



VOTE FOR PARTY NOT INDIVIDUAL

If you choose opposition in 2021, vote for them including Councillor and MP - Lungu

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Home Affairs Minister Stephen Kampyongo talks to Mazabuka Central Member of Parliament Garry Nkomo when the two inspected the mobile issuance of NRCs yesterday- Picture courtesy of Smart Eagles

Focus on issuing NRCs, Kampyongo tells mobile officers in S/Province

By Zondiwe Mbewe
HOME Affairs Minister Stephen Kampyongo has urged officers in the mobile National Registration Cards (NRC) issuance exercise to focus on the job and not to be swayed by distractors. Kampyongo was in Southern Province, Sunday, to inspect phase two of the mobile issuance of NRCs in that province.

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CSOs defend Telesphore from PF attacks

By Zondiwe Mbewe

A CONSORTIUM of Civil Society Organizations (CSOs) have called on senior political leaders to abstain from endorsing messages that promote anarchy and intimidation.

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No one has stopped opposition from holding political meetings - Wina

By Zondiwe Mbewe

VICE-PRESIDENT Inonge Wina says a commission of inquiry in the privatisation process has a lot of issues that need to be exposed, adding that the government's desire is to bring the matter to an end so that there are no more accusations in the future.

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Parties like Rainbow should be deregistered for not participating in by-elections - UPND

Story page 11

By Ulande Nkomesha

THE Zambia National Farmers Union says the 2021 budget has shown that Zambia's economy is between a rock and a hard place.

And the Union says Zambia's agriculture sector is dire stress and that strides that have been made over the years will be wiped off if no meaningful reforms are put in place.

In a statement, Union public relations manager Calvin Kaleyli stated that despite some positive steps included in the 2021 budget, the union observed that the submissions made for relief on taxes such as the removal of VAT to lower production costs, among others, were not granted.

"ZNFU notes that the budget is bold and lays bare that the economy is between a rock and a hard place. Hence, the budget tried to strike a middle ground to improve the business environment for selected agricultural commodities by enhancing protective measures while also earning some revenues for government. We further observed that on the budget submissions we made, asking for relief on taxes, especially on removal of VAT to lower production costs, these were not granted apart from removal of VAT on tractors," Kaleyli stated.

"However, it is important to note that some specific incentives have been granted to the horticulture and floriculture industries. Producers of export flowers, vegetables and fruits are in a difficult situation because of the COVID-19 pandemic which resulted in export markets disappearing overnight. The support through the listed measures in the budget is welcomed and appreciated as it will help the industry going forward."

He stated that the Union noted an increase in non-performing loans to 12.6 percent which was worrisome as the agriculture sector had loan repayment challenges due to various factors.

"As stated earlier, in 2020, the economy has been struggling as seen from the economic indicators and other

2021 budget shows Zambia's economy is between a rock and hard place – ZNFU

factors amplified in the budget, which included management of debt commitments, liquidity issues and a volatile exchange rate that has led to the Kwacha depreciating by 41.9% in 2020 alone. We also noted that non-performing loans increased to 12.6% as at July 2020 from 8.9% in December 2019. This is worrisome as agriculture has had loan repayment challenges due to various factors. We would, therefore, urge our Minister of Finance together with the Bank of Zambia, to take a keen interest to put in place measures that will help farmers to remain in operation," Kaleyli stated.

"Other factors explaining the 2020 poor performance of the economy which is now

projected to decline by 4.2% are; the adverse impact of the COVID-19 pandemic on general economic activity and employment. Episodes of load-shedding due to low electricity supply. Rising costs of production largely associated with rising energy costs. Amidst these challenges, the 2021 budget aims to support local producers and local value addition. This is a huge plus from the budget as it should curtail exportation of jobs and farmers welcome this. We just want to appeal to government to be ahead of the mischief of those that are in the art of evading such measures in various ways."

He praised the government's decision to



increase import duty to 40% from 25% on agro products as the country would greatly benefit from the motive.

"The budget identifies agriculture as one of the sectors that will drive economic growth besides mining, tourism and industrialisation while energy and infrastructure will be the enabling factors. In the energy sector, the commissioning of Kafue Gorge Lower at the end of the year is positive news and we encourage government to improve access to power for production of food especially for irrigated crops," Kaleyli stated.

"The local content incentive is good as it will create market opportunities for local products and the reduced threshold for accessing incentives under the ZDA Act means businesses can expand and become eligible for incentives. These are good measures. Customs

and Exercise; increased import duty to 40% from 25% on agro products such as beef and beef processed products, pork and pork processed products, chicken and chicken processed products, and fish imported from outside the SADC and COMESA regions. Job well done. This country can produce enough beef, chickens, pigs necessary for value addition. Fish farming is a growing industry. Farmers are happy with this support. Going forward, it's important to recognize that the livestock industry in Zambia is still in its infancy when compared to other countries in SADC and COMESA. Hence, a way should be found for further protection against competitors in the region."

He stated that it was necessary for government to come up with a policy statement backed by a legal undertaking that would guarantee exports of the

farmers' produce.

"As farmers, we embrace the challenge for diversification, capturing of emerging opportunities as a result of COVID-19, to produce for local value chains. Here, we want to add that pragmatic policies aimed at facilitating exports especially into nearby regional markets are necessary," Kaleyli stated.

"Suppose more maize is grown, the farmer will not be able to make money because the borders are closed. Therefore, a policy statement backed by a legal undertaking to state that all farmers who can grow maize without FISP should register, grow it and when it is ready, exporting is guaranteed, would give farmers hope of a market. This, coupled with repatriation of foreign exchange into the country, would contribute positively towards stabilisation of the Kwacha against other currencies."

He stated that farmers in the country would not positively benefit from the Africa Continental Free Trade Area if the price of maize was not attractive to cover the cost of production.

"The price of maize should be attractive to cover the cost of production. How will farmers in Zambia take advantage of the Africa Continental Free Trade Area, COMESA and SADC if the borders are closed for exports most times? The 2021 budget exempted an increase in import tax for commodities from SADC or COMESA to encourage free trade in the region but export bans persist for products where Zambia has unlimited potential to produce. This should be addressed urgently," stated Kaleyli.

Govt to repay China \$854m in external debt servicing by end-2021

By Stuart Lisulo

GOVERNMENT is due to pay a total of over US \$854 million in external debt service repayments to various Chinese entities in 2020 and 2021 as part of its ongoing debt servicing commitments, according to the Ministry of Finance.

And the Ministry has reiterated that debt suspension requests to Zambia's various creditors, including Eurobond holders, was meant to give the country much-needed "breathing space" given the immense fiscal pressure government is under.

Meanwhile, the Ministry says it expects that a total amount of US \$867 million will be disbursed by the end of this year towards priority projects, down from over US \$1.7 billion as earlier anticipated, owing to the cancellation, rescoping and reprofiling of external public debt disbursements.

In a comprehensive written Question and Answer statement with investors released by the Ministry, following Zambia's presentation to investors on September 29, the Ministry disclosed that its total external debt service repayments to Chinese creditors for this year and next, stood at over US \$854 million in just a two-year period.

Details according to the Ministry's response to investors' question on the Zambian government's engagement with Chinese creditors revealed that the breakdown was US \$426.3 million owed this year, while US \$428 million was due to be repaid next year.

But government, however, hastened to add that it was hopeful of succeeding with a debt restructuring programme with Chinese lenders, who include the Export Import Bank of China, among others, which would marginally reduce this year's repayments to US \$225.3 million. *Story continues P4*

3 ex-DCs sue State over unpaid terminal benefits

By Zondiwe Mbewe

THREE former District Commissioners from Western Province have dragged the State to the Lusaka High Court, claiming payment of all their outstanding terminal benefits.

Ndombo Litambo, Alfred Miyato and Sampaya Nyambe who are former district commissioners for Limulunga, Mitete and Shangombo respectively have sued the Attorney General, further seeking an order that the defendant immediately reinstates them on the payroll pending payment of their full terminal benefits.

They also want an order that the State pays them salary arrears from the time they were removed from the payroll until the time they are reinstated on the payroll or paid their terminal benefits.

The three also want

interest, costs and any other relief the court may deem fit.

According to a statement of claim filed in the Lusaka High Court, Litambo stated that his contract of employment was terminated on January 3, 2020, but his terminal benefits from the provincial administration comprising leave days from early 2013 to January 2020, including repatriation allowance, remained unpaid to date.

He stated that despite not being paid his full terminal benefits, he was without any prior notice removed from the payroll in August, 2020.

Miyato, on the other hand, stated that his employment contract was terminated on February 20, 2018, but that his terminal benefits from the provincial administration comprising leave days from early 2014 to February 2018, settling in allowances and

repatriation remained unpaid to date.

