



**REPORT**

**OF THE**

**COMMITTEE ON LEGAL AFFAIRS, HUMAN RIGHTS, NATIONAL GUIDANCE,  
GENDER MATTERS AND GOVERNANCE ON THE PETITION BY THE 3RD  
LIBERATION MOVEMENT CALLING ON THE NATIONAL ASSEMBLY TO  
INITIATE ENACTMENT OF STIFFER PENALTIES FOR CORRUPTION CASES**

**FOR THE**

**FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY**

*Printed by the National Assembly of Zambia*

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# **REPORT OF THE COMMITTEE ON LEGAL AFFAIRS, HUMAN RIGHTS, NATIONAL GUIDANCE, GENDER MATTERS AND GOVERNANCE ON THE PETITION BY THE 3RD LIBERATION MOVEMENT CALLING ON THE NATIONAL ASSEMBLY TO INITIATE ENACTMENT OF STIFFER PENALTIES FOR CORRUPTION CASES**

## **1.0 Membership of the Committee**

The Committee consisted of Mr M Jere, MP (Chairperson); Mrs P G M Jere, MP (Vice-Chairperson); Mr R Bulaya, MP; Mr E Sing'ombe, MP; Mr C Nanjuwa, MP; Evg H Shabula, MP; Ms M P Langa, MP; Mr S Banda, MP; Mr R C Mutale, MP; and Mr S Chungu, MP.

The Honourable Mr Speaker  
National Assembly of Zambia  
Parliament Buildings  
**LUSAKA**

Sir

The Committee has the honour to present its Report on the Petition by the 3<sup>rd</sup> Liberation Movement calling on the National Assembly to Initiate Enactment of Stiffer Penalties on Corruption Cases for the Fourth Session of the Twelfth National Assembly for the Fourth Session of the Twelfth National Assembly.

## **2.0 Functions of the Committee**

Pursuant to Standing Order No.157(2), the Committee is mandated to consider any matter referred to it by the Speaker or an Order of the House.

## **3.0 Meetings of the Committee**

The Committee held seven meetings to consider the petition by the 3rd Liberation Movement calling on the National Assembly to initiate enactment of stiffer penalties on corruption cases.

## **4.0 Procedure Adopted by the Committee**

The Committee requested for written memoranda from stakeholders listed at Appendix II, and invited them to appear before it in order to make oral presentations and clarifications on issues arising from their written submissions.

## **5.0 Background**

Former World Bank President, James Wolfenson, popularised the often cited analogy of corruption as a cancer. Corruption remained one of the greatest challenges to Zambia's well-being and to the attainment of its development aspirations. As a major obstacle to democracy and the rule of law, corruption caused public offices and institutions to lose their legitimacy.

The 3rd Liberation Movement petitioned the National Assembly of Zambia, urging it to consider the initiation and enactment of relevant legislation to stiffen the punishment prescribed for corruption offences. Particularly, the petition urged the National Assembly to initiate enactment of appropriate legislation so as to:

- i. make corruption a non-bailable offence; and
- ii. stiffen the penalties for corruption offences to include:

- a) imprisonment for fifty years or more;
- b) life imprisonment; and
- c) death by hanging.

According to the Petitioner, the motivation for the petition is based on the Republican President's numerous calls and policy directives to stiffen the law on corruption.

## **6.0 SUBMISSIONS BY STAKEHOLDERS**

### **6.1 Legal Framework for Combating Corruption in Zambia**

#### **6.1.0 International and Regional Instruments**

Stakeholders noted that at international level, Zambia was a State party to the following:

- (i) the United Nations Convention Against Corruption (UNCAC);
- (ii) the African Union Convention on Preventing and Combating Corruption (AUCPCC); and
- (iii) the Southern African Development Community Protocol Against Corruption (SADC Protocol).

These instruments called for preventative measures and the criminalisation of the most prevalent forms of corruption in both public and private sectors.

#### **6.1.1 National Legislation**

Stakeholders were in agreement that Zambia had numerous laws that were central to the fight against corruption. They submitted that, as part of the National Anti-Corruption Policy implementation, Zambia in 2010 embarked on an extensive legislative review in order to strengthen the legal framework to fight corruption. Pursuant to this review, the Government passed legislation as set out below.

