



IMS TO TAKE 90% OF RTSA REVENUE

By Mukosha Funga and Joseph Mwenda
An investigation has revealed that the private company that was granted a concession to implement the "Advanced Road Safety Management Solution and Services on behalf of the Road Transport and Safety Agency (RTSA) will take 90 per cent of all proceeds. *To page 5*

Motorists' compliance adds to profit-sharing dilemma

Police arrest Ndola women who tortured girl accused of sleeping with their husbands

By Sipilisiwe Ncube
Police on the Copperbelt have picked five suspects who were captured in a viral video

torturing a young woman who they accused of sleeping with their husbands. In the video, the said gang

of women is seen shoving a bottle of Castle Lager into her private parts as punishment while another woman is seen pouring hot chilli source, as the victim is heard screaming for help and pleading that she would not do it again.

Copperbelt Province Commissioner of Police Charity Katanga named the suspects in a statement, Tuesday. *To page 4*



State House Press Aide Amos Chanda (r) joins Catholic Bishops led by Chipata Diocese Bishop George Lungu (2nd right), Finance PS Mukuli Chikuba (2nd left) and PR chief Chileshe Kandeta (l) in a photo after an economic development consultative meeting



We owe contractors K5.4 billion - Maggie

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ConCourt has left more questions over Lungu's eligibility, says TIZ

By Mukosha Funga
Transparency International Zambia says the Constitutional

Court has left citizens with more questions regarding President Edgar Lungu's

eligibility to contest the 2021 elections.

And TIZ has asked judges to stop threatening citizens who are commenting on their judgments because they are not infallible.

Meanwhile, TIZ says it is only President Lungu who can set the tone on the fight against corruption. *To page 2*

Mwila sues CK for defamation

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K370,000 on tree 'facelift' shocks Changala
Story page 2

Brebna questions K370,000 for Big Tree 'rehabilitation'

By Zondiwe Mbewe

Civil Rights activist Brebna Changala has challenged government to breakdown the K370,000 spent on rehabilitating the Big Tree National Monument because it does not make sense.

And the Bank of Zambia is this Thursday expected to give journalists a tour of the tree in order for citizens appreciate its efforts.

On Monday, Zambia Daily Mail carried a story stating that the Big Tree National Monument, a fig tree locally known as Mukuyu located at Kabwe's Freedom Way square, which appears on the K50 banknote has received a face lift after undergoing rehabilitation at a cost of K 370,000.

The state-owned newspaper reported that Bank of Zambia (BoZ), in partnership with the National Heritage Conservation Commission (NHCC), funded the rehabilitation of one of the two national monuments in Kabwe.

But after the story was published on social media, netizens condemned government for wasting such an amount on rehabilitating a tree.

Kabwe Mayor Prince Chileshe then issued a statement explaining that it was the Bank of Zambia which rehabilitated areas surrounding the tree and not the local authority.

He stated that Bank of Zambia, through its Corporate Social Responsibility, adopted the Mukuyu tree heritage site declared in the 1950s and had periodically rehabilitated it according to their available resources and budget.

"The council did not spend any money or participate in the tendering process of any company to carry out the rehabilitation works at the Mukuyu Tree as that

was done under the Bank of Zambia. So it is unfortunate that some media houses can be tools of propaganda at the expense of informing the nation on the process involved, stating clearly the sources of their information for people to make informed decisions based on verified information," stated Chileshe.

"It is regrettable that the media has lost its meaning and value to national development and cannot be used by citizens to make informed decisions as can be seen in the rehabilitation of the Mukuyu tree story meant to portray the Council as being irresponsible to spend a

huge sum of money on rehabilitation works amidst non-payment of salaries for council workers."

But in an interview, Changala observed that there was no normal person who could associate themselves to such expenditure.

"The mayor has given out that statement because he believes that figure is unattainable. That's why the mayor has come out very quickly to disassociate himself from that expenditure. He is very clever. There is no normal person who can associate himself to that kind of outrageous [figure]. How do you rehabilitate a tree

that has been there longer than yourself? What do you add to that tree, do you make it grow bigger? Give you more flowers?" asked Changala.

"That is wasteful and must not be tolerated. That's creating an avenue for theft of public funds. You cannot face lift a tree at such a cost. They must explain what else they have added to that tree for it to have value, either advertisements, marketing and the history background of the tree. They cannot rehabilitate a tree, that's a natural occurrence. But the money they are saying they spent, it must be audited because that could have been stolen. Probably they



have only spent K4,000 there and the rest is stolen. That figure is astronomical and does not match with the intended purpose, that could have been a conduit for whoever was involved to steal public funds." And when called to explain

the cost, BoZ head of communications Kanguya Mayondi invited News Diggers to join other media institutions which would tour the heritage site on Thursday, where all questions would be answered.

ConCourt has left more questions over Lungu's eligibility - TIZ

By Mukosha Funga

Transparency International Zambia says the Constitutional Court has left citizens with more questions regarding President Edgar Lungu's eligibility to contest the 2021 elections.

And TIZ has asked judges to stop threatening citizens who are commenting on their judgments because they are not infallible.

Meanwhile, TIZ says it is only President Lungu who can set the tone on the fight against corruption.

Speaking on Hot FM's Frank on Hot, Tuesday, TIZ president Rueben Lifuka also wondered why the ConCourt seemingly assumed the role of Parliament by fitting in new clauses in the Constitution. "2015 elections, from my lay mans reading of the Constitution, were conducted on the basis of the existing constitution at

the time which was quite clear as to the eligibility of the person who should run for office, the term of office of a person who's held office, what that entails, etc. So what the Constitutional Court has done now, in my view, is to create this bridge between 2015 and 2016 because in actual fact, they argued that transitional arrangements were not envisaged or they were not proposed by the legislature to facilitate what would happen between 2015 and 2016. Granted, if the Constitutional Court had noted this lacuna, so to say, what I don't understand, and I am hoping that lawyers will help us get to the bottom of this is why the Constitutional Court has taken it upon itself to do the role of Parliament and actually create a new provision. That is something that's puzzling a lot of us and probably, we need to get

more inspired legal minds to help us understand what is happening," Lifuka said.

"That said, are we only saying the only transitional arrangements that should be provided for are for the President? Or there could be several other transitional arrangements? Because others can also claim, for instance if you talk about issues of emoluments, whether it is the Secretary to Cabinet or a senior Cabinet position at the time and left before the constitutional amendments took effect, will they claim that they should enjoy the same benefits that are being enjoyed on the basis of the new amended constitution? The amended Constitution provides that a person who should be retired should be paid on the day on which they retire otherwise they remain on the payroll until such a time that their pension or gratuity and

any other benefits are paid. Would those that left before this Constitution came into effect equally claim and go to the Constitutional Court and claim those transition arrangements? So in a nutshell, one would have hoped that the Constitutional Court will create the necessary stability and clarity on these matters, I am not too sure whether they have done that."

And Lifuka asked judges to stop threatening citizens who were commenting on their judgments because they are not infallible.

Maybe we need to see what Parliament will do as they refine the Constitution but as matters stand, I think they have left a number of us still in the dark and asking questions. It is a done deal, there is very little anyone can do about it, it is a final authority insofar as these matters are concerned but to what extent does this endear confidence in the court? To what extent does this endear confidence in its judgements? Yes, I see this happening now and the judiciary saying we shouldn't comment on matters before the courts, I agree, we need to all be careful about that so that we can insulate the court from all this ridicule and comments which may be unfair to their conduct, however, judges are not infallible and this is a point that the Judiciary should know," he said.

"Even from a Transparency International perspective, we've noted worldwide that corruption does not leave out any sector, no sector is excluded, including the Judiciary and it therefore

behooves on every Zambian to take keen interest that we have a Judiciary that is above board, a Judiciary that is not tainted in any way by any allegations of corruption. So the Judiciary also have a role to play to balance on this. Not to just label everything as contempt, but to also understand that the work of the Judiciary must come under scrutiny of the general public. It's the Judiciary working for the people, it is not working for itself and therefore, when people raise some of these questions, the Judiciary should in a sober mind address the issues. To use a sledge hammer now for every criticism of the Judiciary may not work. You may silence the people, but they will just lose trust and when the people lose faith in the justice system, they will invest their resources in buying justice."

Meanwhile, Lifuka said it is only President Lungu who can set the tone on the fight against corruption.

"President Lungu has a unique position as Head of State to send the right message. It is not just saying 'jail the corrupt', it is saying to his ministers, 'I will not take this corruption. 2019 should be a turning point and I would like you as Cabinet ministers to be in the forefront to ensure that your ministries are clean. No corrupt activities, no donor money being misappropriated. And if systems are weak, we will do everything possible to clean up those systems and give to the Zambian people the gift of a corrupt free Zambia'. He sets the tone," said Lifuka.

Cops put on defence for killing ZAF officer

By Zondiwe Mbewe

The Lusaka High has placed four people on their defence, among them two police officers, after finding them with a case to answer in a matter where they are charged with manslaughter in connection with the death of ZAF flight sergeant Mark Choongwa who died in Police custody last year after allegedly being beaten.

High Court judge Mwila Chitabo placed the accused, Veronica Lucy

Shawa, Mike Kapale, Lyton Mwale and James Ngulube on their defence, Monday, after establishing a prima facie case against them.

In this matter, Shawa, 44, a police officer of SOS Humanitarian area, Kapale, 39, of State Lodge, Mwale, 37, of Mtendere and Ngulube, 27, of Bauleni township, are charged with manslaughter contrary to section 199 of the Penal Code chapter 87 of the Laws of Zambia.

It is alleged that the quartet, on March 18 last year, whilst acting together, unlawfully caused the death of the Zambia Air Force officer Choongwa. Choongwa was murdered in police custody at Woodlands Police Station where he was detained, following a motor vehicle accident in which he was involved earlier.