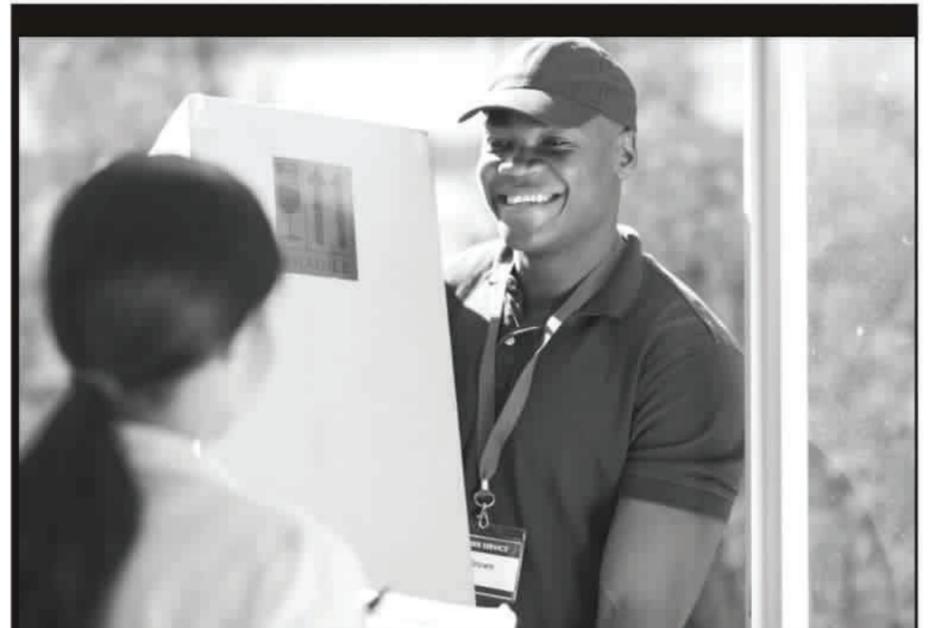
"Despite not being paid his full terminal benefits, the second plaintiff (Miyato) was without prior notice removed from the payroll in December, 2019," read the claim.

And Nyambe stated that his contract was terminated on January 7, 2020 but his terminal benefits from the provincial administration comprising 98 leave days, balance on settling in allowances as well as repatriation allowance remained unpaid to date.

He added that despite not being paid his full benefits, he was without any prior notice removed from the payroll in August, 2020.

The three stated that they had on several occasions tried to engage the defendant regarding payment of their dues but had not received any positive responses.

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By Zondiwe Mbewe

VICE-PRESIDENT Inonge Wina says a commission of inquiry in the privatisation process has a lot of issues that need to be exposed, adding that the government's desire is to bring the matter to an end so that there are no more accusations in the future.

And Vice-President Wina says police have not stopped members of the opposition from organizing political meetings provided this is done under the Public Order Act.

Meanwhile, the Vice-President has denied being attacked by PF cadres in Mongu during her recent visit to Western Province.

During the Vice-President's question time in Parliament on Friday morning, Solwezi East UPND member of parliament Leaky Kintu asked when the commission of inquiry on the gassing incidences would be set up, unlike setting up a commission of inquiry to look into the privatisation process which occurred 30 years ago.

But in response, Vice-President Wina said it was not possible to set up a commission of inquiry on gassing incidences at a time the matter was before the courts of law.

She added that on the other hand, the commission of inquiry into the privatisation process had a lot of issues that needed to be exposed, adding that they wanted to bring the matter to an end so that there were no more accusations in the future.

"The matters of gassing were taken to the courts of law. Because of that, you

No one has stopped opposition from holding political meetings, claims Wina

cannot start constituting a commission of inquiry [on gassing incidences] at the same time the matter is still before the courts of law. That is not possible. For now, we will await the proceedings of the courts on the many people who were arrested during this period, whereas the commission of inquiry in the privatisation process has a lot of issues that need to be exposed and how the people who suffered at the hands of the privatisation can rest their cases in peace, otherwise they continue to be agitated. And a lot of innuendos and speculations have been in the air. So we want to complete this matter, bring it to an end so that there are no more accusations in the future," Vice-President Wina said.

Monze Central UPND member of parliament Jack Mwiimbu also wanted to know whether political parties would be allowed to engage members of the public following the guidance by the Electoral Commission of Zambia (ECZ) on Thursday that all political parties should go flat out to sensitise the public regarding the forth-coming registration of voters.

In response, the Vice-President said: "The police have not stopped members of the opposition from organizing political meetings, provided this is done under the public order act. This has been said before, and to defy laws of the country will not be allowed. We can undertake these activities with the blessings of the police.

And the police should not bar people from organised, proper demonstrations of a type that will not disrupt public order and public peace. So the meetings will continue. Some meetings do not need big public meetings, especially under COVID-19. But some of the meetings can be arranged in such a manner that we do not compromise the health of Zambians. So it's up to us leaders to educate our voters that there are certain health limits that have been put in place that we need to observe in order for us not to spread the COVID-19."

Mitete UPND member of parliament Misheck Mutelo also asked Vice-President Wina on the actions that had been taken against the PF cadres in Mongu that attacked her during her recent visit to Western Province.

But in response, the Vice-President denied ever being attacked while Mongu.

She said that was an exaggeration of the matter.

And when asked by Ikeleng'i member of parliament Elijah Muchima on what the party was doing about some PF civil servants who were actively involved in politics, Vice-President Wina said she wasn't aware that there were civil servants who were campaigning for PF, adding that in any case, the campaign period had not yet commenced.

"If the honourable MP has evidence of civil servants who are engaged in partisan politics, he should bring

that evidence to relevant authorities, because for now, I do not know that there are civil servants who are primarily in the field now campaigning for PF, in any case the campaign period has not commenced yet. So I cannot see how these civil servants, if at all there is one, who is already campaigning," she said.

Further asked by Nchelenge PF member of parliament Anthony Malama on measures being taken in the short term to stabilize the currency and the economy in general, the Vice-President said to achieve exchange rate stability in the short run, the

government, through the Bank of Zambia, had taken various measures, which included, among others, the bank interventions through the sale of foreign exchange to provide relief to the market.

She further said the depreciation of the kwacha over this period had been on account of increased demand for foreign exchange amidst constrained supply.

Meanwhile, Vice-President Wina said the government was anxious to open Kalengwa Mine in Mufumbwe town but was constrained by the fact that the cases regarding the mine had been in court for so

many years.

"Government cannot make a decision on an issue that is still in court. We would like to see that mine open because it will change the economic life of the community in that area. The chiefs have been requesting government to open the mine but government's hands are tied because of the court actions," she said.

Vice-President Wina further said government workers at Kafue Nitrogen Chemicals that had not been paid for the last four months would be paid when the Treasury releases money for that exercise.

Court sentences Lsk man to death for killing girlfriend

By Zondiwe Mbewe

LUSAKA High Court Judge Sharon Newa has sentenced a 22-year-old man of Mandevu to death by hanging for killing his 20-year-old girlfriend, whose lifeless body was discovered in her house by her elder sister.

In this matter, Allan Lungu was charged with one count of murder.

Particulars the offence were that on March 2, 2019, Lungu murdered Misozi Soko.

Lungu had denied the charge and during trial, the State called five witnesses.

Lungu also gave his defence on oath but did not call any witnesses.

During trial, Lilian Soko, the sister to the deceased testified that she used to live with Misozi from 2013.

She told the court that in 2019, her younger sister Misozi told her that she wanted to start staying alone and that two days later, the now deceased found a house she wanted to move to.

Lillian said when Misozi was moving to her new place, she gave her a chair, a table, a mat and a curtain.

She testified that she and Misozi used to visit one another most of the time, but added that some time in 2019, Misozi did not go to visit her.

Lilian said as she was going for orders, she went to call the deceased so that she could go and remain with her (Lilian's) children.

She said when she reached Misozi's house, she found the door locked so she decided to push it but when she entered, the house was dark inside.

Lilian said she switched on the light and went straight to the bedroom where she found the deceased sleeping on the bed with a mosquito net covering the bed.

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By Zondiwe Mbewe

A CONSORTIUM of Civil Society Organizations (CSOs) have called on senior political leaders to abstain from endorsing messages that promote anarchy and intimidation.

And the CSOs have urged the ruling party to return to the democratic practices the country was founded on by promoting peace and freedom in all aspects of the Zambian society.

This is according to a joint statement issued on October 8, 2020 by Chapter One Foundation, ActionAid

CSOs defend Telesphore from PF attacks

Zambia, Alliance for Community Action, Caritas Zambia, CiSCA, the Centre for Trade Policy and Development, Transparency International Zambia and Zambia Council for Social Development.

Chapter One Foundation executive director Linda Kasonde, on behalf of the other CSOS, stated that the statements by PF secretary general Davies Mwila in which he condemned remarks by former Archbishop Telesphore Mpundu, was a

reflection of the on-going detrimental contraction of the civic space in Zambia.

"On October 7, 2020, News Diggers media house published a statement, reportedly made by the Secretary-General of the Patriotic Front, Davies Mwila, in which he condemns remarks made by former Archbishop Telesphore Mpundu concerning the Archbishop's views on the shortcomings of Zambia's leadership and the integrity of Zambia as a democratic nation.

In his statement, Mr Mwila accuses the Archbishop of using his platform to promote a political agenda and thus giving the ruling Patriotic Front party a reason to treat him as a political opponent," Kasonde stated.

"The undersigned civil society organisations (CSOs) believe the statements made by the Secretary-General of the Patriotic Front is a reflection of the on-going detrimental contraction of the civic space in Zambia, as representatives of the State continue to condemn and threaten those brave enough to exercise their freedoms of expression and opinion on issues of governance and the rule of law in Zambia."

She stated that as a Christian nation, religious leaders in Zambia played an essential role in ensuring that citizens and leaders remained morally and spiritually grounded.

The consortium, therefore, called on the senior political leaders to abstain from endorsing messages that promoted anarchy and intimidation.

"Not only is freedom of expression and opinion essential to the integrity of all democratic agendas, as a Christian nation, religious leaders in Zambia play an essential role in ensuring that Zambian citizens and leaders remain morally and spiritually grounded, providing non-biased advice to the country

when integrity and morality become a cause for concern. The undersigned CSOs echo the Archbishop's concerns over the Electoral Commission's ability to guarantee all 9 million eligible voters' right to vote in the ongoing voter registration exercise," Kasonde stated.

"As Civil Society Organisations, we call on the senior political leaders to abstain from endorsing messaging that promote anarchy and intimidation. Not only does it damage the democratic agenda of the country, it also increases political intolerance and violence undermining national unity. The insecure political climate makes it difficult for the country to effectively sustain economic and social development that is essential not only to the country's growth but also to achieving the Sustainable Development Goals."

