

REPORT OF THE PARLIAMENTARY SELECT COMMITTEE APPOINTED TO SCRUTINISE THE PRESIDENTIAL APPOINTMENTS OF HON MR JUSTICE ANDERSON RAY ZIKONDA (RTD) AS CHAIRPERSON, MRS YVONNE MUTEPUKA CHIBIYA AS VICE-CHAIRPERSON AND MRS MAIMBO FEBBY SIAMUZYULU ZIELA, MR HLOBOTA NKUNIKA AND MR KAFULA MWICHE AS COMMISSIONERS OF THE ANTI-CORRUPTION COMMISSION

The Honourable Mr Speaker
National Assembly
Parliament Buildings
P O Box 31299
LUSAKA

Sir,

The Parliamentary Select Committee was appointed on Friday, 14th June, 2019, to scrutinise the Presidential appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, Mrs Yvonne Mutepuka Chibiya as Vice-Chairperson and Mrs Maimbo Febby Siamuzyulu Ziela, Mr Hlobota Nkunika and Mr Kafula Mwiche as Commissioners of the Anti- Corruption Commission.

The appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, Mrs Yvonne Mutepuka Chibiya as Vice-Chairperson and Mrs Maimbo Febby Siamuzyulu Ziela, Mr Hlobota Nkunika and Mr Kafula Mwiche as Commissioners of the Anti-Corruption Commission is made pursuant to paragraph 2 of the Schedule to the Anti- Corruption Act No. 3 of 2012 which states as follows:

- “2. (1) There is hereby constituted a Board of Commissioners which shall be the governing body of the Commission.*
- (2) The Board shall consist of the following Commissioners:*
- (a) the Chairperson , who shall be a person who has held, or is qualified to hold, high judicial office ;*
- (b) the Vice-Chairperson;*
- (c) three other persons.*
- (3) The Commissioners shall be appointed by the President, subject to ratification by the National Assembly...”*

TERM OF REFERENCE

2. The term of reference of the Committee was to scrutinise the Presidential appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, Mrs Yvonne Mutepuka Chibiya as Vice-Chairperson, and Mrs Maimbo Febby Siamuzyulu Ziela, Mr Hlobota Nkunika and Mr Kafula Mwiche as Commissioners of the Anti- Corruption Commission.

MEMBERSHIP

3. The Committee comprised the following Members:

Mr C Mweetwa, MP, Chairperson;
Mrs M Langa, MP, Vice-Chairperson;
Mr K Sampa, MP;
Mr A Kasandwe, MP;
Mr P Phiri, MP;
Mr P Kalobo, MP;
Mrs M Phiri, MP;
Mr L K P Fungulwe, MP;
Ms A M Chisangano, MP; and
Mr B Hamusonde, MP.

MEETINGS OF THE COMMITTEE

4. The Committee held a total of five (5) meetings during the period 18th June, 2019 to 3rd July, 2019. At its first meeting held on Tuesday, 18th June, 2019, the Committee elected Mr C Mweetwa, MP, as Chairperson and Mrs M Langa, MP, as Vice-Chairperson.

PROCEDURE ADOPTED

5. The Anti-Corruption Commission is established under Article 235 (a) of the Constitution, Cap. 1 of the Laws of Zambia. It is a key governance institution and the lead agency in matters of corruption that is mandated to prevent, investigate and prosecute corruption. In view of this, the Committee resolved that only competent persons with unquestionable integrity, diligence, eminence and sound character should be appointed as Commissioners of the Anti-Corruption Commission. Therefore, the Committee carefully selected the witnesses to assist it scrutinise the suitability of the nominees. The Committee requested memoranda from relevant State security agencies, professional bodies and other stakeholders and the Appointing Authority. The witnesses also appeared before the Committee to make their oral submissions. Further, the Committee interviewed the nominees and carefully scrutinised their *curricula vitae*.

SUBMISSIONS BY STATE SECURITY AGENCIES

ZAMBIA POLICE SERVICE (ZP)

6. The Deputy Inspector-General of Police in charge of Operations submitted on the personal, educational and professional background of the nominees as stated in their *curricula vitae*.

He further informed the Committee that investigations conducted by ZP on each of the nominees had not found any adverse record or report against any of them. In this regard, the Deputy Inspector-General of Police submitted that the nominees were suitable for appointment in their respective positions.

ANTI-CORRUPTION COMMISSION (ACC)

7. The Acting Director-General of the ACC submitted on the personal, educational and professional background of the nominees as stated in their *curricula vitae*.

The Acting Director-General informed the Committee that a search conducted in the ACC's database on the nominees had yielded no adverse information. She stated that, for that reason, the ACC had no objection to the nominees' appointment to their respective positions.

With respect to Articles 259 (1) (b) and 173 (1) (j) of the Constitution, on gender equality regarding appointments, the Committee noted that there were only two (2) female nominees from the five (5) nominees. In view of the above, the Committee asked the Acting Director-General to comment on the gender imbalance. In response, the Acting Director-General stated that the ACC was not in a position to respond to the question because the Commission did not play any role in nominating persons for appointment to the Commission because that was a preserve of the Executive.

The Committee asked the Acting Director-General whether the nominees would add value to the Commission. In response, she submitted that the Anti-Corruption Act required the Commission to have a Board in place. She explained that the Board was responsible for policy matters, recruitment and financial matters. She further informed the Committee that the ACC had operated without a Board for over a year, which had negatively affected the implementation of decisions which required the approval of the Board. She apprised the Committee that the ACC had concluded its Gift Policy, but could not implement it due to the absence of a Board. In view of the above, the Acting Director-General submitted that in terms of policy direction, the nominees would add tremendous value to the ACC.

DRUG ENFORCEMENT COMMISSION (DEC)

8. The Senior Assistant Commissioner of DEC submitted that a record search was conducted by DEC to ascertain the suitability of the nominees to be appointed as Commissioners of the ACC. He informed the Committee that the search had not found any adverse record against the nominees and that, consequently, DEC supported their appointment as Commissioners of the ACC.

The Senior Assistant Commissioner further stated that DEC had encountered challenges thoroughly scrutinising the nominees due to limited time. He informed the Committee that normally, DEC would extend its investigations to a nominee's family and friends to find out whether they had contravened any laws under DEC's mandate. However, in this instance, DEC was unable to do that due to lack of time. The Committee asked whether the adverse acts of a nominee's friend or family member could affect the appointment of a nominee. In response, the Senior Assistant Commissioner stated that it would not affect the appointment of a nominee, but added that it was necessary for such information to be brought to the attention of the Committee.

The Senior Assistant Commissioner also submitted that Hon Judge Anderson Ray Zikonda (Rtd) and Mrs Yvonne Mutepuka Chibiya submitted *curricula vitae* that were not updated, therefore,

DEC had a challenge collecting and validating information on them. When asked of the relevance of the *curricula vitae* in the vetting process, the Senior Assistant Commissioner responded that the *curricula vitae* assisted DEC obtain personal information on the nominees such as their hobbies and employment history. He submitted that the absence of an updated *curriculum vitae* made DEC's work difficult.

The Committee further inquired whether DEC was able to vet a nominee without reference to the nominee's *curricula vitae*. In response, the Senior Assistant Commissioner stated that the *curricula vitae* were the basis on which DEC began the vetting process of a nominee. He added that the investigations were not limited to the information provided on the *curricula vitae* as the vetting extended to consulting other investigative wings to obtain accurate information.

The Committee asked why DEC had not requested for updated *curricula vitae* from the National Assembly when it discovered that the ones obtained were outdated. In response, the Senior Assistant Commissioner stated that DEC would do so in future.

SUBMISSIONS BY PROFESSIONAL BODIES/STAKEHOLDER INSTITUTIONS

HUMAN RIGHTS COMMISSION (HRC)

9. The Deputy Director of the HRC submitted that the ACC, being one of the investigative wings in the Republic of Zambia, was established under Article 235 of the Constitution, Cap. 1 of the Laws of Zambia. The Deputy Director explained that Article 216 of the Constitution provided the guiding principles for Commissions, which included independence, professionalism, propriety and integrity, non-partisanship and impartiality.

The Deputy Director also referred the Committee to Article 240 of the Constitution and paragraph 4 of the Schedule to the Anti-Corruption Act No. 3 of 2012, which provides the qualifications for a person to be appointed as a Commissioner of the ACC.

On the nominees, the HRC submitted as set out below.

(i) Honourable Judge Anderson Ray Zikonda (Rtd)

The Deputy Director submitted on the personal, educational and professional background of the nominee as stated in his *curriculum vitae*.

The Deputy Director submitted that the nominee was qualified for the position of Chairperson as he had held high judicial office as judge of the High Court for Zambia. The Deputy Director added that the nominee had the requisite experience to serve as Chairperson of the ACC.

She further informed the Committee that in conducting its due diligence on the nominee, the HRC had not found any adverse record against him with regards to human rights violations. Therefore, the HRC was confident that the nominee was qualified and suitable for appointment as Chairperson of the ACC and fully supported his appointment.

(ii) **Mrs Yvonne Mutepuka Chibiya**

The Deputy Director submitted on the personal, educational and professional background of the nominee as stated in her *curriculum vitae*.

The Deputy Director submitted that the nominee had vast experience as a social scientist with notable work experience at Transparency International Zambia (TIZ). She added that, while at TIZ, the nominee had, among others, participated in reforming the Zambia anti-corruption framework, coordinating research on the National Corruption Perception Survey as well as in the periodic review of the state of corruption in Zambia. The Deputy Director added that the nominee was equipped with the knowledge and passion for the fight against corruption.

The Deputy Director further submitted that the HRC did not have any record of human rights violations relating to the nominee and was confident that she was suitable for appointment as Vice-Chairperson of the ACC.

(iii) **Mrs Maimbo Febby Siamuzyulu Ziela**

The Deputy Director submitted on the personal, educational and professional background of the nominee as stated in her *curriculum vitae*.

The HRC submitted that the nominee was an advocate with vast experience in both public and private practice. The Deputy Director further informed the Committee that the nominee had been a prosecutor at the National Prosecution Authority where she ascended to the position of Deputy Chief State Advocate and Chief Administrator.

The Deputy Director added that the nominee's background of prosecution brought a unique dimension to the ACC being an investigative agency. She further stated that the nominee had a rich academic and professional background.

The HRC concluded its submission on the nominee by stating that it did not have any adverse record on the nominee with regard to violation of human rights. In this regard, the HRC supported the appointment of the nominee to serve as Commissioner of the ACC

(iv) **Mr Hlobotha Nkunika**

The Deputy Director submitted on the personal, educational and professional background of the nominee as stated in his *curriculum vitae*.

The Deputy Director stated that the nominee had served in government as Provincial Permanent Secretary, a position he had held for eight (8) years with no adverse information on him reaching the HRC. The Deputy Director informed the Committee that the nominee's work mainly focused on the interpretation and implementation of policies at provincial level.

The Deputy Director added that the nominee had immense knowledge and experience in the management of public institutions, budget preparation as well as technical and operational support. In conclusion, the HRC submitted that it had no adverse record of any human rights violations against the nominee and, therefore, had no objection to the appointment of the nominee to serve as Commissioner of the ACC.

(v) **Mr Kafula Mwiche**

The Deputy Director submitted on the personal, educational and professional background of the nominee as stated in his *curriculum vitae*.

The Deputy Director submitted that the nominee was a legal practitioner with over seventeen (17) years' experience and of good standing at the Zambian bar. She added that the nominee had served the Law Association of Zambia as Executive Committee Member and Honorary Treasurer. She pointed out that the nominee had demonstrated leadership and integrity and that his voluntary work showed his passion for the people over self. The Deputy Director concluded by stating that the HRC had no adverse record against the nominee with regard to human rights violations and, in this regard, the HRC supported his appointment as Commissioner of the ACC.

The Deputy Director said that the HRC noted the gender balance in the appointment of the nominees since three of them were male and two were female, and supported their appointment.

As regards opening up the ratification process to the general public for comments and scrutiny, the Deputy Director stated that under the current process nominees were scrutinised by Members of Parliament who were the people's representatives. She, however, added that in order to make the process more transparent and for the nominees to be more independent and impartial, there was need to subject the selection process to another body or committee before finally presenting the names to the House for ratification. She informed the Committee that the HRC would support any proposal to open up the ratification process in order to make it more transparent.

The Committee asked whether the HRC had inquired into the nominees' participation in activities that promoted human rights rather than concentrating on the violation of human rights. The Deputy Director responded that the HRC was not able to extend its investigations to the nominees' promotion of human rights due to financial constraints.

FINANCIAL INTELLIGENCE CENTRE (FIC)

10. The Director - Legal and Policy of FIC submitted that the ACC was established pursuant to Article 235 of the Constitution. She added that the Schedule of the Anti-Corruption Commission Act No. 3 of 2012 provided for the Board of the Commission to consist of the following Commissioners:

- (a) the Chairperson, who shall be a person who had held, or was qualified to hold high judicial office;
- (b) the Vice-Chairperson; and
- (c) three other persons.

She further submitted that the Commissioners were appointed by the President, subject to ratification by the National Assembly. She added that a person was eligible to be appointed as a Commissioner if that person:

- (a) was a citizen of Zambia;
- (b) was permanently resident in Zambia;
- (c) was of high integrity; and
- (d) had served with distinction at a senior level in a Government office or a registered profession.

The Director - Legal and Policy further submitted that a person was not eligible for appointment as a Commissioner if that person either held office in, or was an employee of, any political party, or had been convicted of an offence involving either fraud or dishonesty or any other offence under any written law. She also submitted that a Commissioner held office for a period of three (3) years and was eligible for appointment for a further period of three (3) years. She further outlined the provisions of Article 240 of the Constitution regarding qualifications for a person to be appointed as a member of a commission.

The Director Legal and Policy submitted that all the nominees met the criteria for appointment as Commissioners of the ACC as set out in the law. Additionally, she stated that an investigation of the personal, business and professional associations of the nominees in FIC's database did not reveal any adverse information that would preclude the nominees from being appointed as Commissioners of the ACC. In this regard, FIC submitted that there were no pending suspicious transaction reports or criminal records pertaining to any of the nominees.

