on political, economic, cultural, military and other developments and reporting this information to the sending government. The current global arrangements of diplomatic missions followed the conditions that developed after World War II, which ushered in new diplomatic practices as the role of chiefs of State and Governments increased. Fading sovereign subjectivity and diminishing secrecy brought diplomacy closer to real problems of peoples and reduced espionage as information was officially received. This was very important to the sending state for without it, it would be more or less ignorant of happenings in the receiving state and therefore unable to negotiate effectively.

*(v) Promoting Friendly Relations between the Sending State and the Receiving State and Developing their Economic, Cultural and Scientific Relations*

Your Committee heard that as a function, promoting friendly relations between the sending and the receiving state covered many things. This included developing and promoting an array of relations in such fields as commerce, education, science and culture. It included educational exchanges through visits and scholarships, technical agreements, cultural centres, and cultural agreements. Musical performances, exhibitions of paintings, food exhibitions and book fairs also promoted friendly relations between the sending and the receiving states.

Your Committee was informed that the specific functions of Zambian Missions abroad were in line with the Foreign Policy which was premised on the values and principles which safeguarded the country's social, economic, political, security and cultural interests and enhanced Zambia's interaction with other states, at both bilateral and multilateral levels. The functions of Zambia's Missions abroad were to:

- (i) promote trade and investment as key engines for economic growth;
- (ii) promote Zambia as a country of choice for Foreign Direct Investment(FDI);
- (iii) promote Zambia as a preferred tourist destination;
- (iv) defend Zambia's sovereignty and maintain territorial integrity to ensure national peace and security;
- (v) promote regional and international peace and security;
- (vi) protect the rights and legitimate interests of Zambian citizens abroad;
- (vii) encourage Zambians in the Diaspora to participate in the economic development of the country;
- (viii) promote bilateral, regional and multilateral co-operation and integration;

- (ix) facilitate for the retention of Zambia's membership to the international organisations and agencies;
- (x) participate in the formulation and adoption of International Legal Instruments developed under the auspices of various international organisations where Zambia is a member;
- (xi) skillfully articulate Government policies and programmes;
- (xii) maintain presence in strategic locations and where necessary establish new missions; and
- (xiii) promote and facilitate the placement of Zambian nationals in regional and international organisations to safeguard national interest.

With regard to their efficacy in carrying out these functions, some stakeholders were of the view that the missions abroad were relatively efficient in their operations as was evidenced by the increased investment and tourist returns, increased number of investor intention from nationals such as Turkish, Germans, Chinese and South Africans and the enhanced and increased donor relations the country had experienced. However, in general terms and in some cases, the efficacy of missions abroad was hampered by factors as enumerated hereunder.

*(i) Lack of Career Diplomatic Service*

Your Committee was informed that since independence, Zambia had failed to develop a career foreign service. This had resulted in a lot of staff in the Foreign Service lacking knowledge of the intricacies of diplomacy and international relations. There had been lack of political will to develop a career foreign service.

*(ii) Specificity of National Interests*

Your Committee learnt that Zambia had a number of resident missions abroad, most of which covered countries of extra accreditation. There were no specific interests spelt out to safeguard for each mission. Failure to specifically stipulate national interests in a particular country meant that there was subsequent failure to determine appropriate levels of resource deployment, both human and financial, essential to achieve the desired results. There were some missions which were complex in nature, particularly multilateral and some bilateral. For example, Geneva houses bodies such as World Trade Organization, International Labour Organization, United Nations Industrial Development Organization, et cetera. These required staff that was skilled enough to represent the country well. There were also bilateral missions such as China, Japan, South Africa and others, where special skills were required to tap into the potential provided by such countries to help develop Zambia.

*(iii) Categorisation of Missions abroad*

Your Committee heard that at present, Zambia had not categorised missions in order of importance in order to deploy resources accordingly. This had resulted in thinly spreading resources and therefore reducing the impact.

(iv) *Political Patronage*

Lack of political will to develop career Foreign Service had led to a situation where appointments in diplomatic service were based on political patronage and/or nepotism and not on capacity to deliver.

(v) *Dual Reporting Lines*

Your Committee was informed that the current practice in Zambia was that all appointments in the Foreign Service were the preserve of the Head of State while the Public Service Commission and the Ministry of Foreign Affairs only facilitated formal appointments of the officers into the Civil Service. The result was that some officers were made to believe that they could only report to the appointing authority and not the Permanent Secretary, Ministry of Foreign Affairs. This had resulted in the Permanent Secretary being restrained from disciplining non-performing officers. This had affected service delivery. Other specific factors included the following:

- (i) deployment of inadequately qualified personnel;
- (ii) lack of operational strategies to ensure the attainment of stated objectives. In a number of cases, there was no evidence that the Ministry of Foreign Affairs was monitoring the performance of missions to ensure the attainment of the Ministry's strategic objectives;
- (iii) delays in filling up some strategic positions such as economic and trade attaches, thereby limiting the flow of Foreign Direct Investment (DFI) to Zambia;
- (iv) lack of property leading to missions using rented buildings at astronomical costs, thereby pushing operational costs high;
- (v) inadequate and untimely funding to execute certain operations resulting in some missions accumulating arrears on supplied goods and services;
- (vi) lack of an elaborate performance appraisal system for missions abroad, making it difficult to evaluate the performance of the various officers in the missions abroad and the extent to which they contribute to the Ministry's strategic objectives; and
- (vii) lack of continuity and consistency in foreign policy. Every change of regime was associated with its own agenda and political ideologies which informed the forms and contents of foreign policies.

## **7.2 Government Policy and rationale for the establishment and closure of Missions abroad**

With regard to Government Policy and rationale pertaining to the establishment and closure of missions abroad, your Committee heard that this was principally based on the country's foreign policy, national interest, challenges and opportunities arising from global concerns surrounding environmental issues, socio-economic and political factors and issues of reciprocity and hostility in some cases.

### **7.3 Criteria for appointing officers to serve in Missions abroad**

With regard to the appointment of officers, your Committee was informed that appointments were made in accordance with Part 2 No. 5, 6 & 7 of the Foreign Service Regulations and Conditions of Service 2007 which provides that:

- (i) the head of Mission shall be appointed by the President of the Republic of Zambia;
- (ii) a Consul – General or Consul shall be appointed by the Minister of Foreign Affairs; and
- (iii) an officer other than the Head of Mission/Station shall be appointed by the Public Service Commission on behalf of the President upon the recommendation of the Permanent Secretary.