The suspects are expected to open their defence on February 18, next year.

By Abraham Kalito

Economic analyst Chibamba Kanyama says Zambia is grappling with extreme poverty because of the absence of the private sector between 1969 and 1991 and the inability to harness the acquired skills.

In an interview with News Diggers, Kanyama who is Bridges Limited founder, also stressed the need for government to put in place a system of proper regulation to address exploitation of resources by the private sector. "What I would say is that we have not fully harnessed the skills in the country since independence. We know that different governments have

Chibamba explains link between high poverty and dormant private sector

tried to harness these skill levels. Nationalisation in 1969 was a way of harnessing the skills. Getting Zambians to determine their Destiny, Zambians to be the leaders of the mines. Zambians to be the leaders of agriculture, Zambians to be the leaders of commerce and industry. Almost every sector was supposed to be led by a Zambian. I think those efforts were very genuine.

Unfortunately they got affected by what I would call the economic landscape itself," he said. "Maybe the philosophy was not encouraging in its private initiative, because we should go beyond national leadership in order for us to be successful. We should Focus on the national policies, induce behaviours of innovation, of value addition. So the absence of the private sector in Zambia

between 1969 and 1991 is evident that, just like the efforts of the Kaunda regime archive much in terms of education, much of it again was not achieved, given that private enterprises drive systems. And when we liberalised the economy, we had government playing its role on one hand and providing leadership on the other."

Kanyama also said poor regulatory frameworks had

also failed to address the exploitation of the country's resources by the private sector, a situation he said had led to more poverty.

"Government remains a policy maker, a policy shaper, creating the right environment, and of course getting the right taxes and those taxes going in the right direction. When you compare yourself to countries like Kenya which have been liberalised since

independence, it's GDP is much, much higher than we have. It's higher than ours, the private sector is vibrant, it's innovative, we find greater and many more leaders in Kenya. Kenya is performing in almost every sector. When you go and see who is leading the multi national companies such as the Coca-Cola, if you are looking at Africans playing a role in the world, Kenyans are more or less taking the lead. Why, because they are a product of private sector innovative culture that produces good leader. Their environment produces and shapes leadership. Leadership should go beyond national leadership," said Kanyama.

"That's why at Bridges Limited believe that we should produce leaders from these same parastatals provided. Competent people who can provide answers, self-believing individuals, risk takers, individuals who can focus the future and galvanise the energy going forward to produce more and more. That leadership is able to shape the Destiny of our parastatals. And you find combined with private sector and parastatals we are able to exploit most of these resources. Whether it's uranium and everything, it's really about leadership and not only national leadership, but private sector Leadership, quasi-institutional leadership."

UPND will rely on co-operatives to turn around economy - Ngoma

By Zondiwe Mbewe

UPND chairperson for Agriculture, Food and Water Development Levy Ngoma says the party will rely on co-operatives to help turn around the economy when the opposition party forms government.

And Ngoma says UPND will work with commercial banks, Zambia National Farmers Union, Colleges and Universities to rebuild a co-operative business model that will create sustainable jobs in all provinces.

In the UPND's weekly news letter to News Diggers! Ngoma stated that UPND believed in independent, strong and sustainable co-operative enterprises and would therefore rely on co-operatives to help turn around the economy.

He stated that the UPND government would consider establishing a Zambia Co-operative Commission of Inquiry composed of farmers representatives, surviving co-operatives and the private sector.

"These will consider the following policy options: (a) Recommending a National Co-operative Policy that promotes on job creation, sustainability, co-operative enterprise values and principles and diversification by co-operatives in Zambia; (b) That the Zambia Co-operative Act (No 20 of 1998) be amended to reduce the powers of the Ministers and Civil Servants in controlling co-operatives -hence promoting ILO Regulation 193 of 2002; (c) That GRZ hands over the Co-operative College and ensure that the College is owned by the Co-operative Movement with a view of making co-operative enterprise training its mandate; (d) Introduce a Co-operative Enterprise Education in the curriculum

from Primary Level to the University," he stated.

Ngoma stated that UPND would further consider making recommendations of how best to restructure the Zambia Co-operative Federation to ensure that it has an efficient apex body, hence allowing only district and provincial unions to operate as co-operative enterprises throughout Zambia.

"Consider ways of the Zambia National Farmers Union, the Co-operative Movement, the private sector and GRZ re-introducing the Co-operative Bank to be owned 100 percent by farmers and the private sector; Make recommendations for UPND government to turn all major Zambia public markets owned by Councils into Co-operatives and securing funds from donors to turn the markets into Multi-Purpose Co-operatives working together to diversity their businesses and promote Credit Unions; That Zambia National Service considers turning all ZNS Farms into Co-operative Enterprises and Co-operative Training Centres," he stated further.

And Ngoma stated that as UPND, the overarching goal of the co-operative policy would be to create youth and women employment through sustainable co-operative enterprises in agriculture, tourism, housing, transport, financial services, mining, education, among others.

He stated that the party would work with co-operative leaders throughout the country to ensure that Zambia achieves Vision 2030.

Ngoma added that this would be by ensuring that co-operative enterprises also incorporated the 17 UN

Sustainable Development Goals to ensure that poverty becomes history in Zambia.

He stated that UPND would also work with the commercial banks, Zambia National Farmers Union, Colleges and Universities to rebuild a co-operative business model that would create sustainable and decent jobs in all provinces.

"This will require a serious paradigm shift in all Ministries, Local Government and State Enterprises. UPND will also work with the commercial banks, the Zambia National

Farmers Union, Colleges and Universities to rebuild a co-operative business model that will create sustainable and decent jobs in all Provinces. Zambia Co-operative enterprises under the UPND will be supported to not only to produce primary products, but add value for domestic, regional and international markets. That is the future we can all build for our children- a fair and sustainable economy that is based on co-operation and not competition," stated Ngoma.

"Co-operatives are

recognised by the United Nations as major job creating enterprises that also contribute to economic growth in both the developed and developing countries. Co-operative enterprises contribute hugely to the Growth Domestic Product of large economies in the UK, USA, Canada, Japan, China, Spain, Germany, France, Australia, Tanzania, Kenya and Ghana. Co-operative enterprises are therefore based on the values of "self-help, self-responsibility, democracy, equality, equity and solidarity."



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Police arrest women filmed torturing girl for sleeping with their husbands

By Sipilisiwe Ncube

Police on the Copperbelt have picked five suspects who were captured in a viral video torturing a young woman who they accused of sleeping with their husbands.

In the video, the said gang of women is seen shoving a bottle of Castle Lager into her private parts as punishment while another woman is seen pouring hot chilli source, as the victim is heard screaming for help and pleading that she would not do it again.

Copperbelt Province Commissioner of Police Charity Katanga revealed in a statement, Tuesday, that the suspects had been identified as Precious Kapambwe aged 25 years of Mushili, Bridget Chisha aged 21 years of Lubuto West, Magrette

Mwansa aged 25 years of Overspill, Catherine Banda aged 29 years also of Overspill area, and 29 year old Maureen Mutale of Independence Avenue Town Centre in Ndola.

Katanga reported that the incident occurred on December 1, 2018 around 20:00 hours when the 21 year old victim identified as Denise Mwanakubwila was drinking beer at Start Point at Masala main market in Ndola with a Mr Harrison Mwanza the husband to Precious Kapambwe.

Katanga stated that it was at that point when Kapambwe showed up in the company of the named women and attacked her.

She further revealed that the victim sustained bruises

inside the vagina and general body pains.

“Indecent Assault on Female OB No 8285/18. Occurred on 01/12/18 at 20:00hrs at house number 6970 Chinese Complex Complainant being Female Denise Mwanakubwila aged 21 yrs of house number 2180 New Mushili who complained that she was indecently assaulted by the 5 women she identified as F/Precious Kapambwe aged 25 yrs of the above address. Female Bridget Chisha aged 21yrs of house number 6446 Lubuto West, female Magrette Mwansa aged 25 yrs of house number 1028 Overspill, female Catherine Banda aged 29 yrs of house number of the above address and F/Maureen Mutale aged 29 yrs of house number 26 Independence

Avenue Town Centre, Ndola. She sustained bruises inside the vagina and general body pains. The incident happened when the complainant was drinking beer at Start Point at Masala main market with male Harrison Mwanza the husband to female Precious Kapambwe. Whilst there, the wife to male Harrison Mwanza showed up in the company of the named women,” Katanga disclosed in a statement.

Katanga narrated that Kapambwe’s husband upon seeing the gang of women headed by his wife going for his lover, fled the scene.

“Upon seeing that, the husband run away leaving the victim alone. Precious Kapambwe and her friends picked the victim by force and took her to a house where she

was forced to undress. She was held on both hands and legs by four women and the fifth one inserted an empty bottle of Castle Lager into her private part causing her to sustain the said injuries. One of them started making a video and taking pictures. Police visited the scene and apprehended the named suspects and recovered two cell phones containing the video and pictures and clothes belonging to the victim and kept them as exhibit. The five suspects are in police custody charged with the subject offence. Dockets have been opened and arrest have been made. The same will appear before court on Monday,” stated Katanga.

And the Non-governmental Gender Organisations’

Coordinating Council (NGOCC) has demanded justice in the case.

“NGOCC condemns in the strongest terms the assault of a woman by fellow women in a video that has gone viral on social media in which some women are visibly abusing another whom they have accused of being in a relationship with a married man. The conduct of the women in the video is not only cruel, but inhuman and an abuse of the other woman’s rights. The behaviour of the women to undress and dehumanise a fellow woman is the worst form of indignity and a violation of human rights that any human being can be exposed to,” read the NGOCC statement.

