



# INSIDE THE DRUG SUPPLY SCANDAL

## How Ministry of Health awarded a \$17m contract to a company that did not exist

By Julia Malunga

AN INVESTIGATION has revealed that government, through the Ministry of Health, last year awarded a US\$17 million contract for the supply of health centre kits to a company called Honey Bee Pharmacy Limited, which did not exist.

Patents and Companies Registration Agency (PACRA) records do not show any company that existed prior to 2019 registered as Honey Bee Pharmacy Limited.

Research showed that Honeybee Pharmacy had been a sole trading name for an individual named Imran Lunat, with records at PACRA indicating that it was registered as a business name on April 14, 2016.

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**High Court refers Prime TV's case to arbitration**

By Zondiwe Mbewe

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proceedings be stayed and accordingly referred the case to arbitration.

In this matter, Prime Television has petitioned the Lusaka High Court for an order quashing Information Minister Dora Siliya's decision to cease all cooperation with the station.

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A woman walks out of Honey Bee Pharmacy

## Lungu using Covid-19 to block opposition mobilisation - UPND

By Ulande Nkomesha

UPND secretary general Stephen Katuka has vowed that the party will commence mobilisation activities despite the call for parties to refrain from social gatherings.

In an interview, Katuka said it was unfair that President Edgar Lungu had

continued to go round the country in the name of inspecting projects when he was in fact campaigning.

"President Lungu has not led by example in the COVID fight. This is why we should also start going around with or without COVID. We should

start going on the ground, politics is a game of competition and we must send our message to the people how this government has failed them and we can only do that if we are engaging the people but he doesn't want us to engage the people, he should..."

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**Zambia records 111 new COVID-19 cases, 3 deaths**  
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## B-Flow accuses supporters of 'causing confusion' after meeting Bowman

By Ulande Nkomeshu

RENOWNED musician Brain Bwembya popularly known as B-Flow says some contributions to discussions on governance issues which he instigated have "high propensity to cause unnecessary confusion".

In a statement released after a meeting with Presidential Press Aide Isaac Chipampe, Political Advisor Chris Zumani Zimba and Lusaka Province Minister Bowman Lusambo at State House, Monday, Bwembya charged that some people were taking advantage of the progressive debate to advance their agenda.

"I have noted some of the contributions to our discussions and I must state that a few have high propensity to cause unnecessary confusion. Obviously, there are some people with other agendas that may want to take advantage of our progressive debate thereby sidetracking us from our critical national development concerns such as ill treatment of Zambian workers by some foreign investors, youth unemployment, corruption, freedom of expression, gold mining etc. Therefore, we must not lose focus on the important issues we have raised and we should continue raising them using all platforms available to us," Bwembya stated.

"I strongly believe that our efforts in trying to get the government leadership to listen and act on our concerns are not in vain. Today State House invited me for a meeting with the Presidential Press Aide Mr Isaac Chipampe

and the Political Advisor Mr Chris Zumani Zimba in order for them to get a clear picture of the issues that youths like myself are raising. I clearly made my submissions without fear or favor and they were well noted. After we concluded our meeting, the President's Political Advisor invited Lusaka Provincial Minister Hon Bowman Lusambo who was also at State House for another meeting in order for me to express my concerns to him regarding his recent remarks which were injurious to me. It was cordial and of mutual respect, a platform at which I was assured of government's respect for our freedom of expression."

He stated that discussions on national matters could stir the country into chaos if not properly managed.

"I'm greatly humbled and inspired by the support and counsel that I have received and continue to receive from my fellow youths during the recent and ongoing discussions on important national matters. I'm also grateful to the many senior citizens that have offered guidance and support towards the critical issues that we have been raising as youths. From time immemorial, youths have played a vital role in the development of Zambia including the attainment of Independence, contribution to the national GDP as key players in the formal and informal sector and more," stated Bwembya. **Story Continues on P4**

By Mukosha Funga

THE Barotse Royal Establishment (BRE) has requested UPND members to lobby the Executive to withdraw Constitution Amendment Bill Number 10 of 2019. In an interview, Sesheke UPND member of parliament Romeo Kang'ombe said BRE held a meeting with six MPs, informing them of their desire to have the Bill withdrawn.

But Kang'ombe said Nalikwanda UPND member of parliament Professor Geoffrey Lungwangwa and his Senanga counterpart Mukumbuta Mulowa insisted that they would support the bill.

"The meeting was all about Bill 10. They have requested us to lobby the Executive to withdraw it so that it can be started afresh. We were the six of us, others were committed with other duties. Lungwangwa and Mukumbuta they have not agreed, they want it to be passed. You may wish to know that current constitution that we are using was amended in 2016 and what happened prior before the amendment of

## BRE asks UPND MPs to lobby for Bill 10 withdraw

the constitution, the draft that was there was thrown out, certain clauses were shot down. One of which was introduced is the one that has affected the BRE article 165 which strips the powers of the Litunga. Now, what guarantee do we give to the BRE and what guarantee can the PF give us that they are not going to do the same now? They are cheating the BRE that they are going to amend this and this and give back powers to the Litunga as it was the case," Kang'ombe said.