Your Committee was, however, informed that these provisions notwithstanding, appointments were not done in an open and transparent manner, creating the perception that appointments were characterised by political patronage and nepotism. Further, foreign missions were believed to be a place where ‘retired’ and ‘unwanted’ high ranking officials were transferred once they were unable to perform locally.

### **7.4 The form and adequacy of Training and/or orientation offered to officers accredited to Zambian Missions abroad**

Your Committee learnt that officers appointed to serve in the missions abroad underwent a six weeks short term intensive course in Diplomacy and International Studies at the Zambia Institute for Diplomacy and International Studies (ZIDIS), which was a grant-aided institution under the Ministry. Your Committee was informed that since the year 2007, ZIDS had been conducting a six-week intensive course called Diplomatic Practice, Protocol and Public Relations, which covered modules listed hereunder.

- (i) Diplomacy and International Relations.
- (ii) Economic Diplomacy.
- (iii) Marketing and Branding.
- (iv) Conflict Management and Mediation.
- (v) Basics of Diplomatic Negotiation.
- (vi) Protocol and Public Relations.

Your Committee further learnt that these modules had been developed and taught by Zambia’s former Ambassadors and other former diplomats who had served in Zambia’s Missions for many years.

Your Committee was informed that in addition to the training received at ZIDS; appointees undertook orientation sessions with relevant line Ministries and Institutions which had some of their mandate spread out through the missions abroad before they reported to their stations of accreditation. These included the Ministry of Tourism and Arts, Ministry of Health, Ministry of Commerce Trade and Industry, Ministry of Home Affairs - Immigration Department and institutions like Zambia Development Agency (ZDA), Patents And Companies Registration Agency (PACRA) and Zambia Revenue Authority (ZRA) to mention a few.

In addition to this, senior officers at the Ministry Headquarters also had sessions with the newly appointed diplomats to take them through the works of the various

departments and the procedures pertaining to procurement, accounting, communications and the Foreign Service Regulations and Conditions of Service.

Your Committee learnt however, that this course was not adequate to prepare an officer to perform diplomatic functions efficiently. Stakeholders wondered whether the courses offered were qualifying ones considering that the orientation was basically in-house capacity building which came after appointments had already been made. The courses were not examinable *per se*. The inadequacy was compounded by the shift to economic diplomacy, the country's promotion of trade and investment, as well as tourism which entailed that officers needed to have orientation in these fields in order to enable them effectively carry out trade, investment and tourism promotion.

#### **7.5 The physical state, ownership and/or tenure of properties in Zambian Missions abroad**

With regard to the physical state, ownership and/or tenure of properties in Zambian Missions abroad, your Committee was informed that this ranged from fair to poor. In worse cases, diplomats had vacated the highly deplorable houses to occupy rented houses for health and security reasons.

The list below gives details of the state of the properties of Zambian Missions abroad.

- (i) Dilapidated and no longer occupied:
  - Maputo-Residence
  - New York- Residence
  - New Delhi -Residence
  - Berlin-Chancery
  - Nairobi- Residence
  - Kinshasa - Staff house
- (ii) Occupied but requires major works
  - Kinshasa – Chancery
  - Addis Ababa – Residence
  - Stockholm – Residence
  - London – Residence and staff house
- (iii) Deplorable state but still requires renovation works:
  - Windhoek-Chancery and three (3) staff houses
  - Dar-es-Salaam-Chancery and Annexes
  - Harare – Chancery, Residence and all staff houses
  - Paris – Residence
  - New York – Chancery
- (iv) Properties that require preventive maintenance:
  - Lilongwe-Chancery and residence
  - Tokyo-Chancery and Residence
  - Ottawa-Residence
  - Lisbon- Residence
  - Rome-Chancery and Residence
  - London- one (1) staff house
  - Pretoria – Chancery and Residence

Your Committee was further informed that, the Government owned a total of seventy-eight (78) properties on title broken down as; twenty one (21) Chanceries, twenty-four (24) Residences and fifty-three (53) Staff houses spread across twenty-five (25) cities.

Your Committee learnt that in an effort to cut down on the colossal amounts of money being spent on rentals for office and diplomatic staff accommodation, the Government through the Ministry of Foreign Affairs and Ministry of Finance, had embarked on a phased approach to construct and purchase properties in the missions abroad through mortgage financing. In so doing, the Government would be able to divert funds for timely maintenance and renovations. Owing property would result in huge savings and missions would earn money by leasing and/or renting out office space to other needy institutions and organisations.

#### **7.6 Challenges faced by the Government in the operations and management and of Missions abroad**

Your Committee was informed that the challenges faced by the Government included but were not limited to the ones highlighted hereunder.

- (i) The shift from political to economic diplomacy had not been supported by the appointment of appropriately trained and qualified staff and the timely release of adequate resources.
- (ii) Misplaced or ill qualified manpower, due to absence of a cadre of professional career diplomats.
- (iii) Lack of security of tenure for officers serving in missions abroad due to political patronage
- (iv) Lack of an elaborate performance appraisal system for monitoring performance of officers accredited to missions abroad to ensure they contribute to the strategic objectives of the Government through the Ministry of Foreign Affairs.
- (v) Lack of transparent process of recruitment of officers to serve in the missions.
- (vi) Lack of awareness by officers, of codes of conduct and financial regulations.
- (vii) Dependency on rented office space and accommodation for staff had pushed operational costs beyond manageable levels in some cases.
- (viii) Lack of operational strategies by missions to ensure attainment of set objectives, which stem from the Ministry of Foreign Affairs strategic plan and vision.
- (ix) Inability by the Ministry of Foreign Affairs to identify, grade and therefore strengthen missions that can foster economic relations rather than only political ones.
- (x) Non-adherence to established regulations and procedures in the management of resources by some officers charged with the responsibility to run the missions.
- (xi) Lack of consensus on broad based National Development Priorities (under the following rubrics for instance: National sovereignty and security, Social Cultural, Political, Economic, Science and Technology) to guide the developmental work of missions abroad.
- (xii) Lack of support from line Ministries. There were circumstances in which the efficiency of a mission was impeded by failure or delay of Ministries to provide the necessary support or information.
- (xiii) Communication challenges due to language barrier; some missions are located in host nations where the national language is a barrier to effective

communication. Further, other countries have cultures that do not provide a suitable working environment for foreigners.

- (xiv) Fluctuating exchange rates coupled with high cost of living in some missions had made planning difficult in many cases.
- (xv) Untimely revision of Foreign Service Regulations and Conditions of Service.
- (xvi) Inadequate Office Space and Equipment (Motor vehicles and various ICT equipment).

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

After a careful consideration of the stakeholder's submissions, your Committee has made observations and recommendations as presented hereunder.

