



REPUBLIC OF ZAMBIA

REPORT

OF THE

**COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS ON THE
REVIEW OF THE ADMINISTRATION AND OPERATIONS OF THE ZAMBIA
POLICE SERVICE**

FOR THE

SECOND SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

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FOREWORD

Honourable Madam Speaker, the Committee on National Security and Foreign Affairs has the honour to present its Report for the Second Session of the Thirteenth National Assembly. The functions of the Committee are stipulated in Standing Order No. 197(k) and 198 of the National Assembly Standing Orders, 2021.

In accordance with its Programme of Work for the Second Session of the Thirteenth National Assembly, the Committee undertook a detailed study on the topical issue namely; Review of the Administration and Operations of the Zambia Police Service. The Committee held twelve meetings to consider the topical issue. In order to fully interrogate the topical issue, the Committee requested detailed memoranda from various stakeholders. The stakeholders were also invited to appear before the Committee and speak to their memoranda in order to afford the Committee an opportunity to make clarifications on issues contained in the memoranda. The list of stakeholders who provided memoranda and appeared before the Committee is at Appendix II.

The Committee's Report is organised in two parts: Part I gives the background, objectives of the study, a summary of submissions from stakeholders, and the Committee's Observations and Recommendations. Part II of the Report contains the Action-Taken Report on the Report of the Committee for the First Session of the Thirteenth National Assembly.

The Committee is grateful to all stakeholders who tendered both written and oral submissions. The Committee further wishes to thank you, Madam Speaker, for affording it an opportunity to carry out its work. The Committee also appreciates the services rendered by the Office of the Clerk of the National Assembly during its deliberations.



Brig Gen Morgan Sitwala (Rtd), MP
CHAIRPERSON

June, 2023
LUSAKA

1.0 COMPOSITION OF THE COMMITTEE

The Committee consisted of: Brig Gen Morgan Sitwala (Rtd), MP (Chairperson); Ms Sibongile Mwamba, MP (Vice-Chairperson); Mr Phillimon Twasa, MP; Mr Walusa Mulaliki, MP; Mr Sunday Chanda, MP; Mr Lusale John Simbao, MP; Mr Mweemba Malambo, MP; Mr Cliff Mpundu, MP; Mr Siphso Hlazo, MP; and Mr Christopher Chibuye, MP.

PART I

CONSIDERATION OF THE TOPICAL ISSUE

2.0 REVIEW OF THE ADMINISTRATION AND OPERATIONS OF THE ZAMBIA POLICE SERVICE

2.1 Background

The *Zambia Police Act, Chapter 107 of the Laws of Zambia* provided for the organisation, functions and discipline of the Zambia Police Service. The Zambia Police Service was superintended by the Inspector-General who, subject to the orders and directions of the President, was mandated to command, superintend, direct and control the Service. In this regard, from time to time, the Inspector-General made standing orders which were used to generally govern police officers in relation to their training, clothing and equipment, places of residence, classification and duties, as well as promoting efficiency and discipline of police officers in the discharge of their duties.

The Act also provided for the deployment of Zambia Police Service officers throughout the country for the purpose of preserving peace, prevention and detection of crime, and for the apprehension of offenders against the peace and security of the citizens.

Notwithstanding the foregoing legal provisions, it was common cause that, several police stations in the country lacked sufficient necessary tools and equipment to support their day-to-day administration and operations. The inadequacy of these tools and equipment negatively affected and crippled the effective administration and operations of the Zambia Police Service, thereby compromising its operations. It was against this background that the Committee on National Security and Foreign Affairs undertook a study on the Review of the Administration and Operations of the Zambia Police Service.

3.0 Objectives

The objectives of the study were to:

- (i) ascertain the adequacy of the policy and legal framework supporting the administration and operations of the Zambia Police Service;
- (ii) appreciate the measures that the Government had put in place to enhance the administration and operations of the Zambia Police Service;

- (iii) ascertain the challenges if any, faced in the administration and operations of the Zambia Police Service; and
- (iv) make recommendations to the Executive on the way forward with regard to the administration and operations of the Zambia Police Service.

4.0 SUMMARY OF SUBMISSIONS FROM STAKEHOLDERS

The submissions made by the stakeholders were as summarised below.

4.1 POLICY AND LEGAL FRAMEWORK SUPPORTING THE ADMINISTRATION AND OPERATIONS OF THE ZAMBIA POLICE SERVICE

The Committee was informed that there was an adequate policy and legal framework to support the administration and operations of the Zambia Police Service, although there was still need for amendments to some aspects of the existing policies and pieces of legislation.

(a) POLICY FRAMEWORK

Stakeholders submitted that key among the policy instruments were the Zambia Police Service (2019-2021) Medium Term Strategic Work Plan, the General Government Terms and Conditions for Public Service and the Regulations for the Civil Service. Some detail on the key policy instruments vis-à-vis the administration and operations of the Zambia Police Service were as highlighted below.

- (i) **Zambia Police Service (2019-2021) Medium Term Strategic Work Plan**
The Committee was informed that the Plan focused on repositioning the Zambia Police Service as an efficient and effective security institution. It was envisaged that the Plan would assist the Police Service to create a safer, secure and peaceful environment for socioeconomic development. The Committee heard that the Plan provided direction on how the Police would prevent and detect crime, and enforce the law firmly and fairly, in order to create a safer, secure and peaceful environment for the socio-economic development of the country.
- (ii) **The General Government Terms and Conditions for Public Service**
The Committee was informed that the General Government Terms and Conditions for Public Service provided for the conditions of service for civil servants who included the Zambia Police Service.
- (iii) **Regulations for the Civil Service**
These regulations provided for administrative and disciplinary procedures for civil servants who included the Zambia Police Service.

(b) LEGAL FRAMEWORK

The Committee was informed that the legal framework supporting the administration and operations of the Zambia Police Service was adequate, and this included the following:

- (i) ***The Constitution of Zambia (Amendment) Act, No. 2 of 2016***
The Committee was informed that Article 193(1)(a) of the *Constitution of Zambia* provided for the creation of the Zambia Police Service, while its functions were outlined in Article 193(2).
- (ii) ***Zambia Police Act, Chapter 107 of the Laws of Zambia***
The Committee was informed that the *Zambia Police Act, Chapter 107 of the Laws of Zambia* provided for the composition and administration of the Zambia Police Service. The Act also outlined the Standing Orders and Force Instructions, which guided the administrative and operational processes and procedures of the institution.
- (iii) ***Zambia Police Reserve Act, Chapter 117 of the Laws of Zambia***
The Committee was informed that the Act provided for the establishment and operation of the Police Reserve wing, which supported the administration and operations of the Zambia Police Service.
- (iv) ***Cyber Security and Cyber Crimes Act, No. 2 of 2021***
The Committee was informed that under this Act, the Zambia Police Service was empowered to investigate both Cyber security and Cyber-crimes.
- (iv) ***Public Interest Disclosure (Protection of Whistleblowers) Act, No. 4 of 2010***
The Committee was informed that the Act provided for the disclosure of the conduct adverse to the public interest in the public and private sector, and this included the Zambia Police Service. In this regard, the Act mandated members of the public to raise concerns which related to adverse conduct of police officers in terms of administration and operations of the Zambia Police Service.
- (v) ***Service Commissions Act No.10 of 2016***
The Committee was informed that this Act provided for, among others the composition, additional functions, operations and financial management of the Service Commissions, which included the Zambia Police Service Commission.