JUDICIAL SERVICE COMMISSION (JSC)

11. The Chairperson of the JSC submitted on Hon Mr Justice Anderson Ray Zikonda (Rtd) who was a retired judge of the High Court. The Chairperson informed the Committee that the nominee was born on 17th February, 1943, in Kabwe, Zambia. He was, therefore, seventy-six (76) years of age. He apprised the Committee that the nominee completed his Form V Cambridge Examination at Canicius College, Zambia, and that between 1974 and 1977, he pursued a Bachelor of Laws (LLB) Degree with the University of Zambia (UNZA). He further submitted that the nominee obtained a Master of Laws Degree in Intellectual Property at George Washington University, during the period 1979 to 1980. The nominee was, thereafter, admitted to the Zambian Bar in 1981.

The Chairperson of the JSC further informed the Committee that the nominee had thirty-eight years standing at the Bar with vast experience in both the public and private sector. He added that from 1976 to 1986 the nominee was employed as the Chief Executive Officer (CEO) of the Companies, Patents and Trademarks Agency, now the Patents and Companies Registration Agency (PACRA), a position he held for ten (10) years. Furthermore, the Chairperson informed the Committee that the nominee was appointed Director-General of the African Regional Intellectual Property Organisation (ARIPO) in Harare, Zimbabwe, where he served for eight (8) years.

The Committee was informed that the nominee was a founder and senior partner of Messrs Zikonda and Associates before his appointment to serve as High Court judge. He served as a judge of the High Court for six (6) years until his retirement at the age of sixty-five (65) in 2008. As High Court Judge, the nominee was also responsible for training judges in intellectual property.

The Chairperson of the JSC, further apprised the Committee that the nominee had worked as a part-time lecturer at UNZA School of Law and later at Mulungushi University in the School of Business, and as a legal practitioner in the Tonga Islands as well as a consultant, in intellectual property, to the Tonga Islands Government. He added that the nominee was a member of the Law Association of Zambia (LAZ), solicitor of England and Wales and member of the Chartered Institute of Arbitrators (CIArb). In addition, he had served as Chairman of both the Zambia State Insurance Corporation (ZSIC) and the Zambia Insurance Association.

In conclusion, the Chairperson of the JSC said that based on the nominee's rich and vast experience, and good character, he was suitable for appointment as Chairperson of the ACC.

The Committee inquired from the JSC on the suitability of the nominee to serve as Chairperson of the ACC considering that he was advanced in age. In response, the Chairperson submitted that it was necessary for the ACC to be led by a senior citizen because they were mature and less likely to engage in controversy unlike those in their prime who were more likely to make mistakes.

JUDICIAL COMPLAINTS COMMISSION (JCC)

12. The acting Chairperson of the JCC submitted on the professional qualifications, experience and personal data of Hon Mr Justice Anderson Ray Zikonda (Rtd) as contained in his *curriculum vitae*.

The acting Chairperson submitted that the nominee had served as Judge of the High Court for Zambia from 2002 to 2008 and, as such, qualified to be appointed Chairperson of the ACC.

In conclusion, the acting Chairperson stated that the JCC had no adverse record against the nominee and, therefore, supported his appointment as Chairperson of the ACC.

The Committee asked the JCC what qualities the nominee possessed which gave him an advantage over other possible candidates. In response, the acting Chairperson submitted that the nominee was a sober minded man of high integrity and that the JCC had no adverse record against him.

LAW ASSOCIATION OF ZAMBIA (LAZ)

13. The Honorary Secretary of LAZ submitted to the Committee on Hon Mr Justice Anderson Ray Zikonda (Rtd), Mrs Maimbo Febby Siamuzyulu Ziela and Mr Kafula Mwiche who were members of LAZ.

In view of the foregoing, LAZ submitted as set out below.

(i) **Hon Mr Justice Anderson Ray Zikonda (Rtd)**

LAZ submitted that the nominee was qualified to be appointed as Chairperson of the ACC having had served both as a legal practitioner and judge of the High Court, with integrity and honour.

(ii) **Mrs Maimbo Febby Siamuzyulu Ziela**

The Honorary Secretary submitted that the nominee was qualified to be appointed as Commissioner of the ACC. He added that the ACC would benefit from her wealth of knowledge from legal practice and a combination of human rights advocacy and prosecution expertise having worked for Non-Governmental Organizations (NGOs) and the National Prosecutions Authority (NPA).

(iii) **Mr Kafula Mwiche**

The Honorary Secretary submitted that the nominee was suitable and qualified to be appointed as Commissioner of the ACC as he had been in active practice for several years as a private practitioner and in-house lawyer. He added that the ACC would benefit from both his experience and rich academic knowledge.

In conclusion, the Honorary Secretary stated that LAZ supported the appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, and Mrs M F S Ziela and Mr K Mwiche as Commissioners of the ACC.

The Committee asked LAZ what value the nominees would bring to the ACC considering its inadequacies in the recent past. The Honorary Secretary stated that the ACC had operated without a Board for almost a year and hoped that the combined experience and wealth of knowledge of the nominees would restore some level of confidence and integrity in the ACC.

The Committee further asked LAZ why it had restricted its submission to three (3) out of the five (5) nominees and whether, given the critical role that the ACC played in the country's governance, LAZ had not done an injustice to the people of Zambia. In response, the Honorary Secretary stated that LAZ could only comment on the three (3) nominees who were legal practitioners because it had interacted with them professionally. He, however, added that the fact that LAZ had only commented on the nominees that were legal practitioners did not mean that the Association objected to the appointment of the other two (2) nominees.

TRANSPARENCY INTERNATIONAL ZAMBIA (TIZ)

14. The Deputy President of TIZ began his submission by stating that corruption had reached very high levels, in Zambia, and was a source of concern for many Zambians, including political and government officials. He informed the Committee that there were many reasons that could be advanced for this, including the institutional and technical weaknesses in the investigation and

prosecution of various corruption cases. He added that the indifference of the general public to playing a meaningful role in the crusade against corruption was yet another reason. He submitted that TIZ contended, therefore, that there was need to reform the manner in which the scourge of corruption was being addressed. He emphasised that the country could not continue with the business as usual approach.

The Deputy President submitted that the ACC, as the vanguard institution leading the fight against corruption, needed to be well positioned to play its role and could only do so if it was autonomous and stable. He added that, as an anti-corruption agency, the ACC had to operate above the political fray and deal with all cases of corruption without fear or favour. He informed the Committee that public trust and confidence in the ACC was currently at its lowest, which did not augur well for the noble ideals of eradicating corruption and promoting transparency, especially in the Public Service.

The Deputy President informed the Committee that it was against this background that Commissioners appointed to serve on the ACC Board needed to be men and women, who were not only competent, but also independent in thought and deed and capable of discharging their functions in an objective manner. He added that the ACC needed men and women, who possessed the necessary experience and professionalism to transform the ACC into an anti-corruption watchdog which would not be intimidated by those in authority from doing the right thing. He emphasised that the Commissioners had a critical role to play and, therefore, the selection of nominees should have been done very carefully.

The Deputy President submitted that the key question TIZ had asked itself was whether the Appointing Authority had put forward the best candidates to undertake the much needed reforms at the ACC. He informed the Committee that TIZ's position was that while the appointees generally met the basic criteria for appointment, TIZ would have preferred a long list of possible appointees to have been presented to enable the nation select the best for the positions available. He added that it was time that the procedure for identifying and appointing people to such critical positions was revised because there were numerous Zambians out there capable of making stellar contributions to addressing the problem of corruption in the country.

He informed the Committee that in assessing the suitability of the nominees, TIZ had used the following methodology in hierarchical order:

1. Background Check

The Deputy President submitted that a person appointed to serve in a high office such as Chairperson, Vice-chairperson or Commissioner of the ACC should have a clean background and should be authentic in terms of the claims that they make about their background, which included their academic qualifications and work experience. The Committee was informed that TIZ, therefore, undertook, where it could, a verification of the academic qualifications of the nominees. He further submitted that TIZ had engaged people that knew the nominees or had worked with them and that the purpose of undertaking that course of action was to learn more about the character of the nominees.

2. Legal Requirements

The Deputy President submitted that the positions of Chairperson, Vice-Chairperson and Commissioner of the ACC were provided for under the Anti-Corruption Act. The Act, thus, prescribed the requirements for appointment to the positions. He stated that TIZ considered and analysed the provisions of the Act and that the above criterion made the hallmark of its final recommendations and conclusions.

3. Security Vetting

The Deputy President submitted that, using various records and sources, the Institution had assessed the security standing of the nominees and the primary interest of TIZ was to identify public positions that the nominees had previously taken, if any, on matters to do with public security. The Deputy President stated that the question TIZ addressed was whether the nominees would pose a security risk to the country if appointed to the positions they were being considered for.

4. Independence / Objectivity Test

The Deputy President submitted that the above methodology was in most cases an in-house analysis of data obtained and the focus was to establish how independent or objective the nominees would be if appointed as Commissioners of the ACC.

5. Public Integrity and Standing test

The Deputy President stated that, using public and private records, the Institution had assessed whether the nominees were people of integrity and good standing in society.

6. Skills Matching

It was TIZ's submission that Commissioners of the ACC should add value to the Commission. The Deputy President explained that the value addition comprised work experience, specialised skills or leadership qualities that could be harnessed for the good of the institution. In that regard, he submitted that TIZ had carefully considered the *curricula vitae* of the nominees to assess the type of contribution they would make to the ACC if ratified by the National Assembly.

The Deputy President further submitted, to the Committee, a brief background of each nominee and their qualifications, to ascertain whether they qualified for appointment. He submitted as follows:

(i) Hon Mr Justice Anderson Ray Zikonda (Rtd)

Legal Requirement

The Deputy President informed the Committee that the qualification for the Chairperson of the Board of Commissioners was stipulated in paragraph 2(2) (a) of the Schedule to

the Anti-Corruption Act No 3 of 2012, which provided for the Chairperson to be a person who had held or was qualified to hold high judicial office.

The Deputy President noted that the nominee had been practising for twenty-one (21) when he was appointed High Court Judge, where he served for six (6) years until his retirement in 2008. TIZ, therefore, recognised that the nominee met the legal requirement to serve as Chairperson of the ACC.

The Deputy President, however, expressed concern regarding the age of the nominee. TIZ noted that the nominee had retired in 2008 and assumed he had attained the stipulated retirement age. Further, TIZ outlined the provisions of Article 142 (1) of the Constitution regarding the retirement age of judges. TIZ estimated that the nominee was aged between 75 and 81 years and was of the view that serving as Chairperson of the ACC could have an adverse effect on his health. Therefore, TIZ proposed that the office should be occupied by one who was young and able to reposition the ACC as an independent and effective agency. Further, the Deputy President submitted that the nominee's experience was biased towards intellectual property law and he was lacking in experience relating to anti-corruption matters.

In conclusion, TIZ submitted that it did not have any adverse record against the nominee and supported his appointment as Chairperson of the ACC, but was just concerned about his age.

The Committee observed that the Act was silent on the issue of age with regard to the Chairperson. In this regard, the Committee asked TIZ why the age of the nominee was an issue. In response, the Deputy President stated that although the Act was silent on the issue, the age of the nominee could negatively affect the efficiency of the ACC.

(ii) **Mrs Yvonne Mutepuka Chibiya**

The Deputy President informed the Committee that the legal requirements for Commissioners were stipulated in Paragraph 4 of the Schedule to the Anti-Corruption Act No 3 of 2012, which provided that a person was eligible to be appointed if that person-

- (a) Was a citizen of Zambia;
- (b) was permanently resident in Zambia;
- (c) was of high integrity; and
- (d) had served with distinction at a senior level in a government office or a registered profession or vocation.

The Deputy President submitted that the nominee satisfied the legal requirements. In addition, the Committee was informed that the nominee was serving as Programme Quality Lead at OXFAM Zambia. TIZ further submitted that it was not aware of any conviction or political party affiliation of the nominee.

Furthermore, the Deputy President informed the Committee that the nominee was currently forty-eight (48) years old and in the event that she served for a complete two term period, she would be fifty-four (54) years old. In view of this, the Deputy President stated that the nominee was able to handle the pressure that went with the office of Vice-Chairperson of the ACC Board. He added that the nominee was still in her productive years and her career experience coupled with the exposure that she had acquired in her formative and prime years in various institutions would greatly enrich her participation and contribution as Vice-Chairperson of the ACC.

(iii) **Mrs Maimbo Febby Siamuzyulu Ziela**

The Deputy President submitted that the nominee was a Zambian. He also informed the Committee that the nominee had served as Deputy Chief State Advocate as well as Chief Administrator at the National Prosecution Authority (NPA), which would bring prosecutorial value to the ACC.

The Deputy President ended his submission by stating that the nominee was suitable for appointment to serve as a Commissioner of the ACC.

(iv) **Mr Hlobotha Nkunika and MrKafula Mwiche**

The Deputy President submitted that the two nominees met the legal requirements as provided for in the Anti-Corruption Act. TIZ submitted that it had no adverse record on the nominees. The Deputy President, therefore, concluded by stating that TIZ did not have any reservations on the appointment of the nominees to serve as Commissioners of the ACC.

The Committee inquired from the Deputy President whether the nominees would assist in combating corruption. In response, the Deputy President said that the appointment of Commissioners alone could not combat corruption. He explained that the fight against corruption required a holistic approach, which included strong institutions and laws and combating the indifference that the citizenry had towards corruption.

The Committee asked the Deputy President whether the composition of the nominees created a formidable team for the Commission. In response, he stated that while the nominees were good people, they were very calm people who TIZ did not see taking an aggressive approach against corruption. He emphasised that corrupt people always fought back and, therefore, the Commission required people who could withstand the pressure.

The Committee noted the Deputy President's concern regarding the appointment of older citizens who would serve the ACC for a short period and asked whether change would not be advantageous to the institution. The Deputy President responded that the Commission required stability. He explained that, currently, the ACC had a relatively new Director-General, a very new Deputy Director and would soon have new Commissioners, which was not good for the institution.

The Committee asked whether it was not advantageous for the ACC to have a blend of both young and old Commissioners. In response, the Deputy President stated that while it was good to combine the old with the new and the Anti-Corruption Act did not stipulate any age, it was not advantageous to appoint a person who should be enjoying their retirement, especially when there were many other Zambians to choose from.