- (i) ***The Constitution of Zambia (Amendment) Act, No. 2 of 2016***  
Article 235(a) of the Constitution of Zambia as amended by Act No.2 of 2016 established the Anti-Corruption Commission (ACC) as an investigative commission while Article 173 provided for values and principles of the public service.
- (ii) ***The Penal Code Act, Chapter 87 of the Laws of Zambia***  
The Penal Code was the principal legislation prescribing crimes and their penalties in Zambia. Before the *Anti-Corruption Act* came into force, corruption related offences were dealt with under the Penal Code. This notwithstanding, the Penal Code still contained several provisions dealing with offences related to corruption such as forgery, false claims for personal gain, false assumption of authority and impersonating of public officers. The Penal Code provided for the punishment of these offences.
- (iii) ***The Criminal Procedure Code, Chapter 88 of the Laws of Zambia***  
The Criminal Procedure Code dictated the procedure for arrest, prosecution, conviction and sentencing in criminal matters.

- (iv) ***The Anti-Corruption Act, No. 3 of 2012***  
This Act was the principal Act intended to combat corruption in Zambia. The Act had provisions, inter alia, to provide for the prevention, detection, investigation, prosecution and punishment of corrupt practices and related offences. The Act further provided for the development, implementation and maintenance of coordinated anti-corruption strategies through the promotion of public participation.
  
- (v) ***The Forfeiture of Proceeds of Crime Act, No. 19 of 2010***  
This Act criminalised the possession of unexplained wealth. In terms of punishment, it provided for the confiscation of the proceeds of crime, deprivation of any person of any proceed, benefit, or property derived from the commission of any serious offence and facilitated the tracing of any proceeds, benefit, and property derived from the commission of any serious offence. Apart from this, the Act also provided for custodial sentences and fines as a means of punishing the offender.
  
- (vi) ***The Public Interest Disclosure (Protection of Whistleblowers) Act, No. 4 of 2010***  
This Act provided a framework within which persons who made a public interest disclosure would be protected. The objective of the Act was to provide for the disclosure of conduct adverse to the public interest in the public and private sectors.
  
- (vii) ***The Prohibition and Prevention of Money Laundering (Amendment) Act, No. 44 of 2010***  
This Act was the principal statute dealing with money laundering in Zambia. Specifically, section 7 of the Act prohibited money laundering.
  
- (viii) ***The Public Finance Management Act. No. 1 of 2018***  
This Act provided for an institutional and regulatory framework for the prudent management of public funds, strengthened accountability and oversight, control of public funds in the public financial management framework and enhancement of cash management systems to ensure efficient and effective utilisation of funds.
  
- (ix) ***The Financial Intelligence Act, No. 46 of 2010***  
This Act established the Financial Intelligence Centre and provided for its functions and powers. The Act further provided for the prevention of money laundering, terrorist financing and other such offences.
  
- (x) ***The Public Procurement Act, No. 12 of 2008***  
This Act provided for open competitive bidding as a preferred method as well as for the disclosure of information on the tender process and contract award.
  
- (xi) ***The Prosecution Authority Act, No.34 of 2010***  
This Act established the National Prosecution Authority and provided for its powers and functions. Further, the Act provided for the effective administration of criminal justice and established the witness management fund.

Stakeholders were of the view that these pieces of legislation contained very progressive provisions to address corruption in Zambia.

## 6.2 Adequacy of the Legal Framework

While most stakeholders were of the view that the existing legal framework to address corruption in the country was adequate, they were quick to state that there were gaps in the implementation and enforcement of these laws. It was particularly notable that most of the legal instruments were enacted in 2010 and therefore, there was need to review them and make the necessary improvements in light of the changing times and challenges.

For example, while section 57 of the *Anti-Corruption Act, No. 3 of 2012* empowered the Anti-Corruption Commission to arrest a person without a warrant if it had reasonable ground to believe that such a person had committed an offence under the Act, this law was not being enforced by the courts and law enforcement agencies. Some of the gaps are set out below.