“As an organisation we have this morning engaged the Zambia Police command to demand the immediate arrest of those women for their barbaric conduct. It is therefore good that all those that were involved have since been arrested by the police on the Copperbelt. Nothing can justify their inhuman and degrading treatment of a fellow human being in such a manner. NGOCC will follow this case to its logical conclusion to ensure that justice is done. In the meantime our members are working with the police to help the victim with some counselling in view of the traumatising experience. Zambians must desist from taking the law into their own hands by engaging in mob justice.”

Social Cash Transfer beneficiaries have only been paid twice this year - Minister

By Mirriam Chabala

Ministry of Community Development and Social Welfare Olipa Phiri has disclosed that her ministry only paid Social Cash Transfer beneficiaries in January and February this year due to non availability of funds.

But Mumbwa UPND member of parliament Credo Nanjuwa has wondered why the government is considering increasing the number of beneficiaries on the scheme when it cannot even afford to pay the current beneficiaries their dues.

Phiri was responding to a question from Bangweulu PF member of parliament Anthony Kasandwe, who wanted to know whether there were any outstanding payments to beneficiaries on social cash transfer scheme.

Kasandwe also wanted to find out what had caused the delay in paying the beneficiaries as well as how often beneficiaries were paid and how long they would remain on the scheme.

In response, Phiri said the affected beneficiaries were 632,020 in total and that they were not able to receive their payments due to failure by the treasury and cooperating partners to release funding.

“The social cash transfer scheme beneficiary households have only

been paid in January and February, bi-monthly transfer this year. This leaves the outstanding payment of four payment cycles and this is March, April, May, June, July, August and September, October. The affected beneficiaries are 632,020. The payment of transfers has delayed due to none release of funds from the Treasury and our cooperating partners towards the programme. Initially, the beneficiaries are paid every two months and the beneficiary households on the scheme stay on the programme for three years, after which, they are expected to be reassessed and determine the status of their living conditions.

Madam Speaker, as a ministry we have started paying for March and April, which means that we are going to pay everything else that is owed,” Phiri said.

But UPND’s Credo Nanjuwa raised concerns on government’s intention to increase the number of beneficiaries on the scheme. In her response, Phiri assured the nation that government had not failed to pay.

“The government hasn’t failed to pay, it’s only that we had some challenges the past two months, that’s why there is that delay. Otherwise, we are able to pay. That’s why I have said that we are able to pay for

March and April,” Phiri said.

Meanwhile, Kabwe Central member of parliament Tutwa Ngulube queried the minister in another follow up question if she had been making any efforts to entice cooperating partners who had withdrawn their aid to come back.

And her response, Phiri said she would start doing so immediately the forensic report on theft of funds was completed by the end of this

week.

“I appreciate your concern [honourable member for Kabwe Central]. Yesterday I sat with the cooperating partners and we are looking at what will be the way forward. Meanwhile, we are still waiting for the forensic report, which by maybe the end of this week will be ready and after that we will renegotiate with the people from our cooperating partners.... But I just want to assure the honourable

members that government and we as a ministry are renegotiating with ministry Finance. And we are going to pay for the remaining months as we had promised the people of Zambia... as Ministry of Community Development, we are now working with Smart Zambia to look at the system which we can ensure that we start monitoring the monies at the press of a button in the Province and at national level,” said Phiri.

ConCourt has not declared Lungu eligible for 2021 - Sacika

By Mirriam Chabala

Former Secretary to Cabinet Dr Sketchley Sacika has observed that the Constitutional Court did not declare President Edgar Lungu eligible to contest the 2021 elections.

In an interview, Dr Sacika said the Constitutional Court deliberately refused to rule on whether or not President Lungu is eligible to stand in 2021 because it wants the Head of State to be the one to tell the nation that he is no eligible.

Dr Sacika stressed that President Lungu had already held the office of President twice and that there was no way he could be eligible to contest the Presidency for a third time.

“The Constitutional Court has played a very shrewd political game, for which it must be congratulated. If the issue of President Lungu’s eligibility to stand in the 2021 elections had not been properly handled, the country

might have experienced some political instability and maybe the complete disintegration of the PF. Those celebrating that President Lungu has been cleared to stand in 2021 are either being mischievous or do not quite understand the ruling of the court. The court refused to rule on whether President Lungu is eligible to stand in 2021 or not. The matter which was so central to Danny Pule and his fellow petitioners, because President Lungu is not eligible to stand. By refusing to rule on this matter, the court wants President Lungu to be the one to tell his supporters and the nation as a whole that he will not be on the ballot paper in 2021,” Dr Sacika said.

Dr Sacika said there was no way President Lungu could run again in 2021.

“President Lungu knows that he is not eligible to stand but his problem is, how does he convince his supporters?

This is where we expect him to show leadership and strength of character. President Lungu’s major task as I see it is to start preparing a new leadership take over from him in readiness for the 2021 elections. The issues that the Constitutional Court dealt with are important only in so far as entitlement to the terminal benefits to the President are concerned. In order to qualify for these benefits, a person must serve a minimum of three years. If President Lungu had not won the elections in 2016, he would not have entitled to these benefits. All judge Chibomba said was that President Lungu did not serve a full term as stipulated in the Constitution. The substantive question here is whether President Lungu has twice held office of President and the answer is yes because he has been twice elected as President. So there is no way he can run again as President,” said Dr Sacika.

By Mukosha Funga and Joseph Mwenda

An investigation has revealed that the private company that was granted a concession to implement the "Advanced Road Safety Management Solution and Services on behalf of the Road Transport and Safety Agency (RTSA) will take 90 per cent of all proceeds.

In August this year, the government, acting through RTSA entered into a hasty concession agreement with Intelligent Mobile Solutions (IMS), a company that is now mandated to manage motor vehicle registration and the installation of speed cameras among other obligations.

News Diggers revealed last week that government has further single sourced the said IMS company to take over the management of toll plazas around the country for 17 years, and to be collecting toll fees on behalf of the National Road Fund Agency and the Road Development Agency.

According to the ongoing News Diggers' investigation, government will only take 10 per cent of the proceeds, while the Concessionaire would retain 90 per cent, to speed up its retain

RTSA, IMS deal lingers after revenue sharing dilemma

on investment in the first seven years.

"Subject to the foregoing provisions of this agreement, all user charges owing by users of the project facilities and for the provision of services rendered by the Concessionaire under this Agreement, including fines shall accrue to the Government; and the Concessionaire shall invoice the Agency for the equipment and services provided under the project," read the second addendum to the concession agreement in part.

"The Agency shall pay the Concessionaire monthly service charges equal to: year 1 to year 7, 90 per cent of the revenue collected; year 8 to year 12, 80 percent of the revenue collected; year 13 to year 17, 70 percent of the revenue

collected from fines, vehicle inspection fees and vehicle registration fees. From fines generated by the system excluding

speeding fines, the Agency shall pay the Concessionaire 20 per cent of revenue collected in year 1 to year 17, and 10 per cent of revenue collected from cross border violations."

The haphazard concessions agreement signed between the government and IMS has, however, resulted in operational challenges following high compliance levels among motorists, leaving the two parties in a revenue-sharing squabble.

Last month, IMS Chief Executive Officer David Reynolds said the ministry of Finance was not remitting proceeds to the company, a situation that had led to serious financial and operational challenges.

He told employees who had not been paid for three months that the blame was on its clients RTSA and Ministry of Finance.

"You may be aware that IMS staff are yet to receive October Salaries. I can confirm that IMS

has encountered some issues temporarily effecting flow of operational funding from its client, RTSA and the Ministry of Finance. All parties are working diligently to resolve the last remaining issue which has interrupted cash flow," said Reynolds in a memo circulated to his staff dated November 20, 2018.

"I am confident that the problem will be resolved in due course. Thus I fully expect September, October and November salaries to be disbursed between the end of the month and the middle of December. Thank you for your support and understanding during this period."

When asked about the revenue-sharing dilemma that his company had found itself in, Reynolds told News Diggers in an interview that there were no such problems with the deal and that all employees' salaries were upto date.

But when told about the letter that he had signed, the IMS chief executive admitted that there were some problems which had since been resolved.

"Well, all matters like that would have to be handled by the executive chairman, but it's not true to say that the staff haven't been paid. In fact the staff have been paid and everyone is upto date... okay, that [notice that the Ministry of Finance and RTSA are not remitting finances to IMS] has now been resolved and they (workers) are all paid," said a jovial Reynolds.

Sources at IMS explained to News Diggers that the compliance levels among motorists had thrown the concession agreement in a financial dilemma.

"First it was the speed cameras, but that money has reduced significantly as people have become aware and compliant. So there is a plan to deploy more speed cameras secretly on other

roads, as these cameras work best when people don't know about them," said a source who sought anonymity.

"But the next big money generator that they are pushing for will be the re-registration of vehicles. There are between 750,000 to 1 million vehicles in Zambia; we don't know exactly because the eZAMTIS system that they spent US\$22 million on doesn't even work properly. So for the re-registration of vehicles, at first they wanted to charge K1,000 so that they could make about a billion kwacha. But they were told to reduce, as they were afraid that amount would create a backlash. So they are planning on charging K500 per car. But instead of a proper process - where there is a long transition period even up to a year or two. They want everything done in 3 months and the police command has already been briefed because they will be the ones to crack down heavily on un-registered vehicles."

But RTSA Head of Public Relations Fred Mubanga told News Diggers that it was not true that the agency was planning on installing secret cameras, adding that the idea was not to generate income, but to change the behavior of motorists.

On the financial challenges with IMS, Mubanga said the Agency had taken note of the situation facing the Concessionaire and that a remedial measure would be employed to resolve outstanding issues.

"Our comment is that we have noted the happenings at IMS, our partners, and as RTSA, we shall be engaging them to see how best this matter can be resolved," said Mubanga.