Meanwhile, the CSOs have urged the ruling party to review its internal principles to ensure the continued adherence to democratic values and principles by all State representatives and institutions.

"It is essential that the Government promotes the right to vote, the right to freedom of assembly, the right to freedom of expression and the right to freedom of opinion for democracy to thrive. The continued deviation from constitutional rights and

freedoms enacted by the people of Zambia undermines the rule of law in Zambia and our national values and principles. The future of our democracy ultimately rests on the State's acceptance and promotion of the civic participation of the Zambian people, through their freedom to assemble and to expression their opinions. We urge the ruling party to return to the democratic practices this great nation was founded on by promoting peace and freedom in all aspects of Zambian society," the consortium stated.

Commenting on Archbishop Mpundu's statement that President Edgar Lungu's leadership was worse than that of former British colonial masters because he had exhibited intolerance for opposing voices, Mwila said the Catholic priest had jumped on the wrong side of politics by supporting UPND.

"How have we failed? If we have failed, people were going to vote us out even during the by-elections but look at the performance of the party! Bishop Mpundu has jumped on the wrong side of the game because he is supporting a wrong party. How do you support the UPND which is a failed party? He is no longer a clergyman, he is a politician and I can tell you that no one will respect him, because he is now a politician. That is how we will treat him as a political opponent, not as a Bishop and he is a retired Bishop by the way," said Mwila.

Focus on the job, not distractors, Kampyongo urges officers in mobile NRC exercise

By Zondiwe Mbewe

HOME Affairs Minister Stephen Kampyongo has urged officers in the mobile National Registration Cards (NRC) issuance exercise to focus on the job and not to be swayed by distractors.

Kampyongo was in Southern Province, Sunday, to inspect phase two of the mobile issuance of NRCs in that province.

Speaking when he paid a courtesy call on Mazabuka district administrative officer Timothy Mulenga, Kampyongo said it was unfortunate that Southern Province was the only region where they were getting negative reports regarding the issuance of NRCs.

He added that it was unfortunate that some people were trying to create an impression that there was nothing happening regarding the issuance of NRCs in the province, when they knew that the government had spent a lot of money to get the exercise going.

"We are here to serve the public without leaving anyone behind. It's just been unfortunate that this is the only province where we are getting negative reports. Of course, its normal to get a few complaints; an exercise of this magnitude cannot go without challenges which are manageable. But to try and create an impression that there is totally nothing that is happening when we know we have spent a lot of money as government to get this exercise going in the province is totally unfortunate," Kampyongo said.

He, however, urged the officers to focus on their job and not to be swayed by distractors.

"But anyway, we are focused to ensure that the job is done and I can only urge all of you [officers] collectively to focus on the job and don't be swayed by distractors whose motives are only known to themselves. Ours is to identify citizens, document them as citizens. What they do with the privileges that come with citizenship is their choice as people," said Kampyongo.

Meanwhile, Mazabuka Central UPND member of parliament Gary Nkombo thanked Kampyongo for the visit.

He also highlighted some of the issues that were on the ground regarding the issuance

of NRCs.

"You know very well honourable minister that the biological relationship in terms of deponent does happen in an ideal society where there is a family comprising mother and father or uncle. Now, if the brother's mother to the child comes here, they will obviously bear a different name. If my sister's child who bears a name other than Nkombo comes with a guardian, they have been turned away because there is no blood connection. That is a matter that requires to be attended to because in this society, we also have people who are fatherless," Nkombo said.

In response, Kampyongo said: "When officers are interacting with the guardians or parents, they correlate information. So, there will be a second chance to interrogate the applicant individually and in the process, if this individual says 'no actually that person [I have come with] is a friend to this person or we are just party members' then any professional officer has any reasonable ground to probe that further. So it's very key that people come with honest representatives and

officers have a responsibility to verify the information given to them, either by a person claiming to be a guardian or a parent. When they finish, they also interrogate this person [the applicant]."

And addressing some Mazabuka residents who were at one of the NRC issuance stations, Kampyongo pleaded with the parents and guardians to be truthful when they were engaging the officers regarding the people they took to get NRCs.

"If you get a child who is not yet 16, you bring the child here to get an NRC, when he or she finishes school, those years will be affected in the future. For those of you who could have lost NRCs, just make sure that you explain. If you had lost an NRC, you can even use the voters' registration card to verify the NRC number that you could have lost," he said.

In Monze district, Kampyongo urged the officers who were conducting the exercise to keep up with the good work and to be patient with the people in order to get adequate information from them.

Govt to repay China \$854m in external debt servicing by end-2021

From P2

"Central Government external debt service on Chinese loans amounts to approx. US \$426.3m in 2020 and US \$428m in 2021. Assuming the debt service suspension requests made by the Zambian government are all successful, the maximum amount of 2020 debt service suspended and rescheduled would be US \$225.3m (debt service on Chinese entities from May to December). In addition, there are ongoing discussions to include arrears that have accrued up to end-April 2020 (approx. US \$201m) to be included in the DSSI (Debt Service Suspension Initiative)," the Ministry stated in a brief seen on the London Stock Exchange (LSE) website.

"The Government of the Republic of Zambia has proactively engaged with Chinese creditors in the past few months, in the context of the DSSI, to try and secure the suspension of debt service falling due from May 1st, 2020 to December 31st, including arrears accumulated up to May 1st, 2020. Beyond discussions on debt service suspension, the government have informed Chinese creditors that they would be asked to participate to whatever subsequent debt treatment might be necessary to restore long-term public debt sustainability. Main Chinese creditors include the Export Import Bank of China,

China Development Bank, the Industrial and Commercial Bank of China and a few other commercial entities, including the Bank of China. Ongoing negotiations have been focused mainly on agreeing debt service deferment in the context of the DSSI."

The Ministry explained that the debt suspension appeals to creditors, including the Eurobond holders, who have, however, since rejected government's moratorium on interest repayments earlier this month, was to create fiscal space.

"In order to alleviate the short-term liquidity pressure that we are facing, we have decided to pursue an immediate debt service suspension strategy leveraging on the G20 DSSI and are requesting all our commercial creditors to participate voluntarily on similar terms. While all such requests were made at a similar time and on similar terms to all our non-Chinese/non-Eurobond creditors, progress on these discussions varies among them," it stated.

"The Zambian government is requesting a debt standstill from all creditors including the Eurobond holders in order to provide Zambia with some breathing space. The standstill period will be used to finalise the macroeconomic framework with the IMF, and design, with the assistance of the IMF and the

participation of all our creditors, an appropriate debt management strategy."

Meanwhile, the Ministry expects that a total amount of US \$867 million will be disbursed by the end of this year towards priority projects, down from over US \$1.7 billion as earlier anticipated, owing to the cancellation, rescoping and reprofiling of external public debt disbursements.

"Due to the cancellation, rescoping and reprofiling of government's direct external public debt, disbursements have reduced as follows: as of the end of July, 2020, the total amount expected to be disbursed in 2020 for priority projects amounted to US \$867.1 million compared with approx. US \$1.716 billion earlier contemplated," stated the Ministry.

"In 2021, expected debt disbursements amount to US \$680.4 million (vs US \$1.793 billion initially contemplated), of which 49 per cent will be on commercial terms, and 51 per cent on concessional terms. In 2022, expected debt disbursements amount to US \$675.4 million (vs US \$1.189 billion initially contemplated), of which 49 per cent will be on commercial terms, and 51 per cent on concessional terms. In 2023, expected debt disbursements amount to US \$645.5 million (vs US \$966.5 million initially contemplated), of which 43 per cent will be on commercial terms, and 57 per cent on concessional terms."

Chililabombwe resident seeks leave to sue KCM

By Zondiwe Mbewe

A RESIDENT of Chililabombwe on the Copperbelt Province has applied for leave of the Lusaka High Court to commence legal proceedings against Konkola Copper Mines (in liquidation) and its provisional liquidator Milingo Lungu, to recover damages against them.

Warrance Musonda wants to recover damages against KCM and Lungu as a result of the deep spinal injuries

he sustained about two years ago at KCM's Konkola deep copper mine while employed by its contractor Khodanne Investments Limited.

According to his affidavit in support of originating summons filed in the Lusaka High Court recently, Musonda stated that he was desirous of commencing action against KCM, Lungu and Khodanne Investments Limited in the High Court.

He added that he was advised by his lawyers and verily believed that in view of the provisional liquidation of KCM, leave of court had to be obtained from the court to commence action to recover damages against them.

Musonda, therefore, asked the court to grant him an order of leave of court to commence legal proceedings against the respondents.

"On or about July 18, 2018,

I sustained deep spinal injuries at KCM's Konkola deep copper mine whilst in the employ of its contractor Khodanne Investments Limited. On or about July 1, 2020, my Advocates prepared letters of demand to the respondents (KCM and Lungu) pursuant to my instructions demanding, amongst others, damages for negligence. The letters were delivered and acknowledged by the respondents on or about July 2, 2020," he stated.

"KCM responded to my letters of demand by letter dated July 20, 2020 in which it indicated that it would revert to my Advocates in due course after studying the matter and obtaining instructions. That to date, my Advocates have not heard from the respondents."

And in his skeleton arguments in support of originating summons, Musonda stated that he was employed by a company known as Khodanne Investments Limited, a contractor at KCM's Konkola Deep, when whilst working on July 18, 2018, he sustained serious spinal injuries.

The plaintiff stated that he was seeking compensation for the injuries suffered against the KCM and Lungu.

By Ulande Nkomesha
 NATIONAL Democratic Congress (NDC) president Chishimba Kambwili says government should start taking practical steps to rebuild the economy because prayer alone will not help in any way.

And Kambwili says the National Day of Prayer and Fasting has not yielded any results as hatred among politicians is the order of the day.