- (i) Your Committee notes that the shift from political to economic diplomacy has not been supported by the appointment of appropriately trained and qualified staff and the timely release of adequate resources.

Your Committee, in this regard, recommends that the paradigm shift from political to economic diplomacy should be supported both by appointing suitably qualified personnel and attachés for specialised functions such as trade and tourism development and providing adequate and timely funding to missions abroad.

- (ii) Your Committee observes that due to the absence of a cadre of professional career diplomats, missions abroad have misplaced or ill qualified manpower, resulting in inefficiency.

Your Committee, therefore, recommends that the Government should make a conscious effort to develop a cadre of career diplomats with the requisite competences to manage missions abroad, as opposed to appointing officers for political appeasement or 'payback'. This, apart from avoiding misplacement of manpower, will introduce and guarantee security of tenure for officers, thereby enhancing continuity.

- (iii) Your Committee bemoans the fact that there is no transparent recruitment process of officers to serve in Missions abroad, heightening the suspicion that appointments are based on nepotism and political patronage. This has resulted in insecurity of tenure for officers serving in missions abroad, as there is a very high turnover of staff each time there is a change of Government.

Your Committee, therefore, recommends that in order to reduce the tendency to appoint officers on party patronage and thereby compromise the quality of service provided by missions abroad, the Ministry of Foreign Affairs should move quickly in tabling before the National Assembly, a Career Foreign Service Bill, intended to create a pool of career diplomats from which appointments to the foreign service will be made.

- (iv) Your Committee notes that there is no elaborate performance appraisal system for monitoring performance of officers accredited to missions abroad to ensure they contribute to the strategic objectives of the Government through the Ministry of Foreign Affairs.

Your Committee, therefore, urges the Government to ensure that the Ministry of Foreign Affairs develops an elaborate performance appraisal

system for monitoring the performance of officers accredited to missions abroad. This is to ensure they contribute to the strategic objectives and vision of the Ministry.

- (v) Your Committee notes that many officers in missions abroad lack awareness of the code of conduct and financial regulations, thereby mismanaging the affairs of the missions, including involving themselves in financial impropriety.

In this regard, your Committee urges the Government to ensure that the training offered at ZIDS is enhanced by making it examinable and underwritten by recognised universities. It should also include knowledge of codes of conduct and financial regulations and management.

- (vi) Your Committee observes that missions abroad depend too much on rented office space and accommodation for staff which pushes operational costs beyond manageable levels in many cases.

Your Committee, in this vein, recommends that the Government should expedite the process of obtaining mortgages ought-right purchase and/or construction of chanceries and residencies for missions abroad. This will enable missions raise money for themselves from renting out office space, instead of depending on the Treasury for all their operations.

- (vii) Your Committee notes that there are no operational strategies by missions abroad, tapping from the Ministry of Foreign Affairs' strategic plan and vision to ensure attainment of set objectives.

Your Committee, therefore, urges the Government to ensure that the Ministry of Foreign Affairs insists on missions developing operational strategies that answer to the general vision of the nation and the Ministry in particular. This will enable the Ministry to monitor and gauge the capacity of missions to achieve set goals and objectives.

- (viii) Your Committee observes that there is no mechanism by the Ministry of Foreign Affairs to identify, grade and therefore strengthen Missions that can foster economic relations rather than only political ones.

In this regard, your Committee recommends that the Ministry of Foreign Affairs should grade missions in accordance with the complexity of the environment in which they operate and the work output expected of them. This will help the Ministry to finance them accordingly in order to strengthen Missions that can foster economic relations rather than political ones only.

- (ix) Your Committee notes that there is no consensus on broad based national development priorities such as national sovereignty and security, social, cultural, political, economic, science and technology to guide the developmental work of missions abroad.

Your Committee, therefore, urges the Government to garner national consensus on broad based national development priorities such as national sovereignty and security, social, cultural, political, economic, science and technology, in order to guide the operations of missions abroad.

- (x) Your Committee observes that some missions do not have staff that is proficient in the national language and culture of the host nation, posing a barrier to effective communication.

In this vein, your Committee recommends that in order to overcome communication challenges, the training offered at ZIDS should include proficiency in major foreign languages such as French, Portuguese and Spanish.

## **PART II**

### **9.0 CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

#### **9.1 Operations of the Department Of National Registration, Passports and Citizenship**

##### **Previous Committee's Recommendation**

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

All health centres should improve their data capturing mechanisms and be mandated to issue birth certificates and copies of the birth certificates should be simultaneously sent to the Department of National Registration.

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

In the Action-Taken Report, your Committee was informed that the current *Birth and Death Registration Act, Cap 51 of the Laws of Zambia* provides for a uniform law for registering children born in Zambia and that mandate fell under the Department of National Registration, Passport and Citizenship. This Act was restrictive and it provided for centralised certification of Births and Deaths. The Department had been implementing a pilot project called Decentralisation of Birth Registration to Health Centres, but, as a result of the Act, Cap 51, they could only register and certification was done centrally. This arrangement increased the timeframe within which a birth certificate was made available to the applicant.

The Department through Home Affairs Research and Planning Department (HARID) was working on the review of revising the *Act, Cap 51 of the Laws of Zambia* to provide for decentralised certification of births and deaths. It was proposed that this should be done in a phased approach starting with the provinces, then districts and lastly sub district levels.

##### **Committee's observations and recommendations**

Your Committee notes the response and urges the Executive to expedite the process of revising the *Act, Cap 51 of the Laws of Zambia* and provide a timeframe for the completion of the exercise.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the budgetary allocation to the Department and actual releases should be improved to ensure that it carries out its mandate effectively.

### **Executive's Response**

Your Committee was informed, through the Action-Taken Report, that the budgetary allocation to the Department had been a major barrier to effective execution of the Departmental mandate. The Department/Ministry would convey the Committee's recommendation to the Ministry of Finance.

### **Committee's observations and recommendations**

Your Committee requests an update on the outcome of consultations between the Ministry of Home Affairs and Ministry of Finance with regard to funding.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the organisational structure of the Department should be reviewed to increase staffing levels in order to ensure that it carries out its mandate efficiently and effectively.

### **Executive's Response**

Through the Action-Taken Report, your Committee was informed that the current organisational structure was inadequate to meet the needs of a well-functioning Civil Registration. The organizational structure of the Department was not responsive to the changing realities that the Department had to deal with. It was recommended that significant investment both technical and financial be provided to re-design and overhaul the structure to reflect its broad mandate. Going forward therefore, the process to restructure the Department would allow for the expansion of the structure and inclusion of relevant sections to enable the Department function effectively and efficiently.