"On the speed cameras, it is true that the compliance levels have improved, meaning that the number of people who are being charged for these offences has reduced. That's the correct picture and that was the idea behind implementing this project. And it was anticipated that in the first month, the numbers would be high, and the fines would be more, but towards the end of the project the numbers would reduce. So that was anticipated, and it was not about revenue collection but changing the driver attitude. Therefore it cannot be true that we now intent to install secret speed cameras to catch unsuspecting motorists, that is not true."

International community appreciates ConCourt ruling on Lungu – Malanji

By Sipilisiwe Ncube

Foreign Affairs Minister Joe Malanji says he has received a number of calls from the International Community appreciating the certainty that Zambia has gained after the Constitutional Court's ruling which allowed President Edgar Lungu to stand in 2021.

And Malanji has asked those wishing to challenge President Lungu to do so on the ballot box in 2021 rather than ranting on various platforms.

Speaking at a press briefing at his office, Tuesday, Malanji wondered why those chanting "third term" were quiet when President Lungu did not get his gratuity for not serving the required number of days.

"First of all I want to congratulate His Excellency President Edgar Chagwa Lungu for the ConCourt ruling on his eligibility for 2021. You know

it's not one thing when the court rules in your favor that you go seeing the courts as independent [and] when they don't in your favour [then] the courts are not independent. We appreciate the integrity that the Zambian courts have displayed...The Zambian judiciary is actually admired by quite a good number of countries in the region and the continent as a whole. So that effect we must appreciate that presidency is a very serious institution and it requires commitment to most of the people that surround it," Malanji said.

He said immediately judgement was passed, he received a number of calls from the International Community expressing relief.

"When you look at Zambia, we've had calamities in a period of 15 years we have had four presidents and these four presidents, all being equal, are

supposed to have served for 40 years. We appreciate that there have been an act of forced merger [where] we have lost two sitting presidents [and] this is not a simple matter because the office of the presidency requires continuity. When you look at Zambia today, immediately that judgement was passed, I had quite a good number of calls from the international community appreciating that there would be certainty in this country," Malanji said.

"We must appreciate that Zambia as at now is a member of the C10 peace and security and we are chair of the organ for peace and security on SADC. So those are not simple offices, those offices are given to a country where they see that there is certainty and you cannot underrate the economic factors. When you have a turn

of presidency, that equally affects our economy. So we are glad that the courts ruled in favour of His Excellency, then we know that at least he can actually display his pros in executing duties as opposed to the anxieties which everyone had before the ruling of the courts."

And Malanji asked those wishing to challenge President Lungu to do so on the ballot box in 2021 rather than ranting on various platforms.

"My meetings with the European community on the side[lines] of the United Nations, they actually appreciated the role that Zambia is playing in the region and they appreciated the democracy on the Zambian platform. So it should not be diluted now by individuals with different motives. Those that want to challenge President

Lungu, 2021 is not very far. Let them just prepare to challenge him in the ballot box and not to go and sing on platforms to declare third term. What is third term? The time that President Lungu as not given gratuity, for not having not met the threshold or the period he was suppose to be in office, no one went to cry on any platform to say 'why haven't you given President Lungu his gratuity?' [and] now that the constitution suites him, we now start crying to say 'President Lungu is not eligible.' Let's be fair and the only thing that will be neutral for everyone is the ballot box and let the Zambian decide in 2021," said Malanji.

"So those [saying] that the president cannot make [it] in 2021, the onus is on them to challenge him in 2021. This is not time to actually use

technicalities to eliminate would-be candidates. President Lungu as displayed in 2016 got the majority and that's how come got the 50 per cent plus one victory from the word go. So we must now look at working together as a country. Zambians by history and instincts are very good people and they should not be swayed by people with personal motives, let's work as Zambians and let's make Zambia be the Zambia that everyone knows in this region. You must realise that in the services that we are executing now as chair of the organ (SADC) are not new to Zambia. Zambia played a middle-wifely role in having independence for quite a good number of countries surrounding us and we must continue to have Zambia a model in this country."

Govt owes local contractors K5.4 billion - Mwanakatwe

By Mirriam Chabala

Finance Minister Margaret Mwanakatwe has disclosed that government is owing domestic contractors amounts totalling to K5.4 billion for various road projects, as of September this year.

And Mwanakatwe has explained to Parliament government has engaged a new partner to help revive Kabwe's Mulungushi Textile, despite President Edgar Lungu already 'commissioning' operations at the manufacturing plant during the 2016 general election campaigns.

Responding to a question from Kantanshi independent member of parliament Anthony Mumba, who wanted to know the total domestic debt government was owing contractors for road projects, Mwanakatwe broke down the debt saying: "The total domestic debt to contractors for road projects countrywide as of 30th September 2018 stood at K5.4 billion. This amount is broken down as follows: 1. foreign contractors/ consultancy - K2.6

billion; 2. Local contractors/ consultancy - K2.8 billion."

"Government has no plans to amend road contracts and remove the requirement to pay interests and standing time on unpaid invoices. Instead, government will work out mechanisms where payment for invoices is done on time to avoid interest and standing time charges... further, payment of interest on delayed payment is not peculiar to the road sector, it is a standard for all commercial contracts. This notwithstanding, the government through the Road Development Agency (RDA) has increased the standard period of time after which interest is chargeable so as to provide sufficient time for government to mobilise resources. This period has been increased from 28 days after the due date of payment to 56 days after the due date for payment. We will therefore put measures in place to ensure payment within the grace period," Mwanakatwe explained.

Further, Kabombo UPND member of

parliament Ambrose Lufuma, asked the minister to state where government was going to get the money to pay contractors on time, to which Mwanakatwe begged all members to approve the 2019 budget so that she could start collecting revenue. "First of all, I am dismantling arrears. After that, I want to pay! Delayed payments is costing me and I want you to help me do that by making sure that you pass my budget for 2019. That budget is very clear that we are going to raise K86.8 billion. So I am really asking you to help me to make sure that laws that we are going to put in place for 2019 budget are passed by the end of this week. So that I can start collecting revenue then I can pay. I have got K14 billion of arrears, I have to pay that, then I have got running contracts, I must pay that. Too," she stressed. Meanwhile, Mwanakatwe gave government's current position on the state of Mulungushi Textiles in Kabwe district.

"The way forward on the future of Mulungushi Textiles was agreed between the Government of Zambia and the People's Republic of China. The Chinese government committed to assist in the revamping of Mulungushi textiles, this was a bilateral agreement representing the good relations between China and Zambia. With the investment structure and other details of the partnership to be completed in the first quarter of 2019. That's when I will be able to give you the exact details. Upon which we shall provide a road map for the reopening of Mulungushi textiles. The obsolete state of the equipment at the plant has meant that significant capital is required to revive the plant. Government therefore decided that it was necessary to find partners that would co-invest in the venture and proceed to engage the Chinese government on the way forward," said Mwanakatwe in response to a question from Chipili independent member of parliament Jewis Chabi.



NAREP
NATIONAL RESTORATION PARTY
Politics with a heart for the people
 Why we deserve your vote



Why NAREP finds ConCourt wrong on Lungu's eligibility

Origin of the Three Year Partial Term Rule

Under Zambia's Republican Constitution, the rule about a presidential term not qualifying as a full term if it spanned a period of less than 3 years, first came into existence in the 2016 amended Constitution. It arises in only two situations: (a) where the office of president falls vacant and the vice-president automatically takes over (e.g. if the incumbent dies); and (b) when an election is held because the vice-president who should take over to serve the remaining term is either unwilling or unable to do so. We can call these the "New Clauses".

Obviously neither of these situations was at play during the 2015 presidential election because these provisions were not in existence and were therefore not recognised in the law at that time.

Decision of the Constitutional Court

In a case brought to determine the eligibility of President Edgar Lungu to stand as a presidential candidate in 2021, having served less than three years in his first term, the Constitutional Court determined that:

".... the presidential tenure of office that ran from January 25, 2015 to September 13, 2016 and straddled two constitutional regimes, cannot be considered as a full term".

In doing so, the Constitutional Court effectively backdated the application of the New Clauses to a time when there was already a law governing: (a) the eligibility of a person to stand again as a presidential candidate who has twice been elected as president (he or she would be disqualified); and (b) how long a presidential term needed to be in order to count as a full term under the law (there was previously no minimum period, meaning prior to the 2016 amendment to the Constitution, a person could technically be president for less than a year and still be deemed to have served a full term).

To give you an example of the awkwardness of this position, imagine the Constitution being amended to raise the qualification age for presidency to 40 years from 35. Using the logic above, a president who was elected at 35 years would now be deemed to be ineligible to have stood in the earlier election based on a law that had not existed at the time.

The pre-amended Constitution clearly stated that "a person who has twice been elected as President" could not run again for that office, while the amended Constitution states that a person who has "twice held office" cannot run again for that office. There is no contradiction in these two positions - the later version simply tidies up the earlier one by making clear that there also has to be a swearing in.

Basis of the Decision

The Court's justification for their decision is that they felt Parliament would have intended to make transitional provisions to address the question of the term of the president under the pre-amendment Constitution but simply overlooked it. As stated by the Court:

"..... the question is what could have been the intention of the legislature on this aspect of the transitional arrangements for the presidential term straddling two constitutional regimes? Our firm view is that it could not have been the intention of the legislature not to provide for the period that was served and that straddled two Constitutional regimes, as to how it

should be treated."

In short, the Court decided that they should backdate the application of the three-year rule, even though it did not exist at the time of President Lungu's first election, because of the need to clarify how this would affect a person that happened to be president in between these two constitutional regimes.