The Committee asked whether there were any areas in which TIZ thought the law on anti-corruption could be strengthened. In response, the Deputy President stated that the Act narrowed down corruption to bribery and did not provide for state capture. In addition, it focused on using the legal approach to combat corruption. TIZ was of the view that there was need for the Act to incorporate integrity building as a means to fighting corruption.

SUBMISSIONS BY THE NOMINEES

Hon Mr Justice Anderson Ray Zikonda (Rtd)

15. The nominee informed the Committee about his personal, educational, and professional background as contained in his *curriculum vitae*.

He added that his work experience, over the years, and in different capacities within and outside the country, made him a suitable candidate for appointment as Chairperson of the Board of the ACC.

The Committee sought clarification on the nominee's date of birth because this information was not in his *curriculum vitae*. In response, the nominee stated that he was born on 17th February, 1943 in Kabwe and was, therefore, 76 years old.

The Committee asked the nominee whether his age would affect his ability to execute his duties. In response, the nominee stated that the position he was being appointed to entailed providing policy guidance to the ACC and did not involve his active participation in the administration of the ACC. He emphasised that overseeing the day-to-day operations of the ACC was the duty of the Director-General. He added that the Board required to meet only once every quarter, and would comprise other members that would assist in other aspects of the operations of the ACC.

The Committee asked the nominee whether he would be able to withstand political interference. The nominee submitted that he could not succumb to political pressure because the Anti-corruption Act required him to act independently. He further stated that he was a person of integrity who had served the government faithfully for forty-seven (47) years. He added that having served as a Judge of the High Court, he had experience on how to deal with political interference and was confident that it would not affect his role as Chairperson of the ACC.

The Committee asked the nominee how he would improve the reputation of the ACC and whether his experience would raise the level of public confidence in the ACC. In response, the nominee explained that corruption was a vice that could not be fought by an individual, but required the participation of everyone, including Members of Parliament who needed to sensitise their constituents about the ills of corruption. He added that he could not provide assurances

regarding the restoration of the ACC's reputation, but was committed do his best in the execution of his duties and hoped he would get the necessary support from the public.

In conclusion, the Committee asked the nominee whether he preferred to be deputised by a person with a legal background or otherwise. In response, the nominee explained that that was the prerogative of the Appointing Authority and that he would work with whoever was appointed regardless of their background.

Mrs Yvonne Mutepuka Chibiya

16. The nominee informed the Committee about her personal details, educational background and career progression as contained in her *curriculum vitae*. She also informed the Committee that she had been part of the team that re-established the current chapter of Transparency International Zambia, where she worked until she joined the Ethic and Anti-corruption Human Rights Trust of Southern Africa (SAHRIT). She explained that SAHRIT's mandate included lobbying governments in the region to establish anti-corruption agencies, and helping the agencies realign their focus in fighting corruption to investigation, prevention and public education. She added that while at SAHRIT, she had worked closely with the ACC and other anti-corruption agencies in the Southern African Development Community (SADC). The nominee further submitted that, during that period, she had also participated in the formulation of the SADC Protocol Against Corruption.

When asked what value she would add to the ACC, the nominee informed the Committee that she had worked in anti-corruption, accountability and governance institutions for most of her working life. She added that even in her current position at OXFAM, she dealt with issues of transparency and accountability. Thus, she possessed the necessary experience and was competent and comfortable dealing with issues of anti-corruption. She added that it was important to be current on accountability issues because corruption trends changed with time. The nominee pointed out that she was a research-oriented person and her background and expertise, in that regard, would add value to the ACC.

The Committee asked whether the nominee was aware of any challenges that the ACC was facing. In response, she stated that one of the challenges the ACC was facing was inadequate funding. She also stated that the ACC lacked sufficient human resource to effectively perform its mandate. She illustrated that while the ACC had a presence in all the provinces, it was not visible due to the low staffing levels. She added that the ACC also faced challenges retaining its staff due to uncompetitive incentives, and, in that regard, there was need to provide incentives to members of staff. She further explained that she would ensure that the ACC upheld integrity and executed its mandate independently while working in harmony with other stakeholders, including other law enforcement agencies.

The Committee asked the nominee what she would do to ensure that the services of the ACC were accessible to the public and that the public was aware of them. In response, she submitted that this could only be realised by sensitising the public through outreach activities. She explained that sensitisation of the members of public on the adverse effects of corruption was key to conscientising the citizens about corruption.

When asked how she would handle the pressure associated with her appointment, the nominee responded that she was prepared to handle any pressure, especially that her work would be guided by the Constitutional mandate of the ACC.

Mrs Maimbo Febby Siamuzyulu Ziela

17. The nominee informed the Committee about her personal, educational, and professional background as contained in her *curriculum vitae*. She added that of all her professional experience, the most relevant for the appointment as Commissioner was her work at the Director of Public Prosecutions' Office, now the National Prosecutions Authority (NPA). She added that, while there, she was instrumental in the setting up of the Gender-Based Crimes Unit and was eventually Chief Administrator, which gave her the privilege to serve as controlling officer.

The Committee asked the nominee what challenges the ACC faced executing its mandate and how the nominee would provide solutions. In response, the nominee stated that the biggest challenge faced by the ACC was investigating corrupt practices and the implementation of policy with regard to investigating corrupt practices. She further stated that most of the investigations by the ACC did not result in prosecutable cases because of the lacunas that existed in its investigation processes. In order to remedy this, she stated that she would assist in training officers to acquire proper investigation skills. She added that she would assist the ACC in the preparation of cases for prosecution, and would endeavour to improve the working relationship between the ACC and the NPA.

The Committee asked the nominee whether there was need to amend the Anti-corruption Act, which had remained static when there were new corruption trends such as trade in influence and state capture. In response, the nominee stated that the Act was adequate because it provided for abuse of office, which covered these trends. She, nonetheless explained that cases involving bribery were easier to prove than the other forms of corruption such as abuse of office, hence, the notion that the Act only catered for such offences.

Mr Hlobota Nkunika

18. The nominee informed the Committee about his personal, educational, and professional background as contained in his *curriculum vitae*. He submitted that the ACC was faced with challenges at senior level and, therefore, his exposure in the public sector while serving as Provincial Permanent Secretary made him aware of various challenges one faced as a controlling officer. He explained that some of the challenges included external pressure, both political and from within the system, which affected the administration of the institution. He added that there was need to understand the pressure that came with serving on the ACC Board. He further stated that he had the privilege of appearing before the Public Accounts Committee (PAC) of the National Assembly where he made submissions without fear or favour, which ensured that transparency, integrity and justice prevailed in the public. He, therefore, submitted that he was capable of withstanding the pressure that came with serving as Commissioner of the ACC.

The nominee concluded his submission by stating that his work experience, over the years, in different capacities within and outside the country, made him a suitable candidate for appointment to serve as Commissioner of the ACC.

The Committee observed that the nominee was a mathematician by profession and asked what value he would add if ratified to serve as Commissioner of the ACC. In response, he stated that he was a mathematician with a bias towards computer mathematics and chemistry. He added that the world had evolved scientifically with a number of crimes involving issues of Information Communications Technology (ICT). In this regard, he submitted that he had obtained an additional qualification in computer programming which would be advantageous to the ACC as some crimes, though involving financial transactions, had an aspect of mathematics and ICT.

The Committee noted the prevalence of corruption in the country and asked how the nominee would assist the ACC to curb corruption. In response, the nominee submitted that the ACC needed to be made conspicuous and aligned to its mandate. He added that it was important for the ACC to have a presence in all parts of the country and address community participation in the fight against corruption. He stated that this would be achieved by the ACC empowering the community with knowledge on the ills of corruption. He added that the ACC had to assure the whistle blowers of safety so as to encourage them to report any corrupt practice without fear of victimisation.

The Committee observed that the ACC was not independent as appointments were made by the Executive, specifically the President. In this regard, the Committee asked the nominee whether he was prepared to resist any form of interference as he discharged his duties at the ACC. In response, the nominee submitted that he had the ability to resist any interference as he had done that even when he served as Provincial Permanent Secretary.

Mr Kafula Mwiche

19. The nominee submitted to the Committee about his personal, educational, and professional background as contained in his *curriculum vitae*.

The Committee asked the nominee what value he would add to the operations of the ACC if ratified as Commissioner of the ACC. In response, the nominee stated that he had worked in both the private and public sectors and was, therefore, well exposed to both sectors, which would enable him contribute effectively to the ACC. He added that he would take to the Commission, independence, a critical approach to handling issues and the efficiency that was characteristic of the private sector.

SUBMISSION BY THE APPOINTING AUTHORITY

20. The Hon Minister of Justice appeared before the Committee on behalf of the Appointing Authority. He informed the Committee of the personal details, academic and professional qualifications and work experience of the nominees as provided in their *curricula vitae*.

The Hon Minister further informed the Committee that the ACC had been operating without a Board from March, 2018 and that one of the reasons for the delay was that the Appointing Authority had sought to appoint suitable candidates to the ACC Board. The Hon Minister also informed the Committee that the Appointing Authority had thoroughly scrutinised the nominees before presenting them to the National Assembly for ratification, and he was confident that the nominees were the right candidates for the ACC Board.

The Appointing Authority submitted on the nominees as set out below.

(i) Hon Mr Justice Anderson Ray Zikonda (Rtd)

The Hon Minister of Justice submitted that the nominee was born on 17th February, 1943 and held a Bachelor of Laws degree from the University of Zambia (UNZA). He stated that the nominee also held a Master of Laws degree in Intellectual Property (MCL) from the George Washington University, Washington, D.C., United States of America and a Certificate in the Legal Practitioners' Qualifying Course from the Law Practice Institute now called the Zambia Institute of Advanced Legal Education (ZIALE)

The Hon Minister of Justice submitted that during the nominee's thirty-eight (38) year long career in the legal profession, he had worked as the Chief Executive Officer of the Registry of Companies and Trademarks, now the Patents and Companies Registration Agency (PACRA) from 1976 to 1986. From 1988 to 1996, the nominee worked as Director-General at the African Regional Intellectual Property Organisation (ARIPO) in Harare, Zimbabwe. He added that from 1997 to 1998, the nominee worked as Intellectual Property Advisor in the Ministry of Commerce and Industry in Tonga Islands and from 1996 to 2002 he became the Founder and Senior Partner in Zikonda and Associates, a law firm, in Zambia. The Hon Minister submitted that from 2002 to 2008, the nominee served as a Judge of the High Court for Zambia.

The Hon Minister of Justice also submitted that in the course of his career, the nominee worked as a part-time lecturer at the University of Zambia in the School of Law and as an occasional lecturer at Mulungushi University in the School of Business. He added that the nominee served in various professional bodies such as the Law Association of Zambia, Solicitor of England and Wales, the Chartered Institute of Arbitrators and Legal Practitioners in the Tonga Islands. The Hon Minister also submitted that the nominee was appointed Chairperson of the Board of the Zambia State Insurance Corporation (ZSIC) and Chairperson of the Zambia Insurance Association. He added that the nominee served as a resource person at many intellectual property training, discussions and information sharing fora under the World Intellectual Property Organisation (WIPO).

The Hon Minister submitted that in August 1992, the nominee participated in the publications of the State of the Art Searches at ARIPO Documentation and Information Centre at World Patent Information (WIPO) and in October, 1981 he participated in the Patent System and the Transfer of Technology to Developing Nations, World Patent Information (WIPO) and the Role of the Judiciary in the Enforcement of IPRS, World Patent Information (WIPO).

The Hon Minister submitted to the Committee that the nominee was eminently qualified and experienced for appointment as Chairperson of the ACC and that the Government fully supported his appointment.

The Committee informed the Hon Minister that some witnesses had expressed concern about the advanced age of the nominee. In response, the Hon Minister submitted that the ACC was a critical institution in the country's governance system, which required a sober and mature person at its helm. He added that the majority of staff at the ACC was youthful and it was necessary to have some senior citizens in the institution to offer a counter-balance. He further submitted that the nominee was one of the respected judges in Zambia who had rendered sound judgments and would add value to the ACC.

(ii) **Mrs Yvonne Mutepuka Chibiya**

The Hon Minister of Justice submitted that the nominee was born on 11th October, 1971. He added that the nominee held a Bachelor of Arts Degree in Psychology and Public Administration from UNZA, an intermediate level Certificate in Commerce from Pitman's Examination Institute, a Certificate in Results-Based Management from the Canadian International Development Agency (CIDA), and a Certificate in Human Resource Management from the Zambia Business and Accountancy Training Centre (ZABTAC).

The Hon Minister further submitted that from 1996 to 2000, the nominee worked as Senior Account Executive and from 1996 to 1999, she worked as an Account Executive Management Trainee at Professional Insurance Corporation. He stated that in 2000, the nominee worked for Alexander Forbes Wright on part-time basis and moved to Transparency International Zambia as Programmes Manager in the same year. The Hon Minister of Justice informed the Committee that in 2004, the nominee joined the Human Rights Trust of Southern Africa (SAHRIT) as Programme Manager. He added that in 2008, she served as Programme Director/Acting Executive Director at the Human Rights and Development Trust of Southern Africa (HURIDETSA).

Additionally, the Hon Minister submitted that the nominee served as the Regional Governance Programme Manager for the Catholic Agency for Overseas Development (CAFOD) from 2013 to 2014. From 2014 to date, the nominee worked at OXFAM Zambia where she joined as Economic Justice Programme Manager and was later promoted to Governance Programme Manager in June 2015, and currently held the position of Programme Quality Lead since October, 2018.

The Hon Minister of Justice informed the Committee that during the nominee's career, she contributed to the following publications: A module on human rights for the Southern African Regional Police Chiefs Co-operation Organisation (SARPCCO); Training Handbook on Gender-Based Violence; Training Module on Economic, Social and Cultural Rights, Civil and Political Rights; Shadow Reporting for Civil Society Organisations (CSOs) (for use in regional short courses); Monograph on African Human Security (by the Institute for Security Studies in South Africa); NEPAD and the Media-Monitoring Indicators for the Media; Independence of Anti-Corruption Agencies: A Study of Six Institutions in Southern Africa; Implementing the SADC Protocol Against Corruption: Recommendations and Draft Rules of Procedure for the SADC Anti-Corruption Committee (by Kenyatta Nyirenda and Edward Hoseah); Monitoring Indicators for Civil Society, the Link between Corruption and Human Trafficking; A situational Analysis of Mozambique, South Africa and Zimbabwe; and the compilation of papers at NEPAD Workshop.