"I can only support the constitution if it is totally withdrawn and we sit down, harmonize and put clauses that we agree to once that is done, there will be no need of debating and we can pass it in one hour. But what is difficult about the PF to

withdraw the Constitution Amendment? So the BRE position is my position. Even if you bring me a truck and trailer of money, even if you point a gun to me, I will never support it. I am among the few that have been blessed before joining public office."

Kang'ombe disclosed that the Ngambela also held a meeting with Justice Minister Given Lubinda and the Attorney General.

"We refused to be together with Given and Attorney General, they held the meeting with the Prime Minister the Ngambela. They told them to withdraw it but because they do not have the spine... for the Attorney General, I understand he is a civil servant but for Lubinda who is a politician, because this thing needs a political will, his origin is questionable. In as much as they give these assurances, they failed in 2016, what would make it different now?" asked Kang'ombe.

But when contacted, Lubinda said he would not tell this reporter about the details of the meeting.

"When I have meeting and I want you to know, I call you. I am not going to tell you because somebody else has told you something and I get involved? No. When I have a meeting, it is up to me and the other person I was having a meeting with to decide whether we want that meeting to be known or not. As much as I am a public figure, I can go and meet anyone for whatever reason," said Lubinda.

## There's no gold mine in Zambia, it's just exploration – Kasolo

By Natasha Sakala

FORMER ZCCM-IH chief executive officer Dr Pius Kasolo says no gold mine exists in Zambia because from available empirical evidence, only exploration and artisanal mining is taking place.

And Dr Kasolo says all political party presidents should stop talking about gold mining in Zambia because they don't understand the true status of the activity in the country.

Meanwhile, Dr Kasolo says the Zesco-CEC impasse is just being escalated by social media, expressing confidence that the issue will be resolved by the parties involved.

Speaking when he featured on Diamond TV's COSTA program, Sunday, Dr Kasolo said despite the country having potential, there was need for the country to be patient and evaluate whether it was economical to mine gold in Zambia.

"Chances are there [that deposits are enough for the country to go into large scale gold mining] but at the same time, I gave an example of the dairy farmer, that's the thing, you have to wait, be patient, prospect, evaluate and make it economical to mine. You can't rush and say we are going to mine, you are going to lose

money. You haven't found an ore body, at the moment they are prospecting. Costa, ask anybody, take me to a gold mine in Zambia, proper arranged gold mine, digging, processing, take me there. There is no gold mine, unless I live in another world but there is no gold mine in Zambia," he said.

"Kansanshi gold, you have an associate of gold with copper mineralization. It's a copper gold mine because there is quite a bit of gold that comes from there. However, at the moment, even ZCCM, what I get from them, they have invested in a prospecting car, that Karma deal, they are not mining gold, you are looking at prospecting. Karma had a licence, the boys from ZCCM-IH checks and says oh, they have got nice data. Coming to the dairy story, then they see the farmer now he's got cows which are pregnant so instead of waiting for the cows to be pregnant, they will jump up and say let us buy into that guy who has got cows which are pregnant. There is no mining, I can challenge anybody, there is no mining, and there is no gold mine. We have got the small scale artisanal mines, people digging and panning."

He said there was need for mining companies to be

honest and ensure they pay their dividends.

"One time President [Robert] Mugabe said its better we leave the minerals in the ground for our children than you guys mine it and exploit us. The guys who come here, they come to invest in Zambia and make a profit, so they are making a profit and it's just right for them to pay enough to Zambians, like they say in the bible, 'give what is due to Caesar', give Kingsley Chanda what he deserves, when you mine copper, give Kingsley Chanda what he deserves don't lie that I didn't make profit. We just have to be serious on that," Dr Kasolo said.

And Kasolo asked politicians to stop discussing gold mining in Zambia if they did not understand the dynamics at play.

"To be honest with you Costa, like I said, there are so many speculations and that's why at the beginning, I said let me just try to teach people a little bit about geology, occurrences and so on so that people can have an idea and when they are discussing, they can now relate to what I am saying. You have people, here Mr Munshya writes, tomorrow it's president Hakainde, the other day its president

Kambwili, everybody saying things. I think the best thing to do is like President Lungu says, 'bika bola panshi (put the ball on the ground)'. So let's put the ball on the ground," he said.

Meanwhile, commenting on the Zesco-CEC impasse, Dr Kasolo said he had faith that the ministry and the heads of the two companies would agree on a solution soon.

"CEC, it's very complex or me to comment on. When I worked for ZCCM, CEC paid us dividends because we increased our shareholding to nearly 25 per cent of CEC. But like anything else in the world,

there must be a solution to it and I am very sure Honorable Nkhuwa and Mr Mundende and Mr London Mwafulilwa, the chairman of CEC, they will work something out. Again, social media, they come out writing this and that but as far I am concerned, these are mature people. Mwafulilwa is a seasoned engineer, Silavwe is an excellent manager and going to Nkhuwa and Mundende, they can sit down and work it out I think it's social media trying to blow the small thing so big. I think it will be resolved. That's why there is peace in Zambia because whatever happens, it

## High Court refers Prime TV's case to arbitration

By Zondiwe Mbewe

THE Lusaka High Court has halted proceedings in a case where Prime Television Limited is challenging government's decision to cease all cooperation with it.

