

MINISTERIAL STATEMENT

ON ALLEGED HARASSMENT OF MEMBERS OF PARLIAMENT DURING VISITS TO THEIR CONSTITUENCIES

BY THE HON. MINISTER OF HOME AFFAIRS, MR KAMPYONGO

Mr Speaker, I thank you for the opportunity to issue a ministerial statement in response to the point of order that was raised by Hon. Jack Mwiimbu, Member of Parliament for Monze Central Constituency on the alleged harassment of Hon. Tutwa Ngulube, Member of Parliament for Kabwe Central Constituency who was alleged to have been harassed by Zambia Police Service officers in Kabwe.

Mr Speaker, the House may wish to know that on 26th September, 2017, when the hon. Member of Parliament for Chifunabuli, Mr Mecha was on the Floor, Hon. Jack Mwiimbu rose on a point of order and, I wish to quote:

“Mr Speaker, I rise on a point of order hinging on the privileges of hon. Members of Parliament. I do recall that during the sitting of the Eleventh Session of this Parliament, you did direct members of the executive and the backbenchers to resolve issues pertaining to hon. Members of Parliament visiting their constituencies. I am aware that this matter was resolved by your office, Mr Speaker, and an announcement was made. Through that announcement, a circular by the hon. Minister of Home Affairs was generated to all police stations in the country to allow hon. Members of Parliament to undertake their duties without hindrance in their constituencies. Alas, of late, we have witnessed a number of hon. Members of Parliament being harassed by the police when visiting their constituencies. As of the last three days, we have had a report of the hon. Member for Kabwe Central who was almost crying when he was being harassed by police in Kabwe.

Mr Speaker, we would like to know whether the instructions that arose from that agreement between the Minister of Home Affairs and ourselves, through your own intercession, has been abrogated so that we know what measures to take as hon. Members

of Parliament. As it is now, it is almost very difficult, Mr Speaker, for hon. Members of Parliament to visit their constituencies and meet constituents.

Sir, I seek your serious ruling on this matter.”

Mr Speaker, in your ruling, you directed the Ministry of Home Affairs, through me, to come and render a ministerial statement to clarify the position on this matter. This was to be done last week.

Mr Speaker, you also graciously permitted me to attend to other national duties outside the country and, therefore, was unable to render the ministerial statement last week. I am grateful to you for giving me this opportunity to present it now.

Sir, I am aware that your office had previously ruled and guided on the need to allow hon. Members of Parliament to have unhindered access to their constituents as they carry out their duties.

Sir, with regard to the incidence in question in Kabwe, Hon. Tutwa Ngulube, Member of Parliament for Kabwe Central had notified the Zambia Police Service in Kabwe that he was going to hold a meeting at Katondo Clinic. However, this meeting did not take place. Instead, the hon. Member of Parliament decided to convene a meeting at Kafulamase within Kabwe Central Constituency without giving the Zambia police fresh notice.

Sir, Section 5 of the Public Order Act provides guidelines and procedures for holding public assemblies, demonstrations or processions, while section 5(4) provides that any person intending to assemble or convene a public meeting, procession or demonstration shall notify the Zambia police of such intent in writing seven days before the meeting.

Sir, hon. Members of this august House and the public at large know that we are currently in a state of threatened emergency, which measure was approved by this august House after His Excellency the President of the Republic of Zambia, Mr Edgar Chagwa Lungu, invoked Article

31 of the Republican Constitution on 5th July, 2017. In addition, Statutory Instrument (SI) No. 55 of 2017, was also issued to provide guidelines and regulations governing the state of threatened emergency.

Sir, as regards the incidence in question, the hon. Member of Parliament did not give the police a fresh notice like he always does when he has meetings in his constituency.

Mr Speaker, hon. Members of Parliament and the public at large should by all means comply with the provisions of the law at all times. With the threatened state of emergency in place, all public meetings and processions are subject to the public security regulations brought into force by the invocation of Article 31 of the Constitution and, indeed, the Public Order Act.

We all therefore, are expected to operate within the confines of the law as we go about our daily business.

Sir, the Zambia Police Service shall continue to uphold and enforce the law firmly but fairly without fear or favour.

Mr Speaker, as hon. Members carry out duties in their constituencies, they should do so within the provisions of the law. In the current circumstances, that means observing the provisions of the Preservation of Public Security Regulations of 2017 and the Public Order Act Chapter 113 of the Laws of Zambia.

Sir, let me conclude with an appeal to fellow law makers and citizens at large to be law abiding at all times. The Public Security Regulation and the Public Order Act are in place to enhance public security and protect lives and property from those who seek to undermine the peace and security our country has enjoyed since independence in 1964. Law abiding citizens should therefore, have neither fear nor misgivings about the Public Security Regulations currently in force or indeed the Public Order Act.

Mr Speaker, I also want to put it on record that the hon. Member for Kabwe Central has been on record working very well with the police in Kabwe. I am sure by the time the point of order was being raised, his matters were amicably resolved.

Mr Speaker, I thank you.