Last week National Guidance and Religious Affairs Minister Godfridah Sumaili said this year's National Day of Prayer, Fasting and Reconciliation would focus on the recovery of the economy and sustenance of national peace.

But in an interview, Kambwili said government needed to stop unnecessary borrowing and expenditure if the economy was to rebound.

"This year they say the prayers will be concentrated on praying for the economy. There is no economy that will rebound by prayer. The economy will rebound by doing what is right and making an effort. You cannot go to God and pray that I want to be a teacher without ever going to school. God helps when you are taking action, you are taking a step. When people are telling you to stop unnecessary borrowing, they say 'we are going to borrow'. Look at what is happening now, the President is all over the place promising development. On Friday he called the Secretary to Treasury to find money which is not in the budget. For how long are we going to accumulate debt in this country? Because you are doing things haphazardly wherever you go, you promise you are going to build a clinic, you pick a phone 'Secretary to Treasury find money' that is what we call politics of appeasement. That is what we call chi pante (uncoordinated) administration. No proper planning, no proper budgeting is as good as telling the Bank of Zambia print money. Then you want to go ask God to help your economy when you are doing wrong things," Kambwili said.

Prayers won't rebound economy – Kambwili

Kambwili said government should apologize to the people of Zambia for putting the economic on a wrong trajectory.

"We must do actions that will help the economy to recover. What we need are practical measures. A paradigm shift from the rhetoric that we have been treated to from running a country to proper economic management, prudent expenditure, avoid unnecessary costs. What we expect the government to say is that 'people of Zambia we are very sorry we have put you into debt, we are very sorry we took a wrong trajectory in economic recovery and we are going to do the right thing to put the country right on track. Stop this politics of appeasement where you are, you promise something when you know that there is no money. You cannot go and make a mistake deliberately and go and pray, I mean you are abusing God. You don't pray for the economy, you take a step and ask God to help you with your own plan," Kambwili said.

And Kambwili said PF's behavior was on the opposite side of Christian values.

"The behavior of these in governments shows the opposite of the Christian values. The Christian values demand that you do an to others what you want others to do an to you. The Christian value says love your neighbor as thyself. Do these people practice these Christian values? The answer is a big no! Nobody in this country, despite the Constitution giving a provision for the rights of assembly, rights of free speech, nobody is allowed free speech, nobody is allowed freedom of assembly. These leaders are very vindictive and they have been harassing citizens with impunity. Everybody who speaks to the contrary when they are not happy he is arrested, intimidation is the order of the day," Kambwili noted.

"This government has been accusing the

opposition, particularly the UPND, of being violent, leaving their own violent cadres scot free. Look at what happened [when] Jay Jay the young man went to the police [and] fueled aggravated robbery, attacked the police and stole their phone. That is aggravated robbery, he is charged with an offence of aggravated assault. Mucheleka and two others merely went to question how the NRCs issuance was, they are charged with aggravated robbery and they are still languishing in prison. When an opposition leader is arrested, he is never given police bond at the police station. You have to remain in cells for close to a week and then you go and apply for bail which generally the police should just call you if they want to effect an arrest, the effect an arrest and the give you police bond and you go home, but they will keep you in detention even delay taking you to court. But when a PF Minister, cadre or affiliate of the PF is arrested five minutes later he is given police bond, now where are the christian values?"

Meanwhile, Kambwili said the National Day of Prayer and Fasting had not yielded any result as there was more hatred in the country.

"Corruption is the order of the day, does Christianity teach and promote corruption? Segregation is the order of the day. For all contracts in government, now it has even extended to mining companies and now private companies who are threatened if they deal with certain individuals, all business is now for the PF cadres, where are the christian values? When there are by elections, corruption in giving mealie meal by the DMMU, giving money out for people to vote is the order of the day, where are the Christian values? So in a nutshell this day of national prayer has not yielded any result," said Kambwili.

"To the contrary, people in government have behaved more unchristian before this

date was declared as a public holiday. There is more hatred in this country than before, there is no tolerance, there is no reconciliation, there is no brotherhood in this country. Those boys who were insulting my mother they move with the SG of the PF but they have not been arrested. A person was killed here Luanshya, Obert, the people that beat up Obert are known not even one has been called by the police for questioning. Then you want to go and say let us go and pray for reconciliation?"



Farmers drag each other to court over witchcraft allegations

By Zondiwe Mbewe
 A FARMER of Shicitaza Village of Chief Kaingu's area in Central Province has dragged another farmer of the same area to the Lusaka High Court for allegedly accusing him of being a witch.

Physical Muntanga, who has sued Humphrey Muntanga, claims that the latter accused him of being responsible for his illness and misfortune and also testified before the Headman's Committee that he (Physical) had bewitched him in bedwetting.

Physical, who has also sued Chief Kaingu of Itumbi Palace in Itezhi-tezhi district as the second defendant, is seeking damages for defamation of character and a declaration that divination is illegal in Zambia.

He also wants an order for interest on all payments due until full settlement, costs and any other relief the court may deem fit.

According to a statement of claim filed in the Lusaka High Court recently, Physical stated that on August 6, this year, he received summons from Headman Shicitaza under Chief Kaingu which directed him to appear before the said Headman on August 11 to answer to allegations that were not disclosed.

He stated that he did attend to the summons before Headman Shicitaza as

directed but the matter was adjourned to August 16.

Physical stated that on August 16, he appeared before the said Headman Shicitaza's committee which informed him that he had been summoned by one Humphrey Muntanga, the first defendant in the matter.

He stated that during deliberations of the Headman's committee, Humphrey testified that he had bought summons against him because he (Physical) was a witch who had been responsible for his illness and misfortune.

"The plaintiff (Physical) will aver at trial that the first defendant (Humphrey) also testified that he had evidence of the witchcraft practices of the plaintiff as he was told this information by a witch doctor called Kalidundu in 2017. The first defendant also testified before the Headman's Committee that the plaintiff had bewitched him in bedwetting and that the first defendant's wives have been dreaming that his cattle had been attacking them in dreams," read the claim.

Physical further stated that Humphrey also informed the Headman's committee that he had been failing to have consortium and conjugal rights with his two wives as a result of being bewitched by him (Physical).

He stated that Humphrey's

statements against him before a full panel of the Headman's committee where he accused him of being a witch were false and malicious.

Physical added that these words in their natural and ordinary meaning were intended and actually understood by ordinary minded people to mean that he is a killer and a danger to society who does not deserve to be alive, let alone to live in Shicitaza Village.

He further stated that the Headman's committee ruled that Humphrey and him must proceed to go and divine with another witch doctor so that they could prove whether or not he was a witch, which ruling he declined on grounds that it was not only illegal but also that his religious beliefs did not allow consultation of witch doctors.

Physical stated that the Headman's committee referred the dispute to Chief Kaingu's committee for further deliberations.

"The plaintiff will aver at trial that the second defendant (Chief Kaingu) presided over the dispute and the first defendant, again as he did in the Headman's committee, explained to the Chief's committee that he had summoned the plaintiff on the grounds that he was a witch as this was the information he got from a witch doctor called Kalidundu in 2017," read the claim further.

He lamented that Humphrey's statements were false and malicious calculated at bringing his name into ridicule and disrepute as this false information of witchcraft spread like wild fire in the Kaingu chieftdom.

Physical added that as a result of the false allegations made against him that he was a witch, he had suffered severe damage and injury to his good reputation.

Physical stated that his life had been under serious threat of being killed by the community as most people in the Shicitaza Village still believed in witchcraft and some innocent people had previously been killed by mob justice merely on false allegations that the suspect was a witch.

Court sentences Lsk man to death for killing girlfriend

From P3

She said she called out Misozi's name but she never responded.

Lilian said she then decided to uncover the bed and when she did so, she saw that Misozi's body was stiff and her hands were up.

She said further, the deceased was undressed, although she was covered with a chitenge and that her neck looked dark.

The matter was later reported to the police.

Lillian added that when she went back to pack Misozi's belongings after her death, she noticed that a curtain, mat and door mat which she had given her were missing.

She narrated that on October 2, 2019, she was in the company of her friend Mercy heading to the market.

Lillian said on the way, Mercy wanted to drink some water so they stopped at her sister Aliness' house.

Aliness who was a friend to the deceased, got married to Lungu (accused) after Misozi's death.

There, Mercy entered the house while Lilian remained outside, as Aliness stood by the door.

Lilian said she saw the curtain and asked Aliness where she had bought it as she recognised it, however, Aliness said she knew nothing.

She said when she forced her way inside the house to look at the curtain, she also saw the mat and door mat that she had given her deceased sister.

When she queried Aliness about the items, she expressed ignorance and that Lungu could know something about

them as he was the deceased's boyfriend.

The deceased's neighbour, Gerald Simumba also testified that he saw Lungu who was Misozi's boyfriend, entering the deceased's house between 21:00 and 22:00 after the deceased opened for him.

But in his defence, Lungu testified that he bought the curtain and door mat in town on February 15, 2018 but denied having killed the deceased.

He said his relationship with the deceased had ended a long time ago, adding that he did not know where the deceased moved to after she left her elder sister's house.

But in her judgement delivered on September 30, 2020, Judge Nawa said the State had proved the case beyond reasonable doubt.

She said it was an odd coincidence

that the items which had been missing in the deceased's house would be found at Lungu's house after her death, and Lungu used to be the deceased's boyfriend.

"The circumstantial evidence in this matter has attained a degree of cogency, permitting an inference of guilt, as the only inference that can be drawn in this matter. The State has therefore proved a case beyond reasonable doubt. I find the accused guilty and convict him accordingly," judge Nawa said.

She sentenced him to death by hanging until pronounced dead by a medical officer.