4.2 MEASURES INSTITUTED BY THE GOVERNMENT TO IMPROVE THE ADMINISTRATION AND OPERATIONS OF THE ZAMBIA POLICE SERVICE

The Committee was informed that the Government had put in place a number of measures to improve the administration and operations of the Zambia Police Service, and these included the following:

- (i) **Creation of the Oversight Institution on the Police Service**
The Committee was informed that the Police Public Complaints Authority was created to provide oversight on the police service by providing checks and balances on the police officers. The Committee learnt that the Police Public Complaints Authority was created

in 1997 through an amendment to the *Zambia Police Act, Chapter 107 of the Laws of Zambia*. The function of the Authority was to investigate complaints against actions of the police that resulted in human rights violation.

The Committee was informed that Police Public Complaints Authority operated under the Zambia Police, as such, it was not independent, thereby resulting in its ineffectiveness to provide the required checks and balances on the police.

In consideration of the failures of the Police Public Complaints Authority, the Government established an independent Police Public Complaints Commission through the 2016 constitutional amendment which culminated into the enactment of the *Police Public Complaints Commission Act No. 18 of 2016*. The Committee learnt that the main function of Police Public Complaints Commission was to investigate all complaints against police actions, which resulted in serious injury or death of a person. The Committee was, however, informed that the findings of the Police Public Complaints Commission amounted to recommendations only and could not be used to impose specific penalties on the erring police officers.

(ii) Police Professional Standards Unit

The Committee was informed that the Police Professional Standard Unit was established in 2003, and its main functions were to investigate corruption, arbitrary arrests, arbitrary detentions, and other unprofessional behavior within the Police Service. The Unit had power to recommend action against any police officer implicated in wrong doing. The Unit was established under the direct authority of the Senior Police Prosecutions Officer. The Committee was informed that the establishment of this Unit was a good step towards ensuring professionalism in the police service. However, the Unit was not very effective as it was not an independent body separate from the police service.

(iii) Government-initiated Policing Reforms

The Committee was informed that the Government in the year 1995 raised the standard of the educational qualifications for recruitment of new police officers. In addition, the Government also introduced some training for new recruits in human rights, and initiated other mechanisms designed to restore discipline and professionalism, such as community-based policing methods. Further, Mid-level and senior officers of the Service were encouraged to attend human rights training seminars at the Police Academy. The Committee was however informed that despite recruits having been exposed during their six months training to issues of human rights, there was no further human rights awareness training provided for trainee constables after deployment, and the divisional training officers in the provinces were not required to address human rights issues.

(iv) Victim Support Units

The Committee was informed that the amendment to the Zambia Police Service Act in the year 1996, provided for the creation of a Victim Support Unit (VSU). The purpose of the VSU was to address the needs of target groups such as women, children and the aged. The Committee heard that the VSU acted as a watchdog on public and domestic abuse

and victimisation of women and children. The VSU also provided information to victims on their rights, and assisted them with legal action against the perpetrators of inhumane treatment.

(v) Public Order Policing

The Committee was informed that public order policing was done through paramilitary police service. The official objectives of the police paramilitary battalion were to provide a strike force in disturbed areas, guard vital installations, and provide training courses at their own school located in the town of Kafue. A second paramilitary police service, called the Mobile Unit, was trained and based in Kamfinsa, outside the city of Kitwe. Its duties were the reinforcement of police stations during outbreaks of crime beyond the control of the normal police detachment. In this regard, Mobile Unit officers received special training in riot control.

The Committee was acquainted that paramilitary services had their own command structures, which ultimately reported to the police Inspector General. In addition, the Committee was informed that in-service courses brought together the regular police constables, sergeants, inspectors and station commanders for training with paramilitary and Mobile Unit officers of the same rank. The Committee was informed that the changes were a positive step by police authorities, although there was need to shield the police from political pressure which interfered in its operations.

(vi) Neighbourhood Watches

The Committee was informed that the Zambia Police Act was amended to establish citizen crime prevention units. The Act provided that any community may establish a crime prevention and control association in a residential, commercial or industrial area to complement the police service in the maintenance of law and order. Such an association must be registered under the *Societies Act, No. 65 of 1957*. The Committee learnt that the membership of the association was voluntary and open to any person who was normally resident or operated in the area or community where the association was established. The Committee was also informed that the Inspector General would assign a police officer above the rank of inspector to an association, and may also, on request from the association, provide equipment and other requisites necessary for the prevention and control of crime to the association. The police were thus expected to be involved in capacity building within these units and to acquaint members of crime prevention associations with arrest tactics.

(vii) Custody Officers

The Committee was informed that another major reform made by the Government towards improving police administration and operations was the establishment of custody officers. These officers were introduced in an effort to improve the conditions of police detention centres. Accordingly, it was a requirement that every person placed in police custody must first be presented to the custody officer before being placed in detention. The functions of custody officers included the following:

- a) ensure that a person in police custody was treated in a decent and humane way;
- b) ensure that a person in police custody who required medical attention had access to medical facilities;
- c) ensure that police cells or other places used for the custody of persons were in a clean and habitable condition;
- d) ensure that facilities used by a person in custody were in a hygienic condition;
- e) record the name, the offence for which the person was arrested and the state and condition of the person; and
- f) make such recommendations about each person's well-being as were necessary, including the requirement for the person to receive medical attention.

(viii) Construction of Infrastructure and Enhancement of Technological Development

The Committee was informed that the Government was putting in place modern infrastructure and modern equipment which would improve the administration and operations of the Zambia Police Service. These developments included establishment of National Security Command Centers countrywide; expansion and approval of the Zambia Police Service structure; and approval of the establishment of the Air-wing.

(ix) Increase in the Budget Allocation to the Zambia Police Service

The Committee was informed that budget allocation to the Zambia Police Service had steadily been on the increase with a notable increase of 35 per cent as provided for in the 2023 National Budget.

(x) Recruitment of Police Officers

The Committee was informed that the Government had continued to recruit more police officers to support the administration and operations of the Zambia Police Service. The Committee was further informed that a total number of 2000 police officers were scheduled to be recruited in the year 2023.

(xi) Introduction of the Electronic Payment System

The Committee was informed that the Zambia Police Service had introduced the Point-of-Sale and the use of Direct Deposit Systems to reduce direct handling of money by police officers. In this regard, the Committee was informed that the implementation of the two systems had enhanced non-tax revenue collection in the country.

4.3 CHALLENGES FACED IN THE ADMINISTRATION AND OPERATIONS OF THE ZAMBIA POLICE SERVICE

The Committee was informed that the country had continued to face a lot of challenges in the administration and operations of the Zambia Police Service. Some of these challenges were as set out below.

(i) Inadequate Transport

The Committee was informed that most of the police stations, especially those in the rural parts of country, had inadequate transport to support their administrative and operational activities. The Committee learnt that the effectiveness of police operations depended on availability of resources, which included transport. The Committee was informed that in order to carry out prompt and effective investigations, police officers required readily available transport, failure to which would result in ineffective policing.

(ii) Low Salaries and Poor Conditions of Service for Police Officers

The Committee learnt that the officers in the Zambia Police Service were one of the lowest paid government workers, despite the fact that their duties exposed them to great risk on their health and lives. The Committee was informed that the low salaries and poor conditions of service could be one of the reasons for the perceived high levels of corruption among police officers. In this regard, the Committee was informed that there was need for the Government to improve the salaries and conditions of service for police officers.