The Hon Minister of Justice further submitted that the nominee presented papers at various national, regional and international fora on thematic issues on governance and human rights. These included: a presentation at the SADC Parliamentary Forum (PF) for Parliamentarians on Regional and International Standards on Corruption in Windhoek, Namibia; the 1st Meeting of the Swaziland Anti-Corruption Forum, Matsapha, Swaziland; and presentations to various workshops on African Security Initiatives.

In view of the foregoing, the Hon Minister submitted that the nominee was eminently qualified and experienced for appointment as Vice-Chairperson of the ACC and that the Government fully supported her appointment.

The Committee asked the Hon Minister why the qualifications of the Vice-Chairperson of the ACC Board were not similar to those of the Chairperson when the Vice-Chairperson was required to act as Chairperson in the absence of the Chairperson. In response, the Hon Minister stated that the qualifications of the Chairperson were necessary for the Chairperson to offer guidance, which may be legal, and that the requirement of persons of other backgrounds for the other Board Members was in order to provide diversity in the Board's membership. He further stated that having qualifications of the other members being equivalent to those of the Chairperson would mean that Board Members should all have those qualifications in order to act when the Chairperson and the Vice-Chairperson were absent.

(iii) **Mrs Maimbo Febby Siamuzyulu Ziela**

The Hon Minister submitted that the nominee was born on 11th October, 1971 and held a Bachelor of Laws degree from the University of Zambia. He added that the nominee held a Master's Degree in Business Administration (MBA) from Cavendish University in Zambia and was currently studying for her Philosophy Doctorate (PhD) at the University of Zambia Graduate School of Business. He submitted that the nominee also held a Certificate for the Legal Practitioners' Qualifying Course from the Zambia Institute of Advanced Legal Education (ZIALE) and a certificate in Project Management

The Hon Minister of Justice submitted that during her career, the nominee worked as a State Advocate at the Directorate of Public Prosecutions from 1998 to 2000. He further submitted that from 2001 to 2007, the nominee worked as Assistant Legal Counsel for the Zambia Postal Services Corporation and that from 2007 to 2011, she worked for the International Justice Mission (IJM) as an Advocate and was later promoted to the position of Director - Legal. The Hon Minister added that from 2011 to 2014, the nominee worked as National Coordinator for the Women and Law in Southern Africa (WLSA). He submitted that from 2014 to 2015, the nominee worked as Deputy Chief State Advocate at the National Prosecutions Authority (NPA). He also stated that the nominee was later promoted to the position of Chief Administrator of the NPA until 2018. He informed the Committee that the nominee was Partner at a law firm under the name and style of Messrs Lusitu Chambers.

The Hon Minister submitted that the nominee was also involved in other activities and organisations during her career and served as: Chairperson for the African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN) - Zambia Chapter; Vice-President of the Association of African Women for Research and Development (AAWARD) and Committee member of the Southern Africa Representatives for AAWARD; member of the National Constitutional Conference (NCC) and Vice-Chairperson of the General Constitution Principles Committee; member of the Gender Technical Advisory Committee of NEPAD; Board member at Fountain of Hope; member of the Zambia Trade Network; and as Founder member of the Juvenile Justice Forum (a forum aimed at improving the justice system in addressing matters of juvenile offenders in line with the Convention on the Rights of Children); Technical Advisory Committee member of YWCA Child in Crisis Centre (where she offered technical advice in the handling of abused children); member of the Law Association of Zambia (LAZ); and as a Board Member of the Zambia Association for Research and Development (ZARD).

The Hon Minister of Justice submitted that the nominee had done some research activities on: Sexual and Gender-Based Violence (SGBV) in schools in Zambia; a Critical Analysis of Management Systems in Parastatals; and Gender Justice and Economic Empowerment in Zambia. He further submitted that the nominee was also part of: authors of the ZARD Gender and HIV/AIDS Training Manual; Researchers at Beijing Shadow Report plus 10; Juvenile Justice in Zambia and the Convention on the Rights of Children; and the Lands Act (1995) on its advantages and disadvantages for the indigenous Zambian. The Hon Minister added that the nominee had done some volunteer work with the National Legal Aid Clinic for Women and at the International Justice Mission (IJM).

The Hon Minister submitted that the nominee was eminently qualified and experienced for appointment as a Commissioner of the ACC and that the Government fully supported her appointment.

(iv) **Mr Hlobota Nkunika**

The Hon Minister submitted that the nominee was born on 1st March, 1964. He added that the nominee held a Bachelor of Science Degree in Mathematics and Chemistry and a Post Graduate Certificate in Education from UNZA. He added that the nominee held a certificate in USG Compliance and Cash Resource Management from the World Vision.

The Hon Minister informed the Committee that during the nominee's working career, he worked from 1990 to 2000 as Resource Centre Coordinator and Head of Science Department at Lubomba High School in Siteki, Swaziland and that from 2000 to 2002, he worked as Project Officer-Education at SOS Children's Village Trust. He added that from 2002 to 2004, the nominee worked as Education Officer and as Project Support Officer at Christian Outreach Relief and Development (CORD), a UNHCR funded project. The Hon Minister further submitted that from 2004 to 2009, the nominee worked as Senior Project Officer – OVC at Catholic Relief Services/Rapids, a USAID-PEPFAR funded project. He added that from 2009 to 2011, the nominee worked as a Consultant and a Provincial Education Advisor - Eastern Province at the Education Quality Improvement Programme (EQUIP 2) and from 2011 to 2017, he worked as Provincial Permanent Secretary for Eastern and Northern Provinces of the Republic of Zambia.

The Hon Minister added that the nominee was specialised in: resource mobilisation, integration of program interventions and creating linkages; curriculum design, documentation and implementation; development of subgrants and vehicle agreements for partners; OVC, Youth and HIV and AIDS Programming; review of financial reports from partners in line with donor regulations; development of departmental and organisational strategic and operational plans; development of minimum standards on education in emergencies; provision of programmatic, technical and operational assistance; chairing of coordinating and tender procurement meetings including steering committees; budget preparations, report and proposal writing; and management and coordination of Government departments at provincial level.

The Hon Minister of Justice submitted that the nominee had taken part in research in: Education in Emergencies; USG Compliance and Cash Resource Management; Youth-life Skills and OVC Training Manuals/Guides; International Conference - Program Summit and HIV/ AIDS workshops; Partnership Management; Livelihood Assessment and CRS Strategic Program Plan; 1992 Workbook, Teacher Innovation Development Centre (TIDC), Swaziland; Food fortification; UNHCR Asset Handover and Fleet Management, and Research – 1988 (UNZA). The Hon Minister further submitted that the nominee was also involved in selected publications such as: provincial Strategic Plan to improve learner performance in Eastern Province; An Investigation of Causes of Low Literacy Levels at Grade 5 - A case of Eastern Province; Minimum Standards of Education in Emergency Situations, under UNHC; Orphans and Vulnerable Children Training Manual, 2005 (RAPIDS/PMU); Youth-Life Skills Training Manual, 2010 under EQUIP2/MOE; and the Junior Secondary School Science Workbook, 1992 under the University of Swaziland.

In conclusion, the Hon Minister submitted that the nominee was eminently qualified and experienced for appointment as a Commissioner of the ACC and that the Government fully supported his appointment.

(v) **Mr Kafula Mwiche**

The Hon Minister submitted that the nominee was born on 22nd April, 1968 and that he held a Bachelor of Arts with Education Degree and a Bachelor of Laws Degree from UNZA. The Hon Minister added that the nominee further held a Masters Degree in International Business Law and a Certificate for the Legal Practitioner's Qualifying Course from ZIALE. He added that the nominee was admitted to the Zambian Bar as an Advocate in 2001 and was an Associate of the Chartered Institute of Arbitrators (London).

The Hon Minister further submitted that during the nominee's career, he worked for Zambia Airways Corporation Limited as an air ticket sales agent in 1986. He further stated that from 1991 to 1996, the nominee worked for Southern Route Trading Limited as Operations Director. He added that in 2001, the nominee worked for Messrs Malambo & Silwamba as Assistant Advocate from 2001 to 2002, and worked for Messrs Sharpe & Howard Legal Practitioners. The Hon Minister further submitted that from 2002 to 2003 the nominee worked for British Gas PLC in Manchester, United Kingdom as a Custom Credit Advisor. He added that, in 2003, the nominee rejoined Sharpe & Howard Legal Practitioners as Assistant Advocate and from 2005 to 2008 he worked for the Energy Regulations Board (ERB) as Legal Counsel. The Hon Minister informed the Committee that from 2008 to date, the nominee had been working for Lawrence Sikutwa & Associates Limited (Madison Group) as the Group Counsel and Company Secretary.

In conclusion, the Hon Minister submitted that the nominee was eminently qualified and experienced for appointment as a Commissioner of the ACC and the Government fully supported his appointment.

The Committee asked the Hon Minister the criteria used to select the nominees. In response, the Hon Minister submitted that the criteria were as provided under the Anti-Corruption Act. He further submitted that beyond the criteria in the Act, the Appointing Authority considered candidates of high integrity.

The Committee noted the concern raised by one of the witnesses that some *curricula vitae* for some nominees were not updated. In this regard, the Committee asked the Hon Minister to state why this was so. In response, the Hon Minister stated that there was no contention regarding the *curricula vitae* that were submitted by the nominees.

The Committee further observed that the required number of Commissioners for the ACC was five (5). In view of this, the Committee asked the Hon Minister to state why the Appointing Authority had not nominated more than five (5) candidates to enable the Committee select the best five (5) candidates. In response, the Hon Minister acknowledged that while the proposition for the Appointing Authority to present a wider pool of nominees for the National Assembly to select appeared good, it could also have the negative effect of encouraging lobbying by

nominees. He added that the Appointing Authority had appointed five (5) candidates because that was currently the number required by law.

OBSERVATIONS AND RECOMMENDATIONS

21. The Committee notes that Article 259 of the Constitution requires a person making an appointment to a public office to, where possible, ensure, among others, fifty percent representation of each gender and representation of the youth and persons with disabilities. The Committee observes that of the five (5) nominees, three (3) are male and two (2) are female. The Committee notes that since the nominees are five (5), one of the gender will inevitably have more representation. With regard to youth representation, the Committee notes that none of the nominees is thirty-five (35) years or below.

In view of the foregoing, the Committee would like to commend the Appointing Authority for complying with Article 259, to the extent possible, and further urges the Appointing Authority to consider youths and persons with disabilities in future appointments.

The Committee observes that the nominees represent a diversity of skills and experience from the public and private sectors and civil society organisations. This blend is commendable and will add great value to the ACC as the Board provides policy direction to the institution. The Committee also considers the appointments as likely to improve the efficiency of the ACC in executing its mandate.

The Committee further observes that some witnesses expressed concern that the nominee for the position of Chairperson of the ACC, Hon Mr Justice Anderson Ray Zikonda (Rtd), who is seventy-six (76) years old, would not perform his functions efficiently and efficaciously on account of his age. However, the Committee notes that the ACC is a critical governance institution, and that the Board is responsible for giving the ACC policy direction and making decisions that are critical to its operations. In view of this, it is imperative that the Chairperson is a mature, experienced and sober person of integrity such as Hon Mr Justice Anderson Ray Zikonda. In addition, the other members of the Board are relatively young and the presence of Hon Justice Zikonda will create a balance on the Board. Further, the Committee notes that the role of the Commissioners of the ACC is part-time and does not involve the day-to-day operations of the ACC which are performed by Management of the ACC, which is headed by the Director-General. The Committee, therefore, has no doubt that the nominee will be able to perform his functions as Chairperson of the Board of the ACC.

Lastly, the Committee observes that most of the witnesses lamented over the short time they were given to vet, or provide comments on, the nominees. However, the Committee noted that this challenge was posed by Article 95 of the Constitution which restricts the period within which the National Assembly is to ratify appointments to twenty-one (21) days from the date of the commencement of the sittings of the National Assembly, where an appointment is made during the period the National Assembly is on recess.

The Committee notes, with satisfaction, that all the nominees possess suitable skills and experience, are of a sober character and that none of them was questioned with regard to their integrity. This is extremely important for persons being appointed to the Board of a governance institution such as the ACC.

The Committee also made the following specific observations regarding each of the nominees.

(i) **Hon Mr Justice Anderson Ray Zikonda (Rtd)**

The Committee notes that during the course of his long career as a legal practitioner, the nominee worked in the public and private sector, within and outside Zambia, and eventually served as a Judge of the High Court. The Committee observes that the nominee is very experienced, mature and a man of high integrity.

In this regard, the Committee is satisfied that the nominee possesses the requisite qualifications, experience and skills to competently discharge his duties as Chairperson of the ACC.

(ii) **Mrs Yvonne Mutepuka Chibiya**

The Committee observes that the nominee has vast experience in administration of civil society organisations, generally, and corruption-related matters, in particular. The Committee notes that she was part of the team that re-established the current chapter of Transparency International Zambia. She further worked for the Human Rights Trust of Southern Africa (SAHRIT), where she worked closely with the ACC and other anti-corruption agencies in the SADC Region. She also participated in the formulation of the SADC Protocol Against Corruption. The nominee, therefore, has local and international exposure in formulating programmes and carrying out research on issues of corruption, transparency and accountability, and will, therefore, add value to the ACC.

In this regard, the Committee is satisfied that the nominee possesses the requisite qualifications, experience and skills to competently discharge her duties as Vice-Chairperson of the ACC.

(iii) **Mrs Maimbo Febby Siamuzyulu Ziela**

The Committee observes that the nominee has vast experience in the public and private sector and has worked with civil society organisations and international organisations and institutions during her long career as a lawyer. The nominee further worked in the Office of the Director of Public Prosecutions, now National Prosecutions Authority, where she rose to the position of Chief Administrator and controlling officer of the NPA. During her time at the NPA, she interacted closely with the ACC and, as a result, has a broad understanding of the operations of the ACC.