- (i) The Constitution which established the ACC as an investigative Commission under Article 235(a) did not state that the Commission was mandated to perform other functions as may be prescribed. This limited the functions of the Commission on matters of prevention, detection and prosecution of corrupt practices which were prescribed under section 6 of the Act.
- (ii) Section 5 of the *Anti-Corruption Act, No.3 of 2012* guaranteed the Anti-Corruption Commission's autonomy and independence and yet section 64(1) of the Act stated that prosecution of an offence under the Act shall not be instituted except by, or with, the consent of the Director of Public Prosecutions (DPP). Further, the DPP did not report to anyone in terms of the number of cases he or she had declined to prosecute and in terms of reasons or guidelines for refusing to prosecute.
- (iii) The definitions of a "public officer" in the *Anti-Corruption Act, No.3 of 2012* and the Constitution were not in harmony. On one hand, the Constitution, under Article 266 defined a public officer as a person holding or acting in a public office, but did not include a state officer, councillor, a Constitutional office holder, a judge and judicial officer. This exception defeated the definition of public officer in the *Anti-Corruption Act, No.3 of 2012* which sought to adopt the expansive definition of a public officer in regional and international instruments as all persons holding positions in the Executive, Legislative and Judicial arms of government.
- (iv) The Director-General of the ACC was currently appointed by the President under section 9(2) of the *Anti-Corruption Act, No.3 of 2012* "on such terms and conditions as the President may determine." Stakeholders were of view that this weakened the Commission in that the Director-General was appointed on the terms and conditions set by the President whose terms may be to favour the appointment of friends or user-friendly persons.
- (v) While the Act provided for security of tenure for the Director-General, the same did not apply to the Deputy Director-General. There was, therefore, need to have the offices of the Director-General and Deputy Director-General recognised as Constitutional offices similar to that of the Public Protector.

The above gaps notwithstanding, the majority of the stakeholders were of the view that there were some challenges outside the legal framework such as impunity and low levels of enforcement of the law that were fuelling corruption. The stakeholders submitted that the fight against corruption must be more comprehensive and go beyond handing down longer or

more severe sentences. They were of the view that the legal framework alone, albeit comprehensive and adequate, was not the panacea to all corruption challenges.

Stakeholders were also of the view that there was need for a holistic approach in the fight against corruption. They submitted that the fight against corruption must be stronger on detection and prevention, adding that longer and more punitive sentences must be the last resort. Further, stakeholders submitted that there was need to consider establishing specialised courts or fast track courts to overcome the challenges of the slow pace of prosecution of corruption cases. Stakeholders further highlighted other pre-conditions that engendered adequacy of anti-corruption legislation such as effective, transparent and capable enforcement institutions and complementary laws such as access to information.

Stakeholders added that there was need for the promotion of civic values and establishment of institutions and agencies that were autonomous not only in their operations but also in appointments. They were of the view that in order for the fight against corruption to be effective, there was need for rigorous enforcement of existing laws and sanctions against corruption, strengthening the institutional structures, training of staff in investigation and detection of corruption and improvement of the standards of prosecution. Stakeholders further submitted that sensitisation of community members and relevant enforcement officers and having independent monitoring mechanisms as well as applying the principles of transparency, integrity, competition and accountability would help reduce corruption levels.

Another view expressed by stakeholders was that the biggest challenge in the fight against corruption was the inadequate capacity of the Anti-Corruption Commission. They submitted that the Commission was underfunded and had inadequate staff, which made it difficult for it to cover the entire nation, thereby relying mostly on whistleblowers.

### **6.3 Existing Penalties for Corruption Cases and their Efficacy**

Stakeholders submitted that generally, the majority of countries in the sub-Saharan region imposed higher or stiffer prison sentences. In the case of South Africa and Namibia, fines were also imposed. In the case of Zambia, however, there was no option of a fine under the *Anti-Corruption Act, No. 3 of 2012*. Further, between Zambia and Malawi, for example, Zambia imposed a heavier sentence of up to fourteen years while Malawi imposed a maximum sentence of twelve years.

With regard to the existing penalties and their efficacy, most stakeholders were of the view that the current legal framework in Zambia criminalised and spelled out harsh penalties for corrupt practices. Notable, section 41 of the *Anti-Corruption Act, No. 3 of 2012* provided as follows:

*“A person who is convicted of an offence under this part, for which no penalty is provided, is liable–*

- (a) upon first conviction, to imprisonment for a period not exceeding fourteen years;*
- (b) upon a second or subsequent conviction, to imprisonment for a term of not less than five years but not exceeding fourteen years; and*
- (c) in addition to any other penalty imposed under this Act, to forfeiture to the State of any pecuniary resource, property, advantage, profit or gratification received in the commission of an offence under this Act.”*



Further, section 49 of the Act provided that the effect of conviction of a public officer was that they were disqualified for five years from being elected, appointed or holding any office or position in any public body. Stakeholders submitted that these penalties were stiffer in comparison to other jurisdictions such as Kenya and Uganda, which imposed a maximum jail sentence of ten years.