(iii) Inadequate Police Stations in the Country

The Committee was informed that most of the police presence was largely concentrated in the urban areas, while rural police stations remained understaffed and underequipped which made it difficult to respond to emergencies and effectively investigate cases. In this vein, the Committee heard that this led to low public confidence in the police service. Records at Police Public Complaints Authority showed that a good number of complaints lodged at the Commission border on police inaction associated with lack of investigations due to limits in resources for the police.

(iv) Lack of Modern Equipment and Material Resources

The Committee was informed that the Zambia Police Service lacked material resources and equipment to manage highly sophisticated methods of detection, investigation, communication and interrogation of sophisticated crimes. The Committee was also informed that the Zambia Police Service lacked modern equipment and material resources such as vehicles to transport materials to be used for evidence. Also, forensic capacities were inadequate, thereby compromising the quality of work, which in turn led to many criminal cases in Courts being acquitted on grounds of insufficient evidence.

(v) Limited Funds to Support the Administration and Operations of the Zambia Police Service

The Committee was informed that the Zambia Police Service had limited funds to be able to effectively run its day-to-day administrative works and operations. In this regard, the Committee learnt that the lack of funds for the police service to effectively run its programmes was one of the reasons why the Zambia Police Service was perceived by the general public to be ineffective and corrupt in the course of duty.

(vi) **Subjection of Victims of Injury to Obtain a Police Report**

The Committee was informed that the requirement for a person who had been assaulted to first obtain a police report before he or she could be attended to at the hospitals, was not only stressful but agonizing to the victim. The Committee was also informed that the case also applied where a person had suffered an injury as a result of police officers using force, but found it difficult to obtain a police report as police officers would want to protect themselves.

(vii) **Unapproved Zambia Police Service Structure**

The Committee learnt that the Zambia Police Service Structure lacked critical supportive personnel, especially those in the administrative services. The Committee was informed that the absence of such personnel led to poor administrative services at the Zambia Police stations.

(viii) **Inadequate Accommodation for Police Officers**

The Committee was informed that the Zambia Police Service had challenges of accommodation to house its police officers in most of the districts where the police had its presence. The Committee was informed that the lack of accommodation for the police officers had a negative impact on the execution of duty.

5.0 TOURS

5.1 LOCAL TOURS

In order to consolidate its findings from the long meetings on the Review of the Administration and Operations of the Zambia Police Service, the Committee toured a number of police stations in the two provinces, namely; Mazabuka, Monze, Choma, Kalomo and Livingstone Police stations in Southern Province, and Kaoma and Mongu Police stations in the Western Province. In addition, stakeholders' meetings were conducted at Choma and Mongu municipal council chambers. The main purpose of these meetings was to ascertain what stakeholders had to say with regards to the administration and operations of the Zambia Police Service in the districts, and highlight their personal experiences when seeking police service.

5.2 Key Findings

The key findings, observations and recommendations of the Committee are summarised below.

- (i) The absence of state pathologists in the districts delayed the conclusion of investigations of cases requiring pathological expertise or services, as the police had to depend on the district medical personnel who had other responsibilities to undertake.
- (ii) The police in the districts lacked equipment such as computers, motor vehicles and office stationary to effectively support police administration and operations.

- (iii) Police officers had to serve in the same capacity and rank for years before being promoted to another rank. Police promotions were tied to post-identification numbers, and the absence of these post-identification numbers hindered progression and the promotion of officers.
- (iv) Police officers who had pursued other qualifications were not rightly placed to work according to the attained qualifications.

5.3. Measures put in place to support the Administration and Operations of Zambia Police Service

The Committee was informed that police officers had continued to put in place measures that would support the administration and operations of the Zambia Police Service, and these measures included the following:

- (i) conducting night patrols in the compounds and peri-urban areas in order to maintain peace and security;
- (ii) formation of community crime prevention units in all chiefdoms and compounds;
- (iii) applications through the Constituency Development Fund (CDF) to procure a utility motor vehicle which could be used to cover far flung areas in the districts;
- (iv) embarked on capacity building of the police reserve officers and the crime prevention unit officers for effective reinforcement during operations of the police in the districts;
- (v) conducting sensitisation programmes on various platforms on safety and security;
- (vi) establishing community police posts in the un-serviced but crime prone areas in the districts;
- (vii) engaged with the traditional leadership, civic leaders and other stakeholders on the need to uphold peace and security; and
- (viii) collaborating with other security wings on security related matters in the districts.

5.4. Challenges faced by the Zambia Police in its Administration and Operations

During the tour, the Committee observed a number of challenges faced in the administration and operations of the police, and these included the following:

- (i) inadequate transport made it very difficult for the police to execute administration and operation demands. Some areas were surrounded by water bodies while some areas were hardly accessible by road;
- (ii) inadequate office space at the police stations, as some district police stations were also housing officers who were operating in other police stations and divisions;
- (iii) Inadequate technological equipment and other office equipment such as computer sets and accessories, a situation which forced the police to print some confidential documents in the public internet centres;
- (iv) Lack of funding on a monthly basis to support the administration and operations of the police in the districts, a situation which saw police officers seeking assistance from other Government and private institutions;

- (v) Poor conditions of service for police officers, which led to low morale and motivation on the part of the officers;
- (vi) non-payment of settling-in, vacation leave and overtime allowances to officers whenever the officers were on transfer, on vacation leave or worked overtime;
- (vii) low staffing levels which hindered effective administrative and operational processes.
- (viii) inadequate accommodation for police officers, forced officers to rent from various compounds, and this made it very difficult to mobilise officers when an emergency action was required to be attended to within the shortest possible time;
- (ix) low staffing level of police officers and shortage of supporting staff at the station negatively affected the administration and operations of the police in the districts; and
- (x) insufficient fuel allocation made it very difficult for the police to be able to meet the demands of the operations in respective districts.

5.5. Stakeholders meeting at Choma and Mongu Municipal Council Chambers

The Committee conducted stakeholder meetings in Choma and Mongu municipal council chambers as a way of getting the views of various stakeholders about the administration and operations of the police in the districts. A synopsis of the stakeholders' submissions is provided below.

(i) Collaboration between farmers and the police in the district

The Committee heard that farmers in the district were collaborating well with the police on matters which needed the service of the police. The Committee also heard that most of the reports which the police received from farmers in the districts visited, were mainly about cases of stock theft. In this regard, it was, however, submitted that whenever farmers reported a matter to the police, the response from the police was that they could not manage to follow up the matter as they had no transport for the officers to use. In this regard, it was recommended that the Government should consider providing the police with adequate transport in order for them to execute their operations effectively in farming communities of Choma and Mongu.

(ii) Low Number of Police Officers at the Stations

The Committee was informed that there were very few police officers in the districts. Stakeholders submitted that whenever they visited the police station to launch a complaint, it took too long to attend to them as there were few officers at a time, and these officers were overwhelmed with many cases from members of the public. In this regard, it was the view of stakeholders that more police officers should be recruited in order to meet the demand and expectations of members of the public.