Lusaka High Court Judge Catherine Lombe Phiri ordered that the proceedings be stayed and accordingly referred the case to arbitration.

In this matter, Prime Television has petitioned the Lusaka High Court for an order quashing Information Minister Dora Siliya's decision to cease all cooperation with the station.

The television station which has cited the Attorney General, Topstar Communications Company Limited and Multichoice Zambia Limited as respondents, is seeking an order declaring government's decision to cease all transactions and business with it, unconstitutional.

Prime Television further wants an order that all media houses have the right to access and disseminate information from government without undue hindrances and an order that Topstar and Multichoice Zambia cannot remove it from their platforms at the direction of government.

However, Topstar applied to have the matter stayed and referred to arbitration.

It argued that the Arbitration clause had not been exhausted by Prime TV and that the proceedings were therefore in conflict with the said clause and thus improperly before court.

Topstar stated the relationship between it and Prime TV was commercial in nature and

governed by a Service Level Agreement.

It submitted that where an Arbitration clause was contained in an agreement and a party decided to institute Court proceedings, then the said party would be said to be in breach of the Agreement.

However, Prime Television's proprietor Gerald Shawa asked the court to proceed and hear the matter on its merit.

He argued that the Service Level Agreement between the Television station and Topstar was a commercial disputes agreement.

Shawa submitted that Topstar did not invoke the Arbitration clause when it wrote to the Television on March 27 this year, informing it that it was being removed from the Topstar platform, following a directive from the Minister of Information and Broadcasting that all government institutions should desist from engaging with Prime TV.

He added that the Service Level Agreement between the station and Topstar did not extend to constitutional matters such as the ones before court.

And ruling on the same, Friday, Justice Phiri granted Topstar its application to stay proceedings and refer the matter to arbitration.

"In view of the foregoing and being satisfied that the applicant's and the second respondent's agreement contains an Arbitration clause, the application by the second respondent is granted. It is hereby ordered that the proceedings in this matter are stayed and the matter is accordingly referred to arbitration," ruled Justice Phiri.





**By Ulande Nkomesha**  
**ACTIONAID** Zambia says the continued stay of Cabinet Ministers in office while they are being investigated for corruption is against the country's national values and morals. In response to a press query, ActionAid Zambia country director Nalucha Ziba said although there was no provision that compelled the President to suspend a corruption accused Cabinet Minister, President Edgar Lungu needed to protect the Constitution by upholding morality.

"Explicitly, there is no provision that allows the President to suspend a Cabinet Minister from office on the grounds of an enquiry pending on the said Cabinet Minister. We cannot, however, depart from our determination as a people of the Republic of Zambia to ensure that our values concerning family, morality, patriotism and justice are maintained and that all functions of the State are carried out in our common

# Keeping corruption-accused ministers in Cabinet against national values – ActionAid

interest. This commitment is enshrined in our Constitution. Part II of the Constitution on National Values, Principles and Economic policies clearly outlines the principles of morality and ethics, good governance, and integrity. These values are enshrined in our constitution which the President is obliged to report to the National Assembly once every year on the progress being made in applying the values and principles," Ziba said.

"Based on the above, the President as an appointing authority and one who has sworn to protect the constitution including commitment to uphold morality should be able to demonstrate this by relieving

the Cabinet Minister of his duties to enable an impartial process to take place. Similarly, it is a moral duty and responsibility of any Cabinet Minister being investigated to step aside to allow

investigations to run without undue influence."

She said President Lungu was missing an opportunity to demonstrate the proclaimed zero tolerance against corruption by failing to act on

Health Minister Dr Chitalu Chilufya.

"While the principle of 'innocence until proven guilty' is legally recognized, it is morally wrong for a Minister to remain in office while facing corruption investigations or any other allegations of this nature, as it has the potential to promote compromise in leadership. The fact that the Anti-Corruption Commission (ACC) is dealing with a high-ranking official of government; who exerts so much power and authority, there is a high likelihood of intimidation and interference; either direct or implied," Ziba stated.

"Part VII of our 2016 Constitution under Executive functions section 92, subsection 1, states 'The President

shall perform, with dignity, leadership and integrity, the acts that are necessary and expedient for, or reasonably incidental to, the exercise of the executive authority'. Although not explicit, this is sufficient ground for the President to demonstrate the much-preached zero tolerance to corruption, and the need to uphold integrity in the office of the President and government."

Ziba said challenged President Lungu to demonstrate his commitment to upholding national values.

"Failure to exercise these powers from a moral standpoint raises a great deal of suspicion, and you cannot blame citizens when they insinuate conspiracy within senior leadership. These are defining times, in our opinion, where the Head of State has an opportunity to walk the talk by upholding moral standards. The President needs to demonstrate his principles on the call for every Zambian to uphold the National values particularly paying attention to key issues such as Integrity, Transparency and Accountability which are key among government officials who occupy public office as they need to demonstrate principles to the general public that they are managing the public resources in a prudent manner," stated Ziba.