### **Committee's observations and recommendations**

Your Committee urges the Executive, in view of the admission by the Department of its inadequacies, to treat this matter with the seriousness it deserves, within a specific time-frame.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that adequate office accommodation should be provided for the Department's district and provincial centres. This should include waiting halls for the public.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Department had started putting up modern infrastructure at Provincial and District levels. For example, at Provincial Level, Mongu Office was almost complete: at District Level, Kapiri-Mponshi, Luangwa and Mwinilunga offices had been constructed. The

Ministry would continue to modernise the Department's infrastructure as stipulated in the Ministerial Infrastructure Plan.

### **Committee's observations and recommendations**

While commending the Executive for the work done so far, your Committee requests an update on whether waiting halls are part of the infrastructure being developed.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the Department of National Registration, Passports and Citizenship, should be regarded as a security entity like other security agencies.

### **Executive's Response**

Through the Action-Taken Report, your Committee was informed that this had been the plan for a number of years. In this respect, the Ministry was consulting relevant stakeholders on the modalities.

### **Committee's observations and recommendations**

Your Committee urges the Government to move quickly on this very important exercise, which is pertinent to the enhancement of national security and awaits an update on the matter.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the Department should ensure that births are registered in accordance with the law so that information available at the time of one getting identity documents will be correct rather than relying on affidavits which may lead to ineligible applicants accessing the identity documents.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Department was actively working towards increasing coverage in-terms of birth registration. It had put in place a "Civil Registration and Vital Statistics – National Strategic Action Plan (2015 – 2019)" to reform and improve civil registration in Zambia. It brought on board various partners and included activities towards review of the legal framework which was the major impediment towards achieving increased birth registration coverage.

### **Committee's observations and recommendations**

Your Committee urges the Executive to provide a time-frame as to when this exercise will be completed.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that mobile registration of National Registration Cards should be an ongoing exercise rather than an election-time activity.

### **Executive's Response**

Through the Action-Taken Report, your Committee was informed that the Department had been budgeting for Mobile Registration for National Registration Cards and also for Birth Registration. However, these activities had not been funded. The ideal situation was to be having mini-mobile registration exercises in inaccessible areas on a continuous basis.

### **Committee's observations and recommendations**

Your Committee urges the Executive to treat this matter with the seriousness it deserves and provide the requisite funding for its implementation, with a bias towards rural areas.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that there was need to review laws governing the Department in order to bring them in conformity with relevant international instruments.

### **Executive's Response**

Your Committee was informed, through the Action-Taken Report that a consultant had been engaged by Home Affairs Research Planning and Information Department to work on pieces of legislation governing the operations of the Department. The Department would use the opportunity to ensure that the concerns were taken care of while the review process was still going on.

### **Committee's observations and recommendations**

Your Committee requests and awaits a progress report on the matter.

## **9.2 Zambia's Preparedness for Terrorist Attacks**

### **Previous Committee's Recommendations**

Your previous Committee had recommended that a National Anti-terrorism Centre to coordinate the activities of countering terrorism should be created.

### **Executive's Response**

Through the Action-Taken Report, your Committee was informed that the Anti-Terrorism (Amendment) Bill, 2015 provides for the establishment of the National Anti-Terrorism Centre. The Centre shall be responsible for the enforcement of this Act. The Centre shall be a Unit based in the Ministry responsible for National Security and shall be under the control and supervision of the Minister responsible for National Security. The Ministry had developed a proposed structure for the Centre. Further, your Committee was informed that the Ministry was scheduled to meet with MDD [Management Development Division] in September, 2015 to conclude and finalise the Centre's structure.

### **Committee's observations and recommendations**

Your Committee awaits an update on the matter.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that security along the borders with neighbouring countries should be enhanced.

### **Executive's Response**

The Executive informed your Committee that that the Zambia Police had posts in the entry borders with neighbouring countries to enhance security. In addition, bilateral meetings were held with officers from neighbouring countries with the aim of sorting out common security problems. The Zambia Police recently acquired seven security boats which had since been deployed to lakes in border areas to enhance security.

### **Committee's observations and recommendations**

While commending the Government for steps taken so far, your Committee urges the Executive to provide the requisite paraphernalia for efficient operations to be carried out.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the Government should undertake a study to determine whether there were protocols in the region that placed a limit on the number of immigrants a country can host from particular countries or regions and adopt them.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Department of Immigration had enhanced scrutiny in border control as well as internal borders on all foreign nationals who enter the country whether from countries prone to terrorism or not. This had been enforced through conducting regular joint operations in collaboration with other security wings countrywide.

### **Committee's observations and recommendations**

Considering that the issue concerning the existence of a protocol restricting entry of certain nationals has not been addressed, your Committee regards the response inadequate and consequently requests for an appropriate one.

### **Previous Committee's Recommendation**

Your previous Committee had recommended Government should be vetting nationals and institutions providing funding to various projects in the country as some aid could be channels for financing terrorism activities.

### **Executive's Response**

The Executive informed your Committee that this action required a regulation to be put in place which could compel nationals and institutions to be vetted before funding a project in Zambia.

### **Committee's observations and recommendations**

Your Committee urges the Executive to formulate a law to this effect.

### **9.3 Review of the Operations of the Office of the Commissioner for Refugees**

#### **Previous Committee's Recommendations**

Your previous Committee had recommended that the funding to the Office of the Commissioner for Refugees must be improved to enhance its operations and reduce its reliance on donor funding.

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

Your Committee, through the Action-Taken Report, was informed that this would be taken care of in light of the local integration programme the Department was scaling up.

#### **Committee's observations and recommendations**

Your Committee considers the response inadequate considering that the local integration programme is not a panacea to the issue of inadequate funding and reliance on donors. It, therefore, awaits an update on the funding to the Office of the Commissioner of Refugees.

#### **Previous Committee's Recommendation**

Your previous Committee had recommended that the Ministry of Home Affairs must ensure that the *Refugee Bill* is brought back to Parliament after extensive consultations with stakeholders.

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

Your Committee was informed that the Government would submit the Refugee Bill to Parliament after extensive consultations with stakeholders as the decision to review the *Refugee (Control) Act of 1970* was recently approved in principle by Cabinet in June, 2015.

#### **Committee's observations and recommendations**

The Committee requests for a progress report on the review of the *Refugee (Control) Act of 1970*.