In this regard, the Committee is satisfied that the nominee possesses the requisite qualifications, experience and skills to competently discharge her duties as Commissioner of the ACC.

(iv) **Mr Hlobota Nkunika**

The Committee observes that the nominee has vast experience in the public and private sector and has worked in Zambia and Swaziland. He served up to the position of Provincial Permanent Secretary in the Government of the Republic of Zambia.

The Committee also observes that the nominee is mature and understands the operations of the Government at various levels. The Committee further observes that the nominee is skilled in resource mobilisation and ICT matters and would, therefore, add value to the ACC.

In this regard, the Committee is satisfied that the nominee possesses the requisite qualifications, experience and skills to competently discharge his duties as Commissioner of the ACC.

(v) **Mr Kafula Mwiche**

The Committee observes that the nominee has vast experience in the private sector and also worked in the public sector as Legal Counsel and Company Secretary for the Energy Regulation Board (ERB). He is the current Legal Counsel and Company Secretary for Lawrence Sikutwa and Associates Limited.

The Committee also observes that the nominee is level-headed and has a mature disposition. The Committee further observes that the nominee is skilled in a broad spectrum of legal matters and would, therefore, add value to the ACC.

In this regard, the Committee is satisfied that the nominee possesses the requisite qualifications, experience and skills to competently discharge his duties as Commissioner of the ACC.

The Committee, after due and thorough consideration, analysis and evaluation of the written and oral submissions presented to it by the witnesses and the interviews with the nominees, is of the considered view that the nominees are suitably qualified and possess the requisite competences to serve in the positions to which they have been appointed.

The Committee, therefore, recommends that the House ratifies the Presidential appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, Mrs Yvonne Mutepuka Chibiya as Vice-Chairperson and Mrs Maimbo Febby Siamuzyulu Ziela, Mr Hlobota Nkunika and Mr Kafula Mwiche to serve as Commissioners of the Anti- Corruption Commission.

CONCLUSION

22. The Members of the Committee wish to place on record their gratitude to you, Mr Speaker, for appointing them to serve on the Select Committee. The Committee is also thankful for the services and advice rendered to it by the Office of the Clerk of the National Assembly during its deliberations.

The Committee further wishes to thank the State security and investigative agencies, professional bodies and other stakeholder institutions for their oral and written submissions, which assisted the Committee in making an informed recommendation to the House.

We have the honour to be, Sir, the Parliamentary Select Committee appointed to scrutinise the Presidential appointment of Hon Mr Justice Anderson Ray Zikonda (Rtd) as Chairperson, Mrs Yvonne Mutepuka Chibiya as Vice-Chairperson, and Mrs Maimbo Febby Siamuzyulu Ziela, Mr Hlobota Nkunika and Mr Kafula Mwiche as Commissioners of the Anti - Corruption Commission.

Mr C Mweetwa, MP
(Chairperson)

Mrs M Langa, MP
(Vice-Chairperson)

Mr K Sampa, MP
(Member)

Mr A Kasandwe, MP
(Member)

Mr P Phiri, MP
(Member)

Mr P Kalobo, MP
(Member)

Mrs M Phiri, MP
(Member)

Mr L K P Fungulwe, MP
(Member)

Ms A M Chisangano, MP
(Member)

Mr B Hamusonde, MP
(Member)

APPENDIX I – OFFICERS OF THE NATIONAL ASSEMBLY

Mrs D N Kapumba, Parliamentary Legal Counsel
Mr J N Sianyabo, Deputy Parliamentary Legal Counsel
Mr D Mwinamo, Senior Legal Officer
Ms M Kaoma, Legal Officer
Ms C Mtonga, Acting Personal Secretary II
Mrs P L Shamakamba, Legal Assistant
Mr L Kabwata, Legal Assistant
Mr A Himululi, Intern – Legal Services Department
Mr J Mulyata, Intern – Legal Services Department

APPENDIX II – THE WITNESSES

ZAMBIA POLICE (ZP)

Mr B Kapeso, Deputy Inspector-General of Police (Operations)
Mr G Nyundu, Assistant Commissioner of Police

ANTI-CORRUPTION COMMISSION (ACC)

Mrs R N Khuzwayo, Acting Director-General

DRUG ENFORCEMENT COMMISSION (DEC)

Mr J Kaluzi, Senior Assistant Commissioner
Mr R Chulu, Parliamentary Liaison Officer

HUMAN RIGHTS COMMISSION

Mrs K K Nkombo, Deputy Director
Ms J M Takusanikwa, Principal Legal Counsel

FINANCIAL INTELLIGENCE CENTRE (FIC)

Mrs L B Tembo, Director - Legal and Policy
Mr C Kapalu, Director – Analysis

JUDICIAL SERVICE COMMISSION (JSC)

Hon Mr Justice M S W Nguluble (Rtd), Chairperson
Ms T S Musonda, Deputy Secretary
Mr R K Kaoma, Deputy Secretary

JUDICIAL COMPLAINTS COMMISSION (JCC)

Mr G W Simukoko, Acting Chairperson
Mr N Makeleta, Secretary

LAW ASSOCIATION OF ZAMBIA (LAZ)

Mr M A Mukupa, Honorary Secretary

TRANSPARENCY INTERNATIONAL ZAMBIA (TIZ)

Mr R Lifuka, Deputy President
Mr M Matabishi, Programme Manager

APPOINTING AUTHORITY

Hon G Lubinda, Minister of Justice
Mrs T D Oteng, Permanent Secretary (Administration) – Ministry of Justice

APPENDIX III – THE NOMINEES

Hon Mr Justice Anderson Ray Zikonda (Rtd)

Mrs Yvonne Mutepuka Chibiya

Mrs Maimbo Febby Siamuzyulu Ziela

Mr Hlobota Nkunika

Mr Kafula Mwiche

APPENDIX IV – CURRICULA VITAE OF THE NOMINEES

ANDERSON RAY ZIKONDA

PERSONAL INFORMATION

Name : Hon Anderson Ray Zikonda (Rtd)
Mobile : +260 976 8500 96; 0955 746489
Email : zikondar@gmail.com

QUALIFICATIONS

1963 : Form V Cambridge Examination, Canisius College, Zambia
1974 to 1977 : Bachelor of Laws (LLB), University of Zambia
1979 to 1980 : Master of Laws in Intellectual Property (MCL), Intellectual Property Law
The George Washington University
1981 : Zambia Institute of Advanced Legal Education

WORK EXPERIENCE

1976 to 1986 (10 years) : Chief Executive Officer (CEO) of Registrar of Companies, Patents and Trademarks, Patents and Companies Registration Agency (PACRA)
1988 to 1996 9 (8 years) : Director-General – African Regional Intellectual Property Organisation (ARIPO), Harare, Zimbabwe
1997 to 1998 (1 year) : Intellectual Property Advisor, Ministry of Commerce and Industry, Tonga Islands
1996 to 2002 (6 years) : Founder and Senior Partner in Zikonda and Associates Law Firm
2002 to 2008 (6 years) : High Court Judge of Zambia, High Court of Zambia

OTHER DUTIES

Part-time Lecturer, University of Zambia, School of Law
Occasional Lecturer, Mulungushi University, School of Business

PROFESSIONAL MEMBERSHIP

Zambia Law Association
Solicitor of England and Wales
Chartered Institute of Arbitrators
Legal Practitioner in Tonga Island

PAST BOARD MEMBERSHIP

Chairman, Zambia State Insurance Corporation (ZSIC)

Chairman, Zambia Insurance Association

RESOURCE PERSON

Was Resource Person at many Intellectual Property (IP) Training, Discussions and Information sharing Fora a usually called upon by WIPO.

Attended many workshops and conferences, mostly on Intellectual Property issues.

PUBLICATIONS

1. **Anderson Ray Zikonda 1992 August**

State of the Art Searches at ARIPO documentation and Information Centre. World Patent Information, WIPO.

2. **Anderson Ray Zikonda 1981 October**

The Patent System and the Transfer of Technology to Developing Nations. World Patent Information. WIPO.

3. **Anderson Ray Zikonda**

The Role of the Judiciary in the Enforcement of IPRs. World Patent Information. WIPO

YVONNE MUTEPUKA CHIBIYA

PERSONAL INFORMATION

Name : Yvonne Mutepuka Chibiya
Nationality : Zambian
Date of birth : 11th October 1971
Languages : English and Nyanja
Address : 6418 Mwembelelo Road
Emmasdale, Lusaka, Zambia

Mobile Number : +260 964 791525
Email : Yvonne.chibiya@gmail.com

QUALIFICATIONS

ACADEMIC AND PROFESSIONAL

1995 : Bachelor of Arts in Psychology and Public Administration-
University of Zambia
2003 : Certificate in Human Resource Management (Zambia Business
and Accountancy Training Centre
2005 : Certificate in Results Based Management (Canadian International
Development Agency
1987 : Certificate in Commerce – Intermediate Level (Pitman’s
Examination Institute
Cambridge ‘O’ Level (St John’s High School, Harare Zimbabwe)

WORK EXPERIENCE

October 2018 to Date: Programme Quality Lead – OXFAM Zambia
1st June 2015 to October 2018: Governance Programme Manager – OXFAM
Zambia
April 2014 to 30th May 2015: Economic Justice Programme Manager
OXFAM Zambia
April 2013 – January 2014: Regional Governance Programme Manager
Catholic Agency for Overseas Development
(CAFOD)
October 2008 to March 2013: Programmes Director/Acting Executive Director –
Human Rights and
Development Trust of Southern Africa
(HURIDETSA)
May 2004 to September 2008: Programme Manager – Ethics and Anti-Corruption,
Human Rights Trust of Southern Africa (SAHRIT)

October 2000 to April 2004:

**Programmes Manager – Transparency
International Zambia (TIZ)**

March 2000 to May 2000:

Alexander Forbes Wright (Part –time)

April 1996 to February 2000:

Professional Insurance Corporation Account
Executive (Management Trainee 1996-1999)
Senior Account Executive (1991 – 2000)

April to Dec, 2013 :

Governance Programme Manager-Catholic Agency for Overseas
Development (CAFOD), Harare, Zimbabwe

I worked with the Catholic Agency for Overseas Development as the
Governance Programme Manager, responsible for CAFOD’s regional
governance programme and was based in Harare, Zimbabwe. CAFOD’s
mandate is to work with the poorest of the poor and marginalised groups
in society, advancing social justice guided by the catholic social
teachings. My main responsibilities included the following;

- Support to partners that CAFOD works with within southern
Africa, specifically in Malawi, Swaziland, Zambia and
Zimbabwe.
- Building capacity of partners to effectively implement their
projects, monitor and evaluate impact of their work.
- Fundraise and support partners to mobilize funding for various
earmarked programmes.
- Work in liaison with other programme teams within CAFOD
(Livelihoods, Gender, and HIV/AIDS) and identify areas of
synergy and joint programming.

In my time with CAFOD, I was able to also contribute extensively to a continental programme called
the *Action for Better Governance* programme and supported partners in the CAFOD supported
countries in southern Africa. This programme hinged on social and economic justice issues. Another
task that I was assigned with and managed to undertake successfully was initiating the development of
a governance strategy for Zambia, which will guide CAFOD’s work in Zambia.

Oct, 2008 to March, 2013 :

Programme Director – Human Rights and Development
Trust of Southern Africa (HURIDETSA). The main focus
of HURIDETSA’s programmes is in the area of human
rights but from a holistic approach that also looks at other
related areas like justice, peace-building, human security
and governance. The main thrust of the programmes run
within the organisation is also to influence regional policy
and foster dialogue on issues related to human rights, anti-
corruption, governance and development. Much of this is
done through consultation, training and capacity
development in the stated areas, working closely with the
relevant stakeholders.

My current duties include overseeing the programmes and activities of the organisation and also responsible for providing leadership and direction for the organisation. My roles and responsibilities include the following;

- The management and support in the implementation of the programmes covering the SADC countries, in the promotion and protection of human rights, the rule of law, governance, human trafficking and anti-corruption.
- Leadership of the organisation and supervision of staff working within programming within the organisation.
- Coordinating the development and drafting of project proposals/programmes and activities within HURIDETSA.
- Overseeing the planning and facilitation at regional meetings /workshops.
- Training and Capacity building for various targeted groups on human rights and governance issues.
- Networking and information sharing with other like-minded organisations within the region.
- Providing technical assistance and advice in implementation of programmes in the areas of human rights and good governance.
- Planning programmes and preparing implementation and evaluation reports for co-operating partners.
- Representing HURIDETSA at national and regional meetings, conferences and workshops and functions related to HURIDETSA's work and are relevant to the organisation.

Engaging in consultations with relevant co-operating partners and negotiating agreements with other institutions including regional and international organisations in areas of mutual interest.

May, 200 to Sept, 2008 : Ethics and Governance Programme Manager (Full time basis) - Human Rights Trust of Southern Africa (SAHRIT), Harare, Zimbabwe. The programme sought to influence regional policy development in the area of anti-corruption, ethics and good- governance. This was achieved through strategic partnerships, training of anti corruption agencies, civil society and the media through, information sharing and targeted research, which research results were used to influence policy change within SADC. Much of the focus of the programme was around advocacy and support for the adoption and implementation of regional and international

best practice on tackling corruption and promote good governance; as well as advocating for relevant legislative and institutional reforms to facilitate this process; training and capacity development for targeted groups that included anti-corruption agencies, media, civil society, legislators and policy makers within the fifteen SADC member countries. The job also involved the co-ordination of the regional anti-corruption bodies (SAFAC) and offering technical assistance in the areas of training and capacity building. I also had the opportunity to work closely with SADC in the development of the SADC Protocol against Corruption and its implementation framework (2005-2010).

Another key component of the programme included monitoring of corruption trends and this was done through research into various issues. I was involved in extensive research that included legislative reviews; comparative analysis of best practice models; research into harmonization of anti-corruption legislation; review of regional development programmes like NEPAD/APRM and the extent to which these programmes interface with anti-corruption initiatives; development of tool kits and training guides on corruption specifically for anti-corruption practitioners in the region and also development of tool kits for other groups like media and civil society. *(The produced publications are available on request)*

I also had the opportunity to represent the organisation at various regional and international forums on corruption and used those opportunities to share and show case some of the work that was on-going within the SADC sub region. Such forums include the Bi-ennial International anti-corruption conferences; UN Conference of States Parties (as an observer); International Association of Anti-Corruption Authorities (and also served as the Africa Region Coordinator) and other UNDP hosted anti-corruption forums.