"May the Lord have mercy on his soul. The convict is further informed of his right of appeal to the Court of Appeal within 30 days from the date of this sentence," ruled judge Nawa.



CTPD'S MONDAY OPINION

This is a weekly column aimed at sharing CTPD's perspective and steering public debate on various issues pertaining to Trade & Investment Law, Public Finance Management, Extractives and Human Development.



TODAYS TOPIC:
How can ZCCM-IH institute due diligence in the Gold supply chain?
with Webby Banda

IN LAST week's article, we looked at the extent to which the 2021 national budget exploits the mining sector to initiate economic recovery and safeguard livelihood. In the article, we made a case of how Zambia can exploit Gold to build international reserves using ZCCM-IH as a vehicle for attaining this. Earlier this year, ZCCM-IH echoed its plans to start buying Gold from artisanal and small-scale miners and other sources. However, ZCCM-IH must embrace due diligence in its Gold trading activities to ensure it is not contributing to serious human rights abuses and fuelling conflict in high risk or conflict-affected areas. This week's article will focus on how the state's mining investment arm can institute due diligence in the Gold supply chain. In discussing this the article aims at answering three fundamental questions:

(i) What is due diligence in the mineral supply chain and why is it important?

(ii) Who should carry out due diligence?

(iii) How can ZCCM-IH institute due diligence in the Gold supply chain?

What is due diligence in the mineral supply chain and why is it important?

Companies engaged in any mineral supply chain can potentially generate profits to safeguard livelihood and foster national development. However, these companies might also be at risk of being associated with or contributing to serious human rights abuses in high risk and conflict-affected areas. These areas are identified by the presence of armed groups, widespread violence, or other risks of harm to the people. Additionally, they are characterised by political instability or repression. From a layman's point of view, one would ask the following question. "What is due diligence in the mineral supply chain and why is it necessary?" In responding to this, due diligence is an ongoing proactive and reactive process through which companies can ensure that they are not contributing to conflict and

suppression of human rights in conflict affected and high risk areas through their involvement in the supply chain. Due diligence ensures that companies in the mineral supply chain observe both domestic and international laws including those governing the illicit trade in minerals. Companies may face risks in these mineral supply chains because of circumstances of mineral extraction, trade, or handling which by their nature have higher risks of significant adverse impacts such as fuelling, facilitating, and exacerbating conditions of conflict.

Who should carry out due diligence?

Due diligence in the mineral supply chain must be done by all companies that supply or use minerals sourced from high risk or conflict-affected areas. Irrespective of their position in the supply chain, companies should conduct due diligence aimed at ensuring that they do not contribute to human rights abuses and conflict in high risk and conflict-affected areas. The nature and extent of the due diligence applicable will depend on individual circumstances and will be influenced by factors such as the quantum of the enterprise, the situation in a particular country, the location of activities, the nature of the products and services involved.

How can ZCCM-IH institute due diligence in the Gold supply chain?

The recent discoveries of Gold across Zambia has culminated in the mineral being declared as strategic. From the Government's viewpoint, Gold should be channelled to the Bank of Zambia to prop up strategic reserves. To achieve this objective, ZCCM-IH has set a target to collect a total of 40,000 kgs of Gold from artisanal and small-scale miners at a competitive minimum price of K550/gram. In as much as this is progressive, ZCCM-IH needs to align its gold trading practices to the Organisation for Economic Cooperation and Development (OECD) due diligence guidelines on responsible mineral supply chains. The guidelines are simply guidance on how to undertake

a supply chain due diligence of gold potentially sourced from conflict-affected and high-risk areas. The purpose of these guidelines will be to allow ZCCM-IH scrutinise the source of the gold bought. This is to ensure that its buying process is not promoting human rights abuses and conflict in the supply chain of Gold potentially sourced from conflict-affected and high-risk areas. Gold is easily transported and malleable. These properties make it easy for illegal dealers to melt and recast Gold with that which is mined domestically. This subsequently masks the origin of the illicit Gold. When this happens Zambia will be seen as cumulatively perpetuating instability in high conflict countries from where this illicit Gold is sourced. According to the OECD guidelines, artisanal and small-scale Gold producers such as individuals, informal working groups, or communities are not expected to carry out due diligence but they are encouraged to remain involved in the due diligence efforts of their customers. They must be encouraged to formalise so they can carry out due diligence in the future. In promoting effective due diligence on the part of ZCCM-IH, the following specific recommendations are being advanced:

(i) ZCCM-IH should set up a department devoted to undertaking due diligence in the supply chain of Gold;

(ii) ZCCM-IH needs to identify and assess risks in the Gold supply chain; and

(iii) ZCCM-IH needs to design and implement a strategy to manage risks.

This is it for this week. Look out for next week as we will be discussing issues from the Public Finance desk.

About the Author

Webby Banda is a Senior Researcher (Extractives) at The Centre for Trade Policy and Development (CTPD) and a Lecturer with the University of Zambia, School of Mines.

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By Ulande Nkomesha
 SUPREME Court justice and former Attorney General Dr Mumba Malila has observed that many judiciaries in the African region are still reeling from the devastating effects of political intimidation.

In an article titled "Righting the wrongs: Justice Clever Mule Musumali's legacy of judicial activism revisited", and posted on AFRICANLII 1, Dr Malila stated political intimidation of African judiciaries had undermined their confidence to check on executive excesses and the blatant disregard of the rule of law.

"It is undeniable that, perhaps with the general exception of the Kenyan, Malawian and South African judiciaries, which have consistently acquitted themselves fairly well and with remarkable decency too, especially in recent times, many judiciaries in the African region are still reeling from the devastating effects of political intimidation that has undermined their confidence to check on executive excesses and the blatant disregard of the rule of law. They are reproachable, not because they lack the intellectual

Many judiciaries in Africa still reeling from effects of political intimidation – Malila

equipment to wither political shenanigans but because, on balance, retreating into that unhealthy sense of judicial-restraint for fear of reprisals, is viewed as a safer option," Dr Malila stated.

"Sometimes, that attitude is also inspired by individual judges' personal ambitions and, in some cases, political patronage or the hope for elevation. This significantly limits the potential for appropriate, albeit sometimes, politically indigestible verdicts but which would nonetheless advance constitutionality and respect for human rights. The tendency of African judiciaries to succumb to resigned acquiescence and to retreat into tranquil comfort zones when judicial leadership matters the most, has invariably led, in many African countries, to subverted justice. This has subliminally contributed to a breakdown in the rule of law. To that extent, therefore, Odinkalu's sentiments as quoted

above are aptly justified. And yet, in the Zambian situation, it may interest jurisprudents concerned with the apparently debilitating problem of judicial passivity to learn that at least one judge could possibly lay claim to exemption from implication in this general judicial malaise: the late Mr. Justice Clever Mule Musumali, a significant judge of the Supreme Court of Zambia."

He stated that many judiciaries in Africa had been carped for their allegedly complicit role in the violation of constitutions and the undermining of the rule of law in the post-independence state.

"In this connection, an African human rights lawyer once lamented that 'the judiciaries in common law African countries must take substantial responsibility for the collapse of constitutional government. The Judiciary in many of these countries deliberately and knowingly abdicated its constitutional role to protect human rights and, in many cases, actively connived in the subversion of constitutional rule and constitutional rights by the executive arm of government,'" Dr Malila stated.

He further stated that many judiciaries in fledgling African democracies faced insurmountable obstacles.

"Generally speaking, the extent of intolerance to opposing political views

tends to be higher in developing democracies than in more consolidated ones. Constitutionalism and the rule of law remain fragile as incumbency and political privilege are routinely abused. The temptation for the governors to rule in perpetuity and their yearning to hold on to power at all costs, even at the expense of respecting the rule of law and constitutionality, manifests through the administration of public affairs," Dr Malila stated.

He stated that it was unsurprising that many national courts in Africa had sometimes tended to be reluctant to interpret the fundamental rights enshrined in their postcolonial bills of rights in light of international norms.

"In their work, judges, especially good ones, must, upon evaluation of competing interests, curtail wherever possible, the entrenchment of self-serving standards set by public officials, including political officeholders, and stem the tendency to circumvent the rule of law, violation of fundamental rights and the entrenchment of impunity. As 'umpires' in the democratic process, they are expected to ensure that a climate of legality prevails, a leveled playing field is created and maintained and legal protection afforded to those who stand disadvantaged," Dr Malila stated.

He noted that there was, in this regard, a generally self-limiting judicial attitude.

"This was evidently the case in the one-party era in Zambia. If one looked back in time, one would find numerous instances of the restricted approach of the courts when it came to delivering a just result where the position of the domestic law may not have been clear," Dr Malila stated.

He stated that Zambia was a party to numerous international and regional human rights instruments but followed a dualist approach, which meant that the treaties and instruments required implementing legislation or domestication.

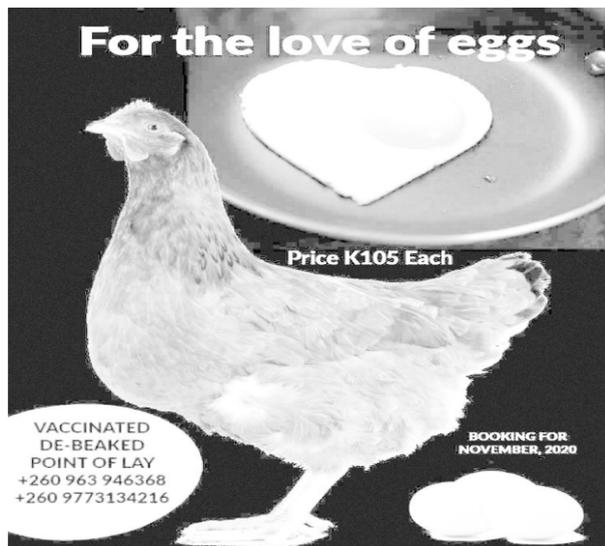
"Zambia is a party to numerous international and regional human rights instruments, key among which are the International Covenant on Civil and

Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC)25, the African Charter on Human and People's Rights (ACHPR),[28] and the Protocol to the African Charter on Human and People's Right on the Rights of Women in Africa (the Maputo Protocol). In addition some of the sub regional organisations of which Zambia is party have adopted regional instruments," Dr Malila said.