- (iii) **Rampant Cattle Thefts**
The Committee was informed that there were rampant cases of cattle theft in Choma and Mongu districts. It was however, learnt that whenever such cases were reported to the police and arrests made, offenders were shockingly given shorter sentences that would-be offenders were not deterred. This situation led to the same perpetrators reoffending by committing the same crimes after serving a sentence. It was, therefore, recommended that the Government should consider stiffer punishment for cattle thefts so that it would act to deter and curb the vice in the districts. It was also recommended that police officers should be more aggressive and robust in dealing with cattle theft cases, as they deprived many farmers of their livelihoods.
- (iv) **Poor Collaboration between the Police and Members of the Public**
The Committee learnt that there was poor collaboration between the police and members of the public in the districts, and this resulted in mistrust in the administration and operations of the police. It was recommended that deliberate efforts should be put in place to ensure that members of the public freely engage with the police for the purpose of enhancing police diplomacy.
- (v) **Poor Conditions of service for Police Officers**
The Committee was informed that police officers were poorly paid, and this had the potential to compromise them in their work if tempted with bribes. Stakeholders recommended that the Government should improve the conditions of service for the police officers including the payment of necessary allowances that applied to them in the course of duty.
- (vi) **Lack of Stationary and other Materials at the Police Stations**
The Committee learnt that most of the time that members of the public went to report cases at the police stations, they were told by the police that they had no stationary to be used when taking statements from the complainants. In this regard, stakeholders recommended that the Government should ensure that the police was well funded so that they could be resourced with stationary and other materials on a monthly basis, to support administrative and operative activities.
- (vii) **Poor Housing Units for Police Officers**
The Committee was informed that police officers in the districts had the most dilapidated houses compared to other security wings. It was recommended that the Government should provide decent accommodation for the men and women in uniform by constructing more houses for police officers who were serving in the district.
- (viii) **Lack of Police Patrols in the District**
The Committee was informed that there was not so much police visibility in the districts during night time, a situation which led to increase in criminal activities during night time. In this regard, it was recommended that the police in the districts should be given the necessary tools so that they could intensify night patrols in order to prevent crime.

(ix) **Inadequate Training for the Police Service**

Stakeholders submitted that some police officers were not fully trained especially in public relations and observance of human rights due to the short period of training that they underwent during recruitment. It was recommended that the period of training for police officers be extended from six months to twelve months, so that the officers could be provided with training in public relations and observance of human rights.

(i) **Lack of Police visibility in some parts of the District**

The Committee heard that there was no much police visibility and presence in some parts of the districts, especially those areas which were far and inaccessible. In this regard, it was recommended that police posts should be instituted in those far flung areas in order to provide a service to the citizens.

(ii) **Lack of Transport for the Police**

Stakeholders submitted that the police had inadequate transport for its operations either by land or water. It was recommended that motor vehicles and speed boats be provided for the police in the district in order to enhance police administration and operations.

6.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

The Committee notes that the Government has over the years supported the administration and operations of the Zambia Police Service. However, there are a number of challenges that require the Executive's urgent attention for the purpose of improving the administration and operations of the Zambia Police Service. The Committee is of the view that, if the administration and operations of the Zambia Police Service are to improve and be effective, the Government should take concrete steps to address the identified challenges. In this vein, having considered the submissions made by various stakeholders and taking into consideration the findings from the local tours, the Committee makes the observations and recommendations set out below.

(i) **Inadequate Training for the Police Service**

The Committee notes that the six months training for police officers is too short and has deficiencies in knowledge of criminology, information and communication technology skills, public relations and the observance of human rights.

The Committee is of the view that the Government should extend police training from six months to at least twelve months for officers to be equipped with knowledge in criminology, information and communication technology, public relations and observance of human rights. It is also the view of the Committee that the curriculum of the police be reviewed to include the various necessary fields.

(ii) **Inadequate Police Stations and Police Posts in the Country**

The Committee is greatly concerned that the number of police stations and police posts in the country has remained low. The Committee has observed that most of the police

stations and police presence is largely concentrated in the urban areas, while rural areas have remained low in terms of police stations and are under-stuffed in most instances where police stations exist.

The Committee, therefore, strongly recommends that the Government should, as a matter of urgency, consider increasing the number of police stations and police posts, especially in the rural parts of the country.

(iii) **Deplorable State of Police Station Buildings**

The Committee observes with great concern that a number of police station buildings are in a deplorable state. The Committee also observes that the office spaces at the police stations are inadequate for the current number of officers in administrative roles.

The Committee strongly recommends that the Government should construct new police station buildings, with sufficient office spaces for the current number of units and sections of the police in order to enhance the effective administration and operations of the police service. It is the view of the Committee that the Government should also build police posts to enhance visibility and presence of police officers in the un-serviced areas.

(iv) **Poor Housing Units for Police Officers**

The Committee observes that some of the housing units for the police in the country are in a deplorable state and not fit for human habitation. The Committee also observes that in some districts police officers are renting in various residential compounds, a situation which makes it difficult for officers to quickly mobilize during emergencies.

The Committee, therefore, strongly recommends that the Government should consider constructing new housing units for police officers, especially in districts where there was a serious shortage of police housing units.

(v) **Inadequate Transport for the Police**

The Committee observes that most police stations in the country have inadequate transport to enable the police to effectively perform its administrative and operational activities. Additionally, some areas which require police presence are situated across water bodies, making it difficult for the police to access those areas by road.

The Committee, therefore, strongly recommends that police stations in the country should be provided with adequate motor vehicles and speed boats to support the administration and operations of the police in the districts. It is the view of the Committee that all sections and units of the police should be provided with transport for specific operations.

(vi) **Non-payment of Settling-in, Loading and Offloading and Vacation Leave Allowances to Police Officers**

The Committee observes with great concern that police officers are not paid settling-in, loading and offload and vacation leave allowances whenever the officers were either transferred or were due for vacation leave.

In view of the above, the Committee recommends that the Government should, as a matter of urgency, prioritise and pay the various allowances accrued to police officers as this will go a long way in motivating the officers and ultimately enhance police operations.

(vii) **Low Salaries and Poor Conditions of Service for Police Officers**

The Committee notes with great concern that the salaries for police officers have relatively remained low. The Committee is also concerned that the conditions of service for police officers have continued to be poor. The Committee views the low salaries and the poor conditions of service for police officers, as reasons that lead to corrupt activities among police officers in the course of duty. The Committee observes that poor conditions of service for police officers did not only demoralize the officers, but had the potential to breed corruption among them.

The Committee therefore, strongly recommends that the Government should take concrete steps to address all issues surrounding the low salaries and poor conditions of service for police officers. The Committee is of the view that once the salaries and conditions of service for police officers are improved, it will lead to improved administration and operations of the Zambia Police Service and reduce incidences of corruption. The Committee, therefore, urges the Government to improve the conditions of service for police officers in the country in terms of their remuneration, working environment, housing and policing equipment.

(viii) **Mechanism for awarding Promotions in the Zambia Police Service**

The Committee observes with great dismay that the long-serving but deserving police officers have remained stagnant in terms of ranks for a relatively long period of time, yet the newly recruited police officers have continued to rise in ranks. It is the view of the Committee that this has the potential to create insubordination owing to the resistance that the long-serving officers will mount against the newly but promoted police officers.

The Committee urges the Government to review the mechanism used to promote police officers, so that the long-serving officers can be promoted to higher ranks. It is the view of the Committee that promotions in the police service should be based on intakes in order to assure upward movement of officers, and ensure discipline in the service.