On the human rights front, I also had the opportunity to focus on human rights issues, working primarily on Economic, social and cultural rights; civil and political rights, women's rights and child's rights. The work involved two main aspects which were training and capacity building for both state and non-state actors on human rights; and included training on development of state party reports in line with human rights obligations on states parties; shadow reporting for civil society. The

child's rights component included working with Orphan's and Vulnerable Child (OVC's) and training on human rights for community leaders; the target groups and caregivers. I also had the opportunity to work with specific target groups like law enforcement through the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) Regional Bureau based in Harare and contributed to the training programmes on human rights and gender based violence and developed training guides accordingly.

In Oct 2000 to March, 2014 : Programme Manager - Transparency International Zambia, responsible for the three main programme components of the organisation which included Research and Advocacy, Capacity Building and Information. Added responsibilities also included the oversight of the administration and personnel matters. My tenure with Transparency International enabled me to contribute towards the implementation of a three-year strategic programme that targeted at lobbying and making recommendation for the relevant institutional and legislative reform with the Zambian anti-corruption framework and development of effective national integrity systems. This involved engagement with various stakeholders whom included the parliamentarians, civic organisations, government departments, local government, private sector and various other like-minded organisations. Much of the work also involved awareness raising through media and community participation. I was also involved in coordination of research and these included national corruption perception surveys aimed at selected service delivery institutions; baseline survey to examine the level and extent of corruption with targeted institutions; legislative reviews of key institutions critical to establishment of an effective national integrity system; periodic reviews of state of corruption in Zambia, to name some.

1996 to 2000 : Senior Account Executive – Professional Insurance Corporation Zambia. My experience with Professional Insurance Corporation was as trainee manager in the Non-Life Division of the organisation, as an Account Executive, and was involved in handling Corporate and Individual Client accounts, practicing underwriting of various non-life insurance policies, preparing monthly business reports and quarterly COMESA Third Party Insurance Returns and liaising Brokers and Intermediaries.

- In 1999, I was elevated to the position of Senior Account Executive with similar responsibilities. Added responsibilities included preparation of VAT returns to Zambia Revenue Authority.
- Between March and May 2000, I worked for Alexander Forbes Wright

CURRENT WORK AND EXPERIENCE

I am currently employed by Oxfam Zambia as the Program Quality Lead, a senior role that deputises the Country Director and also serving on the Country Leadership Team with oversight of the overall country programme to ensure quality and effective program delivery. This was a recent elevation from managing the Governance Programme within the Zambia Country Programme. Oxfam's mandate is to work with poor communities, whilst placing women at the center of its works and fighting injustices that befall the poor and vulnerable by ensuring justice and equality prevails in their lives. The work I am involved in entails engaging in interventions that are pro-poor and seek to create opportunities for improved and sustainable livelihoods for the marginalised and vulnerable. My main responsibilities in my current role include;

- Supporting the implementation of the five-year country strategy (2015 – 2019) and in which I was key in designing the governance strategy.
- Support to the Oxfam Zambia Country programme and its partners with a bias on governance which has a specific focus on resource governance and accountability; focusing on extractives, health and education, revenue and public expenditure management as well as aspects of transparency and accountability.
- Building capacity of partners to successfully implement their projects and undertake effective policy advocacy interventions that harness the interest of grass root communities, local government and policymakers.
- Provide steer and direction to the country programme team and ensure effective and quality delivery of the Zambia programme in accordance with the country strategy
- Interface with other country programmes within Southern Africa and regional/global linkages across the confederation.
- Interface with other likeminded organisations and support the Zambia programme to meet its goal and objectives.
- Resource mobilization for the programme and this includes concept and proposal development.
- Networking and partnerships with other like-minded organisations, including support to the networks working with the programme.
- In my role, I also ensure strategic partnerships are developed and harnessed at such relationships that I have been at the helm of include partnerships with the Parliament of Zambia providing technical support, the Ministry of Finance on Public Finance Management and Fiscal Transparency, Ministry of Mines supporting the Extractives Industry Transparency Initiatives, Human Rights Commission working on Business and Human Rights, Ministry of Gender on Gender Inclusion in Leadership and Women Empowerment, World Bank and IMF supporting work on multilateral aid specifically IMF work to name some.

KEY COMPETENCIES

My key competencies are:

- Working in the areas of governance; human rights (which also encompasses child rights; women rights); lobby and advocacy; research and capacity building.
- High level of assertiveness and competent management style.
- Very good communication skills.
- Very articulate and able to formulate, initiate and implement projects and programmes.
- Highly developed proposal development skills.
- Highly developed training and facilitation skills.
- Ability to carry our research on various thematic issues.
- Ability to work well with people of different cultures and ethnic backgrounds.
- Multi-faceted and adapt well given any developmental issues to address.
- Have experience with working at the regional level with various actors like government, private sector, policymakers and civil society.
- Very competent at workshop management and facilitation.
- Computer Skills – MS Word, Excel, Power Point, Internet skills
- Editing Skills, material development skills (Research Publications and Newsletters)

PUBLICATIONS

I have contributed to the production of a number of manuals and publications which required an extensive amount of research, and are as follows;

- Developed a module on Human Rights for the SARPCCO Training Handbook on Gender Based Violence
- Contribution to the development of training module on Economic; Social and Cultural Rights, Civil and Political Rights; Shadow reporting for CSO's for use in regional short courses.
- Contribution to a Monograph on African Human Security(this was coordinated by the Institute for Security Studies – SA)
- NEPAD and the Media- Monitoring Indicators for the Media; Noel Kututwa and Yvonne Chibiya.
- Independence of Anti-Corruption Agencies: A study of six institutions in southern Africa; Researched and compiled by Andrew Nongogo with the assistance of Yvonne Chibiya, Mary-Jane Ncube and Betty Tiyani.
- Implementing the SADC Protocol against Corruption: Recommendations and Draft Rules of Procedure for the SADC Anti- Corruption Committee'; Kenyatta Nyirenda and Edward Hosea.
- Implementing the SADC Protocol against Corruption – Monitoring Indicators for Civil Society; compiled by Yvonne Chibiya, Farai Chiweshe & Taona Mwanjisa in collaboration with the civil society Network against Corruption.
- The Link Between Corruption and Human Trafficking: A situational analysis of Mozambique, South Africa and Zimbabwe
- Compilation of papers presented at NEPAD Workshop (I authored one of the papers contained within the publication)
- Bi-Annual SAFAC Newsletter.

- Handbook on Applied Research Methodologies (English and Portuguese Versions).
- Handbook on Anti-Corruption Public Campaigns Handbook.

PAPERS PRESENTED

I have presented papers at various national, regional and international for a on various thematic issues on governance and human rights and some of these have included the following;

- Training on Human Rights for SARPCCO officers under the regional gender based violence programme.
- Presentation at the SAPRCCO Training Workshop for Law Enforcement officers on Human Trafficking and Human Rights, Dar-es-salaam, Tanzania 2009.
- Presentations at training workshops on ethics, anti-corruption and governance facilitated by SAHRIT (various).
- Presentations at various training workshops on governance facilitated by Transparency International Zambia.
- Presentation and facilitation at various regional short courses facilitated by SAHRIT on Economic, Social and Cultural Rights; Civil and Political Rights.
- Presentations at the 12th International Anti-Corruption Conference, Guatemala - UNDP workshop on Civil society and their role in monitoring the Implementation of the UN Convention Against Corruption using Shadow reporting techniques, 2006.
- Presentation at the SADC Parliamentary Forum for Parliamentarians on their regional and International standards on corruption, Windhoek, Namibia, 2006.
- Presentation to the 1st Meeting of the Swaziland Anti-Corruption Forum, Matsapha, Swaziland, 2008
- Presentations to workshops facilitated by HURIDETSA on governance and Human Trafficking (various)
- Presentations to various workshops on African Human Security Initiatives.

OTHER RESPONSIBILITIES

- Involvement on the African Human Security Initiative (AHSI) project, which was an initiative of the Institute for Security Studies (ISS) and the AHSI secretariat, involving the participation of seven partner organisations. Main focus is on addressing Human security issues that are complimentary to the APRM process; Crime and criminal justice delivery systems.
- Coordination of the Business Action Against Corruption Initiative (BAAC) which seeks to foster public – private sector strategies in combating corruption and ensuring transparency and accountability. Was responsible for national programmes targeted at establishing national BAAC chapters and development of Codes of Conduct in Botswana, Lesotho, Tanzania and Zambia.

HOBBIES/INTERESTS

- Reading motivational material
- Watching Documentaries on current Affairs/ Movies
- Sport: swimming

REFEREES

1. Mr Andrew Nongogo
General Manager – Government and International Relations
South African Postal Services,
Pretoria,
South Africa
Tel: +27 12 4017012 / + 27 76 7057464
Email: Andrew.Nongogo@postoffice.co.za
2. Mr Andrew Nongogo
Board Member
Human Rights and Development Trust of Southern Africa
15 Downie Avenue
Belgravia,
Harare,
Zimbabwe
Tel: +263 4 791187
3. Mr. Samuel Mushala Mulafulafu
Executive Director
Caritas Zambia
Kapingila House
Kabulonga,
LUSAKA
Tel: +260 955 791527
Email: smulafulafu@zec.org.zm; smushala@yahoo.co.uk
4. Mr. Teddy Kabunda
Humanitarian Coordinator
Oxfam Zambia
250 Zambezi Road,
Roma Township
LUSAKA
TKabunda@oxfam.org.uk
+260 977 655952/+260 966 655952

MAIMBO FEBBY SIAMUZYULU ZIELA

PERSONAL INFORMATION

Name : Maimbo Febby Siamuzyulu Ziela
Sex : Female
Date of Birth : 11th October, 1971
Marital Status : Married
NRC No. : 276453/61/1
Religion : Christian
Postal Address : P/Bag 91, Woodlands, Independence Road
Lusaka, Zambia
Residential Address : Plot No 26339, Lusaka, Zambia
Mobile Number : +260 97 6 593063
Email Address : maimbozie@gmail.com, mziela@lusituchambers.com

Objective

To exert myself in my duties in order to attain the highest standards I possibly can and to achieve the highest relevant academic training to be useful and strategically placed to attend to the needs of men and women, boys and girls wherever I may be where ever change is possible.

QUALIFICATIONS

ACADEMIC

2017 to date : PhD Student at University of Zambia Graduate School of Business
2010 : Master in Business Administration (MBA) Cavendish University-
Zambia
2010 : Certificate in Project Management
1997 – 1998: Bar Certificate - Zambia Institute of Advanced Legal Education
1991 – 1996: LLB - University of Zambia
1985 – 1989: GCE, O-Levels - St. Mary's Secondary School
1978 – 1984: Livingstone Primary School

WORK EXPERIENCE

- Currently – Partner, Messrs Lusitu Chambers
Jan, 2015 to Jan 2018 : Chief Administrator National Prosecution Authority
(NPA)
Duties and responsibilities

- Secretary NPA Board
- Controlling Officer and head of Administration and Human Resource
- Ensure the operationalisation of the NPA Act and NPA systems

- Policy Development and Implementation
- Responsible for Procurement and processing of stores

April 2014 to January, 2015 : **Deputy Chief State Advocate National prosecutions Authority.** (In Charge of the Gender Based Crimes Unit- was responsible for setting up the unit and was the first head of the unit)

Duties and responsibilities

- Design and Management of Gender Based Crimes(GBC) Unit
- Providing policy direction for the institution on GBC
- Setting unit goals in relation to the institutional goals and strategic plan, National Plan and Global Agenda on Sustainable Development Goals
- Ensuring implementation of unit plans
- Attending to management and departmental meetings
- Liaison with stakeholders and partners on matters relating to the GBC unit operations and National Prosecution Authority in general.
- Prosecuting criminal cases in the High Court & attending to the Supreme Court of Zambia in order to facilitate the proper dispensation of justice.
- Guiding & directing Law Enforcement Agencies in the conduct of criminal investigations in order to ensure proper collation of evidence.
- Timely processing of dockets & issuance of summary trial certificates in order to expedite the delivery of justice.
- Effectively rendering of legal opinions to Government Departments and Partners.
- Provision of legal guidance on complaints to members of the public.
- Report writing on unit achievements in relation to institutional Goals
- Review reports on work done

Nov, 2011 to Jan, 2014 : National Coordinator Women and Law in Southern Africa (WLSA)

Duties and responsibilities

- Secretary of WLSA Board
- Overall Administrative Management of organisation and Supervision of staff
- Participate in long- and short-term program development and Strategic planning.

- Monitor program activities to ensure quality and accuracy of WLSA work outcomes vis-à-vis contractual and grant commitments.
- Review instruments and prepare submissions for Parliamentary Committees
- Review of bills and preparation of position papers on the same
- Provide technical assistance to communities and organisations.
- Track relevant activities in related fields to inform WLSA staff, WLSA partners, and Communities.
- Resource Mobilisation
- Responsible for all organisation communication
- Controlling officer for grants received and expenditures.
- Research and evaluate submitted work; prepare written reviews to aid the board committees in evaluating performance against targets
- Prepare Annual reports on work done

Dec, 2008 to Nov, 2011 :

Director Legal Department- International Justice Mission

Duties and responsibilities

- Attending to clients and litigation/prosecution on matters of probate, property grabbing, child defilement cases and land disputes.
- Administrative Management of Department and Supervision of staff
- Report writing on departmental achievements in relation to office Goals
- Act as Field office Director in the absence of the incumbent.