### **9.4 Local Tours of Lusaka, Kabwe, Kapiri Mposhi, Ndola, Kitwe and Solwezi for the Fourth Session of the Eleventh National Assembly**

#### **Previous Committee's Recommendation**

Your previous Committee had recommended the harmonisation and rationalisation of conditions of service for defence and security wings should be revamped in order to bring the Prisons Service to the level of other security wings such as the Police Force and the Drug Enforcement Commission with regard to the establishment and conditions of service.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that recently, His Excellency elevated the office of the Commissioner of Prisons to that of Commissioner General of Prisons and appointed two (2) Posts for the Deputy Commissioner General Administration and Operations. However, the entire establishment required to be revamped in order to bring the Prisons Service to the level of other security wings such as the Police Force and the Drug Enforcement Commission with regard to the establishment and conditions of service.

### **Committee's observations and recommendations**

Your Committee urges the Government to expedite the revamping and restructuring of the Prison Service establishment in order to bring it to the status of other security wings.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that in order to improve service delivery, staffing levels at Mukobeko Maximum Prison and indeed at other prisons should be improved.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Zambia Prisons Service would be recruiting 270 Prisons Officers, even though initially the Service was expected to recruit 600 Prison Officers.

### **Committee's observations and recommendations**

Your Committee requests for an update on the recruitment exercise.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that in order to reduce congestion at Mukobeko and other prisons, the law should be revised so that not all cases should get custodial sentences. More facilities such as the Mwembeshi Maximum Prison should be built in selected provincial centres.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that Government had made some positive strides to address congestion. The recent development and achievement included:

- constructing New Mwembeshi Maximum Security prison;
- constructing of Luwingu prison and staff accommodation;
- constructing of 20 houses in Kabwe;
- constructing of staff houses in Ibex Hill, Lusaka; and
- constructing of Kalabo Prison and staff Houses.

Funds for ongoing projects in this year's Budget stand at K3.9 million. The ongoing projects include:

- rehabilitation of Kasama Milima Prison and Construction of two cells;
- constructing of Monze Prison; and
- constructing of female section in Livingstone.

In order to mitigate the above challenge, Zambia Prisons Service had embarked on molding blocks in all the Prisons to construct prisoners' dormitories and staff accommodation through its Prisons Mobile Brigade Team. However, these were capital projects that required huge sums of money. Therefore, there was need to increase the budget allocation on Prison infrastructure which would go towards construction of at least one ultra - modern Prison per Province to mitigate congestion.

### **Committee's observations and recommendations**

Your Committee urges the Executive to allocate funds for these very important capital projects and provide an update on the matter.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that in order to reduce security and health risks arising from inmates being admitted outside the prison, and those suffering from communicable diseases sharing the same facilities with patients suffering from other ailments, a hospital should be constructed within the prison precincts.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Government would consider budgetary provisions for the construction of a mini Hospital in the 2016/17 budget.

### **Committee's observations and recommendations**

Your Committee awaits a progress report on budgetary allocation for the construction of a mini hospital.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that in order to improve security and food preparation, Mukobeko Prison should be provided with a Generator Set.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that a Generator Set had not been bought due to lack of budgetary allocation to this activity. However, plans were underway to procure one.

### **Committee's observations and recommendations**

Your Committee urges the Executive to treat the matter with the seriousness it deserves in order not to put the lives of officers and inmates at risk. Further, your Committee requests an update on the procurement of electric pots.

### **Previous Committee's Recommendation**

Your previous Committee had recommended that the Judiciary should devise a system of backing up case records, preferably electronically.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Government, through the Judiciary had, under the Computerisation Project, implemented an electronic case management system called HP Records Manager. This records management system was introduced in 2010. Its main function was the management of electronic copies of records. It was currently in use in the Supreme Court, High Court, and Subordinate Courts at Lusaka, Ndola, and Kitwe. The system covered both the civil and criminal jurisdiction. The main benefits of the system included:

- (i) improved security of case records in that there is an equivalent electronic record created for each record filed. This entails that if a physical record went missing, the electronic record will be printed; and
- (ii) enhanced physical tracking of case records.

### **Committee's observations and recommendations**

While commending the Government for the work done so far in the matter, your Committee urges the Executive to roll this out to all the courts where the facility can be installed.

### **Department of National Registration, Passports and Citizenship**

Your previous Committee had recommended as set out below.

1. Staffing levels and transport in district registration offices should be improved in order to enhance service delivery and cater for newly opened districts.

### **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Department had been granted authority to recruit and replace twenty four (24) officers in the establishment and Treasury authority was being sought. Further, in the year 2013, the Government approved the structures for Muchinga Province as well as the newly created districts to which 173 officers are to be recruited. The recruitment and placements of officers would be done once Treasury authority was granted by the Ministry of Finance.

### **Committee's observations and recommendations**

Your Committee requests an update on the recruitment exercise.

2. The computerisation and digitalisation of the issuance of National Registration Cards should be expedited.

### **Executive's Response**

In the Action-Taken Report, the Executive submitted that the Government was facilitating the implementation of the Integrated National Registration Information System (INRIS) project and that equipment for Lusaka Province had already been installed and connectivity testing to all the sites was done. The current status was the procurement process for the prospective supplier of the actual Card. The process was expected to be completed in September 2015.

### **Committee's observations and recommendations**

Your Committee awaits an update on the matter.

3. The law governing adoption of children should be revised to reduce abuse.

### **Executive's Response**

Through the Action-taken Report, your Committee was informed that the Department as an enforcement agency and undertaker had recommended to the Department of Social Welfare in the Ministry of Community Development Mother and Child Health and the magistrate court (the judiciary) the two custodian institutions to review and make amendments to the *Adoption Registration Act, Cap 50 of the Laws of Zambia*. Once the above was done, the current lapses regarding abuse of the law would be addressed and all concerns taken on board.

### **Committee's observations and recommendations**

Your Committee urges the Executive to provide an update on the revision of the Adoption Registration Act.

### *Chieftdoms and Refugee Areas*

Your previous Committee had recommended that chiefs and headmen who were hesitant to allow their people to take up land in the resettlement area for fear of losing their subjects should be educated on the benefits of the exercise. In the same vein, Zambians should be sensitised on the benefits of resettlement areas as a way of encouraging them to settle therein.

### **Executive's Response**

Through the Action-Taken Report, your Committee was informed that the Government would continue sensitising chiefs and headmen who may be hesitant to allocate land to their subjects in the resettlement areas. The Government would further continue to assure the chiefs and headmen that they would not lose their subjects who settle in the resettlement areas. The sensitisation would be done by the Department of Resettlement in the Office of the Vice President in collaboration with the Ministry of Chiefs and Traditional Affairs. In terms of benefits, the resettlement schemes were open to any citizen. One of the benefits of the exercise was that the relocated citizens brought with them knowledge and skills that may be lacking in the chieftdoms that were hosting the resettlement schemes. The schemes therefore were technological transfer zones.

