

MINISTERIAL STATEMENT ON THE COMMISSION OF INQUIRY INTO THE MONGU RIOTS OF 14TH JANUARY, 2011 AND OIL PROCUREMENT UNDER THE ENERGY REGULATION BOARD AND THE INQUIRY INTO THE SALE OF 75 PERCENT OF GOVERNMENT SHAREHOLDING IN ZAMTEL TO LAP GREEN OF LIBYA

1. INTRODUCTION

MR SPEAKER, ON WEDNESDAY, 15TH JULY, 2015, THERE WAS A QUESTION ON THE ORDER PAPER FOR HER HONOUR THE VICE PRESIDENT REGARDING WHEN GOVERNMENT WOULD RELEASE THE FINDINGS OF THE COMMISSIONS OF INQUIRY INTO THE MONGU RIOTS, SALE OF ZAMTEL TO LAP GREEN AND OIL PROCUREMENT, AND HOW MUCH WAS SPENT ON EACH OF THE COMMISSIONS OF INQUIRY. IN RESPONSE, HER HONOUR THE VICE-PRESIDENT INDICATED THAT A MINISTERIAL STATEMENT WOULD BE ISSUED THIS WEEK SO THAT THE HOUSE COULD BE AVAILED MORE INFORMATION

MR SPEAKER, ALLOW ME TO HIGHLIGHT THE TERMS OF REFERENCE OF THE COMMISSIONS OF INQUIRIES AS WELL AS THEIR STATUS BEFORE I ADDRESS THE ISSUES OF WHEN THE FINDINGS OF THESE INQUIRIES SHALL BE RELEASED AND HOW MUCH WAS SPENT ON EACH OF THEM. IT IS IMPORTANT FOR THE TERMS OF REFERENCE TO BE HIGHLIGHTED SO THAT MEMBERS OF THIS AUGUST HOUSE

ARE AFFORDED AN INSIGHT INTO THE RATIONALE BEHIND THE SETTING UP OF THESE INQUIRIES.

2. TERMS OF REFERENCE

2.1 COMMISSION OF INQUIRY INTO MONGU RIOTS OF 14TH JANUARY, 2011

MR SPEAKER, THE COMMISSION FOR THE INQUIRY WAS ISSUED ON 6TH OCTOBER, 2011, TO INQUIRE INTO THE FOLLOWING MATTERS:

- (A) THE CAUSE OF THE RIOTS THAT TOOK PLACE IN MONGU IN THE WESTERN PROVINCE OF THE REPUBLIC OF ZAMBIA ON 14TH JANUARY, 2011, IN WHICH TWO PEOPLE LOST THEIR LIVES AND ABOUT ONE HUNDRED PEOPLE WERE ARRESTED IN CONNECTION WITH THE RIOTS;
- (B) WHETHER THE BAROTSE FREEDOM MOVEMENT WAS RESPONSIBLE FOR THE RIOTS AND WHAT GAVE RISE TO THE RIOTOUS BEHAVIORS;
- (C) THE CONDUCT OF THE PARAMILITARY AND THE POLICE FORCE DURING THE RIOTS;
- (D) WHETHER THE RIOTERS WERE CARRYING ANY WEAPONS AND IF SO, WHETHER THE FORCE USED BY THE PARAMILITARY

- POLICE IN THE RIOTS WAS PROPORTIONATE OR EXCESSIVE UNDER THE CIRCUMSTANCES;
- (E) WHETHER THE RIOTS NECESSITATED THE PRESENCE OF PARAMILITARY POLICE DRAWN FROM AREAS OTHER THAN THE LOCAL POLICE CONSTABULARY IN MONGU;
 - (F) WHETHER THE STATE'S DECISION TO DETAIN THE ACCUSED IN MUMBWA AND LUSAKA AND PROSECUTE THEM IN MUMBWA, WAS NECESSARY AND REASONABLE;
 - (G) WHETHER THE LAW WAS COMPLIED WITH IN ENSURING THE WELFARE OF THE DETAINEES PARTICULARLY IN REGARD TO MEDICAL TREATMENT FOR THOSE INJURED DURING THE ARRESTS AND WHAT PREPARATIONS, IF ANY, HAD BEEN MADE BY THE AUTHORITIES WHEN TRANSFERRING THE GROUP TO THE MUMBWA PRISON;
 - (H) WHETHER THOSE DETAINED FOR THE RIOTS ARE ENTITLED TO DAMAGES FOR WRONGFUL DETENTION;
 - (I) WHETHER THERE WAS INTERFERENCE IN DUE PROCESS BY THE EXECUTIVE;
 - (J) THE CURRENT RELATIONSHIP BETWEEN THE BAROTSE ROYAL ESTABLISHMENT AND THE CENTRAL GOVERNMENT, TO DETERMINE WHETHER THE SAME IS CONDUCIVE TO THE PROMOTION OF DEMOCRATIC GOVERNANCE; AND

- (K) ASCERTAIN THE CONCERNS OF THE PEOPLE OF WESTERN PROVINCE AND RECOMMEND MECHANISMS FOR ADDRESSING THE CONCERNS.