Dec, 2007 :

Advocate International Justice Mission

Duties and responsibilities

- Attending to clients and litigation on matters of probate, property grabbing, child defilement cases and land disputes and prosecution of defilement cases.
- Preparation of reports on work done on a monthly basis
- Attending to and facilitating at workshops and sensitisation meetings with the public on matters of succession and sexual offences.
- Attending to referrals

2001 – Nov 2007 :

Assistant Legal Counsel - Zambia Postal Services Corporation

Duties and responsibilities

- Draw contracts and attend to litigation
- Attend to Board and management meetings
- Negotiate settlements through mediation for labour disputes within the Corporation and between the Government and the Corporation.
- Supervise and coordinate work in the following departments, the Human Resource Department, Security, Insurance, Estates and Properties, and Purchasing and supply on the southern region
- Attend meetings
- Scrutinize and or approve Procurement agreements and tender documents
- Board Secretary of the ZAMPOST Bureau De Change and Post Bus Limited.
- Acted as Corporation Secretary and sat in the executive management committee whenever the incumbent was out of station.
- Manager for Zampost Bureau for nine months before the corporation engaged a Bureau Manager.(addition to my normal duties)

1998to 2000 : State Advocate – Director of Public Prosecutions, Ministry of Legal Affairs

Duties/ Responsibilities

- Attending to criminal prosecution
- Drafting legal opinions for government ministries and departments
- Attending to meetings/ seminars on behalf of government

OTHER ACTIVITIES AND ORGANISATIONS

1996-2004 : Board Member of the Zambia Association for Research and Development (ZARD). An organisation aimed at empowering women and children through participatory, action-oriented research.

1997 : Member of the Law Association of Zambia (LAZ).

1999-2002 : Technical Advisory Committee member for the YWCA Child in Crisis Centre. Offered technical advice in the handling of abused children.

2000 : Founder Member of the Juvenile Justice Forum. A forum aimed at improving the justice system in addressing matters of Juvenile offenders in line with the Convention on the Rights of Children.

2003 : Member of the Zambia Trade Network

- 2004 : Executive Committee Member Southern Africa Representative for Association for African Women in Research and Development (AAWARD)
- 2005 : Board Member Fountain of Hope.
- 2006 : Member Gender Technical Advisory committee of Nepad
- 2007 : Member of the National Constitutional Conference (NCC); Vice chairperson of the General Constitutional Principles Committee of the NCC
- 2009 to 2015 Vice President of the Association of African Women for Research and Development.
- 2010 Chairperson for ANPPCAN Zambia Chapter.

RESEARCH ACTIVITIES

- 1996 Land Act (1995) its advantages and disadvantages for the indigenous Zambian
- 2000 Juvenile Justice in Zambia and the Convention on the Rights of Children
- 2004 Researcher, Beijing Shadow Report Plus 10
- 2004 Part author ZARD Gender and HIV/AIDS training Manual
- 2009 Gender justice and Economic empowerment in Zambia
- 2010 A critical analysis of Management systems in Parastatals
- 2012 SGBV in schools in Zambia

VOLUNTEER WORK

- 1998 to 2010 Volunteer at the National Legal Aid Clinic for Women
- 2005 to 2007 Volunteer at International Justice Mission

Note: Done pro-bono

Duties/ Responsibilities

- Attending to clients
- Advising clients on their rights as women or children (especially in cases of domestic violence, property grabbing and harmful cultural practices for widows and orphans, Inheritance, divorce, defilement, child abuse or molestation, as the case may be.)

REFERENCES

1. Judge Getrude Chawatama,
Judge in Charge,
Lusaka High Court,
LUSAKA
(97 093001)
2. Mrs. Pamela Mumbi
Former Field Office Director,
International Justice Mission,
P.O Box 34777, (096 6 656960)
Lusaka, Zambia

3. Mr. Caristo Mukonka
Former Corporation Secretary for Zambia Postal Services Corporation
Chumbabenzu Associates
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4. Cetty Misale
Former Director Finance NPA
Lusaka
Mobile Number 0955 803268

HLOBOTHA NKUNIKA

PERSONAL INFORMATION

Surname : Nkunika
Forename : Hlobotha
Gender : Male
Nationality : Zambian
Date of Birth : 1st March 1964
Marital Status : Married with 4 Children
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P O Box 34264
Lusaka, Zambia
Mobile Phone : +260 977872459

QUALIFICATIONS

ACADEMIC

1993- 1995 : Post Graduate Cert. Education - University of Swaziland
1983- 1988 : Bachelor of Science Degree - University of Zambia
(Mathematics & Chemistry)
1988- 1989 : Programming Logic and Techniques, ZRTC Kabwe
COBOL Course projects - Computer packages
2007 : Certificate in USG Compliance and Cash Resource
Management – World Vision

WORK EXPERIENCE

April, 2009 to 2011 : Provincial Education Advisor – Eastern Province - Education Quality Improvement Program (EQUIP 2), USAID funded project. Description of responsibilities, results, etc.

- Assisted to provide technical support for management and coordination of the implementation and delivery of education programs at provincial, district, zonal and school levels; As an advisor, I worked towards improving learning achievement and learner performance by focusing on the school as the unit for systemic change in the Ministry of Education. I assisted the province to develop three year Provincial and District Strategic Plans with special emphasis on improvement of learner performance.
- Assisted create systems of mentoring and support across head teachers and teachers, district education officers and provincial standard education officers in ways that draw upon the

experiences, priorities, insights and concerns of those peer groups/cohorts;

We worked as a team to strengthen transparency in programming and relationships including coordination to sustain the existing institutionalized pedagogical good practices.

- Assisted to develop training curricula for teachers in collaboration with the Teacher Education Department to ensure training was tailored to improve the pedagogical skills and learner performance including organizing, supervising and documenting trainings.
- Assisted to strengthen the monitoring and evaluation system so that the province and districts can continually assess its progress on FNDP and NIF goals and objectives, including the monitoring of education developments and outcomes in schools.
- Assisted to improve the effectiveness and capabilities of the provincial and district offices and schools to deliver quality education by undertaking disciplined diagnostic analysis of the causes of underperformance to identify key interventions and responses, providing clear capacity development strategies that are duly supported by and involve key stakeholders and focusing the ministry's resources on the learner and classroom.

18th April to 20th May, 2011

: Consultant – Education Quality Improvement Program (EQUIP 2) USAID funded project

Description of responsibilities, results, etc

- Supported Provincial Education Officers in five low performing provinces of Eastern, Luapula, Northern, Western and North-Western to review, revise as well as incorporate views and ideas from independent reviewers of the respective draft Provincial Strategic Plans to camera ready stage by using a newly agreed upon standard format.
- Assisted the five provinces in collaboration with the M & E specialist under EQUIP 2 to implement and monitor the strategic plans by aligning them closely to the respective provinces Annual Work Plans and Budget for 2011

Nov, 2004 to April, 2009

: Senior Project Officer - Catholic Relief Services/RAPIDS USAID – PEPFAR funded project

Description of responsibilities, results, etc.

- Assisted local partners in design and implementation of appropriate interventions for Orphans and Vulnerable Children (OVC), their families and communities in RAPIDS' project. Analyse and evaluate achievements and modify when necessary to meet project targets and objectives. Designed the OVC component of the CRS/RAPIDS' partners and the package of care and support. I worked with partners to develop better coordination and communication around social protection, planning and oversight of OVC issues.
- Prepared and ensured that all final submissions of project, grant, cooperative agreement or other;proposal documents from partners are of high quality prior to forwarding to the Country Representative and Regional Office for approval. Prepared grant and vehicle agreements, modifications and reviewed proposals for possible funding under the small grant mechanism.
- Undertook field visits to monitor and evaluate projects and conduct periodic project reviews with partners as well as work with key program staff and stakeholders, to ensure program's strategic objectives and results are fully accomplished and meet expected technical quality standards. Identified challenges during programme implementation and developed necessary interventions in line with project goals and objectives, and retained and documented good lessons or practices for sharing with partners.
- Assisted partners to plan and organise training for OVC and youth programs promoting abstinence and behavior change, identify training needs for the purpose of capacity building and project sustainability. Trained and facilitated at different workshops and assisted in writing the Youth and OVC training manuals under the CRS/RAPIDS program.
- Ensured accurate and timely reporting of program finances and progress status.
- Reviewed actual financial performance of partners against the budget to ensure adequate compliance with USG/CRS financial policies, procedures, strategies and donor/government regulations. Provided feedback to partners on any financial and progress reports and explain variances on a regular basis.

2003 to 2004

:

Project Support Officer - Christian Outreach Relief and Development (CORD) UNHCR funded project

Description of responsibilities, results, etc.

- Responsible for the management and coordination of all aspects of administration, finance, logistics and Information Communication and Technology (ICT) activities in Nangweshi Refugee camp in support of the CORD Community Service Program implementing United Nations Human rights Commission for Refugees (UNHCR) activities. Ensured that all refugee activities were implemented according to UNHCR regulations and recommendations.
- Ensured that proper accounting procedures were followed, storage and distribution of non-food items (NFIs) to the refugees and maintain an up-to-date schedule in liaison with UNHCR to have the items to be distributed in stock on a monthly basis. Maintained good stock for effective planning and distribution without creating tension among refugees.
- Conducted monthly monitoring and evaluation of education, HIV and AIDS, Reproductive Health and Community services programs including report writing. Ensured that program implementation was within the stipulated goals and objectives.

2002 to 2003

: Education Officer, Christian Outreach Relief and Development (CORD) UNHCR funded project

Description of responsibilities, results, etc.

- Coordinated the implementation and management of Education Programs for the refugee population in Nangweshi Refugee camp following the ethos and participatory approach of CORD that promotes community support of vulnerable people and self-reliance.
- Assisted to develop in collaboration with the Refugee Education Committee, teaching staff and Government education staff the education system in the camp including curriculum design and infrastructure development relevant for emergency situations.
- Developed localised tools for monitoring and evaluation systems to track educational programs.
- Empowered refugee community with knowledge and life skills on sexually transmitted infections (STI) and HIV/AIDS and provided psychosocial support and counseling to the refugees.
- Assisted to prepare work plan budget, project status reports, proposals and wrote reports in collaboration with the Country Director and project manager.
- Mobilised resources from stakeholders for sponsorship of eligible candidates into government learning institutions.
- Assisted to identify training needs of education staff for the purpose of capacity building, program sustainability as well as ongoing support and supervision.

- 2000 to 2002 : Project Officer – SOS Children’s Village Trust
- Description of responsibilities, results, etc.
- Designed the set up of the computers and the networks in the computer room.
 - Provided psychosocial support to vulnerable children in the village.
 - Conducted departmental planning budget controls and ordering the educational and Network software.
 - Developed and maintained a database system for the Trust.
 - Trained and supported all user staff and children in computer skills using Microsoft office.
 - Maintained computer Network, allocate access codes and ensure security and integrity of systems.
- 1990 to 2000 : Resource Center Coordinator and Head of Science Department
Lubombo High School, Siteki, Swaziland
- Description of responsibilities, results, etc.
- Planned and coordinated seminars and workshops for teachers and community educators on science teachers group meetings and HIV/AIDS awareness in conjunction with Family Life Association of Swaziland (FLAS).
 - Planned, organised, implemented and coordinated Science fairs, quiz, and problem solving contests for pupils and seminars and workshops for all science teachers in the Lubombo North region in conjunction with the Swaziland Science Teachers Association and Ministry of Education.
 - Designed and implemented a training program for adjudicators for the above-mentioned activities annually.
 - Responsible for teaching Mathematics, Physics and Chemistry at High School level following the GCSE and IGCSE syllabus.
- Dec, 2011 to 2017 : Provincial Permanent Secretary (Eastern and Northern Provinces)
Government of the Republic of Zambia
- Description of responsibilities
- As a Controlling Officer; to ensure effective management and efficient utilisation of financial, human and material resources so as to accelerate economic growth.
 - To interpret and disseminate government policies and priorities and provide adequate guidance to agencies for effective government program implementation including Cabinet decisions. Issue instructions to civil servants on all Cabinet decisions for implementation and monitor the progress being made.

- To ensure effective implementation of the National Decentralisation policy in the province in order to promote community participation in the development process.
- To establish and maintain an efficient Management Information System for effective decision-making and timely dissemination of information, including provision of logistical and administrative support services for efficient operations of provincial administration.
- Prepare the provincial annual reports, budgets, financial reports and annual work plans.
- To implement cross-cutting issues in the province in order to attain Government's vision of gender equality, HIV/AIDS and environmental awareness, (including climate change) and Disaster Management and Mitigation
- Supervise all Government departments in the province and offer technical support to ensure correct implementation of Government policies. Monitor the construction and rehabilitation of Government infrastructure in the province.
- Provide leadership in the execution of Government work in the province, provide advice and constructive suggestions regarding official comments by the Minister on Government papers.
- Mobilise resources and promote the investment in agriculture and tourism in the province in collaboration with other Government ministries and institutions such as the Ministry of Agriculture, Ministry of livestock, Zambia Development Agency and Tourism Development Agency so as to attract private sector participation in the development of the province.
- Chair all the provincial coordinating committee, procurement committee, accident committee, epidemic preparedness committee, disaster management and mitigation preparedness and steering committee meetings

SPECIALISATION

- Management and coordination of all government departments in the Province
- Budget preparations, report and proposal writing
- Chairing of coordinating and tender procurement meetings including steering committees
- Project Management, design and implementation coordination
- Provision of programmatic, technical and operational assistance
- Development of minimum standards on education in emergencies
- Development of departmental, and organisational strategic and operational plans
- Review of financial reports from partners in line with donor regulations
- OVC, Youth and HIV and AIDS Programming
- Development of sub grants and vehicle agreements for partners

- Curriculum design, documentation and implementation
- Resource mobilisation, integration of program interventions and creating linkages

ACHIEVEMENTS

Education in Emergencies

- In October 2003 – Lusaka, I was part of a Southern Africa Regional team tasked to develop minimum standards of education in emergency situations. January 2003 to April 2004 – Organised and facilitated teacher-training workshops sponsored by UNICEF to about 260 refugee teacher participants in Nangweshi Refugee Camp. Participated in re-designing the Angolan curriculum for schools in the Nangweshi Refugee camp to be in line with the Zambian one.
- **USG Compliance and Cash Resource Management**
 Knowledge of key USG regulations including, but not limited to USAID 22 CFR Part 226 Administration of Assistance Awards to U.S. Non-Governmental Organisations, 22 CFR Part 145 Grants and Agreements with Non-Profits, OMB Circulars A-122, Cost principles for non-profit organisations and A-133 Audit of States, local governments, and non-profits preferred.
- **Youth –Life skills and OVC Training Manuals/Guides**
 Participated in reviewing and developing the Orphans and Vulnerable Children and Youths life skills training manuals in consultation with partners, communities and other stakeholders under the RAPIDS consortium. Participated in designing & developing standard caregiver’s checklist, OVC monitoring tool, and reporting formats to meet USG donor requirements in collaboration with Monitoring and Evaluation team with Program Management Unit (PMU) under RAPIDS.
- **International conference, Program Summit and HIV/AIDS workshops**
 Worked as a team with CHAMP-OVC to formulate the objectives of the Children Under Seven Conference hosted by CRS-Zambia in March 2005 at Chrisma Hotel. Participated in the ICASA conference in Nigeria in December 2005.
- **Partnership Manager**
 Plan, coordinate, monitor and evaluate all partnership issues with the Archdiocese of Lusaka in terms of RAPIDS and the Lusaka Urban refugee programs. Conducted organisational assessments of F/CBO like the Archdiocese of Lusaka, Kabulonga Cheshire Homes, Jesus Cares Ministries, Bwafwano, Family Health Trust and Children’s Desk to ascertain their capability to handle USG funds.