Further, it was noted that in as much as the seizure and forfeiture of assets was a punitive deterrent, the lack of an independent recovery agency undermined the recovery of assets.

While most stakeholders were in agreement that the existing penalties for corruption offences were stiff enough, some stakeholders were of the view that since there were various pieces of legislation that dealt with corruption related offences, the punishment mainly depended on the Act that had been violated. This resulted in inconsistency and non-predictability. Therefore, there was need to address this inadequacy. Further, stakeholders submitted that the *Anti-Corruption Act No. 3 of 2012* did not prescribe minimum sentences but only maximum sentences for certain specific offences for first offenders.

#### **6.4 Proposals on the Reform of the Law**

Stakeholders made various proposals for reform of the law on corruption, including the following:

- (i) Review the *Anti-Corruption Act, No. 3 of 2012* to provide for the ACC's autonomy.
- (ii) Amend section 64 of the *Anti-Corruption Act, No. 3 of 2012* which required the consent of the Director of Public Prosecutions to institute prosecution of corruption cases.
- (iii) Review the *Anti-Corruption Act, No. 3 of 2012* to include a provision that would address facilitation payments and the maximum allowable value of gifts or hospitality.
- (iv) Amend sections 13 and 34 of the *Public Interest Disclosure (Protection of Whistleblowers) Act, No. 4 of 2010* to define, inter alia, the terms "malicious", "frivolous", "vexatious", "bad faith" and expressly provide for the protection of reporting citizens.
- (v) Review the National Anti-Corruption Policy with the aim of strengthening all legislation that is central to the fight against corruption

### **7.0 CONCERNS RAISED BY STAKEHOLDERS**

Specifically, stakeholders raised concerns as set out below.

#### **7.1 Bail**

The Committee was informed that bail was the release of an accused person by the court before completion of the case on the understanding that the released person would turn up for trial or whenever required to do so. Notably, every accused person had a right to apply for police bond or bail either at a police station or before a court of law. The release of an accused person on bond or bail was premised on the constitutional presumption of innocence where the offence was bailable or bondable in line with Article 13 of the *Constitution of Zambia, Chapter 1 of the Laws of Zambia* and section 33 of the *Criminal Procedure Code, Chapter 88 of the Laws of Zambia*.

## **7.2 Corruption as a Non-Bailable Offence**

Most stakeholders submitted that making corruption offences non-bailable would be going against the basic principles of human rights. The stakeholders were of the view that urging Parliament to make corruption offences non-bailable was going against one of the most sacred principles in the criminal justice system, which was that an accused person was innocent until proven guilty. Therefore, a non-bailable provision was contrary to the doctrine of presumption of innocence until proven guilty. Other stakeholders stated that although the existing penalties left much to be desired and did little to serve as a deterrent to those engaging or intending to engage in corrupt practices, proposing to make corruption offences non-bailable by the Petitioner was unjustifiable.

Stakeholders further submitted that an accused person was always deemed innocent until a court of competent jurisdiction established the guilt of a person, following a fair trial. Hence, the loss of liberty should be an exception instead of the norm. Stakeholders submitted that comparable best practices allowed for bail for any offence except where the accused was a flight risk or posed danger of violence to the community.

## **7.3 Imprisonment for Fifty Years or More**

With regard to stiffening the penalty to fifty years imprisonment or more jail sentence, stakeholders were of the view that there was need for the existence of prudence, consistency and fairness by the sentencing court, which had to be guided by the well-settled principles of sentencing.

The stakeholders were of the view that it would be a grave mistake to follow rigid rules in determining the type and length of sentence in order to secure a measure of deterrence due to different circumstances such as a guilty plea by the offender. Stakeholders did not support this proposal by the Petitioner on account that corruption differed in intensity and nature and that it would be unconscionable to take a one size fits all approach. They were of the view that the Petitioner should not consider corruption to be one offence but rather an omnibus term that encompassed several types of misconduct as defined in the UNCAC including:

- (i) bribery of national public officials;
- (ii) bribery of foreign public officials and officials of public international organisations;
- (iii) embezzlement, misappropriation or other diversion of property by a public official;
- (iv) trading in influence;
- (v) abuse of functions;
- (vi) illicit enrichment;
- (vii) bribery in the private sector;
- (viii) embezzlement of property in the private sector \laundering of proceeds of crime;
- (ix) concealment; and
- (x) obstruction of justice.