He stated that international instruments were not self-executing and required legislative implementation to be effective in Zambia as law.

"For a long time, the courts in Zambia maintained a non-committal attitude towards international human rights standards as set out in treaties to which Zambia is a party. **Story continues on P10**

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VICE-PRESIDENT Inonge Wina says police have not stopped members of the opposition from organising political meetings, provided this is done under the Public Order Act. During the Vice-President's question time in Parliament last Friday, Monze Central UPND member of parliament Jack Mwiimbu asked Madam Wina to explain whether political parties would be allowed to engage members of the public following the guidance by the Electoral Commission of Zambia, that all political parties should go flat out to sensitise the public regarding the forthcoming registration of voters.

To this, Vice-President Wina said: "The police have not stopped members of the opposition from organising political meetings, provided this is done under the public order act. This has been said before, and to defy laws of the country will not be allowed. We can undertake these activities with the blessings of the police. So the meetings will continue. Some meetings do not need big public meetings, especially under COVID-19. But some of the

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Inonge Wina's mockery of Public Order Act victims

meetings can be arranged in such a manner that we do not compromise the health of Zambians."

We wonder why the Vice-President likes to misguide herself so often when she is asked to provide guidance to the nation through the National Assembly. What the Vice-President is saying, in other words, is like saying members of the public are at liberty to speak freely, as long as they don't say anything that we do not agree with. If you grant people the liberty to hold public meetings, you cannot, at the same time, impose restrictions that go as far as taking away the very liberty that you have granted.

We also don't understand why the Vice-President is

being hypocritical over this matter. Madam Inonge knows that there is no way her police officers will allow members of the opposition to conduct election related public meetings. She knows that only her party is allowed to hold mobilisation activities and she is happy that this abuse of the Public Order act is giving the Patriotic Front an advantage, but she decides to lie. We find this to be a mockery of the Public Order Act victims, who are the opposition and civil society organisations.

It has been said, time and again, that the duty of the police is to simply provide security, they do not have the power under the Constitution to stop citizens from holding public meetings.

What we are seeing in Zambia is a sham of democracy now because the police service has gained control of political activities, much to the advantage of the ruling party.

There is no democracy that we can talk about where the Public Order Act is an impediment to the opposition in conducting political campaigns as well as NGOs attempting to organise public debates. There is overwhelming evidence that State House, the Ministry of Home Affairs and the Patriotic Front secretariat mounts pressure on the police not to apply the Public Order Act fairly.

This Act was amended in 1996 with respect to public

meetings to delete the word "permit" and replace it with "notify," but the police arrogantly and deliberately apply this law to serves as a "permit process" due to political influence, and the citizens have accepted that as a norm. How can that be tolerated in a democracy? The opposition have been complaining that, in practice the police have given themselves the power to determine who may conduct and organise public meetings at the ward level, constituency level, district level and provincial level.

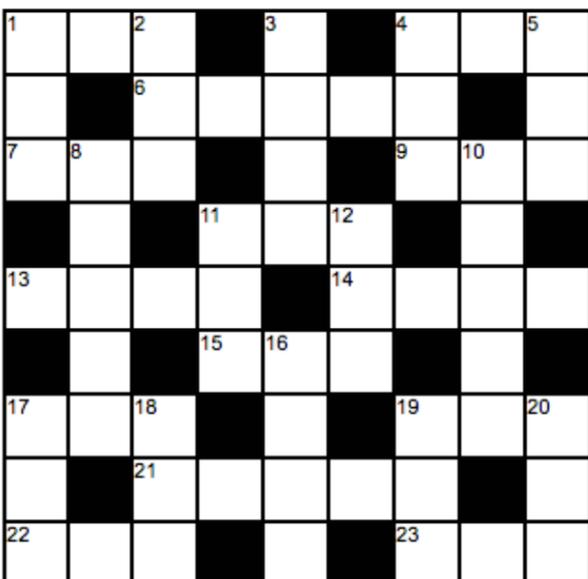
If the police were fair in the application of this law, as Madam Inonge Wina claims, they would spare no one, regardless of political affiliation. Constitutionally,

the Public Order Act only exempts the president and vice president from informing the police, but in practice it has been extended to apply to all PF officials and the thugs who run bus stations and markets.

The Public Order Act is supposed to be a good instrument for ensuring law and order during campaign periods, but the manner in which it is abused promotes mistrust in the police whose role it is to enforce the law. If elections were held in a fair and transparent manner, institutions such as the Electoral Commission of Zambia would be helping in ensuring that we have a level playing field during campaigns.

We need an Electoral Commission that is thirsty to deliver credible elections; a Commission that is eager to promote co-existence among the political players; a Commission that will take steps to publicise the intent and provisions of the Public Order Act in the newspaper, television and radio, and provide civic education to the police so that we can have adherence by all political actors, not just the opposition.

Crossword puzzle No 709



"Don't pretend to be what you're not, instead, pretend to what you want to be, it is not pretence, it is a journey to self realization."
- Michael Basse Johnson

- | | |
|--------------------------|--------------------------------------|
| Across | Down |
| 1. Take to court | 1. To speak |
| 4. Small round veggie | 2. Ostrich cousin |
| 6. Metric measure | 3. Checklist unit |
| 7. " __ go, girl!" | 4. Professional |
| 9. Small bill | 5. Mimic |
| 11. Mischievous one | 8. __ the Grouch, from Sesame Street |
| 13. Left after cut heals | 10. Deprived |
| 14. Vicinity | 11. Lyricist Gershwin |
| 15. Not just some | 12. Buddy |
| 17. Be nosy | 16. Lie in wait |
| 19. Seeing organ | 17. Group of seals |
| 21. Have same opinion | 18. Potato substitute |
| 22. River barrier | 19. Slippery fish |
| 23. Meadow | 20. Baseball stat. |

Crossword puzzle No 708



Readers' Feedback

Wynter's constant flip-flopping on Lungu's eligibility

Editor,

"I can't remember any other politician where citizens rejoiced when he got fired. He was a paper tiger back then and now is a pauper. Our humble dear leader should stay away from this man". - Kabani Matongo

"Yaba anyone who wish to join PF will always support lungus eligibility even when its clear the court never ruled on eligibility". - Pious Emmanuel Sungah

"If we were a serious country this man would never have been a minister or a leader of a political party. The man has no direction bolulukafye kwati kapepala". - Martin M Martin

"The greeting itself at the meeting could tell the collusion behind the closed doors, but Lungu avoided selling himself off in public abt the two. So he thinks working with pf he is not a door mat that will just be used & thrown away just like bene pilgrim!" - Steve Shachose

"The confused lawyer. This how they get clients jailed by failing to interpret the law". - Chaka Kelly

"Zambian lawyers have messed up the constitution and our constitutionalism by placing political affiliation over legality". - Richard Waga

"I don't have respect for such people. People who flipflop like that are a danger to society". - Zak Zim

Lusambo on govt pumping in billions into Zambia's economy, with poor citizens

Editor,

"Word of Advice to the PF administration. (1) You have got a very good reason why this person dosent talk in parliament bravo. (2) Please don't let him feature on any TV program because it simply shows the IQ of the entire PF administration as he's speaking on your behalf as a party not as government or a nation". - Kris Mubanga Malama

"The culture of defending the government even if something is wrong will not help our great nation move forward,we need a new way of thinking able to call wrong a wrong,a right a right then development will cover all corners of zambia.correcting mistakes along the way is part of good governance". - Adrian Chikoma

"Expectations of some Zambian people Honourable. Inflation rate, unemployment rate, health and security (for lack of a better term too much politically charged violence) hasn't improved. I can score this government highly on borrowing which they have performed highly and infrastructure particularly the roads (though some are peeling and need reworks), hospitals (but these need medical restocking) & bridges. We are getting there but some ministers kuwayawayafye". - Ntazi Victa

"I will relocate from Lusaka, can't stand having him as my provincial minister". - Asa Amisi

"That's lack of understanding, putting money in economy in which sense handouts or investing?the only way to better people's lives is by reducing unemployment through industrialization and curb corruption". - Pious Emmanuel Sungah

Mwila's admission on telling Kang'ombe to start campaigning in Kamfinsa

Editor,

"So campaigns are now allowed!" - Nicky Tabo Chinika

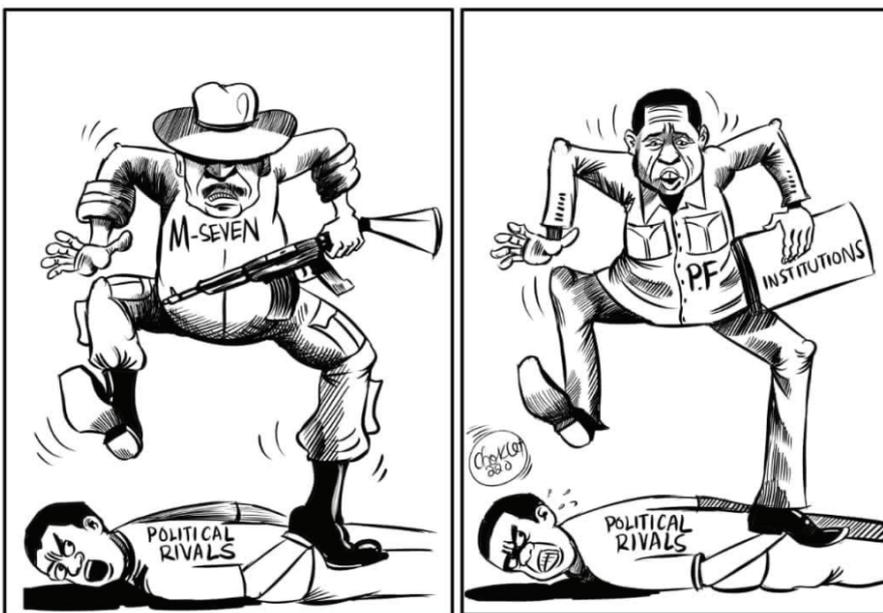
"Says the king maker!! So even when campaigns were banned some were given a go behind the scenes!!!? Now I believe those that day SG agulisa ma vacancies..." - Ngandu More