- **Livelihood Assessment and CRS Strategic Program Plan**
Took part in the livelihood assessment conducted in Sesheke District using the Integral Human Development framework as part of the input in formulating the five year Strategic Program Plan for CRS-Zambia country program.
- **1992 Workbook.**
Worked as a team (from University of Swaziland) in conjunction with YorkUniversity - USA to design a science curriculum and produced a junior secondary science workbook using the participatory learning approach to suit the Swaziland environment. Created, monitored, tested, modified and evaluated the materials in the workbook and managed to produce a final copy, which is in circulation now.
- **Teacher Innovation Development Centre (TIDC) - Swaziland**
As chairperson for the Lubombo Science Teachers Association in collaboration with the Peace Corps and Ministry of Education-Lubombo North, introduced and promoted the use of the Teacher Innovation Development Centre (TIDC) to respective schools in the region to promote the teaching of science and mathematics mostly in rural schools.
- **Food Fortification**
July, 2004 – Nangweshi. Represented CORD on the Evaluation mission pilot milling/fortification project (Zambia); - to assess whether On-site milling and fortification using ‘mobile mill’ approach was an effective and cost-efficient way of meeting the micronutrient requirements of refugee populations in areas that are otherwise difficult to access.
- **UNHCR Asset handover and fleet management**
Coordinated the smooth handover of UNHCR assets from CARE International to CORD at Nangweshi Refugee camp in 2004. Responsible for the fleet management of the UNHCR vehicles and managed to set up and maintain the vehicle spare parts storage system, enforced road safety and government vehicle regulations. Was tasked to manage fuel for UNHCR with its implementing partners and Non Food Items (NFI).
- **RESEARCH –1988 University of Zambia**
Conducted a research in water analysis from wells around Lusaka compounds (Desai, George and Lilanda). Performed Chemical and microbiological analysis of the water. Recommended, monitored and advised owners of the wells about the required water quality standards set up by the W.H.O. The book is at the University, Chemistry Department library.

SELECTED PUBLICATIONS

Provincial Strategic Plan to improve learner performance – Eastern Province
 An investigation of causes of low literacy levels at grade 5 – A case of Eastern Province
 Minimum Standards of Education in Emergency situations, October 2003, UNHCR
 Orphans and Vulnerable Children training manual, 2005, RAPIDS/PMU
 Youth – Life skills training manual, 2005, RAPIDS/PMU

District Education Profiles, 2010, EQUIP2/MOE
Junior secondary school science workbook, 1992, University of Swaziland

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KAFULA MWICHE

PERSONAL INFORMATION

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Sex : Male
Marital Status : Married
Nationality : Zambian
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ZAMBIA

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211 212626 (Home)

Email : kmwiche@lsa.co.zm
kafulamwiche@yahoo.co.uk

QUALIFICATIONS

ACADEMIC AND PROFESSIONAL

30-10-2006 : Associate - Chartered Institute of Arbitrators
(London)

29-06-2001 : Advocate of the High Court for Zambia – Admitted
to the Zambian Bar

30-03-2001 : Legal Practitioner Qualifying Course – Zambia
Institute of Advanced Legal Education

2002- 2003 : LL.M (International Business Law) –The University
of Manchester

1996-2000 : LL.B Bachelors of Laws (Merit)-The University of
Zambia

1986 -1990 : B.A. Ed. Bachelor of Arts with Education (Credit) –
The University of Zambia

1980-1984 : School Certificate, 8 ‘O’ Levels–Mungwi Secondary
School

WORK EXPERIENCE

1st May 2008 to date : Group Legal Counsel and Company Secretary, Lawrence
Sikutwa & Associates Ltd (Madison Group)

Main Duties and Responsibilities

- Providing Legal and Company secretarial Services to the Group Companies and ensuring that the interests of the Group are protected.
- Taking part in the setting designing, implementing and monitoring of the Strategic Business Plans of the Group Companies.
- Ensuring that all advisory, legal and Board matters are properly prepared and presented.
- Rendering advisory services, on all legal matters pertaining to the operations and transactions of the Group Companies by way of analysing and interpreting of the Law.
- Drafting contracts and other legal agreements for the Group Companies, taking part in negotiations on behalf of the Group.
- Representing the Group Companies in litigation before Courts of Law and tribunals.

1st June 2006 to 18th April 2008

Legal Counsel, Energy Regulation Board

Main duties and Responsibilities

- Providing legal services to Management and ensuring that the interests of the Board are protected.
- Licensing and Monitoring the Compliance of Licence conditions, regulations and Laws by Energy companies and Utilities.
- Advising the Board on all legal matters and representing the Board in the courts of Law and tribunals.
- Advising Management on all licensing requirements as stipulated in the Energy Regulation Act or other relevant legislation.
- Reviewing and proposing amendments to the legislation.
- Reviewing all legal agreements and contracts to which the ERB intended to be party and advising Management on any necessary modifications or amendments to such Agreements or Contracts.
- In the absence of the Board Secretary, acting as the Board Secretary and responsible for servicing all Board and Committee Meetings and the taking of minutes at such meetings.
- Supervising the Legal Department.

20th Feb, 2005 to 31st May, 2006

Assistant Legal Counsel, Energy Regulation Board

Main duties and Responsibilities

- Assisting the Board Secretary in Board secretarial duties

	<ul style="list-style-type: none"> - Licensing and Monitoring Compliance of Energy companies and Utilities - Drafting Regulations - Advising the Board
January 2004 to December 2005	<p>Time Law Lecturer, University of Zambia</p> <p>Main duties and responsibilities Lecturing in Public International Law and the Law of Tort. Preparing lessons, setting and marking examinations in the courses.</p>
Sept, 2003 to Dec, 2004	<p>Associate Advocate, Sharpe & Howard Legal Practitioners</p> <p>Main duties and responsibilities</p> <ul style="list-style-type: none"> - Attending to clients - Civil and Criminal Litigation - Attending to commercial transactions and non contentious matters
Nov, 2002 to Aug, 2003	<p>BRITISH GAS PLC (Manchester) Position: Customer credit Advisor</p> <p>Main duties and responsibilities</p> <ul style="list-style-type: none"> - Reconciling Customers electricity prepayment accounts and returning misdirected payments on the accounts to other electricity utilities in the United Kingdom
Sept, 2001-August 2002	<p>Associate Advocate, Sharpe & Howard Legal Practitioners</p> <p>Main duties and responsibilities</p> <ul style="list-style-type: none"> - Attending to clients - Civil and Criminal Litigation - Attending to commercial transactions and non contentious issues
June, 2001 to July, 2001	<p>Associate Advocate, Messrs Malambo & Silwamba</p> <p>Main duties and responsibilities</p> <ul style="list-style-type: none"> - Attending to clients - Civil and Criminal Litigation - Attending to commercial transactions and non contentious issues

March, 2001 to June, 2001	Learner Legal Practitioner, Messrs Malambo & Silwamba
	Main duties and responsibilities
	- Law practice apprenticeship
June, 2000 to Feb, 2001	Learner Legal Practitioner, Messrs Ellis & Co
	Main duties and responsibilities
	- Law practice apprenticeship
May 1998 – Feb, 2000	Part Time Law Lecturer, Westklyn Institute
	Main duties and responsibilities
	- Lecturing University of London ‘A’ Level Law for, preparing lessons, setting and marking ex mock exams
1991-1996	Operations Director, Southern Route Trading Limited
	Main duties and responsibilities
	- In charge of the operations of a medium sized-trading outfit involved in import and export business, with two retail outlets and a restaurant in down town Lusaka.
Oct, 1986 to Nov, 1986	Ticket Sales Agent Zambia Airways Corporation Limited
	Main duties and responsibilities
	Began training as a Ticket Sales Agent but did not complete the course as left to pursue further education at the University of Zambia.

SELECTED COURSES ATTENDED

June, 2007	:	Utility Regulation and Strategy – University of Florida Public Utility Research Centre
November, 2006	:	Chartered Institute of Arbitrators International Entry Course, Lusaka
March, 2005	:	Fundamentals of Utility Regulation in Africa-The University of Cape Town

SELECTED SEMINARS, WORKSHOPS AND ATTACHMENTS ATTENDED

December 2019	:	Corporate Governance; Board Leadership Lusaka
September 2017	:	Company Secretary and Board Evaluation Excellence Master Class Cape Town
February 2017	:	Effective Enterprise Risk Oversight By Marcus Evans Lusaka
September 2014	:	Legal Risks and Counter Measures of International Investment and Trade from the Perspective of China – Africa Cooperation Beijing
December 2013	:	Dispute Resolution in African Projects By LCIA-MIAC Arbitration Centre Johannesburg
February 2013	:	Corporate Governance Workshop By Professor Mervyn King Lusaka
February 2012	:	Private Public Partnerships By DLA Piper Group Lusaka
February 2011	:	Leadership Development Program By MCA Training International Lusaka, Zambia
September 2010	:	Corporate Governance Master Class By Global Prospectus Johannesburg, South Africa
July 2010	:	Commercial Law Training By International Senior Lawyers Project (ISPL) of U.S.A Lusaka
October 2009	:	Marketing: A Tool for Business Growth and Long-term Profitability By M.A. Knowledge Centre Lusaka
September 2009	:	Corporate Governance By ELC Consultancy Limited Lusaka
February 2009	:	Executive Development By Zambia Centre for Accountancy Studies Lusaka
June 2008	:	Strategic Human Resources Management By Beatmas Human Resource Consultants Lusaka
August 2006	:	Making Effective Presentations

IPA Energy Consulting (UK)
Lusaka

June 2006 : Negotiating Desirable Regulatory Outcomes
IPA Energy Consulting (UK)
LUSAKA

May 2006 : Structuring and Facilitating Financing for Hydropower and
Transmission Investments in Zambia (GRZ/ World Bank)
LUSAKA

May 2006 : Practical Guidelines for Company Secretaries in
Corporations and Organisations. (ICSA/ ZCAS)
LUSAKA

August 2005 : A Month's Internship
Pennsylvania Utility Commission
Harrisburg, Pennsylvania USA.

UNPUBLISHED WORKS

2000 Trial By Jury: The Way Forward in Zambia's Justice Delivery
system
University of Zambia LL.B Thesis

2003 Corporate Rescue: The Need to Reform Zambia's Corporate
Insolvency Law
The University of Manchester LL.M Thesis

ACCOMPLISHMENTS:

2018 Successfully completed the Comrades Marathon

2002 British Foreign Office Chevening Scholar

1999 Represented Zambia at the All Africa Human Rights Moot Court Competition in Abidjan
Cote'D' Voire

1998 Represented Zambia at the All Africa Human Rights Moot Court Competition in Maputo
Mozambique

1979 Represented Zambia at the World Youth Banner of Peace Assembly in Sofia Bulgaria.

PROFESSIONAL BODIES

2001 to date : Member, Law Association Of Zambia

2005 to date : Member, International Bar Association

2006 to date : Member, Zambia Association of Arbitrators

BOARD MEMBERSHIPS

June 2016 to Date	:	Alternate Chairperson, Action Africa Help, International- Zambia
2015 to Date	:	Member, Procurement Committee Civil Aviation Authority
2015 to date	:	Board Member, Action Africa Help International- Zambia
2010 to date	:	Board Member, Zambia Centre for Communications Programme
2010 to 2012	:	Committee Member, Securities and Exchange Compensation Fund Committee
2009 to 2013	:	Chairman, Ministry of Local Government and Housing Audit Committee
2009 to 2013	:	Committee Member, Ministry of Commerce, Trade and Industry Audit Committee
2009 to 2013	:	Committee Member, Ministry of Energy and Water Development Audit Committee

EXTRA CURRICULAR ACTIVITIES

09/2018 to Date	:	Executive Member Lusaka Fitness Athletics Club
09/2018 to Date	:	President Elect Rotary Club of Lusaka
04/2014 to 13/04/2016	:	Executive Council Member Law Association Of Zambia
06/2014 to 30/6/15	:	President Lusaka 41 Club
05/2010 to 04/2014	:	Hon. Treasurer, Law Association of Zambia
06/2011 – 06/2012	:	Secretary, Rotary Club of Lusaka
2009	:	Executive Council Member, Law Association of Zambia
2009	:	Convener, Law Association of Zambia In-House Counsel Committee
2009	:	National International Relations Convener, Round Table Zambia
2009 to Date	:	Church Elder, St Columba's Presbyterian Church
2008	:	President, Round Table Zambia
2007	:	Executive Council Member, Law Association of Zambia
2006	:	Executive Council Member, Law Association of Zambia
2006	:	Convener, Law Association Of Zambia In- House Counsel Committee
2006	:	Chairman, Lusaka Round Table No.11

2006
2005

Public Relations Convener, Round Table Zambia
Projects Convener, Round Table Zambia

OTHER SKILLS

Computer Literate

HOBBIES

Marathon Running; Charity work, reading, travelling, meeting people, watching soccer, working out, listening to music and watching movies.

REFEREES

1. Mr Justice William Mweemba
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2. Mr Chabala Lumbwe
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3. Mr Chansa Chiteba
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