"It's against this background that regardless of the absence of legal provision that allows the President to remove a Cabinet Minister on allegation of corruption. It is our considered view that based on the moral grounds, The President can still act in order to demonstrate that he upholds the National values."

Last week Special Assistant to the President for Press and Public Relations Isaac Chipampe said there were no laws that compelled President Lungu to fire or suspend any Minister being investigated for corrupt activities.



**By Julia Malunga**  
**MINISTRY** of Health permanent secretary in charge of administration Kakulubelwa Mulalelo says the country has recorded 111 new COVID-19 cases including three related deaths in the last seven days. And Mulalelo says 112 patients, including Health Minister Dr Chitalu Chilufya and his information counterpart Dora Siliya have been discharged.

Speaking during the COVID-19 update, Monday, Mulalelo said the three related COVID-19 deaths were from the Copperbelt.

"We have recorded 111 new cases out of 8,805 tests that have been undertaken since the last briefing that was held seven days ago. These cases include 33 community screening; that is 11 from Lusaka, nine from Kitwe, nine from Nakonde, one from Chirundu, two from Mpongwe and one from Kalulushi. It is contacts to known positives, that is one from Ndola and seven from Lusaka, 27 new cases through health facility screening that is Lusaka 30, Ndola seven, Mansa five, Kafue one, Kitwe one. 14 health care workers that is Arthur Davison Hospital in Ndola six, Levy Mwanawasa Teaching Hospital three, Cancer Disease Hospital three, the Masaiti Isolation facility centre one and Ndola Teaching Hospital one. We also had 29 truck drivers 10 from Nakonde, eight from Ndola, five from Chirundu and six from Chadiza making the total of 111," Mulalelo said.

"In the past seven days, we have also recorded three associated deaths on the Copperbelt increasing our number to 10 Covid-19 deaths. These include; a 47-year-old man truck driver who had a respiratory distress and went into coma for three days at Kitwe Teaching Hospital. The other one was a 75-year-old woman who was admitted to Ndola Teaching Hospital with

pneumonia. The third was a 40-year-old man with history of long standing hypertension and HIV infection with poor adherence to treatment at Ndola Teaching Hospital."

Mulalelo also announced that Dr Chilufya and Siliya had been discharged from isolation.

"A total of 112 patients from our isolation facilities have been discharged in the last seven days thus the cumulative number of cases now stands at 1,200 out of 37,448 tests conducted so far which include 10 deaths and 988 recoveries. All patients remaining under isolation are in stable condition. I am happy to inform you that the Minister of Health Dr Chitalu Chilufya and his counterpart at the Ministry of Information and Broadcasting honorable Siliya who were both in isolation have been discharged after they both tested negative on two successive tests," she said.

Mulalelo said 6,000 people had completed the 14 day mandatory quarantine.

## Zambia records 111 new COVID-19 cases, 3 deaths

"We continue to monitor persons coming from high risk areas and to date a total of 6,093 have successfully completed the 14 day mandatory quarantine. Furthermore, our response team has cleared as non-cases a total of 2,081 alerts notified," she said.

Mulalelo announced that Copperbelt had now reported a cumulative number of 115 cases.

"I now wish to update you on special operations in various parts of the country. In the Copperbelt, a special operation was undertaken the COVID-19 targeted operation on the Copperbelt was implemented with 5,598 individuals having samples collected for laboratory testing by the 7th of June

2020. Samples are being tested by designated laboratories. The operation was focused on identifying target areas such as points of entry, markets, truck stops, mining companies and selected boarding schools. 12 new cases that is nine in Kitwe, two in Mpongwe and one in Kalulushi have been detected among the 741 samples that were tested during the special operation bringing the cumulative number of cases on the Copperbelt to 115," Mulalelo said.

She said all the patients in isolation facilities in Nakonde had been discharged.

"In Nakonde, the number of news cases are on the decline however, we continue to monitor the outbreak through contact tracing and

surveillance. A total of 593 cases have been conformed in Nakonde with no fatalities so far. All patients in isolation facilities have been discharged," Mulalelo said.

Meanwhile, Mulalelo said 44 truck drivers from Chirundu had tested positive for COVID-19.

"In Chirundu district, the cumulative number of cases stands at 47 of whom 44 are truck drivers. In Kafue, the incidence of Covid-19 has also reduced. We have 21 positive COVID-19 cases including one death that has been confirmed out of 2,087 screened and tested during the mass screening exercise. The only COVID-19 case that has been detected in the last seven days has been one," said Mulalelo.

## Mweetwa urges Sumaili to counsel tribalists in PF

**By Zondiwe Mbewe**  
**IF THERE'S** anybody who needs prayers everyday, it's PF so that they can be redeemed, says Choma Central UPND member of parliament Cornelius Mweetwa. And Mweetwa has implored Minister of National Guidance Reverend Godfridah Sumaili to counsel Disaster Management and Mitigation Unit (DMMU) national coordinator Chanda Kabwe and other "tribalists" in the ruling party.