"Confused elements. Ba Mwankole confusion everywhere, how can we develop like this if the Parte itself is disorganised. 2021 kuya bebele". - Noritah Mwanza

"Others are comphaigning others are not allowed who do u think owns

this country kanshi". - Winston Kameya

"Kang'ombe and Binwello Mpundu are just opportunists... They know they are in a wrong party but they won't leave because it has better chances of taking them to parliament". - Economist Carlos Winfords



EDITOR'S NOTE:

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ECZ's argument that more people won't vote with 2016 register

Editor,

"How, it is not true, instead more people will not vote if the old register will be thrown out. And depending only on the new register whose issuance of NRCs phases are selective and discriminatory, especially in the perceived opposition strongholds. The best is to maintain the old register, clean it and add newly registered voters to it for unity and progress of the nation democratically". - Henry Kazombo

"That collapse was a warning to you Nshindano. Now if you go ahead against the will of Zambian you will collapse for good". - Hachi Chizyuka

"The 2021 election will shock the PF because they are taking the people of Luapula, Muchinga and Northern Provinces for granted. The Pain and Grind of the failures of President Lungu are felt more in these provinces

than the rest of the country. The only way PF can keep these provinces ignorant of what is going on in the rest of the country is by cutting them off from civilisation". - Christopher Kalima

"Unless am missing something here but my question is and has been ,where has ECZ been since 2016 to start doing this exercise now knowing there wouldn't be enough time to complete the exercise before 2021 elections". - Lusankula Chishimba

By Ulande Nkomesha and Daniel Chansa

PRESIDENT Edgar Lungu says if Zambians decide to vote for the opposition in 2021, they must elect members of parliament, council chairpersons and councillors from the same political party, a situation he says makes it easy for the sitting President to deliver development.

And President Lungu has told the PF mobilisation committee that it has no duty to start identifying parliamentary candidates for 2021.

Speaking when he met traditional leaders in Lufwanyama district, Saturday, President Lungu, however, said there was no way the Patriotic Front would lose power in 2021 because of the numerous achievements the party has scored, especially in the agriculture sector.

"In 2021, if you give us people who don't want to work with us, we will struggle but we will deliver in our own way, because it is needed that the DC, MP, council chairperson or mayor, they work together. Here in Lufwanyama, it doesn't work like that. The MP wants to work alone, the DC is also alone, that is what we have seen. The MP is working alone, the council chairman is working alone, councillor is working alone. If you want us to work properly in 2021, we should make a suit, if it is our friends who want to come in, you should vote for them starting from councilor, MP and council chairperson in one political party, it will be easy," President Lungu said.

"If you think we will still be in power, you will vote for our councillor, council chairperson and MP, but I can tell you, we will still be in power. The reason why I am saying this is that the people of Zambia have seen that the PF...those people who didn't know me, they now know

In 2021, elect all candidates from one party, even if you choose opposition – Lungu

me that there is Edgar Lungu, President. A few knew me, now they know me... [And] let them not lie to you that the PF don't know farming, 'they are killing farmers'. But you can see that the PF has done well in terms of farming. There is no way we will lose power in a country like Zambia where a lot of people are involved in agriculture and they have seen that we are committed in agriculture and we have done very well. Therefore, I can assure you that 2021, we are coming back with full force and more numbers. You, my leaders, if you choose to go to the opposition, you will remain in the opposition but I pray that you choose the opposition which will work with government because we are ready to work with anybody; but those who are frustrating, us we will not work with them. We are seeing the consequences."

He said he would engage Cabinet Ministers to visit the district to ensure that development was taken there.

"I will send the Minister of Health to come and see what he can do about those health posts which are not manned, including the shortage of drugs in hospitals, that is why I am here. I know the DC is new but she will also give a report. You say there is no empowerment but there is Social Cash Transfer. The Minister involved in Social Cash Transfer is the MP of Kalulushi. I will tell her to come here in Lufwanyama, we should talk about Social Cash Transfer. You have also talked about a lot of things like the network, the Minister responsible again, I will tell him to come here, he should go round and he should truly confirm that we need to put communication towers," President Lungu said.

"It is very important...

others things, the MP can work on them. On the MP, I won't speak much because you have your MP, I met with him in Lusaka sometime back; he stopped working with us because he was shouted at by his boss because they are not allowed to work with the PF."

And speaking to Chiefs in Lufwanyama, the Head of State urged all those who felt threatened to report to the police.

"I am touched by the kind words pertaining to law and order which we are praying for in this country. I am glad that you have denounced violence openly and urged us as politicians to come out and speak against violence. I have heard one leader say mukali ba mpama (you should beat them), you know that won't help us. You see, what will help us is if someone is threatening you, you report to the police, the police are there. You know we are supposed to be telling our party cadres that 'stop the violence! Don't do it, and I will talk to my friends to tell their cadres to stop it, that is the kind of leadership we want. So may God grant us the peace that we want during the elections in 2021," President Lungu said.

Meanwhile, President Lungu has directed PF Secretary General Davies Mwila and mobilisation Chairman Richard Musukwa to resolve differences on the Copperbelt.

He said this during a meeting with party officials in Lufwanyama, Saturday evening.

President Lungu said the mobilisation committee has no duty to start choosing who will be adopted and should therefore be given clear terms of reference.

He said the mobilisation committee needed to work with the elected structures,



just like the structures needed to embrace and work with the mobilisation ad-hoc committee to grow the party.

"Your Job is [to] support PF MPs, Mayors and councillors because they have a mandate. Don't start positioning yourself in the name of mobilisation and getting members from the party structures.

"To those that lost elections at Provincial, District and Constituency levels, now you are lucky that you have been co-opted in the mobilisation Committee. Don't use this committee to settle scores, we will remove you. But I want

to tell you that mobilisation Committee should work with structures. It is not the duty of the mobilisation Committee to choose or identify candidates in constituencies and wards," President Lungu said.

"It is not the duty of the mobilisation Committee to be choosing candidates for 2021, but it is the duty of the structures to recommend to the Central Committee for possible consideration on the recommended names. Let me emphasis the need for team work in order to have more numbers because politics is about numbers.

The mobilisation is not about the individual, but the party. Those that lost elections should not take a confrontational approach and start undermining elected officials."

He said the party structured officials to embrace new members.

"Be like the Church that welcomes everyone and ensures that they are converted. Let us develop the spirit that Mr. Sata had. You need to emulate the tolerance of our founding President Mr. Micheal Sata. PF is the party of choice and everyone wants to be a part of the PF," President Lungu said.

"I became President not because of money, but patience and humility. God's time is always the best!"

The PF Copperbelt mobilisation Committee Chairperson Bowman Lusambo has been in constant friction with the Nathan Chanda-led Provincial Executive.

Chanda's executive committee has accused Lusambo of appointing people in his Committee who are aspiring to contest next year's parliamentary elections.

Defunct Lima Bank in court over caveat placed on deceased man's property

By Zondiwe Mbewe

AN administrator of the estate of late Stephen Mukwena has dragged defunct Lima Bank (in liquidation) to the Lusaka High Court, seeking an order for the removal of a caveat it allegedly placed on a property in Mkushi district.

Stephen Mafanta Mukwena stated that the interest on the said property ensued from a loan which had since been liquidated, but the bank failed and neglected to remove the caveat.

He stated that all relevant authorities have declined responsibility over the matter,

adding that Grant Thornton Associates who were the liquidators of Lima Bank, have not been helpful either to resolve the issue as they have categorically stated that the matter of Lima Bank is closed.

According to an affidavit in support of ex-parte summons for an order for the removal of a caveat, Mukwena stated that he was the administrator of the estate of the late Stephen Mukwena who was the owner of Farm No.14 Chikupili in Mkushi district and holder of certificate of title No. L3040 dated August 26, 1991.

He stated that there was

a caveat placed on the said property by Lima Bank (in liquidation) whose interest ensued from a loan which has since been liquidated, but the bank failed and neglected to remove and withdraw the caveat registered in respect of the said property.

Mukwena stated that many efforts to compel the defunct bank through various channels to remove the caveat and discharge the mortgage have not yielded positive results.

He explained that one such effort was by one Joseph Chingoma, who was a potential purchaser of the said property, but later gave up because of the encumbrances on the property.

"The Ministry of Finance, who were the supervisory authority for all State enterprises, including those in liquidation such as Lima Bank (in liquidation), advised that the bank was closed and advised to engage Grant Thornton Associates who were the liquidators of Lima Bank. The liquidators, Grant Thornton, who were engaged by government, have not been helpful either to resolve this matter as they have stated categorically that the matter of Lima Bank (in liquidation) was closed," Mukwena stated.

"All the relevant authorities have declined responsibility over this matter. That the status quo cannot be sustained anymore as I have been greatly inconvenienced as I can't deal with the land in the manner I would like to because of the caveat and the undischarged mortgage."