### **Committee's observations and recommendations**

Your Committee urges the Executive to provide an update on the progress made on the matter.

### **9.6 Consideration of the Action-Taken Report on the Report of the Committee for the Third Session of the Eleventh National Assembly**

#### *9.6.1 Economic and Social Rights*

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

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

Through the Action-Taken Report, your Committee was informed that the Issue of economic and social rights of refugees depends on the outcome of the ongoing Constitution Review process as it shall relate to the rights to every person in Zambia.

### **Committee's observations and recommendations**

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

#### *9.6.2 Issuance of Passports to former Angolan Refugees*

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

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

Your Committee was informed that the Angolan authorities had so far issued 2, 197 passports and the Immigration Department has issued 429 immigration permits so far to the eligible former Angolan refugees.

### **Committee's observations and recommendations**

Your Committee requests for an update on the matter.

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

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

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

Your Committee was informed through the Action-Taken Report that the Office of the Surveyor General through its North-Western Regional Survey Office had been undertaking survey works of the planned areas in Maheba. So far, slightly over 700 plots had been surveyed in Maheba out of the total of 1,100 planned and numbered

plots. In the case of Mayukwayukwa, 869 plots had so far been surveyed by the Office of the Surveyor General out of a total 1,327 planned plots. The undertaking of the works was dependent on the availability of the funds.

### **Committee's observations and recommendations**

Your Committee awaits an update on the unsurveyed plots.

#### *9.6.4 Intensification of lobbying for the support of Government line ministries*

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

### **Executive's response**

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

Furthermore, your Committee was informed that in the implementation of the local integration process, the Government through the Ministry of Home Affairs and the Office of the Commissioner for refugees with support from the international community through UNHCR was working closely with other Government line ministries who were the implementing partners of the local integration programme. Some of the line ministries that were associated with the local integration process were; the Ministries of Agriculture and Livestock, Health, Education, Vocational Training and Early Child Education, Mines, Energy and Water Development, Lands, Natural Resources and Environmental Protection, Local Government and Housing (Physical Planning) and Office of the Vice President (Department of Resettlement). These Government line Ministries took a leading role in the execution of activities of the Local Integration programme which fell under their mandate. The Local Integration programme was further being mainstreamed into the District Development planning process.

### **Committee's observations and recommendations**

Your Committee awaits an update on the matter.

#### *9.6.5 Enhancement of the science and technology transfer policy*

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

## **Executive's Response**

Through the Action-Taken Report, your Committee was informed that the Science and Technology Policy was still in its draft form and when finalized, it would be circulated for comments by Ministries after which the document shall be submitted to Cabinet for approval, as earlier stated. In line with the Government procedures, Ministry of Education, Science, Vocational Training and Early Education was at the same time preparing the Implementation Plan which shall be submitted for approval by Cabinet at the same time the Policy document shall be submitted.

Further, the implementation of Science and Technology Policy shall commence after Cabinet approval. The Ministry of Education, Science, Vocational Training and Early Education was working on this matter in order to ensure that the Policy was presented to Cabinet for approval before the end of the year 2015.

## **Committee's observations and recommendations**

Considering that 2015 has ended, your Committee requests for an update on the matter.

### *9.6.6 Investment and enhancement of the development of ICTs*

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

## **Executive's response**

The Executive, through the Action-Taken Report informed your Committee that the Government had awarded Huawei Technologies Zambia Company Limited to construct one-hundred and sixty-nine (169) GSM Mobile communication towers in unserved and underserved areas and an additional thirty five (35) towers bringing the total number of towers under phase I of the Universal Access Project to two hundred and four (204). As at 31<sup>st</sup> July, 2015, civil works for construction of all the 204 towers was completed. Hundred and seventy-four (174) towers were functional and on air while six (6) towers were awaiting connection to the Zambia Electricity Supply Corporation Power Grid.

## **Phases II**

The Government constituted a multi stakeholder team to conduct countrywide surveys in all constituencies and wards for the purpose of progressing the programme to extend GSM mobile communication services to unserved and underserved areas especially rural settlement. The preliminary result of the surveys indicated that an estimated 420 GSM Communication towers would be required to attain at least 100% population coverage.

## **Committee's Observation and Recommendation**

Your Committee awaits an update on the matter.

#### *9.6.7 Regulation of movement of arms*

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

#### **Executive's response**

In the Action-Taken Report, your Committee was informed that the Government was in the process of ratifying the Arms Trade Treaty (ATT). To this effect, the Ministry of Defence drafted a Cabinet Memorandum requesting approval from Cabinet to ratify the Treaty. Once the Policy Analysis Coordination (PAC) had approved the circulation of the Cab Memo, it would be sent to Cabinet for consideration. The domestication of the Treaty would only be done once Cabinet had approved the ratification of the Treaty and ratification documents were deposited and signed at the United Nations Headquarters in New York. During domestication of the Treaty, relevant laws in the statutes regarding the control of conventional arms would be looked at to bring them in tandem with the aspirations of the Treaty. Different stakeholders would need training to effectively implement the Treaty.

#### **Committee's observations and recommendations**

Your Committee urges the Government to expedite the process and awaits an update on the matter.

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

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

#### **Executive's response**

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

Further, your Committee was informed that the Ministry of Justice did not receive funding on this activity, but the Ministry was currently engaging some donors who had expressed interest to fund the drafting of legislation generally. The necessary budgets had been submitted to the donors and the Ministry awaited a response from the donors.

## **Committee's observations and recommendations**

Your Committee notes the response and awaits an update on progress made by the Ministry of Justice.

## **FOREIGN TOUR TO ANGOLA**

### *9.6.9 Angolan Refugees not eligible for integration*

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

### **Executive's response**

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

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

Further, your Committee was informed, through the Action-taken Report that the National Steering Committee on Local Integration sat on 30<sup>th</sup> June, 2015 to consider expanding the criteria and procedures of documents with a view to increasing the number of beneficiaries for local integration. This document was currently before the Office of the Hon Minister of Home Affairs for approval. As for those that did not comply, the Government had always made efforts to encourage Voluntary repatriation as was the case for all refugees.

## **Committee's observations and recommendations**

Your Committee requests an update on the approval by the Minister of Home Affairs.

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

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

### **Executive's response**

In the Action-Taken Report, your Committee was informed that the Ministry of Foreign Affairs had since met with officials from the major stakeholder, Public Service Management (PSMD) to finalise the Foreign Service Regulations and Conditions of Service. The two were reviewing and updating certain chapters of the document such as the aligning the Foreign Service Allowance to the World Bank and United Nations single spine ranking of standards of living in the different countries of accreditations.