During a media briefing in Lusaka, Friday, Kabwe said there was need to pray for some political leaders in Southern Province who were telling their electorates that COVID-19 was a hoax.

He said he did not understand what was wrong with "that province". But commenting on this in an interview, Mweetwa expressed concern at the level of tribalism, hate and division in the ruling party.

He said it was a lie that members

of parliament in Southern Province were telling their electorates that COVID-19 was a hoax.

"As members of parliament for UPND representing the people of Southern Province, we received those statements from Chanda Kabwe with a deep sense of concern at the level of tribalism, hate and division by the PF. We are [however] not surprised because that's a continuation from the Malole [PF] member of parliament Christopher Yaluma who [also] took over from what the Chilubi [by-election] campaigns were, tribalism," Mweetwa said.

"It is a blatant lie that any member of parliament in the Southern Province be it Choma Central, Mazabuka Central or indeed ordinary people are saying 'there's no COVID-19'. It is unthinkable that any member of parliament, anywhere in Zambia can actually come up with those statements. There is no way, all the time, leaders of the Patriotic

Front should be concocting false stories about the people of Southern Province."

And Mweetwa urged Rev Sumaili to counsel Kabwe.

"When you understand Chanda Kabwe as a common cadre of PF, then you will realise that there is not much substance or quality of leadership that you can expect from him. The Minister of Religious Affairs honourable Sumaili needs to call such characters like Chanda Kabwe and give them counsel," Mweetwa said.

He said it was PF which needed prayers.

"We want Chanda Kabwe to tell us what's wrong with people of Southern Province. If there's anybody who needs prayers, not even on the day of national prayers, it's PF and their surrogates. They need to be prayed for every day. Everyday, whoever prays at church, at home, even under quarantine, you need to include at least a statement for

PF to be redeemed out of their corrupt tendencies [and] out of their theft of national resources. That's where prayers should be directed to, to redeem the leadership of this country," said Mweetwa.

"And for Chanda Kabwe to say 'the people of Southern Province require prayers' that's a direct insult to the people of Southern Province. And I am now asking the chiefs of Southern Province, especially some of them like Chief Chikanta who I'm told has now formed branches to begin to campaign for PF in Dundumwezi and Chief Chipepo who is reported, if it's correct, to have said 'President Lungu should continue to rule this country beyond 2021', I'm asking these chiefs if they are supporting a government which is insulting their subjects including themselves that 'something is wrong with the people people of Southern Province, they need prayers during national day of prayers.'"



## NGOCC reiterates calls for withdrawal of Bill 10

By Julia Malunga

THE Non-Governmental Gender Organizations' Coordinating Council (NGOCC) says Constitution Amendment Bill Number 10 of 2019 lacks the standards of meeting the key principles of constitutionalism. In a statement, Monday, NGOCC board chairperson Mary Mulenga reiterated calls for the bill to be withdrawn. She appealed to ruling and opposition members of parliament to be concerned with the needs of others rather than their own.

"It is NGOCC's considered view that Bill 10 in its current form, lacks the standards of meeting the key fundamental principles of constitutionalism, especially, in terms of enhancing citizen's rights. It is our firm belief that the constitution reform should be guided by the broad principles of inclusiveness and enhanced participation of all citizens, the promotion and upholding of public interest, the promotion of equity and equality and to guarantee the state's commitment to accountability and transparency. Only then will we ensure that no one is left behind. In this regard, NGOCC wishes to reaffirm that concerns raised by most stakeholders and which were acknowledged by the Parliamentary Select Committee cannot be ignored. As such the report of the Parliamentary Select Committee should form the basis for consensus building regarding the way forward with the constitutional making process beyond the current Bill that is before Parliament," Mulenga stated.

"As NGOCC, we therefore, do not support Bill 10 in its current form and call for its withdrawal given that the process has not taken into account the people's aspirations. We appeal to our lawmakers from both the ruling and opposition political parties to take on board broad-based considerations for genuine dialogue and be selfless by being concerned with the needs of others than their own needs; the way a mother's devotion is to a child (child first before her own interests or needs). Please give Zambians a constitution that will embody their aspirations and one that will stand the test of time."

Mulenga said the bill contained some progressive provisions but that a number of proposed amendments were highly contentious.

"NGOCC reiterates its position on the need for consensus building with regard to Constitutional Amendment Bill 10 which has created a lot of discontent amongst various stakeholders. NGOCC notes that Bill 10 contains some progressive provisions which include Article 47 (2), aimed at enhancing the participation of women, youth and those with disabilities in the governance of the country. Even with this provision, we are however, concerned that women's participation in politics still remains a tokenism approach rather than a conscious conviction by all political players that women are equal partners in development. On the other hand, we also note that there are a number of proposed amendments that are highly contentious, including the provision for Deputy Ministers, which even the Patriotic Front party did not support in their submission to the Parliamentary Select Committee," stated Mulenga.

