MINISTERIAL STATEMENT DELIVERED BY ENG. NZOVU, MINISTER OF WATER DEVELOPMENT AND SANITATION POLLUTION OF WATER BODIES CAUSED BY ILLEGAL MINING ACTIVITIES IN THE COUNTRY ON TUESDAY 18TH FEBRUARY, 2025

Madam Speaker, I would like to thank you most sincerely for giving me this opportunity to address the House and the nation at large on the pollution of water bodies caused by illegal mining activities in the country. The ministerial statement is in response to the Parliamentary Planning Committee (PPC) resolution of Tuesday, 28th January, 2025.

Madam Speaker, allow me to first put context to the description of illegal miners for the purpose of providing clarity. For the purposes of this statement, illegal miners could be described as individuals or groupings who are engaged in mining activities without obtaining necessary licenses or permits from the Ministry of Mines and other regulatory bodies such as the Water Resources Management Authority (WARMA) and the Zambia Environmental Management Agency (ZEMA). Illegal miners are mostly small scale, informal, of no fixed aboard and operate outside regulatory control.

Madam Speaker, I seek to deliver this Ministerial Statement by providing brief details on the affected water bodies as a result of mining activities and the salient legal provisions relating to the protection of water bodies from pollution. I will close my statement by highlighting the measures my activities. Ministry is taking to stop the scourge of pollution through illegal mining

Madam Speaker, in the recent past, the country has seen a rise in illegal mining activities in mineral-rich parts of the country. Unfortunately, these illegal mining activities have the potential to have negative impacts on water resources. This is a major concern, particularly in North-Western, Copperbelt, Luapula and Central Provinces. The illegal mining activities in these provinces and other parts of the country have contributed to the pollution of water resources.

Madam Speaker, contaminated waste from these illegal mining-related activities is often discharged directly into water bodies, compromising the sources of water supply locally as well as causing environmental degradation.

Madam Speaker, let me take this opportunity to provide brief details on some of the water pollution incidences that have occurred in the recent past from illegal mining-related activities. Allow me to begin with the North-Western Province, which has, in the recent past, seen a rise in these activities. For example, in Kasempa District of North Western Province, there has been a surge in illegal gold mining activities, which caused pollution of the Dengwe and Lufupa Rivers through the washing of gold-bearing earth materials in the water bodies and has affected the water quality in the district. Investigations by WARMA on the Kasempa water pollution incident indicated that perpetrators were members of the public seeking gold fortunes through illegal mining.

Madam Speaker, illegal mining activities have not spared Mwinilunga District, where the quality of water in the Mudanyama River, a tributary of the Lunga River has been affected by illegal gold miners. Other notable rivers affected by pollution from illegal mining activities in North-Western Province is the Kafungulwa river in Solwezi District.

Madam Speaker, in Muchinga Province, illegal gold mining activities in the Chitamba Area of Mpika District have been polluting the Kanchibiya River and its tributaries. In Central Province, Changwena, Musofu and Chibefwe Rivers in Mkushi District and Momboshi River in Chisamba District have also suffered from pollution as a result of these illegal mining activities. On the Copperbelt Province, the situation is similar to what has happened to some sections of the Kafue River in the Province. For instance, you may wish to note that in Chingola District, sources of water have been polluted by illegal copper miners.

Madam Speaker, recently, there was a water pollution incident by the Mimbula Mine Copper Project in Chingola where the Chabanyama Stream was polluted due to the collapse of the Tailing Storage Facility (TSF). The incidence resulted in residents having challenges accessing quality water supply for domestic use. My ministry, through WARMA and in collaboration with the Ministry of Green Economy and Environment through ZEMA, acted to ensure that the pollution incident was mitigated and necessary remedial actions taken.

Madam Speaker, on the Copperbelt Province, mines such as Konkola Copper Mine PLC (KCM), Mopani Mining PLC, NFC Africa Mining PLC, Rongxing Investments Limited, Sino-Metal Leach Zambia Limited have at times occasioned pollution of water sources and compliance enforcement has continued to be conducted by WARMA in order to stop pollution of our water resources. These big mines on the Copperbelt have contributed to the pollution of the Kafue and Mwambashi Rivers as well as Itimpi and Mwatishi Streams.