(ix) **Post-Identification Numbers Mechanism**

The Committee is greatly concerned that promotions in the police service are tied to post-identification numbers which are no longer available at police station level, to afford the deserving officers promotions. The Committee observes that the police officers may be in a different station but possessing a post-identification number which is meant for a

position in another police station and district, a situation which is depriving officers in those stations from being promoted. Further, the Committee notes that the non-promotion of these deserving officers has resulted in loss of morale by police officers countrywide.

The Committee, therefore, recommends that the Government should review or possibly abolish the post- identification numbers mechanism which is tied to promotions, as it is not serving any purpose as expected by police officers.

(x) **Low number of Police Officers at the Station**

The Committee is concerned that the number of police officers per station is still not adequate to effectively support the administration and operations of the Zambia Police Service in the districts.

The Committee, therefore, urges the Government to recruit and deploy more police officers to support the administration and operations of the police service in the districts.

(xi) **Non-operationalisation of the new Police Service Establishment**

The Committee observes that the new structure and establishment of the Zambia Police Service has not been operationalised, to ease the current challenges faced at police station level.

The Committee, therefore, recommends that the Government should operationalise the new structure and establishment of the police service in order to provide for positions that can be filled for effective administration and operations of the police service.

(xii) **Lack of Modern Equipment and Material Resources in the Zambia Police Service**

The Committee is greatly concerned that the Zambia Police Service lacks modern equipment and material resources to manage highly sophisticated methods of detection, investigation, communication and interrogation of crimes. The Committee notes that modern equipment is critical for the police to handle modern and sophisticated crimes. Also, the Committee is concerned that police stations lack computers and modern equipment for safekeeping of recorded cases.

The Committee, therefore, urges the Government to procure modern equipment and the necessary materials which will enhance capacities for the Zambia Police Service to be able to detect, investigate and interrogate modern and sophisticated crimes in the country. The Committee further recommends that the Government should provide computers and other modern equipment to police stations in the country.

(xiii) **Non-allocation of Operation Funds to Police Stations**

The Committee is greatly concerned that police stations do not receive funding on a monthly basis for its administrative and operational costs. The Committee is therefore dismayed how such a police service is expected to effectively manage its administration and operations. The Committee is concerned that the inadequate funding for this noble cause is the reason why the Zambia Police Service is perceived by the general public to be ineffective and corrupt.

The Committee, therefore, strongly recommends that police stations countrywide should be allocated with operational funds on a monthly basis up to station level for effective administration and operations.

(xiv) **Inadequate Monthly Fuel Allocations to Police Stations**

The Committee is greatly concerned that the monthly fuel allocations to police stations are inadequate for the stations to manage activities for the whole month.

In this regard, the Committee urges the Government to consider allocating adequate fuels for the police to manage operations for the entire month.

(xv) **Perception of Corrupt Officers in the Zambia Police Service**

The Committee observes with great concern that police officers are perceived to be corrupt in their duties, yet the difficulties they go through are not of their making but systemic challenges which the officers have experienced and endured over time.

The Committee, therefore, strongly recommends that the Government should strongly consider addressing the lack of transport, inadequate office spaces and lack of accommodation and many more challenges which the police officers experience in the course of duty.

(xvi) **Mandatory Contributions to Thrift Cooperative Society by Police Officers**

The Committee observes with great concern that police officers are subjected to mandatory deductions on the pay-slips for the Thrift Cooperative Society contributions, yet officers do not easily access this same money when they attempt to make application for withdrawals. The Committee notes that these deductions are seriously eroding officers of the little but needed money for their family requirements. It is the view of the Committee that the continuous deductions are creating dissatisfaction among police office officers, which in turn is negatively affecting the administration and operations of the Zambia Police Service.

The Committee, therefore, urges the Government to consider scrapping off the mandatory contribution made by police officers to Thrift Cooperative Society. Alternatively, the Committee recommends that the Thrift Cooperative Society be disbanded as it is robbing police officers of their hard earned money which is not accruing any benefits to them.

(xvii) **Concerns of Sexual Harassment in the Police Service**

The Committee observes with worry that there are growing concerns and allegations of sexual abuse of the junior officers by those in senior positions for exchange of rewards in the service. The Committee observes that this situation if not addressed has the potential to compromise operations and also ruin the reputation the police service.

The Committee, therefore, recommends that the Government through the Ministry of Home Affairs and Internal Security should seriously look into the matter by introducing reporting mechanisms and prevention of sexual harassment work policies to ensure that junior officers are protected from abuse and threats of dismissal or reprisal once they report such cases. It is the view of the Committee that senior police officers found

wanting should be dismissed from the service and appropriate criminal proceedings instituted against them.

(xviii) **Stock Theft as major challenge to Operations of the Police in some Districts**

The Committee observes that one of the challenges faced by police officers in their operations, especially in communities that rear livestock, is rampant stock theft cases. Such cases continue to recur and are perpetrated by the same culprits who get arrested, serve sentences and thereafter get released and reoffend by engaging in the same vices.

The Committee therefore, strongly recommends that the law relating to stock theft should be revised in order to stiffen the punishment as a means to deter would be offenders.

(xix) **Requirement of a Police Medical Report by an injured Person at the Hospital**

The Committee notes with great concern that whenever a person sustains an injury such a person is expected to produce a police medical report at the hospital before he or she could be treated. The Committee is concerned that individuals concerned undergo a lot of difficulties in the process of obtaining a police medical report, especially where such injuries are sustained at the hands of a police officer, as fellow officer would try to shield the officer involved.

The Committee, therefore, recommends that a police medical report be done away with, instead, an independent document by a health professional be introduced. It is the view of the Committee that the introduction of an independent document by a health professional would be ideal as it would make it possible to obtain a medical report for injuries suffered at the hands of the police.

PART II

7.0 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS FOR THE FIRST SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

7.1 THE MANAGEMENT AND OPERATIONS OF MISSIONS ABROAD

(i) **Inadequate and Erratic Funding to Missions Abroad**

The Committee in the previous Session had observed that funding to Missions Abroad was inadequate and erratic which had resulted in operations such as consular matters being funded by staff from their own resources. In light of this, the Committee had recommended that funding to Missions Abroad should be increased and released in good time to avoid lapses in the operations of the Missions, which compelled staff to use personal resources.

Executive's Response

In the Action-Taken Report, the Executive had acknowledged the inadequate funds for operations in missions abroad, and reported that the missions abroad were always urged to ensure that they prioritised activities for their undertaking with great objectivity. In addition, Missions were also encouraged to implement austerity measures in the undertaking of activities.

It was also reported that the Ministry of Foreign Affairs and International Cooperation had continued to pursue the Treasury for approval of appropriation in aid for revenue generating missions to allow them retain a percentage of revenue for their operations. In addition, the Ministry had encouraged missions to be creative by coming up with income generating activities to enable them become self-sustaining. The Zambian Mission in Gaborone was a good example of one of the missions that had engaged in income generating ventures thereby enabling it to finance some of its activities. The Mission had leased one property in a prime residential area to a primary school as a source of revenue.

The Zambian High Commission in Nairobi was also another mission that had leased its ground floor of the three storey building. Proceeds from such initiatives could be used for other developmental projects and create opportunity for the missions to be self-sustaining by having access with authority to use the funds for mission activities.