Stakeholders submitted that considering that corruption could be categorised as either petty or grand, it would be imperative to have mandatory minimum sentences in order to ensure that sentencing reflected the seriousness of the offence in order to promote respect for the law and provide just punishment for the offence. They were of the view that the law relating to sentencing should, therefore, take into account the intensity and nature of the corruption and the gravity.

Additionally, stakeholders submitted that there was a manifest difference between an ordinary citizen who bribed a medical officer at a public hospital in order to receive preferential healthcare for a sick child and a public official who took a bribe to award a contract to someone to supply, for instance, defective medicines to public hospitals.

#### 7.4 Death Penalty or Life Sentence

With regard to the proposal to introduce the death penalty, stakeholders submitted that there appeared to be very little, if any, correlation between stiffer penalties and the incidences of corruption in a country. For example, North Korea which had imposed the death penalty was perceived to be one of the most corrupt countries in the world. The table below shows the Transparency International Corruption Perception Index over the last four years for China and North Korea.

<b>Country and Ranking: Year</b>	<b>China</b>	<b>North Korea</b>
<b>2016</b>	<b>79</b>	<b>174</b>
<b>2017</b>	<b>77</b>	<b>171</b>
<b>2018</b>	<b>87</b>	<b>176</b>
<b>2019</b>	<b>80</b>	<b>172</b>

*Source: Transparency International (<https://www.transparency.org>)*

Secondly, the proposal to impose the death penalty for any offence in Zambia was very divisive and there were very strong sentiments against it from some quarters. Further, the right to life was guaranteed by the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) which provided for the abolition of the death penalty.

Stakeholders submitted that the imposition of the death penalty was not only a violation of the right to life as guaranteed in the Constitution, but also the ultimate form of cruel, inhuman or degrading punishment or treatment. Although Zambia had not yet ratified the Second Optional Protocol which provided for the abolition of the death penalty, the country had in the recent past supported a moratorium on the death penalty. Additionally, stakeholders noted that Zambia last carried out executions in 1997.

Regarding life imprisonment, stakeholders submitted that the courts in Zambia adopted life imprisonment as an alternative to the death penalty. According to section 201 of the *Penal Code, Chapter 87 of the Laws of Zambia*, the death sentence could not be imposed if the facts of the case proved the existence of extenuating circumstances. Extenuating circumstances included where the offender was under the age of eighteen at the time of the commission of the offence.

#### 8.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Taking into account both the written and oral submissions from the stakeholders, the Committee makes observations and recommendations as set out hereunder.

- (i) The Committee notes that bail and/or bond are part of the constitutional right to presumption of innocence where an offence isailable or bondable in line with Article 13 of the *Constitution of Zambia, Chapter 1 of the Laws of Zambia* and section 33 of the *Criminal Procedure Code, Chapter 88 of the Laws of Zambia*. Hence, making corruption offences non-ailable would be contrary to the doctrine of

presumption of innocence until proven guilty. The Committee, therefore, is of the view that corruption cases should continue to be bailable.