By Julia Malunga

TRANSPARENCY International Zambia (TI-Z) has insisted that it is concerned Constitution Amendment Bill Number 10 of 2019 seeks to reverse all the gains that were made in the 2016 amendments.

In a statement, Monday, TI-Z president Rueben Lifuka said the process of enacting Bill 10 appeared to be driven by political interests.

"As our Parliamentarians resume their deliberations in the House tomorrow, we would like to remind them that the people of Zambia were widely consulted on what they wanted to see in their Constitution, most recently through the Technical Committee Drafting the Zambian Constitution and earlier through the Mung'omba Constitutional Review Commission. The amendments made after those two processes form the bulk of the contents of the current 2016 amended Constitution. Through those consultations, the people of Zambia clearly stated that they wanted a more transparent and accountable government that puts their interests above partisan and other interests. Thus, our view is that the 2016 amendments to the Constitution largely gave the people most of what they wanted. It was not perfect, but the result was arguably the most progressive Constitution that Zambia has ever had," Lifuka stated.

"We are concerned as TI-Z that Bill No. 10 seeks to reverse all the gains that we have made and we therefore urge Parliamentarians to rise above partisan interests and reject this Bill in order

## Be loyal to Zambians on Bill 10, TIZ tells MPs

to protect not just their individual and collective legacy, but also to protect the aspirations of the people they represent in the House. It is TI-Z's belief that the primary loyalty of all Parliamentarians should lie with the people of Zambia rather than their political parties or interests, and we are cautiously hopeful that they will demonstrate this loyalty by rejecting Bill 10 when it comes up during this sitting of Parliament. It is our considered view and indeed that of many other stakeholders that through this ill-conceived Bill, the Executive is taking steps to undermine Zambia's democracy by weakening the other branches of the government as well as independent oversight institutions such as Parliament."

Lifuka said Bill 10 neither represented the views nor wishes of the Zambian people.

He said passing the bill in its current form would be a fatal blow to Zambia's quest to have a constitution that represented the aspirations of the people.

"TI-Z believes that the number one duty of our parliamentarians is to protect the Republican Constitution and abide by what is enshrined in it. We verily believe that the Constitution, being the living embodiment of the aspirations of the Zambian people,

should not be fundamentally altered in ways that seemingly promote partisan interests or that do not assure consensus-building around all or any part of its contents. As Parliament resumes its sittings tomorrow 9th June 2020, we would like to reiterate the concerns we raised on Constitutional Amendment Bill No. 10 of 2019 during our August 2019 submission to the Parliamentary Select Committee that was established to scrutinize this proposed piece of legislation," Lifuka stated.

"We remain convinced now as we were then, that Bill No. 10 does not represent the views or wishes of the people of Zambia not just because of the hostile reception that it has received from different segments of Zambians, but also because of the apparent pass-it-at-all-costs approach that the Executive appears to have adopted over this Bill. Our biggest concern remains that the process of enacting Bill 10 appears to be driven by political interests over and above the interests of the people of Zambia as the most important stakeholder in the process, and we are convinced that passing the Bill in its current form will be a fatal blow to Zambia's quest to have a Constitution that not only embodies the aspirations of the people, but also stands the test of time."

Lifuka called for the bill to be withdrawn to in order to make room for a more consultative process.

"We are cognizant of the fact that the Select Committee that scrutinised the Bill, has produced a report that contains recommendations on some of the contentious provisions that many stakeholders highlighted in the Bill. However, based on precedence, it is clear that recommendations of a Parliamentary Committee are just that - recommendations, and there is no legal or other obligation that mandates the House to adopt any of those recommendations. The Bill will therefore be presented in its original form and it is our belief as TI-Z that there is a very real risk of it being passed in that form, notwithstanding the recommendations of the Select Committee," stated Lifuka.

"We therefore reiterate our call for Bill 10 to be withdrawn in its entirety in order to make room for a more consultative process that will seek to build consensus on the specific articles on the 2016 amended Constitution that need to be addressed. We feel that there is no need to rush a process that will make fundamental changes to our Constitution, especially if that process is laden with suspicion and disagreements about its real intentions."

## Lungu using Covid-19 to block opposition mobilisation – UPND

By Ulande Nkomesha

UPND secretary general Stephen Katuka has vowed that the party will commence mobilisation activities despite

the call for parties to refrain from social gatherings.

In an interview, Katuka said it was unfair that President Edgar Lungu had continued to go round the country in the name of inspecting projects when he was in fact campaigning.

"President Lungu has not led by example in the COVID fight. This is why we should also start going around with or without COVID. We should start going on the ground, politics is a game of competition and we must send our message to the people how this government has failed them and we can only do that if we are engaging the people but he doesn't want us to engage the people, he should be the only one telling people what he has done. People are not foolish, they have seen what he has done over the past four years so they will be able to judge even without him going to tell them, they have already made their decision. They know where this government has failed and what it has failed to do, Zambians know," Katuka said.