2.2 COMMISSION OF INQUIRY INTO OIL PROCUREMENT UNDER THE ENERGY REGULATION BOARD

MR SPEAKER, ON 4TH OCTOBER, 2011, THE THEN REPUBLICAN PRESIDENT, THE LATE MR MICHAEL CHILUFYA SATA ISSUED THIS COMMISSION WITH A MANDATE TO INQUIRE INTO:

- (A) THE PROCUREMENT METHODS AND TENDER PROCEDURES FOR THE SUPPLY OF OIL BY THE ENERGY REGULATION BOARD;
- (B) THE COSTING OF OIL OUTSIDE AND WITHIN ZAMBIA;
- (C) THE CAPACITY AND CORPORATE PROFILES OF INTERNATIONAL AND LOCAL OIL SUPPLIERS;
- (D) THE MOST ECONOMIC ROUTES AND SOURCES FOR THE SUPPLY OF OIL INTO ZAMBIA; AND
- (E) ANY MATTER INCIDENTAL TO THE FOREGOING.

2.3 INQUIRY INTO THE SALE OF 75% GOVERNMENT SHAREHOLDING IN ZAMTEL TO LAP GREEN OF LIBYA

MR SPEAKER, THE INQUIRY WAS INSTITUTED AT THE DIRECTION OF THEN REPUBLICAN PRESIDENT THE LATE MR MICHAEL CHILUFYA

SATA TO INVESTIGATE THE SALE OF ZAMTEL IN ORDER TO DETERMINE HOW THE SALE WAS CONDUCTED AND ASCERTAIN WHETHER ALL THE REQUIRED PROCEDURES RELATING OT THE SALE WERE COMPLIED WITH.

3. STATUS

MR SPEAKER, ALL THREE INQUIRIES WERE UNDERTAKEN AND REPORTS SUBMITTED TO THE LATE REPUBLICAN PRESIDENT, HIS EXCELLENCY MR MICHAEL CHILUFYA SATA. THE REPORTS WERE SUBSEQUENTLY HANDED OVER TO THE CURRENT REPUBLICAN PRESIDENT, HIS EXCELLENCY MR EDGAR CHAGWA LUNGU, WHO IS STUDYING THE CONTENTS OF THE REPORTS.

*as required
under the
Inquiries
Act*

4. WHEN FINDINGS OF INQUIRIES WILL BE RELEASED

MR SPEAKER, THE REPORTS WILL BE CONSIDERED BY CABINET AND THE APPROPRIATE FOLLOW-UP ACTION WILL BE DETERMINED FOLLOWING CABINET'S CONSIDERATION OF THE REPORTS.

5. AMOUNT OF MONEY SPENT ON THE INQUIRIES

5.1 MONGU RIOTS COMMISSION OF INQUIRY

MR SPEAKER, THE GOVERNMENT SPENT A TOTAL OF FIVE BILLION FIVE HUNDRED AND TWENTY-NINE MILLION FOUR HUNDRED AND SEVENTY-FIVE THOUSAND KWACHA (5,529,475,000.00) UN-REBASED ON THE PROGRAMME OF WORK OF THE COMMISSION.

5.2 OIL PROCUREMENT COMMISSION OF INQUIRY

MR SPEAKER, THE GOVERNMENT SPENT A TOTAL OF FOUR BILLION SEVEN HUNDRED AND TWENTY-TWO MILLION NINE HUNDRED AND FIFTEEN THOUSAND KWACHA (K4,722,915,000.00) UN-REBASED ON THE PROGRAMME OF WORK OF THE COMMISSION.

5.3 SALE OF ZAMTEL INQUIRY

MR SPEAKER, THE GOVERNMENT SPENT A TOTAL OF TWO BILLION TWO HUNDRED AND FIFTY-ONE MILLION ONE HUNDRED AND FIFTY THOUSAND KWACHA (K2,251,150,000.00) UN-REBASED ON THE PROGRAMME OF WORK OF THE COMMITTEE.

6. PUBLICATION OF RECOMMENDATIONS OF MONGU RIOTS COMMISSION

MR SPEAKER, THE RECOMMENDATIONS OF THE COMMISSION OF INQUIRY INTO THE MONGU RIOTS WILL BE MADE PUBLIC ONCE THE REPORT IS PUBLISHED.

MR SPEAKER, I THANK YOU.