Madam Speaker, Mkushi and Serenje Districts in Central Province are other hotspot areas where registered manganese mining companies have often polluted water resources. For instance, Daxing Mining, Melucky Mining, Amour Ferro Alloys and Lijing Mining Company Ltd have all been investigated and penalized by WARMA for offences involving pollution of water resources in the area. Some companies were even ordered to cease mining operations in order to implement remedial measures to prevent water resources from being polluted.

Madam Speaker, WARMA and ZEMA have managed to stop mining houses which have polluted water bodies, penalties meted out and remedial measures taken to stop further pollution. Further, WARMA will continue conducting compliance and enforcement inspections even to legally registered and licensed mines because there is a challenge of water pollution even by these formally and legally registered mines.

Madam Speaker, what are the legal provisions on the protection of water bodies from pollution? Section 47(2) of the Water Resources Management Act (WRM) No. 21 of 2011 has mandated WARMA to monitor the resource quality and control the pollution of any water source. Further, this House may wish to note that Section 48 of the WRM Act No. 21 of 2011 has made direct or indirect discharge of any organic or inorganic pollutant into any water body a strict liability offence and the offenders are punishable by law with a fine not exceeding one hundred thousand penalty units K40,000.00 or one year imprisonment or both.

Further Madam Speaker, under section 163 as read with section 173 of the WRM act, illegal abstraction of water for washing minerals attracts a penalty of five hundred thousand penalty

units which translates to K200,000.00 or imprisonment for a term not exceeding five years or both.

Madam Speaker, WARMA's role in abating pollution of water sources is complemented by provisions of Section 32 of the Environmental Management Act (EMA) No. 12 of 2011, which provides that a person shall not, without a license, discharge, cause or permit the discharge of a contaminant or pollutant into the environment if that discharge causes, or is likely to cause an adverse effect. The EMA has provided that offences of this nature shall attract, upon conviction, a fine not exceeding seven hundred thousand penalty units or imprisonment for a period of seven years or both. The fine under the EMA translates into K280,000.00.

Madam Speaker, the law is very clear regarding the consequences and penalties of water pollution emanating from illegal mining. However, the illegality continues with impunity. What do we do? Certain measures that have been undertaken by my Ministry in response to the rising cases of water pollution, my Ministry has implemented and will continue to implement several measures to curb this challenge:

(a) Enforcement of the WRM and EMA Acts. Provisions of the WRM and EMA acts will be strictly enforced going forward.

(b) Strengthened compliance monitoring measures to prevent would be offenders as well as to penalize and offenders.

(c) Legal Framework Review-A review of the Water Resources Management Act No. 21 of 2011 is underway to enhance provisions related to water pollution and increase penalties for violations from the current 100,000 penalty units K40, 000.00 or one-year imprisonment to above 700,000 penalty units K280, 000.00 or a maximum of seven years imprisonment or both which we believe will deter would-be offenders.

(d) We will continue Mapping and Delineation of Water Resources. WARMA has been mapping and delineating water resource areas, including hotspot areas with a high risk of pollution from illegal mining activities in the country. This is meant to enhance the protection status of important and strategic water resources, such as sources of water supply for Commercial Water Utility Companies.

(e) We will develop a Water Quality Information Management System (WQIMS) to facilitate data storage, data analysis, and reporting on water quality to support evidence-based policymaking.

(f) We strengthen the regulatory institutions such WARMA through increased funding. This will enable such institutions to engage adequate inspectors and invest in modern and innovative technologies for monitoring pollution and effective compliance and enforcement.

(g) The Ministry has enhanced public awareness and stakeholder engagement on aspects of water stewardship, pollution prevention and water resources protection and preservation.

(h) They will be an enhanced Inter-Ministerial and Stakeholder Collaboration. We therefore, will continue to work closely with the Ministries of Mines and Minerals Development, The Ministry of Green Economy and Environment, The Ministry of Defence, The Ministry of Home Affairs and Internal Security and traditional leaders to regulate illegal mining.

Madam Speaker, let me reaffirm my Ministry's commitment to safeguarding Zambia's water resources from the detrimental impacts of pollution from mining activities. We shall continue to enforce the law and implement measures that ensure access to clean and safe water for all. We therefore call upon this august house and all our Citizens to help us realize this vision.

Madam Speaker, I thank you.