Mukwena stated that in the premises, he was craving for an order for the removal of the caveat and discharge of the mortgage forthwith from the court.

Many judiciaries in Africa still reeling from effects of political intimidation – Malila

From P7

Neither the state nor the courts seemed inclined to move away from the fixed position that unless a treaty was domesticated; its provisions could not be relied upon in domestic litigation. The position as obtaining was repeatedly explained by the Zambian government in its engagement with treaty bodies during the presentation of periodic reports. On one such exchange, the government explained that: Zambia has ratified regional instruments for the protection and promotion of human rights and fundamental freedoms," Dr Malila stated.

He stated that while the average Zambian judge remained generally reluctant to rely upon international and comparative law sources, there was progressively a world movement towards discarding that restrained stance by judiciaries, particularly to human rights cases.

"A discernibly novel approach, which assumed a more protective department of human rights, factoring into the interpretation equation, international human rights norms, was quickly taking root. This new

course had something to do with the series of meetings underwritten by the Secretariat of the Commonwealth of Nations, where judges from around common law jurisdictions assembled to deliberate the topic of the domestic application of international human rights norms," Dr Malila stated.

He stated that many Zambian societies still embraced internalised value systems based on their traditions and culture which conflicted with provisions of the Zambian bill of rights.

"This is where, in his work as a judge, Mr Justice Musumali stood tall and responded to calls made within the framework of the Bangalore Principles. In the process he made a significant difference. Although this writer has not been able to establish whether Mr Justice Musumali was a participant in those Commonwealth of Nations sponsored high level meetings, his judgments resonated with the spirit of the Bangalore Principles in a manner the late Chief Justice Dumbutshena of Zimbabwe, who regularly participated in those judicial colloquia, articulated it when he stated that 'In order to advance human rights through the

courts there are two essentials to be met. The judge's personal philosophy must have a bias in favour of fairness and justice. There must exist an activist court. Judicial activism in human rights cases is a prerequisite for the development of human rights jurisprudence," Dr Malila stated.

"On the cultural front, many Zambian societies still embrace internalised value systems based on their traditions and culture. Many of these values conflict with provisions of the Zambian bill of rights and a plethora of international and regional human rights standards including those mentioned above to which Zambia has subscribed. Considerable human rights violations occur under the façade of observing custom and tradition some of which are archaic and plainly undermine the dignity of the human person. Defilements justified under traditional beliefs and customs, child labour, marrying off of underage children, marriage and cleansing practices, polygamy, ill treatment and dehumanisation of suspected witchcraft practitioners and failure to observe due process requirements by traditional authorities

in their courts as they administer customary law, are but part of a long catalogue of customary law related human rights violations."

He stated that the country needed judges to take up the challenge and interpret both constitutional provisions and international conventions.

"Unless the reality of culture and its impact on human rights to its fullest extent is internalised and admitted, neither the existence of a perfect bill of rights, nor a full corpus of international human rights law and standards will do much to stop the practice of contesting some human rights on the basis of tradition and culture," Dr Malila stated.

He stated that Justice Musumali's human rights judgements were monuments of his intellectual energy.

"Justice Musumali's bravery in his efforts to ensure the observance of the rule of law and respect for human rights is unimpeachable. Some of the methods he used to better the grieving applicants who came with different complaints before him are remarkable for their ingenuity, allure, vividness and outstanding quality," stated Dr Malila.

Chipolopolo rally to beat Bafana Bafana

ZAMBIA came from a goal down to beat South Africa 2-1 in an international friendly which was played at Royal Bafokeng Stadium on Sunday afternoon.

Molefi Ntseki's men went ahead through Keagan Dolly midway through the second half but Chipolopolo netted

twice in quick succession through Kelvin Mubanga Kampamba and Chaniza Zulu to steal the match under the noses of Bafana Bafana.

As a result, Bafana Bafana concluded this Fifa break with a draw and a defeat to their name, and more questions will be

asked about the direction the national team is taking under the leadership of coach Ntseki.

The 51-year-old mentor made wholesale changes to the side that drew 1-1 with Namibia on Thursday, with the technical team opting for experienced players such as Thulani

Hlatshwayo, Andile Jali and Percy Tau.

Bafana Bafana had a much-improved performance from the previous encounter with silky touches in midfield where Jali was pulling the strings alongside Teboho Mokoena.

Ntseki, however, had

to change his approach as early as the first minute as he was forced to replace the injured Lyle Foster with Dolly.

A Tau free-kick early in the game saw the Zambian defence with goalkeeper Sebastian Mwange scrambling to deny Bafana Bafana as the intentions

became clear from the hosts.

Chipolopolo were not deterred by Bafana's early attacks as they launched their own, coming from the left-hand side of the pitch.

Midway through the first half, Motjeka Madisha came to Bafana's rescue as he stretched his leg to clear the ball off the line with Evans Kangwa well-positioned to tap the ball home as the visitors managed to get behind the defence.

Tau was afforded acres of space outside the box and he unleashed with his left-foot, only for Mwange to palm the ball over the crossbar for a corner.

The resulting corner saw Bafana come close to taking the lead with Madisha sending his header agonisingly over the top.

The final chance of the first half went to Zambia who struck the woodwork through Lubambo Musonda with Darren Keet well-beaten. The ball came back into play and Bafana managed to clear their lines.

Whatever Ntseki told Bafana at half-time really worked as the team played as a unit but Sredojevic must have re-energised his players as they also took the game to their opponents.

GOAL

Parties like Rainbow should be deregistered for not participating in by-elections - UPND

By Sipilisiwe Ncube

UPND secretary general Stephen Katuka says if he had his way, political parties such as Wynter Kabimba's Rainbow would be deregistered for failure to participate in electoral activities.

Meanwhile, Katuka has lamented that Zambia is now subdivided into two parts; one for the PF and where laws are not applicable.

Commenting on Kabimba's remarks that no political party had invited him to form an alliance, Katuka dismissed the former justice minister's assertions as baseless because the onus was not on the UPND or other opposition to approach him, but on Kabimba to engage other political parties.

He also observed that Kabimba's desire to be elected Republican President remained unrealistic given the fact that his party's support base remained weak, with no participation in elections.

"Is Rainbow a [political] party? I don't think so. It is the weakness of the laws in

our electoral law and in our Constitution about non-active political parties. Wynter Kabimba, from the time he formed his political party, I don't think he has participated in any political activity. If I had a way, the Constitution should have a deliberate clause of deregistering parties, which are not political actors because I have never heard of Rainbow Party participating in any election. There are so many by-elections and they have never been there. They are waiting for a general election so that they will be sponsored by the ruling party! If you have no people standing as councillors, no people standing as MPs and you only want to be (Republican) President yourself, how does that work?" Katuka wondered.

"So, I don't think it is for us to go to him. It is him to come and join other progressive parties that have decided to come together if he shares a vision with them. The issue of sitting and waiting for people to come and approach you...I think he is not a woman that people must admire! It's only a woman

that we all struggle to find. I don't think, even for political relationships, we have to write a letter to him. It's him who should come to us if he wishes to join the alliance. There is no substance in anyone going to him."

And commenting on Kabimba's advice that UPND leader Hakainde Hichilema must apologise to the people of Lukashya for insulting them, Katuka said the matter was closed and people had moved on.

"I don't know why he wants to open something that has been closed. The talk about Lukashya is gone and the election is over and people have forgotten and they are moving on. So, we should be talking about progressive things. He is the only one who is talking about that issue. I haven't heard anyone talking about it again," he said.

Meanwhile, Katuka bemoaned that Zambia was now subdivided in two parts where one part belonged to the PF, while the other to everybody else.

"That is the Zambia we are in now. There is a Zambia for PF and a Zambia for

the rest. If you are PF, you are above the law. I don't remember them going to get a permit for the rallies they had in Kamulanga ward, in Kapiliomba here in Munalu; they have been having rallies on the Copperbelt everywhere amidst this COVID-19. For them, the COVID-19 is only for others and not for them. They have also not been notifying the police. Our youths have been stopped from having and stopped from doing a demonstration to the ECZ to register their grievances and to present their petition to the ECZ. Right now, as I am talking, the police are going round checking the secretariat to ensure that nobody moves out. So, for them, there is no law that is applicable, but for others, there is law. That is the Zambia we are in now and of which is very dangerous and very unacceptable. We can't allow a situation like this in our country. And under these guys, one day, we will just say, 'forget about the laws, forget about the Constitution and even those trucks they have bought for the police will not contain the people's power,' said Katuka.

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KABASO DUCKS QUERIES

...only Micho can explain why I was dropped

By Ngosa Chalwe

DROPPED Chipolopolo captain Kabaso Chongo has said coach Milutin 'Micho' Sredojevic is the best person to explain why he was dropped from the national team.

Chongo was on Saturday dropped from the team that was in camp preparing for the friendly match against South Africa, in unexplained circumstances.

According to a statement released by Football Association of Zambia (FAZ) communications manager Sydney Mungala, Football House general secretary Adrian Kashala said the player was released for technical reasons.

"We have been informed by the technical bench in Kenya who have furnished us with their reasons. We wish the player all the best in his career and future assignments," Kashala said.

Chongo becomes the third player to be dropped by Micho in less than three days.

Last week, Micho dropped midfielder Clatous Chama and striker Obrey Chirwa for allegedly missing two flights from their base in Tanzania.

The TP Mazembe hard tackling defender told Goal Diggers! that he is in no position to say what happened because he was not given reasons why he was dropped.

"Wafitampile aka fipwisha [the one who started it will finish it]," said Chongo in cryptic format.

"I don't know what happened. I was told I will not be with the team that will play South Africa and that I need to go back to my club. So only the coach knows why I was dropped. I don't know about others, but I think if you ask the players, I don't think anyone will tell you why I was dropped."



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