Critique of the Decision

I believe the Constitutional Court misdirected itself and I set out seven grounds to justify this conclusion:

1. The idea that the first period served by the incumbent president straddled two Constitutional regimes and therefore needed some form of transitional wording is really a fabrication of a concept. The Court somehow managed to identify a problem that did not exist - the amended constitution was assented to seven months before the 2016 election. Parliament was dissolved in May, 2016 and the remaining time to the election was merely a caretaker phase as the official campaign period had already commenced and was nearing its conclusion. The president's tenure was therefore coming to an end under the 2015 mandate which was adequately covered by the pre-amended Constitution. As we shall see later, serving even for one year constituted a full term under the pre-amended Constitution.
2. In inserting and backdating the application of a provision that was only due to come into effect after the Constitutional Amendment Bill was passed, the Constitutional Court has, in effect, usurped the power of Parliament, abrogating the fundamental rule of separation of powers. They concluded that *"it could not have been the intention of the legislature not to provide for the period that was served and that straddled two Constitutional regimes, as to how it should be treated"*, and then went on to decide on behalf of Parliament, which option they believe Parliament would have chosen. Raising the concern about intention is one thing; deciding which option Parliament would have taken is quite another. The Court has therefore planted into an earlier time, a provision in the law that Parliament did not on the face of it intend to come into effect until 2016 and they have done it using a set of facts that does not fit with the situation contemplated by the very provision they are relying on.
3. In 2015, the president was elected under the pre-amendment Constitution and was therefore subject to its provisions as they existed at the time. When the amendments were made - not too long before the campaign period had been officially opened - the logical assumption is that they would apply to future elections since they referred to a system that was planned to be introduced by the very amendments (i.e. the system of the running mate).
4. Interpreting the intention of Parliament in this way goes against the principle in law that unless expressly stated, law has no retrospective effect. As a general rule, law is not to be applied to the retrospectively unless it clearly stipulates as such. Even then, it cannot be applied to undermine rights that were available to someone before the new law existed.
5. No transitional provision was necessary in this case if the intention (as is clearly stated in the amended Constitution) was to tie the three-year rule to vice-presidents taking over

from an incumbent (or any other person doing the same because the vice-president could not or chose not to stand). By deciding that some form of transitional provision was necessary, the Court was effectively making a decision to protect one man, President Lungu, because only he was affected by the decision of Parliament not to include any transitional provisions. This was not a new Constitution that was being presented; it was merely the same document being amended and unless the intention was clearly stated by the Legislature, there was no basis for the Court to impose an intention on Parliament.

6. Under the pre-amended Constitution, there was no such thing as a partial term. If the incumbent died two years before the next election then a fresh election would have to be held and this remaining two years would be counted as a full term. The clear intention of the legislature under the pre-amended Constitution was not to have partial terms. By introducing this new issue of a partial terms of less than three years not counting as a full term, it ought to have been clear that this was only to apply under the new dispensation - i.e. after the amended Constitution came into force and not before. Parliament would not have needed to put transitional arrangements in place to deal with such a straightforward matter. All future elections would be subject to the new provisions and all prior elections would be subject to the old provisions.

7. The facts that would need to be present to support the retrospective application of the minimum three-year term rule are absent: in 2015, there was no automatic process for any vice-president to take over and the election was held, not because there was a vacancy or because of any incapacity of the vice-president. The election in September 2015 was held because the Constitution at the time required an election to be held within 90 days whenever there was a vacancy in the office of the president.

Conclusion

The indisputable fact is that the person whose term of office started on 25 January 2015 did not ascend to the office of President because he was vice-president or as a result of an election held because the then vice-president could not, for any reason, assume the office of President. There was no need for the Constitutional Court to assume that Parliament overlooked the need for transitional provisions regarding the issue of term of office. In doing so, the Court has probably overstepped its jurisdiction and granted rights to an incumbent president that were not given to him by Parliament. Although in their judgment they try to distance themselves from making this an issue about President Lungu, their decision makes it precisely that because he is the only one that will acquire a new right as a result of their assumption of what they believe Parliament would have done if they had applied their minds to it. This is a matter that can be taken up in the High Court as it is not premised on the interpretation of the Constitution but is a jurisprudential issue concerning the separation of powers and the powers the Constitutional Court has given itself to address a problem that never existed in the first place.

Elias C. Chipimo
 President
 National Restoration Party

WHEN GIVING LIFE ENDS IN DEATH: THE FACE OF MATERNAL AND INFANT MORTALITY IN ZAMBIA

By Linda Kasonde

I recently came across the story of a young African-American man who is fighting for legislation to reduce maternal mortality among African-American women. His own wife died after delivering a healthy baby via caesarean section. She bled to death because doctors at a very prestigious hospital in the U.S. ignored her haemorrhaging for several hours. Her name was Kira Dixon Johnson. She was very well educated and reasonably well-off and yet she became another statistic. In America, African-American women are 243% more likely to die to child-birth than their white American colleagues. Even wealthy, educated African-American women are still more likely to die in child-birth than white women. Earlier this year, tennis star Serena Williams revealed that she too had suffered a near-death experience following the delivery of her daughter due to post-delivery complications that her care-givers were not taking seriously. In America, black women are more likely to die in child-birth because of poverty and racial bias in terms of the quality of the care they receive. In Zambia, women are more likely to die in child-birth because of poverty. When women get pregnant, they assume that their pregnancy will go smoothly and that nine months later both mother and baby will emerge glowing and cherubescant respectively. That is not the reality for hundreds of thousands of women across the world. In 2016, I was Kira Dixon Johnson. My pregnancy was complicated right from the beginning. I had placenta praevia (low lying placenta that covered my cervix completely). It meant that I bled on and off during my entire pregnancy. I would later learn that this condition is life-threatening as it meant that at any time the placenta could erupt causing me to bleed out in a matter of minutes. Added to that, I was gaining weight excessively (I later found out that it was due to fluid retention) and I was experiencing shortness of breath. My first doctor down played the seriousness of my placenta praevia and other symptoms insisting that I could more or less continue my life as normal. But because I was not satisfied with his lack of explanations and information, I was reading up on my symptoms on my own. I became so concerned at the lack of information that I was getting from my doctor that I changed doctors when I was about five and a half months' pregnant. My new doctor was great. She listened to me and

answered my questions. On my first appointment my urine was tested and it was found that I had protein in my urine and my blood pressure was above normal, both indicators for pre-eclampsia - in addition to my placenta praevia. Eclampsia is a condition in which pregnant women experience unexplained high blood pressure. It is not stress related. It can lead to seizures and affect internal organs either pre- or post-delivery. My new doctor put me on complete bed rest for the rest of my pregnancy which I strictly observed. There would be several occasions when I would be completely relaxed and having laid in bed all day only to be perplexed to find that my blood pressure was very high. My new doctor took a blood sample and ordered a supply of blood to match my blood type in the event that my placenta praevia erupted suddenly. It proved to be a life-saving move. I was later to develop a very severe form of pre-eclampsia called HELLP syndrome which was also life-threatening. At exactly twenty-eight weeks of pregnancy, my placenta praevia erupted and coincidentally my blood pressure was becoming uncontrollable due to the pre-eclampsia. I had to have an emergency caesarean section. My baby, Mazuba (sunshine) was born on 5th August 2016. He was born underweight due to my condition at around 1 kg but fighting for his life. We both were. I was at one of the most prestigious hospitals in Zambia and yet its maternity wing did not have an infant respirator to help him breath. Mazuba died on 7th August 2016. The fact that he was underweight had made his chances of surviving slimmer. It was one of the hardest things I have ever had to experience. I cried for hours until the next morning I was told to stop crying and remain positive otherwise I risked falling into depression which would aggravate my own condition. I had to suck it up. By then the HELLP syndrome had kicked in and my liver and kidneys were breaking down. I needed several blood transfusions. I can point to the day I nearly died. I needed another transfusion and the hospital did not have enough blood. My mother, who is a medical doctor, managed to arrange for some more blood and that is how I survived. It took me two months to physically recover from my condition. The trauma of losing my baby and nearly dying led to me having post-traumatic stress disorder and post-partum (post-delivery) depression. Like millions of mothers before me I had to pull it together and life had to carry on.

I am alive today because I was educated enough to question my doctor, because I had enough money to go to one of the best hospitals in the country and because I was lucky enough to have a mother who is a doctor. Many thousands, if not millions of Zambian women do not have those advantages. In Zambia, many women deliver babies at home or at health posts that are not staffed by qualified doctors and that do not have access to life-saving equipment. According to 2015 UNICEF estimates, the maternal mortality rate in Zambia is 224 deaths per 100,000 live births (a 2015 estimate). According to another 2015 UNICEF estimate, 36 babies die every day before reaching their first month. These are shocking statistics. And yet our government is paying for overinflated roads, fire engines, ambulances, cars and even jets while our women are dying trying to give life and our children are not being given a chance to live. That makes me very angry and sad - as we all should be. December 12th marks Universal Health Coverage Day. I believe that health care should be affordable and accessible for all. I am not talking about politicised health schemes that will do little to improve the lot of Zambians. I am talking about adjusting our financial priorities by reducing expenditure or over-expenditure on non-essential items and increasing budgets for healthcare that will help increase the number of qualified doctors, medicines and facilities countrywide. We need to give our mothers and babies a fighting chance.