- (ii) The Committee observes that it would be unconscionable to take a one size fits all approach on matters of sentencing since corruption differs in intensity and nature. The Committee is of the view that imprisonment of fifty years or more is excessive and unjustifiable as laws should be in conformity with international practice. In this regard, the Committee recommends that laws be enacted in accordance with what is prevailing in international practice.
- (iii) The Committee observes that the *Anti-Corruption Act, No. 3 of 2012* does not prescribe minimum sentences but only maximum sentences for certain specific offences. In this regard, the Committee recommends that mandatory minimum sentences be prescribed, particularly for first offenders, in order to ensure that sentencing reflects the seriousness of the offence in order to promote respect for the law and provide just punishment for the offence.
- (iv) The Committee observes that the imposition of the death penalty is not only a violation of the right to life but also the ultimate form of cruel, inhuman and degrading punishment or treatment. It further observes that countries such as China and North Korea which have imposed the death penalty on corruption offences still rank quite high on the global corruption perception index. In this regard, proposing the death penalty for corruption offences would not only be unconstitutional but it would also do little to deter those engaging or intending to engage in corrupt practices.
- (v) The Committee observes that the prevalence of corruption in Zambia is not due to an inadequate legal framework; rather it is caused by challenges outside the legal framework such as a culture of impunity and low levels of enforcement of the law. This has perpetuated the high levels of corruption. In this regard, the Committee recommends that the relevant pieces of legislation when it comes to fighting corruption, be implemented and enforced accordingly.
- (vi) The Committee observes that there are low prosecution rates despite having a comprehensive legal framework. This has led to the perception that corruption is on the increase. The Committee, therefore, recommends that prosecution should deal with all cases of corruption, whether petty or grand. The Committee further recommends that cases should be dealt with regardless of the rank and status of the individuals involved.
- (vii) The Committee observes that leaving the fight against corruption to one specific institution would be an exercise in futility since the domain of corrupt practices cuts across all facets of national life. The Committee, therefore, recommends a holistic approach to the fight against corruption. In this regard, the Committee is of the view that concerted societal efforts in instilling values and principles on the negative effects of corruption will significantly reduce the levels of the scourge in the country.

Further, the Committee recommends inculcating these values and principles in the education curriculum at all levels of education from pre-school to tertiary for generational transformation.

- (viii) While the Committee notes that section 5 of the *Anti-Corruption Act, No.3 of 2012* guarantees the autonomy and independence of the Anti-Corruption Commission, section 64(1) of the Act provides that prosecution of an offence under the Act shall not be instituted except by or with the consent of the DPP. The Committee, therefore, recommends the detachment of the Commission from the DPP so that the Commission is empowered to initiate prosecution of those engaging or intending to engage in corrupt practices.

The Committee further notes that the Commission can only be autonomous if it has adequate financial and human resources and security of tenure for the commissioners. The Committee, therefore, urges the Government to adequately fund the Commission and ensure that its staff establishment is filled.

- (ix) The Committee is aware that cases of corruption are presently being tried in the subordinate courts countrywide. Further, because of their nature, the cases take inordinately long to conclude. The Committee, therefore, recommends that fast-track or specialised courts be created to expedite the prosecution of corruption cases.
- (x) The Committee is of the view that integrity committees in government ministries and agencies as well as in the private sector should be revamped to complement the fight against corruption. The Committee, therefore, urges the Government to enhance the operations of integrity committees through capacity building and increased funding to the ACC so that it can develop and implement anti-corruption prevention programmes.
- (xi) The Committee observes that although section 41(c) of the *Anti-Corruption Act* provides for the forfeiture to the State of any pecuniary resource, property, advantage, profit or gratification received in the commission of an offence under this Act, there is no independent recovery agency to be responsible for these assets. The Committee recommends that an independent recovery agency be put in place to oversee seized assets.

## **9.0 CONCLUSION**

The Committee agreed with the Petitioner that corruption was a threat to good governance, democracy and the rule of law. The Committee, however, observed that making corruption non-bailable or stiffening the penalties for the vice to include death by hanging, life imprisonment or imprisonment for fifty years or more was excessive. This was in view of the fact that corruption should be categorised according to its intensity and nature. In this regard, it would be imperative to have mandatory minimum sentences for specific offences in order to ensure that sentences reflected the seriousness of the offence so as to promote respect for the law and provide just punishment for the offence.

The Committee further observed that the fight against corruption should be more comprehensive and holistic and should go beyond handing down longer or more severe sentences. The Committee was alive to the fact that there was very little, if any, correlation between stiffer penalties and the incidences of corruption in a country, as could be seen from China and North Korea. Offenders had only become more sophisticated. The Committee recommended that the fight against corruption must be stronger in detection and prevention, adding that longer and more punitive sentences must be the last resort.

The Committee was of the view that instead of only being curative; the fight against corruption should be preventive and strategic by involving all stakeholders in both public and private sector. Further, the Committee was of the view that instilling values and principles in the citizenry would be more effective. To this effect, information on the negative effects of corruption should be included in the curriculum at all levels of education from pre-school to tertiary in order to promote generational transformation.

The Committee wishes to thank the Petitioner and all the stakeholders for their oral and written submissions on the petition. The Committee further wishes to express its gratitude to the Office of the Speaker and the Clerk of the National Assembly for the guidance and services rendered to it during the consideration of the petition.