Furthermore, the Government encouraged missions with land and access to land for possible construction to engage in joint ventures in the development of land with potential partners as a way of being self-sustaining and releasing strain on the Treasury.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on how to address the issue of inadequate and erratic funding to missions abroad

(ii) Inadequate Staffing in Missions Abroad

The Committee in the previous Session had observed that the operations of missions abroad had been hampered by inadequate staffing, as well as the absence of a professional cadre of staff. In this regard, the Committee had recommended that there was need for staffing levels to be improved. The Committee had also recommended that there was need for the Foreign Service Bill, to be enacted into law, in order to address the issue of professionalism rather than political patronage in the appointment of staff.

Executive's Response

It was reported in the Action-Taken Report that progress had been made in complementing staffing levels as stipulated. The Executive also reported that stakeholders' consultation on the draft Foreign Service Bill had been finalised. The Bill was to be resubmitted to the Legislative Sub Committee of Cabinet in the fourth quarter, after which it would be presented to Cabinet for approval and then presented to Parliament for consideration.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and urges the Government to ensure that the Foreign Service Bill is submitted to Parliament as assured. The Committee resolves to await a progress report on the matter.

(iii) Inadequate Transport In Missions Abroad

The Committee in the previous Session had observed that the operations of most Missions Abroad were hampered by inadequate transport. Most Missions had a very old fleet of vehicles which resulted into very high cost of repair and maintenance. The Committee, had therefore, recommended that Missions Abroad be provided with adequate and reliable transport. It was also the view of the Committee that where necessary, old vehicles be replaced with a new fleet.

Executive's Response

It was stated in the Action-Taken Report that the Executive had acknowledged the observations of the Committee that there was need to provide adequate and reliable transport to Missions abroad and where necessary, old vehicles be replaced with a new fleet.

It was further stated that the Executive had not yet purchased any new vehicles for Missions Abroad owing to financial constraints. However, the Ministry of Finance and National Planning through the Budget Policy Paper had been engaged to provide an allocation in the 2023 Ministerial Budget and the 2023-2025 Medium-Term Expenditure Framework for procurement of motor vehicles in all Zambian Missions abroad.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report particularly on the allocation towards purchase of motor vehicles in the 2023 budget.

7.2 THE ADMINISTRATION OF PAROLE AND CORRECTIONAL SUPERVISION VIS-À-VIS THE DECONGESTION OF CORRECTIONAL FACILITIES IN ZAMBIA

(i) Revision of the Parole Board to include more Non-State Institutions

The Committee in the previous Session had recommended that the composition of the Parole Board should be revised in order to include more non-state institutions. It was the view of the Committee that the inclusion would enhance transparency and engender public confidence in the Board.

Executive's Response

It was stated in the Action-Taken Report that the Executive had taken note that there was need for an application to be made to amend section 80 (2) of the Zambia Correctional Services Act, No. 37 of 2021, in order to make the Board more inclusive.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the revision of the Parole Board to possibly include more Non-State Institutions

(i) Discriminatory Qualification Criteria for Parole

In the previous Session, the Committee had observed that the qualification for parole of a person serving a prison sentence of not less than two years and six months before its expiry, was a disincentive and discriminatory, as it excluded most female inmates, who in some instances were sentenced to below two years. In addition, the Committee had observed that the parole criterion of being released six months before the expiry of the sentence, regardless of how long one had served, was a mockery. In this regard, the Committee had recommended that in order to make parole more meaningful and inclusive, the universal six months condition for parole, which applied to all inmates irrespective of the period of their sentences should be reviewed. It was recommended that the six months condition be increased to at least two years or a percentage, such as 75 per cent of the sentence served, be applied.

Executive's Response

It was stated in the Action-Taken Report that the Executive took note of section 83. (1) of the *Zambia Correctional Service Act, No. 37 of 2021*, which provided that an inmate may, through the officer-in-charge, apply to the Parole Board for release on parole as provided for in the Parole Rules. Arising from this provision, in order to make parole more meaningful and inclusive, the Service was in the process of revising Parole Rules. The qualification for parole would be revised to either the months condition or a percentage of the sentence served would be applied.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the discriminatory qualification criteria for Parole

(i) Lack of clear distinction between the Zambian Correctional Service and the National Parole Board

The Committee in the previous Session had observed that there was no clear distinction between the Zambia Correctional Service and the Parole Board. This had made autonomy and transparency difficult to attain. In this regard, the Committee had recommended that there should be a clear distinction between the National Parole Board and the Zambia Correctional Service in order to promote autonomy in the administration of parole decisions.

Executive's Response

It was reported in the Action-Taken Report that the Executive had taken note that once the Chairperson and other members of the Board had been appointed by the Minister of Home Affairs and Internal Security pursuant to section 80(2) of the *Zambia Correctional Service Act No. 37 of 2021*, National Parole Board would begin to function as an autonomous board as membership of the Board would be drawn from various institutions outside the Zambia Correctional Service.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the matter in terms of providing a clear distinction between the Zambian Correctional Service and the National Parole Board.

(ii) Lack of Provision for Feedback by the National Parole Board on Recommended but Unsuccessful Inmates

The Committee in the previous Session had observed that the law did not provide for the National Parole Board to give feedback to the correctional centres on the reasons why some of inmates recommended for parole were not successful and yet there was no limit on the number of applicants that could be considered for parole in a particular year. This made it difficult for the officers to improve in their selection process and caused them and the applicants to see the whole process as an exercise in futility. In this vein, the Committee had recommended that the law must provide for the Board to provide feedback to the Correctional Facilities on why certain applications could not be considered for parole. This would improve efficiency and dispel the suspicion that only applicants who were well connected could be considered for parole.

Executive's Response

It was stated in the Action-Taken Report that the existing law for Parole did not provide for the National Parole Board to give feedback to the Correctional Centres on why some inmates recommended for parole were not successful. However, in order to improve efficiency and dispel suspicions that only applicants who were well connected were considered for parole, the Parole Board through the Directorate of Corrections organised a five-day workshop for Regional Commanding Officers which was aimed at equipping them with knowledge on qualification and selection process for parole. The service was also in the process of reviewing the parole rules.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on what provisions have been put in place provide for feedback by the National Parole Board on the recommended but unsuccessful Inmates

(xi) Setting Up Courts within Correctional Centres in order to contribute to the Decongestion of the Correctional Facilities

The Committee in the previous Session had considered Ghana's *Justice for all programme* which had set up special courts within correctional centres or prisons where cases were being heard. This had resulted into some persons who were on remand being finally convicted while other inmates got freed. Some were even referred to psychiatric hospitals for further examination, and some in-mates were granted bail. Under this programme, prisoners were offered pro bono services by private lawyers and legal aid under the Ghana Legal Aid Scheme. In this vein, the Committee had recommended that in order to further decongest the correctional facilities, the Judiciary, working in collaboration with the Zambia Correctional Service should set up special courts to attend to remands and other cases. The Legal Aid Board should also extend its services to the correctional facilities

Executive's Response

It was reported in the Action-Taken Report that section 93 of the *Zambia Correctional Service Act No.37 of 2021* provided that a judge may visit and inspect a prison or correctional centre at any time, and, while visiting, the judge could then inquire into any complaint or request made by an inmate during the visit. It was mentioned that, during the visit, inmates were given an opportunity to air out their grievances to the visiting judge. Critical matters that the judge was to focus on were; delayed trial cases and appeal cases. Once the Judge had taken note of the complaints such as delayed trials and appeal cases, these cases were to be accorded first priority in cause listing for hearing and hence disposed of expediently which resulted into some inmates who were remanded being finally convicted and those found with no case to answer acquitted. During such visits, the speedy disposal of cases partly helped in decongesting the Correctional Centres and Prisons. However, the Service had continued engaging the judiciary on setting up of special courts within the prisons and correctional centres.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the setting up courts within Correctional Centres in order to contribute to the decongestion of the Correctional Facilities.