Linda Kasonde is a lawyer and civil rights activist. She is a 2014 Archbishop Desmond Tutu Leadership Fellow. Email: Linda.Kasonde12@gmail.com

By Zondiwe Mbewe

PF Secretary General Davies Mwila has dragged NDC leader Chishimba Kambwili to court, demanding punitive and exemplary damages for saying that he paid someone to write his Grade 12 exams. On October 27, Kambwili held a press briefing where he charged, among other things that, "...coming to the PF, how can reasonable people who think, the judge makes an order and gives leave for appeal and when you are given leave to appeal, people can take action after 14 days. If you don't appeal within 14 days that is when the PF can write to the speaker to say 'declare the seat vacant'. But because you are dealing with confused chaps who don't know what they want

Mwila sues CK for defamation

to achieve in life, who don't even understand that their President is a lawyer...I mean, President Lungu is a lawyer, he should have told his Secretary General that 'come on, you cannot write to the Speaker so early, you can only write after 14 days.' "Mwila lost an election to a nonentity, a small boy, an independent in Chipili. I have won elections in Roan, three times...And by the way, let Mwila not throw glasses because even that grade 12 certificate he has bamulebele kofye (they wrote for him). When we came to Parliament, he came as a form three. Get Mwila in a classroom today

to rewrite his grade nga kuti akwata ko nangu nine points (if he can even get nine points). So that chap should not even start me because I know him very well." But in a statement of claim filed in the Lusaka High Court, Monday, Mwila stated that the parts of the press briefing relating to him, impute traits of dishonesty, bad faith, lack of respect for the education system, that he was not fit to be a leader and that, he was a fraudsters. He further stated that the words complained of had lowered him in the estimation of right thinking members of the society

and had generally brought him into public ridicule, scandal, odium, hatred and contempt. Mwila stated that all efforts to have an apology rendered and the words and statement retracted, had proved futile. He now claims damages for libel arising from Kambwili's press briefing which was covered and published by various print and electronic media houses, punitive and exemplary damages, interest on the said damages at the current commercial bank lending rate, costs and any other relied the court may deem fit.



Zambians voted for the Patriotic Front because they thought that its government was going to bring about a huge improvement in their social welfare. But it has devastated them to realize that, true to the African narrative, most people who seek political office are sociopaths motivated by one or both of two motives: illicit wealth and absolute power.

What is happening in Zambia today is not an accident. There is a well-calculated move through which government is manipulating and abusing existing legal provisions to obtain a monopoly on the use of coercive force in achieving wealth and unquestionable power over citizens.

Our government has forgotten about public service, it has become a framework by which the worst elements in society, those motivated by unprincipled greed and hunger for power, get on top and exploit the system for all it is worth.

The rampant corruption and abuse of power in today's Zambia, is the clearest possible illustration of that truth. There used to be "single sourcing" as a theft mechanism by the ruling political elites, but to confuse the public, they have now escalated another mechanism called "concession" with the surname PPP, otherwise known to us as Private People's Pockets.

This is a commercial agreement in which a

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Ear to the ground

Diggers! is published by NEWS DIGGERS MEDIA LTD
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Concession is the new theft code...

private entity acquires the rights and authority to use land or other facilities for a specified purpose and period, granted by a government or other controlling body. Using this mechanism, those in power have connived with their business connections to enter into single-sourced concession agreements with the government, approved by the so-called PPP Council.

Every viable sector you look at in Zambia today has been surrendered into private hands through this concession mechanism. Look at Kasumbalesa Border. It is the country's business dry port processing over 200, 000 trucks per year, and collecting over K350 million in revenue from imports and exports. Is government in charge of this vital facility? No, it is under a PPP concession with a company called

Zambia Integrated Property Border Crossing Company (ZipBCC). That is our government diverting Zambia Revenue Authority proceeds into private pockets.

Before the introduction of toll plazas, our findings are that the Road Transport and Safety Agency was second highest revenue collection institution in the country. What has our government done to RTSA? They have stripped it off the responsibility of collecting this money and diverted it into private pockets.

Today we are waking up to the news that a company called Intelligent Mobile Solutions which is running RTSA operations has been extended to the Road Development Agency and National Road Fund

Agency where they will be collecting all toll fees from motorists on behalf of the government for 17 years. This is nothing less than murder on the people of Zambia to say the least.

Why is the Patriotic Front governing us through concessions? Zambians did not vote for Intelligent Mobile Solutions to govern this country, they voted for the Patriotic Front and its leaders. If these leaders feel they are too dull to run a country without the help of "Intelligent Solutions" from a private company, it is not too late to step aside and giving chance to others who want to try.

We wonder what goes on in the minds of our government leaders when they talk about safeguarding the country's security when they are in the forefront surrendering

strategic institutions into the hands of private companies, foreigners. How can you have national security when your border is managed by foreigners; your cars are registered through a foreign company; your traffic surveillance is done by foreign investors and citizens are paying road taxes into private pockets?

Seriously, this government leadership is a joke! And they have no shame when they are lying. They assume that citizens are so dull to know when they are stealing. When asked why they are signing these concessions, our leaders deny that any such deals exist. But there it is in plain sight now.

Our investigation has revealed that not only is the government surrendering its responsibilities to private

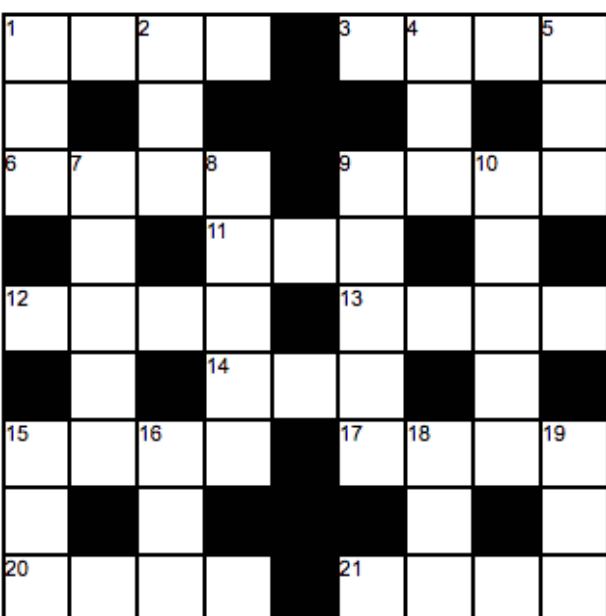
entities, but it is also awarding these tenders without subjecting them to competitive bidding. No one in government has refuted our findings because they know the truth; they know that we have dug out facts.

Why have these people continued single sourcing government services with impunity? It is because our leaders have developed a system that is giving money to private companies first, before part of that money can be credited back into their pockets. They cannot allow competitive bidding because they fear that a company that they have no kickback agreement with may win the deal and cut them off.

These are the things that the people of Zambia must seriously consider when deciding whether they want to keep this regime in place - a government that has subcontracted foreigners to run the affairs of the country. Our leaders have completely forgotten about public service. They are busy cutting deals while people in Lumezi are drying mangoes to survive on when the fruit trees wither off. Where is your shame PF?

Maybe it is better to appoint the CEO of Intelligent Mobile Solutions into Cabinet, and firing the minister of Transport and his Infrastructure Development counterparts since they have no solutions to the challenges facing their ministries.

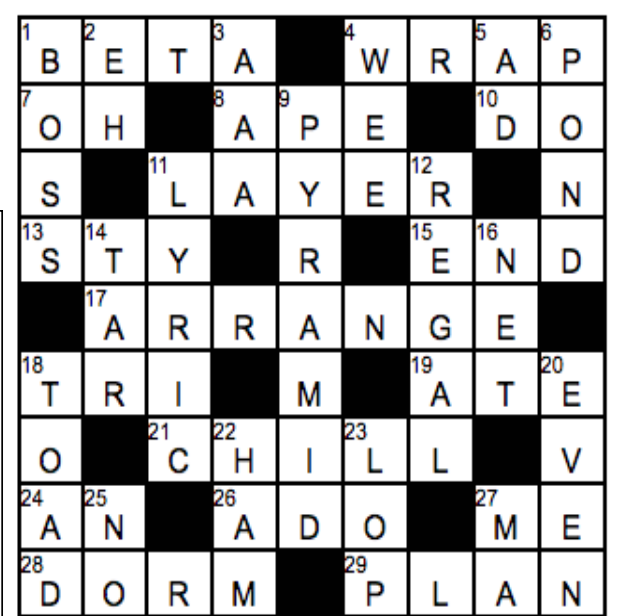
Crossword puzzle 250



"It is easy to be conspicuously 'compassionate' if others are being forced to pay the cost."
- Murray N. Rothbard

- | | |
|---|--|
| <p>Across</p> <ul style="list-style-type: none"> 1. A rotary device 3. Fish bait 6. 1 divided by 2 9. Chair part 11. Lighted 12. Duet plus one 13. Little devils 14. Black gold, Texas tea 15. Has been in debt 17. Told an untruth 20. Pulled apart 21. Flavorful plant | <p>Down</p> <ul style="list-style-type: none"> 1. Homer's outburst 2. Become sick 4. Single number 5. Wrestling surface 7. The Green ____ 8. Overflow 9. Calm 10. Enough 15. A cereal grain 16. Unit of corn 18. Frozen water 19. Make a knight |
|---|--|

Solutions to puzzle 249



Reader's feedback

EDITOR'S NOTE:

Go to our News Diggers Facebook page, select a story you like and jot down your comment. We will pick that as your feedback and get you published on this page. The shorter the comment the higher the chance of getting published.

Note that we block Facebook users who use abusive language.