### **Committee's observations and recommendations**

The Committee awaits an update on the matter.

#### *9.6.11 Building of Chancery in Angola*

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

### **Executive's response**

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

### **Committee's Observation and Recommendation**

Your Committee awaits an update on the matter.

#### *9.6.12 Exchange of prisoners between Angola and Zambia*

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

### **Executive's response**

Your Committee was informed through the Action-Taken Report that the Ministries of Justice and Home Affairs from both Governments were in the process of working out modalities on how best to operationalise the exchange programme for prisoners. To this effect, the Minister of Justice had approved the warrants to transfer 36 Angolan Nationals serving sentences in various Prisons across the Country. The exchange of Angolan Prisoners would be done here in Zambia on 17<sup>th</sup> September, 2015 at Kenneth Kaunda International Airport.

### **Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

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

### *10.1 Budgetary allocation to the Office of the Registrar of Societies*

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

## **Executive's Response**

In the Action-Taken Report, your Committee was informed that the Department's total allocation for the year 2015 was K 3,918,136.00, while the allocation for year 2014 was K 3,558,150.00. During this period, the office had the following updates:

### **(i) Computerisation**

The Registrar of Societies Department has been trying to computerise for over eight (8) years now. The computerised system was intended to replace the current manual system which had proved to be challenging in a number of areas including the following:

- (a) no proper records management at the office due to lack of a modern registry with proper filing systems.
- (b) difficulties in retrieving of files
- (c) There was no security of records especially that everyone could easily access the registry and compromise the information.
- (d) challenges in coming up with accurate reports in terms of societies owing the Department, registration fees and tracking deregistration of defaulting societies.

In the quest to enhance information management, the Department through the Ministry signed a contract with a company called Alfa XP to provide an Information Management Solutions that would help the Department with the challenges being faced with regard to the manual system currently being used in the Department.

Arising from the above, the Department had remained with a number of works to be completed in order to house the new computerised system. Further, the officers that would be using the computer system were undergoing training in order to equip them with the necessary skills.

### **(i) Transport**

The Department was able to procure two (2) vehicles at the end of 2014 to add to the Departmental fleet. This has seen a slight improvement though there was need to procure more in order for the Department to maximise its potential.

### **(ii) Man Power**

The office was not yet completely restructured, however, the only restructured positions that have been filled are: Chief Registrar [1] position, Principal Registrar [1] position, Registrar [3] positions, Registration Officer [1] position and Executive Officer. while the rest are in the old structure.

### **(iii) Office Space**

Space remains a challenge in that the Department was still housed at the National Archives Building. However, the Department was to move to the new Home Affairs Building under construction.

**(iv) Decentralisation**

The Department has not yet decentralised its operations to the Provinces and Districts. Hence the processing of certificates was centralised and was done at the Headquarters in Lusaka.

**Committee's Observations and Recommendations**

Your Committee requests an update on the matter, considering that the issue has been longstanding.

**10.2 An Update on the Operations of Zambia's Missions abroad**

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

**Executive's Response**

In the Action-Taken Report, your Committee was informed that for Lubumbashi, thirty-five percent (35%) of the work had been executed leaving only five percent (5%) undone. In Brussels, the rehabilitation work was put in phases. In phase 1, works were now eighty percent (80%) complete whilst in phase 2 an estimate of twenty percent (20%) of works had been done.

**Committee's Observation and Recommendation**

Your Committee requests for an update and a timeframe within which the remaining works will be completed.

**10.3 The 67<sup>th</sup> Session of the United Nations General Assembly (UNGA)**

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

**Executive's response**

In the Action-Taken Report, your Committee was informed that the establishment of the Committee comprised the following:

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

As part of the methodology for coming up with a Strategic Plan, members of the Committee had since been interviewing and collecting information on Zambians who had been both successful and unsuccessful in international positions in order to get their insight on what could be done to enhance the placement of Zambians in international organisations. Members of the Committee would be relocating to a

retreat in Kabwe between 21<sup>st</sup> and 27<sup>th</sup> August, 2014, to begin the process of drafting the Strategy. The final draft was estimated to be in place by September, 2014. However, the exact time frame of when the Strategy would be functional could not be spelt.

### **Committee's Observation and Recommendation**

Seeing that the deadline has already passed, your Committee requests for an update on the matter.

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

Your previous Committee had requested for an update on whether clearance to proceed with the mortgage to purchase a new residence for the UN Permanent Representative in New York, had been obtained.

### **Executive's response**

In its response, the Executive informed your Committee that the Government through the Ministry of Foreign affairs continued to pursue the matter of getting clearance to proceed with the acquisition of mortgages to purchase residences and chanceries for its Missions abroad. In this case, the Ministry of Foreign Affairs and Finance had drafted a Joint Agenda Cabinet Memorandum on the same to be tabled before Cabinet for approval.

### **Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

#### 10.5 Repairs on the Zambian Chancery building in New York

Your previous Committee had urged the Government to look at the old Chancery structure of a five (5) storey building in New York which was in a deplorable state and needed urgent repairs.

### **Executive's response**

Through the Action-Taken Report, your Committee was informed that due to lack of adequate funding to cater for all the mission properties, in 2011, the Government, through the Ministry of Foreign Affairs, undertook an assessment exercise to identify the level of dilapidation of mission properties so as to engage in a phased approach to rehabilitation works depending on the state at which they were in and the level of urgency for rehabilitation works. In view this and having assessed the Chancery, it was not identified as one that needed urgent attention and was therefore not among the mission properties earmarked for priority rehabilitation in the first two phases.

### **Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

#### 10.6 The Security Situation in ICGLR Member Countries

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

### **Executive's Response**

In the Action-Taken Report, your previous Committee was informed that the general security situation in the Great Lakes Region remained a source of concern following the continued activities by negative forces and armed groups particularly in the Democratic Republic of Congo (DRC), Central African Republic (CAR), South Sudan, and Sudan. Negative forces and armed groups in the mentioned countries continued to commit atrocities against the population posing a security challenge to the Region.

### **Committee's Observation and Recommendation**

Your Committee requests for an update on the security situation in the Great Lakes Region.