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

7.3 The Ratification of International Treaties in Zambia: Challenges and Opportunities

(i) Lack of a Budget dedicated to the Ratification of International Agreements

The Committee in the previous Session had observed that line ministries did not have a budget line dedicated to the ratification of international agreements and were subsequently either underfunded or not funded at all in this regard. This had resulted in Zambia being unable to send the requisite number of staff to the negotiation fora, thereby hampering the country's capacity to negotiate. In this vein, the Committee had recommended that the Government should provide adequate funding in order to increase the number of staff on delegations so as to widen the scope of consultation prior to entering into international agreements, especially those with financial implications.

Executive's Response

It was reported in the Action-Taken Report that the Ministry of Foreign Affairs and International Cooperation in addition to the expertise on the delegation, relied on written legal guidance on the agreements, provided by the Attorney General prior to signing, in accordance with Article 177(5) (d) of the *Constitution of Zambia*. Therefore, the Ministry of Foreign Affairs and International Cooperation had ensured that international agreements were cleared by the Attorney General before they were signed.

Further, the Treasury had taken note of this matter and would work with the Ministry of Foreign Affairs and International Cooperation to see how line ministries could incorporate a budget line for the ratification of international agreements. Further, the Treasury had been engaged to consider incorporating a budget line for the ratification of international agreements for line Ministries in the 2023 National Budget.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the matter.

(ii) Insufficient funding and Limited Expertise of the Officers sent on Delegations to Negotiate International Agreements

The Committee in the previous Session had noted the response and requested for a progress report on the actual provision of funds by the Treasury for this activity.

Executive's Response

It was reported in the Action Taken Report that the Ministry of Foreign Affairs and International Cooperation would make strides to urge line ministries to enroll at the Zambia Institute of Diplomacy and International Studies (ZIDIS) for admission to the special course that provided knowledge in negotiation skills. The Ministry further took cognizance of its insufficient funds for various staff development and capacity building needs in negotiation skills.

In this regard, it was stated that the Ministry would endeavour to build capacity and develop skills of officers in line ministries by engaging its Cooperating Partners in the provision of sponsored training programs in negotiation skills. These included, cooperation with countries such as Germany, Turkey, China and Malaysia. The Ministry however, remained committed to identifying and exploring more opportunities in this respect.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the matter.

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

7.4 .1 The Regulation of Private Security Companies Vis-a -Vis Homeland Security in Zambia

(i) The Legal and Policy Framework Guiding the Operations of Private Security Companies

The Committee in the previous Session had resolved to await a progress report on the matter and requested for a timeframe within which the legal and policy framework would be done..

Executive's Response

The Executive reported through the Action-Taken Report that a committee tasked to amend the Zambia Police Act had included the provisions to regulate the Public and Private Security

Companies in the proposed amendment of the Zambia Police Act which would finally be concluded in conjunction with the Zambia Law Development Commission by June 2023.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the legal and policy framework guiding the operations of private security companies

(i) Capacity of Private Security Companies to Respond to and Manage Emerging Security Threats

The Committee in the previous Session had resolved to request a progress report on the matter and the timeframe within which the Zambia Police Act would be amended.

Executive's Response

It was stated in the Action-Taken Report that the Ministry of Home Affairs and Internal Security had been granted Cabinet approval to develop the legal framework on the regulation of private security companies. The law would specify how the regulation would be done.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the development of the legal framework to regulate private security companies.

(ii) Best Practices in the Region and Beyond in relation to Police Service

The Committee in the previous Session had requested for a progress report on the amendment of the Zambia Police Act and the timeframe within which the Bill would be brought to Parliament

Executive's Response

It was reported in the Action-Taken Report that there were engagements with the Zambia Law Development Commission to finalise the amendment of the Zambia Police Act. According to the procedure, the views of various stakeholders on whether ownership of private security companies should be reserved for indigenous Zambians or not would be considered when a call for stakeholders to make submissions would be made. The date for possible presentation of the Bill to Parliament was July 2023.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the amendment of the Zambia Police Act.

7.4.2 An Update on the Shift from Political to Economic Diplomacy in Zambia's Missions Abroad

(i) The Scaling up of Career Diplomats

The Committee in the previous Session had resolved to await a progress report on the scaling up of career diplomats.

Executive's Response

It was reported in the Action-Taken Report that stakeholders' consultations on the Draft Foreign Service Bill had been finalised and would be followed by its tabling to the Legislative Sub Committee of Cabinet and then to full Cabinet and thereafter presentation to the National Assembly.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on modalities of scaling up and enhancing career diplomats.

7.4.3 The Operations of the Department of Immigration vis-à-vis the Issuance and Management of Visas and Employment Permits

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

The Committee in the previous Session had requested a progress report on the matter regarding encroachment of the no-man's land in Kasumbalesa Border.

Executive's Response

It was reported in the Action-Taken Report that the Ministry of Lands and Natural Resources from 14th to 28th June 2021 undertook a verification exercise of the no-man's land at Kasumbalesa Border with respect to the international boundary in order to facilitate the demolition of illegal structures constructed on the no-man's land.

The Ministry after completion of the exercise recommended to Chililabombwe Town Council being the planning authority to demolish the illegal structures which included the car park. On 21st April, 2022, the Ministry accompanied a team of selected Parliamentarians from Copperbelt Province to spot check progress of the marked points for demolition. However, during the tour, it was noted that the marked points were not demolished as the Government was taken to court by the affected people and Chililabombwe Council was yet to hear the verdict from the court.

The Ministry further recommended that the Central Government takes up the responsibility to demolish the illegal structures because Central Government was immune to court injunctions. Notwithstanding, the Ministry also recommended that the DRC Car park be relocated elsewhere and the Council working with the Commissioner of Lands to provide alternative land for the affected parties.

It was further reported that DRC authorities had already demolished all the affected structures on their side and therefore once the court determined the way forward, the illegal structures would be demolished.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the final conclusion of the matter regarding encroachment of the no-man's land in Kasumbalesa Border.

(ii) Lack of Police Presence at Border Posts

The Committee in the previous Session had requested for a progress report on the deployment of police officers to Kamapanda and Kambimba Border Controls.

Executive's Response

It was reported in the Action-Taken Report that the deployment of recruited police officers in Kamapanda and Kambimba Border controls was not done because there was currently no police infrastructure such as police posts or stations and houses. The deployment would be done when police infrastructure was made available.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the on the deployment of police officers to Kamapanda and Kambimba Border Controls.