Court jails teacher 1 year for stealing batteries

Editor,

"3 years = panties
one year = 3 batteries
acquittal= 3 million
mu Zambia che," -
Emmanuel Tembo

"Sad. Avoid short cuts in life. He should have come down to ground and accepted to do piece works in townships in order to raise the required amount. There are Samaritans out there who even by God's grace might have offered to pay him that amount all at once. To all those with extra money to spend, please learn to share with the needy in our society in order to receive even much more from our Loving God," - Sylvester Chisanga

"Seriously, you couldn't even give him community service. I think the need for judicial is long overdue. 1 year for with hard labour for batteries sure. Thank you for turning this man into a hard core criminal," - Mumba Mubanga

"This is an embarrassment to us teachers. How do u impart morals in kids under your charge? I hope the Teaching Council of Zambia has taken note of this judgement. We don't need such individuals in the profession," - Mwitwa Chileshe

"Meanwhile the big thieves are being cheered upon to continue stealing public funds," - Emmanuel Muntanga

"Why is it that it's only the poor who mostly suffer with harsh sentences? Is it a crime then to be poor?" - Emely Kajokoto

"Too bad for that teacher. You were suppose to hustle not to steal cause you have painted yourself a bad picture a teacher is a role model," - Moses Zulu



Germany exposes forgery in €3m fund for Zambia's water sector

"The money will reappear next week in ZANACO," - Kaumba Mulanda

even when they have just remained with China they're still stealing Chinese funding," - Robby LM

"A thieving parent is a big shameful embarrassment to family members. Stop embarrassing the struggling people of Zambia if at all this shameful news is true," - Sylvester Chisanga

"Funny enough nothing will happen like always.. stealing is now normalized in this regime. Sad," - John Kazembe

"Mwibala... Europeans, American & Scandinavian countries including Japanese have all come to know the character of this regime, that's why our gov has rested all their hope on China. Unfortunately,

"Government embarrassing itself to the whole world... the demon of stealing has covered completely the people given authority to look after our nation#greedness," - Kelly Kay Kalaba

Linda Kasonde's call for women to be protected from cyber bullying

Editor,

"I totally stand in support of your views our learned counsel. I know all your able leadership will come to fruition soon as we look to our first female President. You definitely have it. Alta continuanwith this real struggle! Our voice!" - Evarine Fulano Katema

"This has to do with class and privileges of highly educated women (even men and boys too) in society. They are too visible and noticeable so they are vulnerable to all manner of cyber bullying - as they call it. The fact is that the internet has produced brilliant tools of communication and exchange of information. So too many men (women too) are expressing their views on theses platforms. Educated, talented and privileged women (males included) are unfairly targeted. Even men and boys are also battered on the cyberspace. Cyber bullying is not only confined to top class women. It is across gender and class. Linda KASONDE fails to resolve or tackle the bigger issue of cyber bullying," - Alfred Zulu

"I really enjoyed your script but the moment you brought two names Siliya and Katanga iIstopped reading. These are the women who makes women look to be bad people. Anyway madam Kasonde, we miss you at LAZ, that Mwitwa you left at LAZ has killed the institution. Long leave madam kasonde let the almighty God bless you abundantly," - Martin Ngandu

S/Sudan to begin Ebola vaccine

The World Health Organisation says Ebola vaccinations soon will begin in South Sudan as the country is at "very high risk" in the current outbreak based in neighbouring Democratic Republic of Congo.

A statement says South Sudan's health ministry will begin vaccinating some health workers and other frontline workers in the capital, Juba, on December 19.

No Ebola cases have been reported in South Sudan or any of DRC's neighbours in this outbreak, which is now the second-deadliest in history. Vaccinations began earlier in Uganda.

More than 40 000 people have received the experimental but promising Ebola vaccine in this outbreak. The WHO statement says more than 2 000 doses have been allocated to South Sudan. DRC's health ministry says this outbreak has almost reached 500 cases: 494, including 446 confirmed with 235 confirmed deaths. **News24**



High school students hold banners reading "I passed my high school diploma (Baccalaureat or Bac in French), I get to choose my university" and "Stop widening inequalities" during a demonstration march at Place Saint-Michel, Paris, France, on December 11, 2018, to protest against the different education reforms including the overhauls and stricter university entrance requirements. Parcoursup is an online system for high school graduates to guide them towards trainings which are available in the higher education system.

STEPHANE DE SAKUTIN / AFP

Nuns admit embezzling cash for Vegas gambling trips

Two nuns who worked at a Catholic school in California have admitted embezzling about \$500,000 and using it to gamble in Las Vegas. Sisters Mary Kreuper and Lana Chang took the money from St James' Catholic School in the

city of Torrance, near Los Angeles, to spend in casinos.

The pair, who are said to be best friends, took funds from an account holding tuition fees and donations.

The sisters, who recently retired, have expressed

remorse for their actions. Mary Kreuper was the school principal for 29 years, while Lana Chang worked as a teacher for about 20 years. They are thought to have stolen the money over a period of at least a decade to spend on travel and gambling.

On Monday, St James' Catholic Church said the nuns had expressed "deep remorse" over their actions, adding that while the police had been informed, no criminal charges would be brought against the pair.

"The Sisters have

confirmed the misappropriation of funds and have co-operated in the investigation," the sisters' order, the Sisters of St Joseph of Carondelet, said in a statement on its website.

"Our community is concerned and saddened by this situation and regret any injury to our long relationship with the families of the school," it added.

The monsignor of the church, Michael Meyers, wrote in a letter to parishioners:

"Sister Mary Margaret and Sister Lana have expressed to me and asked that I convey to you, the deep remorse they each feel for their actions and ask for your forgiveness and prayers."

The Archdiocese Los Angeles said the church discovered that the money was missing during a routine audit.

The nuns were allegedly able to conceal their actions by depositing a number of cheques made out to the school for tuition and other fees into a separate bank account not used by the school.

Parents were reportedly informed about the findings earlier this month. **BBC**

Puzzle solving 'won't stop mental decline'

Doing crossword puzzles and Sudoku does not protect against mental decline, according to a new study.

The idea of "use it or lose it" when it comes to our brains in later life has previously been widely accepted.

But a new Scottish study suggests it has no effect on mental decline.

Instead, regularly doing intellectual activities throughout life might boost mental ability and provide a "higher cognitive point" from which to decline, say the researchers.

This study published in the *BMJ* was undertaken by Roger Staff at Aberdeen Royal Infirmary and the University of Aberdeen.

It looked at 498 people born in 1936 who had taken part in a group intelligence test at the age of 11.

This current study started when they were about 64 years old and they were recalled for memory and mental-processing-speed testing up to five times over a 15-year period.

It found engagement in problem solving did not protect an individual from decline.

However, engaging in intellectually stimulating activities on a regular basis was linked to level of mental ability in old age.

The study uses modelling to look at associations and cannot prove any causal link. Also, many of the participants were unable to complete the whole study - some dropped out, others died.

Previously, some studies have found that cognitive training can improve some aspects of memory and thinking, particularly for people who are middle-aged or older.

They found so-called brain training may help older people to manage their daily tasks better.

No studies have shown that brain training prevents dementia.

And last year a report from the Global Council on Brain Health recommended that people should take part in stimulating

activities such as learning a musical instrument, designing a quilt or gardening rather than brain training to help their brain function in later life.

It said the younger a person started these activities, the better their brain function would be as they aged.

Dr David Reynolds, chief scientific officer at Alzheimer's Research UK, said the research added to the "ongoing 'use it or lose it' debate". But as the research did not consider people with dementia, "we can't say from these results whether specific brain training activities could impact a person's risk of the condition".

"In addition to staying mentally active, keeping physically fit, eating a healthy balanced diet, not smoking, drinking within recommended guidelines and keeping weight, cholesterol and blood pressure in check are all good ways to support a healthy brain as we get older. **BBC**

Valverde laughs off Dembele timekeeping

Barcelona head coach Ernesto Valverde has defended Ousmane Dembele after the France forward reportedly turned up late for training again. Dembele helped Barcelona to a 4-0 derby defeat of Espanyol on Saturday but following that crushing La Liga victory made headlines again for another disciplinary issue. The France forward's timekeeping has been a concern throughout his career, with the 21-year-old reportedly arriving two hours late for Monday's session. Valverde was repeatedly asked about Dembele's discipline during a news conference ahead of Tuesday's Champions League game at home to

Tottenham. But the coach was unwilling to publicly criticise the youngster and even made light of the matter. Asked if he could remember such lateness in a player, Valverde joked: "It happened to me!" "I knew you were going to ask about Dembele. It's true that some things have happened, we will try to solve things internally, and there's not much more to say about this. "It is a new situation, and we want to help this player, because he has great talent, and we want to help him make the most of it. "These are questions about an internal matter, he's a player who gives us a

lot of things in the field, but in the same way that others contribute a lot on the pitch. We all have to follow some guidelines here. "You win the derby 4-0 and everyone says it'll be relaxing, it's sunny outside

and you hope nothing crazy happens. This is an internal issue, we will resolve it internally, and I've said that four times." Philippe Coutinho's recent performances have also been questioned but Valverde said

he is happy with the Brazil international's contribution. "The players' form goes up and down all season. When Luis Suarez wasn't scoring the questions were about him non-stop," Valverde added.

"Philippe is very important for us. He played in the second half the other night [against Espanyol] and is another option for us. We want to support him to give us the best he can, as he is a decisive player." *Goal.com*

Lunga bullets lift C/Belt Basketball championship

By Alex Chilumbwe
Lunga Bullets have been crowned Copperbelt Basketball League champions in the masculine super league category after dethroning 2017

champions Copperbelt University Comets (CBU Comets) with two games to spare and 31 amassed points. In the feminine category Spax Storm defended

the crown and bagged 38 points. The former champions, CBU Comets, have finished fourth with 27 points while Kansanshi Panthers are the runners-up with 28 points while the battle for second place finish was on-going in the feminine category. While the Bullets pierced through five top teams to claim the title that they narrowly lost in the 2017 season, their female counterparts Storm went unbeaten and their journey to defending the crown has not been without the exceptional input of young blood in the team. In an interview with Goal Diggers! Copperbelt province basketball chairperson Andrew Nyirenda applauded Spax Storm for their unbeaten record to the title. He noted that the team comprised young blood. "It seemed that they would not be able to defend the title but they have managed to do so. They are young players with so much energy although some of

the youngsters had little experience at the start of the season. I watched them grow in the second round of the league and they did a great job," he said. And Nyirenda also noted the need to increase the number of super league teams in both the masculine and feminine categories in order to attract sponsors. "We have plans of increasing the number of super league teams in both categories next year maybe we will have sponsors coming on board. Teams struggle to meet a lot of demands that come with the league and we need to help them in one way or another," said Nyirenda. Meanwhile, Lunga Bullets skipper and base Agripa Chama shared highlights of the season in his side's journey to winning the title. "The league has been super competitive this season unlike the 2017 one. Most teams have upped their game and I can only imagine how tough it will be in 2019. Some teams have faced logistical challenges and affiliation fees while others were struggling with training venues. I am just glad that they all fulfilled their fixtures and made us sweat for this title," said Chama.