Mr M Jere, MP  
(Chairperson)

Mrs P G M Jere  
(Vice-Chairperson)

Evg H Shabula, MP  
(Member)

Mr R Bulaya, MP  
(Member)

Mr E Sing'ombe  
(Member)

Mr C Nanjuwa, MP  
(Member)

Mrs M P Langa  
(Member)

Mr S Banda  
(Member)

Mr R C Mutale  
(Member)

Mr S Chungu  
(Member)

February, 2020  
**LUSAKA**

## **APPENDIX I**

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

Ms C Musonda, Principal Clerk of Committees

Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)

Mr S Chiwota, Senior Committee Clerk (SC)

Ms B Zulu, Committee Clerk

Ms I Mwiya, Typist

Mr M Kantumoya, Parliamentary Messenger

## **APPENDIX II — LIST OF WITNESSES**

### **MINISTRY OF JUSTICE**

Ms M K Bwalya – Acting Chief Parliamentary Counsel  
Ms N S Nchito – Parliamentary Counsel

### **JESUIT CENTRE FOR THEOLOGICAL REFLECTION**

Mr I Ndashe – Programmes Manager  
Mr J Lungu – Programmes Officer  
Ms N Muhyila – Programmes Officer  
Mr B Mwaba – Media and Information Officer

### **UNIVERSITY OF ZAMBIA – SCHOOL OF LAW**

Dr O Kaaba – Lecturer

### **ZAMBIA CIVIC EDUCATION ASSOCIATION**

Ms J Mulenga – Executive Director  
Ms C Ngolwe – Project Officer  
Ms T Halwiindi – Project Officer

### **ZAMBIA LAW DEVELOPMENT COMMISSION**

Mr M Mwenda – Research Coordinator  
Ms I Akolwa – Senior Research Officer

### **TRANSPARENCY INTERNATIONAL ZAMBIA**

Mr J Chituwo – Acting Executive Director  
Ms B Samulila – Legal Officer

### **GEARS INITIATIVE ZAMBIA**

Mr M Chipenzi – Executive Director  
Mr G Musonda – Director of Programmes

### **OXFAM**

Mr J Yondela – Acting Country Director  
Mr F Nkulukusa – Fellow  
Ms Y Chibiye – Programme Development and Quality Lead

### **ZAMBIA POLICE SERVICE COMMISSION**

Mr S E Sindadumuna – Assistant Director, Legal  
Mr P Sefuka – Senior Research Officer  
Mr T Kabembu – Research Officer  
Mr M Phiri – Legal Officer

### **MINISTRY OF HOUSING AND INFRASTRUCTURE DEVELOPMENT**

Mr D Mfuno – Director (Infrastructure), Acting PS  
Mr J Masatunya – Head (Procurement Supplies Unit)  
Ms G K Tiku – Principal Legal Officer  
Ms C Mazumba – Director of Finance  
Mr N Musawa – Senior Manager, Planning



**LAW ASSOCIATION OF ZAMBIA**

Mr J Mataliro – Council Member

**ANTI-CORRUPTION COMMISSION**

Mr C Moonga – Acting Commission Secretary

Mr S Muchula – Acting Director, Legal

**HUMAN RIGHTS COMMISSION**

Ms F Chibwasha – Director

Mr K Banda – Chief Investigations and Legal Officer

**SOUTHERN AFRICAN CENTRE FOR CONSTRUCTIVE RESOLUTION OF DISPUTES**

Mr B Cheembe – Executive Director

Mr R Simukonda – Coordinator

Mr M S Sichone – Assistant Coordinator

**MINISTRY OF GENERAL EDUCATION**

Mr K Siame – Permanent Secretary

Mr S Mubanga – Director, Planning and Development

Ms J Chinkusu – Director, Department of Science and Technology

Ms C Mshenga – Director, Human Resource and Administration

Mr K Kwete – Chief Accountant

Ms P L Munaile – Acting Director, (Vocational and Entrepreneurship Training)

Ms K Mutelekesha – Assistant Director, Planning

Mr B Mutale – Senior Planner (Parliamentary and Cabinet Business)

**3<sup>RD</sup> LIBERATION MOVEMENT**

Mr E R Tonga – President

Mr J E Chikatula – Secretary-General

Mr J W Mulowa – National Chairperson