(iii) Morale among Department of Immigration Staff

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

Executive's Response

It was reported in the Action-Taken Report that following the newly approved structure, the Department was currently in the process of coming up with job descriptions and subsequently conduct the job evaluation and re-grading exercise which was meant to harmonise the salaries and conditions of service for the department with those of other security wings in order to boost the morale of immigration staff. The exercise for job descriptions was currently in progress; however, the department awaited the operationalisation of the Emoluments Commission in order to carry out the job evaluation and re-grading exercise to complete the process of harmonisation.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the harmonisation of the salaries and conditions of service for the Immigration Department with those of the security agencies in order to boost the morale of immigration staff.

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

(i) Encroachment on Military Land

The Committee in the previous Session had resolved to await a further progress report on the fencing exercise of military cantonments.

Executive's Response

It was reported in the Action-Taken Report that fencing of some military cantonments such as Kalewa had started, however, the progress was slow due to inadequate funding.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the fencing exercise of military cantonments.

7.4.5 Statelessness and the Protection of Stateless Persons in Zambia

(i) Documentation of Statelessness

The Committee in the previous Session had urged the Executive to provide a timeframe for the presentation of the National Registration and the Births and Deaths Registration Bills to Parliament,

Executive's Response

It was stated in the Action-Taken Report that the Ministry of Home Affairs and Internal Security was in the process of submitting a request to Cabinet to commence the amendment of the Birth and Death Registration Acts.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the presentation of the National Registration and the Births and Deaths Registration Bills to Parliament,

7.4.6 Zambian Mission in Windhoek- Namibia

(i) Mission Properties

The Committee in the previous Session had requested a progress report on the rehabilitation works.

Executive's Response

It was reported in the Action-Taken Report that rehabilitation of the Chancery, official residence and staff houses at the Zambia High Commission in Windhoek had advanced.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the matter considering that the Executive has not explicitly stated to what extent the rehabilitation works had progressed.

7.4.7 Zambian Mission in Pretoria - South Africa

(i) Birth Certificates

The Committee having been informed that the Ministry of Home Affairs and Internal Security was in the process of submitting instructions to the Ministry of Justice for the amendment of the Birth and Death Registration Act, requested a progress report on the matter.

Executive’s Response

It was reported in the Action-Taken Report that the Ministry of Home Affairs and Internal Security was in the process of submitting a request to Cabinet to commence the amendment of the Birth and Death Registration Act.

Committee’s Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the amendment of the Birth and Death Registration Act.

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

7.4.8.1 The Zambia Correctional Service

(i) Upgrading and Expanding of Staff Establishment

The Committee in the previous Session had requested for a progress report on the outcome of the engagement with Cabinet Office with regard to revisiting the approved staff structure of 5,500 to 7,500.

Executive’s Response

It was stated in the Action-Taken Report that the Zambia Correctional Service had initiated the process of revisiting its 2016-2021 staff establishment structure which stood at 5,500 for possible expansion to 7,500 and had since engaged the Management Development Division (MDD) under Cabinet office. In response to Zambia Correctional Service’s request, the MDD had indicated its availability for technical assistance in the restructuring process.

Committee’s Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the upgrading and expanding of the staff establishment through restructuring mechanism.

7.4.8.2 The Drug Enforcement Commission

(i) Treasury Authority for the Implementation of Full Establishment

The Committee in the previous Session had resolved to await a progress report on the 1,210 positions yet to be filled.

Executive's Response

It was reported in the Action-Taken Report that as of 31st March, 2021, the staff establishment stood at 559 against the approved structure of 1,821. In the second half of 2021, Treasury Authority was granted to employ a total of 108 positions. However, two more vacant positions that were funded in the already approved structure were also filled, giving a total of 110 filled positions. Therefore, a total of 669 positions had been filled, representing 37 per cent of the approved structure. Hence, balances of 1,152 positions were yet to be filled.

In July 2022, the Commission wrote to the Permanent Secretary at the Ministry of Home Affairs and Internal Security to activate five hundred and eighty-six (586) positions in the year 2023, from the balance of 1,152 posts in the approved structure.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the matter.

(ii) Formulation of Drug and Alcohol Policy

The Committee in the previous Session had requested for a progress report on the formulation of the Drug and Alcohol Policy.

Executive's Response

It was stated in the Action-Taken Report that the Drug and Substance Abuse Control Policy had been resubmitted to Cabinet- Policy Analysis and Coordination Division for further consideration.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the formulation of the Drug and Alcohol Policy.

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

(i) Construction of a Mini Hospital within the Mukobeko Maximum Facility

The Committee in the previous Session had requested for a progress report on the matter.

Executive's Response

It was stated in the Action-Taken Report that from the 2023 proposed budget, a sum of K77 million for infrastructure development under the Zambia Correctional Services had been provided. Part of the fund under this proposed budget line was meant to prioritise the construction, completion and rehabilitation of key infrastructure that included the Mukobeko Maximum Facility.

Committee's Observations and Recommendations

The Committee takes note of the response given by the Executive and resolves to await a progress report on the construction of a mini hospital within Mukobeko Maximum Correctional Facility.

(ii) Regulation of the Movement of Arms

The Committee in the previous Session had sought a progress report on the presentation of the National Conventional Arms Control Bill to Parliament.

Executive's Response

It was stated in the Action-Taken Report that the Draft Bill was undergoing internal consultative process before circulating it to the key stakeholders.

Committee's Observations and Recommendations

The Committee is concerned that this matter has taken an inordinately long time. The Committee, therefore, resolves to await a progress report on the presentation of the National Conventional Arms Control Bill to Parliament.

8.0 CONCLUSION

Given the prominent and critical role of the Zambia Police Service to protect life, property, preserve peace, maintain law and order, detect crime, prevent crime, and many other functions, it is the recommendation of the Committee that the Zambia Police Service be provided with the necessary financial, material and human resources to support its administration and operations.

It was apparent to the Committee in the course of this study that the Zambia Police Service was inadequately resourced and experienced poor conditions of service such as low remuneration and poor housing within its rank and file. In addition, the smooth administration and operation of the Service was hampered by lack of modern tools and equipment, as well as inadequate transport to support the detection, investigation and interrogation of modern and highly sophisticated crimes.

The Committee on National Security and Foreign Affairs has made some far reaching recommendations on the topical issue. Therefore, the Committee is confident that the Executive will act upon the findings and the recommendations contained in its Report.



Brig Gen Morgan Sitwala (Rtd), MP
CHAIRPERSON

June, 2023
LUSAKA

APPENDIX I – LIST OF NATIONAL ASSEMBLY OFFICIALS

Mr Francis Nabulyato, Principal Clerk of Committees (SC)
Mrs Chitalu K Mumba, Deputy Principal Clerk of Committees (SC)
Ms Angela M Banda, Senior Committee Clerk (SC I)
Mr Geoffrey Zulu, Acting Senior Committee Clerk (SC II)
Mr Evans Chilongu, Committee Clerk
Ms Anita Mulale, Administrative Assistant
Mr Daniel Lupiya, Committee Assistant
Mr Muyembi Kantumoya, Parliamentary Messenger

APPENDIX II – LIST OF STAKEHOLDERS

Ministry of Home Affairs and Internal Security;
Ministry of Ministry Finance and National Planning;
Ministry of Community Development and Social Services;
Police and Public Complaints Commission
Zambia Police Service;
Anti-Corruption Commission;
MISA Zambia;
Human Rights Commission;
Road Transport and Safety Agency;
Zambia Civic Education Association;
Governance, Elections, Advocacy, Research Services;
University of Zambia; and
Southern African Centre for Constructive Resolution of Disputes;