The Denver Nuggets have signed free agent Nick Young to combat their escalating injury crisis - AFP

Govt has no money to bid, host AfCON - Mawere

By Alex Chilumbwe
Sports Minister Moses Mawere says his statement published in the Daily Mail newspaper saying that the country will not bid to host the 2019 Africa Cup of Nations (AfCON) tournament does not undermine the interests and ambitions of the football association but simply recognise the fact that it has come at a short notice. In his statement quoted by the government daily, the minister said that hosting the Africa Cup required a lot of resources and time adding that the country would not be able to prepare for the prestigious tournament at such a short notice if it was awarded the the honour. In an interview with Goal Diggers! Mawere hoped that the Kamanga-led association was not feeling belittled or that its interests

and ambitions to bid for the tournament had been undermined or trashed by the government. "I hope I will not be misunderstood by the association based on the article published in the Daily Mail. The truth is that we cannot bid for the 2019 AfCON because it is such at short notice and we do not have the required resources to prepare for the continent's biggest tournament. There is a lot that would be required to put in place before we can actually think of bidding for it," said Mawere. Last week, FAZ general secretary Adrian Kashala said that the association was interested in bidding for the continental showpiece that would bring together 24 nations but stressed that relevant authorities would be consulted before pen is put to paper.

Soccer fans on the FAZ social media page ridiculed the association's interest while analysts on different

platforms described the statement as unrealistic. CAF stripped Cameroon of the hosting rights due

to delays in preparations. South Africa and Morocco have since indicated interest in hosting the tournament

Warriors win Sports Illustrated's 'Sportsperson of the Year' award

The all-conquering Golden State Warriors have become only the fourth team in history to be awarded Sports Illustrated's annual "Sportsperson of the Year" award, the magazine announced on Monday. The Warriors, who won their third NBA crown in four seasons this year, were honored with the award in recognition of their collective feats on court over the past five years. As well as three NBA championships, the Warriors have also set records for wins in a regular season, with 73 in the 2015-2016 campaign, as well as the longest unbeaten streak to start a season (24-0).

"There are multiple individuals whom Sports Illustrated could have selected as the 2018 Sportsperson of the Year and few would have argued," Sports Illustrated editor in chief Chris Stone said. "But it was impossible to overlook the influence that the Warriors, as a collective group, have had on their sport and the broader culture over the last half-decade. "They are a generational phenomenon, the likes of which we might not see again for decades, if at all." Only three other teams have been handed the award, which usually goes to an individual athlete. The Warriors

join the 1980 Winter Olympics US hockey team, the 1999 US Women's World Cup soccer squad and the 2004 Boston Red Sox. "This is a pretty cool honor and something we cherish as a group and organization," said Warriors guard Stephen Curry. "I know that I speak on behalf of my teammates when I say that we're humbled with this recognition. The list of other teams who have earned this award ... puts us in exclusive company. That's exciting." The first recipient of the award was trailblazing British middle-distance runner Roger Bannister in 1954. *AFP*

WE'RE TOO BROKE

By Alex Chilumbwe

Sports Minister Moses Mawere says his statement published in the Daily Mail newspaper saying that the country will not bid to host the 2019 Africa Cup of Nations (AfCON) tournament does not undermine the interests and ambitions of the football association but simply recognise the fact that it has come at a short notice.

...to host AfCON - Mawere

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James wins final duel with Wade as Lakers roll on

LeBron James won the final instalment of his long rivalry with Dwyane Wade on Monday, scoring 28 points as the Los Angeles Lakers held on for a 108-105 victory over the Miami Heat at the Staples Center.

James and Wade, who arrived in the NBA together as part of a star-studded draft in 2003, have formed one of basketball's most famous rivalries and closest friendships over the course of their careers.

Former team-mates at the Miami Heat, where the duo won back-to-back NBA championships in 2012 and 2013, the two faced each other for the last time on Monday with Wade retiring after the 2018 season.

The 31st meeting of the two men finished with a victory for James, who seized control of the contest in the fourth quarter to finish with 28 points, nine rebounds and 12 assists.

Wade scored 15 points off the bench for Miami, whose top

scorer was Justise Winslow with 28 points.

The Lakers win means James finished with 16 wins to Wade's 15 in head-to-head meetings between the two players.

The two NBA icons embraced at the buzzer before swapping jerseys in a mutual show of respect.

"It's bitter sweet man," said James. "A lot of emotions for me right now, just knowing that I'm losing a brother in this game that I've had so many wars against, so many wars together."

"There's no better way to end it than here at the Staples Center. We're going to miss him in this league. That's for sure."

- Emotional tribute -

Wade paid an emotional tribute to James. "It's tough," he said. "This is what you play for, playing against one of the greatest players ever."

"Whether we were team-mates or whether we were opponents, we brought the

best out of each other. I'm just so grateful to have been drafted at the same time as this guy.

"The friendship we have is beyond basketball. But I'm going to miss the shit out of this." AFP

'Raheem an incredible human being' - PEP rallies behind Sterling amid racism storm

Pep Guardiola has hailed Raheem Sterling as an "incredible person" after the Manchester City and England winger spoke out amid allegations he was subjected to racist abuse.

Sterling issued a statement via his Instagram account on Sunday, in which he drew contrasts between media coverage of black and white footballers in the UK - a disparity he believes "helps fuel racism and aggressive behaviour".

The post came a day after Sterling was targeted by Chelsea fans during City's 2-0 Premier League defeat at Stamford Bridge.

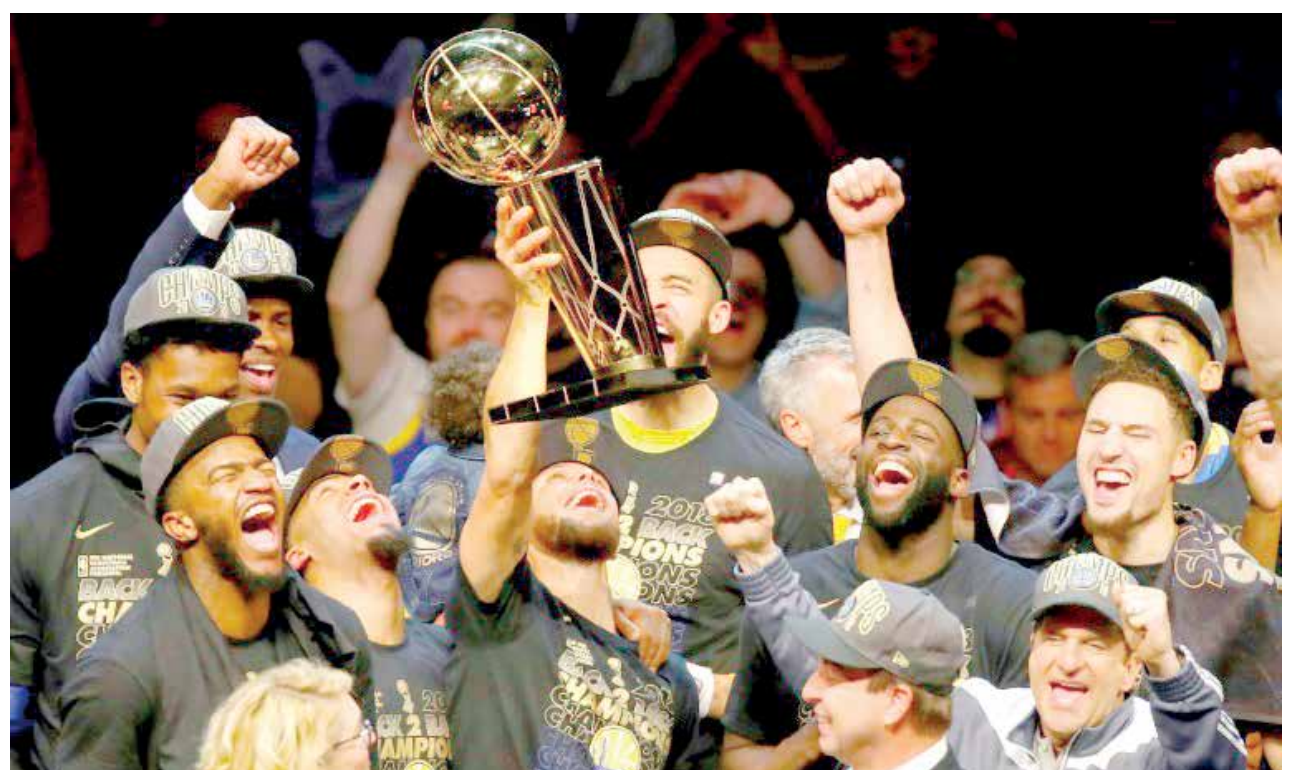
Chelsea suspended four people from attending their matches pending an investigation, with the club and the Metropolitan Police launching investigations into whether the England international was racially abused by supporters.

Sterling's public stance has won widespread support and, speaking alongside Leroy Sane ahead of his team's Champions League match against Hoffenheim at the Etihad Stadium on Wednesday, Guardiola spoke warmly and passionately of the 24-year-old's human qualities in the midst of a bleak situation.

"Leroy said it perfectly, he is an incredible person. Raheem is an incredible human being," the City manager said.

"It's tough to understand today what happened years ago, for the whole history for the black people.

"You have to protect how equal we are, all together. It's tough to understand in the 21st century, we are still in that position - not to accept the diversity that helps us to be better. *Goal.com*



The Golden State Warriors celebrate this year's clean sweep of Cleveland in the NBA Finals, the franchise's third championship in four seasons - Story page 11