#### 10.7 Tours for the Second Session of the Eleventh National Assembly

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

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

### **Executive's Response**

Your Committee, through the Action-Taken Report, was informed that the Government of Zambia had allocated K3 million in the 2015 budget to undertake the demarcation of Zambia/Congo International Boundary. However, the undertaking of this work would be dependent on the availability of funds by the counterpart countries as the demarcation of international boundaries requires the presence of all Governments of concerned countries. Further, the Government of the Republic of Zambia under the Ministry of Lands, Natural Resources and Environmental Protection had budgeted for K1 million in the 2015 Budget to undertake the densification and rehabilitation of boundary pillars along the Zambia/Tanzania International Boundary. The two countries had planned to meet in August 2015 to prepare for field works planned to commence before the end of 2015.

### **Committee's Observation and Recommendation**

Considering that 2015 has elapsed, your Committee requests for further update on the matter.

### *10.7.2 Re-installation of tempered with beacons*

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

#### **Executive's response**

In the Action-taken Report, your Committee was informed that the Government of the Republic of Zambia under the Ministry of Lands, Natural Resources and Environmental Protection had budgeted for K1 million in the 2015 Budget to undertake the densification and rehabilitation of boundary pillars along the Zambia/Tanzania International Boundary. The two countries had planned to meet in August 2015 to prepare for field works planned to commence before the end of 2015.

#### **Committee's Observation and Recommendation**

Considering that 2015 has elapsed, your Committee requests further update on the matter.

### *10.7.3 Construction of accommodation and offices at Zombe and Lumi Border Posts*

Your previous Committee had urged the Zambian Government to construct infrastructure in terms of accommodation and office space at Zombe and Lumi border posts. It had also urged the Government to seriously consider re-locating Lumi Border Post which was currently located ten kilometres away from the borderline to near Mosi Border Post in Tanzania. Zombe and Lumi Border Posts in Zambia share border boundaries with Kaseshya and Mosi Border Posts in Tanzania, respectively.

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

In the Action-Taken Report, your Committee was informed that the construction of Zombe and Lumi Border Posts were in the Infrastructure Development Plan from 2015 to 2020. The construction of Zombe office block and three (3) staff houses had been proposed for implementation in 2016.

#### **Committee's Observation and Recommendation**

Your Committee requests for further update on the matter.

### *10.7.4 Provision staff and office accommodation to security personnel at Nsumbu Border Post.*

Your previous Committee had urged the Zambian Government to provide staff and office accommodation to security personnel at Nsumbu. In addition, there was need to provide both land and water transport to security personnel at that post.

#### **Executive's response**

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

## **Committee's Observation and Recommendation**

Your Committee urges the Executive to provide an update on the matter.

### *10.7.5 Provision of maps depicting beacons showing international boundaries*

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

## **Executive's Response**

Through the Action-Taken Report, your previous Committee was informed that the Government through the Office of the Surveyor-General was in the process of producing boundary maps for the Zambia/Malawi Boundary. This exercise would be completed before the end of the year. With regard to the Zambia/Mozambique Boundary, the Government, with the support of the Germany Government under GIZ, had procured satellite imagery to be used as base for the mapping of the boundary. Once the two Technical Survey Teams meet, maps would be produced depicting beacons.

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

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

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

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

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

Further, your Committee was informed that the Government of the Republic of Zambia under the Ministry of Lands, Natural Resources and Environmental Protection had budgeted for K1 million in the 2015 Budget to undertake the demarcation of the Zambia/Tanzania International Boundary. The two countries had planned to meet in August 2015 to prepare for field works planned to commence before the end of 2015. Once the densification and rehabilitation of the international boundary was complete, the office of the Surveyor General would be able to produce maps, which would be distributed to chiefdoms that border the international boundary. It was important to note that so far, densification had been

done over a stretch of about 12 km on the Zambia/Tanzania International Boundary along the Nakonde Border area.

#### **Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

##### *10.7.6 Cessation Clause on Rwandese Refugees*

In response to your previous Committee's recommendation, the Executive had stated that the Government of the Republic of Zambia had completed the exemption procedures for the Rwandan caseload. Those exempted would continue to enjoy refugee status while those not exempted had appealed to the Minister of Home Affairs for a final decision. The Government of the Republic of Zambia with the support of the UNHCR further engaged the Government of Rwanda in April, 2013, at a meeting in Pretoria, to consider issuing national passports to their citizens who were refugees in Zambia. The foregoing meeting yielded positive results as a Rwandan delegation led by the Minister for Disaster Management and Refugees visited the country from 3<sup>rd</sup> to 7<sup>th</sup> July, 2013, to officially launch the issuance of national passports to their citizens living in Zambia as refugees. A total of 14 passports were issued to kick-start the process and the Rwandan Government had of July 2015 established an Embassy in Lusaka to continue with the issuance of the passports to their nationals who would apply for local integration. Cabinet, in July 2015 approved in principle the local integration of Rwandan former refugees.

Further, the Rwandan Government through their Embassy which was recently established in Lusaka would continue to issue passports to all eligible Rwandan former refugees who would apply for local integration in Zambia.

#### **Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

##### *10.7.7 Mutual Agreement to combat drug trafficking*

#### **Committee's Observation and Recommendation**

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

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

In the Action-taken Report, your Committee was informed that the current status on the mutual agreement was that the agreement was reviewed and forwarded to the Attorney General's Chambers for clearance on 19<sup>th</sup> June, 2015. The Commission was awaiting comments from the Attorney General before the mutual agreement was submitted to the Indian counterparts for their input.

#### **Committee's Observation and Recommendation**

Your Committee requests further update on the matter.

10.7.8 *Kamfinsa School of Public Order and Maintenance - Firing Range*

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

**Executive's Response**

The Executive, through the Action-Taken Report, informed your Committee that the Firing Range for Kamfinsa School of Public Order and Maintenance was surveyed and the plot had been numbered Lot No. 40696. The only thing remaining now was to obtain an offer letter from the Kitwe City Council after which the process to obtain the title deeds from the Ministry of Lands would commence. As for the Kamfinsa Police Land, the Zambia Police was still in the process of obtaining the plot number and once this was done, a similar procedure would be followed for the acquisition of a title deed.

**Committee's Observation and Recommendation**

Your Committee requests for an update on the matter.

**Conclusion**

11.0 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 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 during the Session.

Bishop Lt Gen R Shikapwasha, MP  
**CHAIRPERSON**

March, 2016  
**LUSAKA**

## **APPENDIX I**

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

Mr S C Kawimbe, Principal Clerk of Committees  
Ms M K Sampa, Deputy Principal Clerk of Committees  
Mr F Nabulyato, Committee Clerk (SC)  
Mr C Chishimba, Assistant Committee Clerk  
Ms L Chirwa, Personal Secretary II  
Mr R Mumba, Committee Assistant  
Mr C Bulaya, Committee Assistant  
Mr M Chikome, Parliamentary Messenger