"So him going round does not add value. It won't change a thing, people are already resolved. They have seen that this government is full of deals, corruption, high deals in the

PF pop up like balloons and people have been following. His going round, I think he is just playing games otherwise the people know what he is doing. We must mobilize, we are competitors in this game. We will also be going round whether permit or no permit, we are ready to start going round. We can't be told to sit at home when he is traveling, he is all over the country."

He said government's handling of COVID-19 had raised doubt in people's minds on the severity of the pandemic in Zambia.

"You can see the type of leadership we have, this is flawed leadership. This COVID fight is just window dressing. They are not serious with this fight and they can't win this fight. That is why citizens are doubting whether it's true or not. You saw when Dora Siliya came out that she was positive, people doubted that. Citizens were doubting that whether it is true or not because of the way they were handling this COVID fight. So, there is nothing serious about this government over the COVID thing. No wonder even patients are dancing in the confinement centre," Katuka said.

"Nobody takes it seriously. It is the type of behavior of

the government, through President Edgar Lungu, that makes people doubt how sincere they are with the fight against this COVID. There is always politicking around it, you can see the tell us that there is COVID you can't assemble, you can't do anything, meanwhile he is going round the country campaigning, what project is he inspecting? He is just campaigning for we all know. He is campaigning and getting gold from Mwinilunga."

Katuka said President Lungu was using COVID-19 to restrict opposition political party movements.

"I saw somewhere where the President went and people had no masks and he never said a thing. If he was serious with the fight against COVID, he should avoid attending such meetings where he sees people are not observing the regulations but he has gone ahead to address such meetings showing that he is not convinced that there is COVID around. President Lungu does not believe that there is COVID around he is just using it to confine or restrict others from going outside the country so that he will take advantage himself in his usual style of trying to play hide and seek," said Katuka.

## B-Flow accuses supporters of 'causing confusion' after meeting Bowman



From P2

"Our ongoing discussions on important national matters have created an atmosphere of openness and wider youth engagement in national development issues. If properly managed, this atmosphere can stir our country towards national prosperity. This goes to show the positive side of social media. In this regard, we must continue enjoying and exercising our freedom of expression. However, if not properly managed, this new atmosphere also has the potential to instigate chaos in our great nation. This is as it should be and we remain resolute to continue to

monitor this positive window of commitment to the development process. In conclusion, I am delighted to know that I have contributed to the enhancement of youth engagement and participation in raising concerns and positive views on development issues. I will continue to use my platforms to speak for the voiceless in a respectful and non-partisan way and I hope that the government will also engage with us in a respectful manner."

Bweembya had received massive support after he refused to apologise for criticising government on various governance issues, as ordered by Lusambo.





**Talking Business with Chibamba Kanyama**

Chibamba Kanyama is founding partner of Bridges Limited; Corporate Leader; public speaker; communication specialist and strategist



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# Board evaluation- Zambia working up

ON 27th May 2020, a South African judge, Ronel Tolmay, banned the chairperson of the South African Airways Dudu Myeni from holding any directorship position for life. Myeni was accused of bringing the embattled SAA to its knees. She was declared a delinquent director, which is about sleeping on duty. I joked to a colleague that in some countries where corporate governance is treated as a 'ticking the box' arrangement, the likes of Myeni would have been rewarded with more directorships.

In Zambia, several people are yet to fully comprehend the enormous weight and demands placed on board directorships. Individuals are lobbying seriously to sit on boards. This is contrary to the norm, board members are sought out. Many refuse because they know what it means to be on the board. Your entire reputation built over many years of personal sacrifice and diligence can be destroyed just because of one single case involving a poor board decision.

We take sitting on boards as a job appointment without a clear thought about the potential liabilities and damage any lapses can cause to anyone's reputation. If boards were fully awake and alive, meeting their responsibilities to the latter, Zambian companies, particularly public entities, would not be in the kind of dire straits they are in today. It is unfortunate board members are ready to pass the buck to their executive management for any lapses, and if it means going to jail, the CEO is

**“ In short, sitting on a board is not about signing for directors' sitting allowances and enriching one's personal CV; your value to the organisation should be fully measured every year” .**

the one to be prosecuted. Considering the new companies act, that now focuses on directors as liable (for prosecution) for negligence, the narrative on roles and responsibilities for directors is slowly changing. Once we have one conviction in Zambia, individuals will begin to reflect deeply about what they do on boards.

The banning of Myeni is also bringing to the fore the need for Boards to regularly evaluate their own performance. It is not only the CEO and his management team who should be assessed annually for how they delivered on the business. Those who have the mandate to uphold the vision, mission and values of the institution should be assessed too. That is the moment their real contribution for the success of the institution is appreciated. In short, sitting on a board is not about signing for directors' sitting allowances and enriching one's personal CV; your value to the organisation should be fully measured every year.

A board evaluation is an honest feedback that ensures no one sleeps on duty. I remember managing a two-day training on corporate governance at some location out of Lusaka. This was an extensive induction programme, getting board members to appreciate their roles and responsibilities. At the close of the session, my co-facilitator asked every participant to share their key take-aways. One Board member who had sat quietly throughout the two-day programme made a startling contribution that threw everyone out of the window: 'I have one question to ask, what is corporate governance?'

Probably my colleague and I were ineffective facilitators, but that did not take away everyone's concern about the level of contribution such a board member would make during rigorous deliberations. This demonstrates the need to evaluate each member's contribution so that if a board member is assessed to be weak, there should be a development programme put in place. If this is not achieved, the appointing authorities should be notified, with properly documented performance records, to enable them make a fair decision.

Those on public boards, who have no financial stake in entities they represent, should enhance the need for self-assessment. A code in public governance says the following about self-evaluation, "The Board should establish a system to undertake a formal and rigorous annual evaluation of its own performance, that of its committees, the Chairman and the individual directors."

Having been involved in the evaluation of boards in Zambia, some things stand out with regards to areas that require improvement. One of them is the quality of board members. There are board members who ride on other directors' competences. Fellow board members can know who is incompetent on the board. First, they make no contributions on any agenda item except to be first to raise their hands to propose or second the

agenda. After that, they say nothing.

It is not that they lack the confidence to articulate issues as some people are and the Chairperson always has to seek them out. They just do not understand the institution they are representing. The danger about incompetent Board members is that they will not question the substance of the submissions to the extent wrong decisions are made by a few who make the effort. Such boards with incompetent directors are usually dysfunctional and at times get taken over by interest groups, including management itself. How can you be an independent board member when you have no idea about the required level of contribution you should make? In the case of SAA, management took over the board and the results are now showing!

Board evaluations go beyond just assessing the competences of the individual directors (by the way, for boards just starting to conduct board evaluations, peer reviews are not the primary concern. The primary concern that requires serious assessment is about how the Board manages its business). The code says, 'There should be annual Board and Directors' review/appraisal covering all aspects of the Board's structure and composition, responsibilities, processes, and relationships, as well as individual members' competencies and respective roles in the Board's performance.'

The good news is that there are boards in Zambia that are starting to take board evaluations very seriously. These are both public and private companies. We have a tool we administer to directors to assess numerous areas and what is encouraging is that feedback from the directors is overwhelming. There is no other better opportunity to raise your voice about what is working and not working in your functioning as a director than filling in the evaluation tool, usually anonymously done.

The chairperson is also evaluated by the fellow directors and feedback is given by either the appointing authority or independent individual. It is good to note that many chairpersons I have had the privilege to give feedback to acknowledge the candidness of the colleagues. Some of the chairpersons go further to suggest the directors who had made the anonymous assessment be informed of the results.

One other interesting experience in Zambia is that many boards that have gone through the evaluation process can demonstrate evidence that the assessment improved the level of governance. One large statutory body I evaluated in 2018 and 2019 is one example where areas that were captured as very weak (signalled by the red flag) in 2018 had an all-clear green flag in 2019. It means, through the course of the year, the board and management focused their attention on the red flags without losing control of areas they had done well. This is the purpose of evaluation. It is not about punishing the board, exiting non-conforming directors. It is all about improving corporate governance.



# THE CASE OF FUEL PRICES: UPND'S CALL ON THE ZAMBIAN PEOPLE

**By Dr Choolwe Beyani,  
UPND Chairman for  
Research and Policy**

From the time the PF assumed power, they have forgotten the daily plight of the ordinary Zambian people because they have chosen to lead above the people rather than lead from within the people. If they took a peak on how Zambians get on from one miserable day to another, we opine that they would take pity and latch on to low hanging fruits as is the case of the pump price of fuel. We further opine that they would have taken action against the incompetence that exists within the Energy Regulation Board ( ERB.).

Moribund organisations like the Energy Regulation Board need fixing and the UPND will fix it. Surely how does the ERB have the audacity to insult the collective intelligence of all of us Zambians. At the end of April 2020 the global price of oil had dropped by 71.11% (\$46.11) from \$ 63.05 on 30th December 2019 to 16.94. During the same period under review, the value of the kwacha depreciated by ZMW 4.59 from 14.07665 per dollar on 31st December 2019 to 18.666.02 per dollar on 30th April 2020. How then does the ERB even start to make parallels between the two

and use that as an excuse for denying Zambians the benefits of reduced fuel prices. If the PF was indeed a pro poor government, the UPND still contends that there is no reason today that the pump price of all fuels should exceed 10 kwacha per litre. PF professes more money in our pockets but continues to deny Zambians that opportunity. As UPND, we will not allow the PF to continue ignoring the suffering of Zambians.

It is on record that the ERB has stated that they cannot pass on the benefits of reduced fuel prices to the people of Zambia because it has not procured unprocessed oil from January 2020. We know this to be an false and we intend to call the ERB out. People of Zambia, this is what we will do on your behalf. As Parliament reconvenes on the 9th of June 2020, we wish to put the Minister of Energy on notice that the UPND intends to put the question of reduced fuel prices and the issues surrounding it on the floor of the house. If the statement proves to be a lie, we are going to demand that heads role at ERB for intentionally lying to the people of Zambia.

Zambians will do well to remember that the UPND is on record as having warned the PF regime against

reckless spending and an unappeasable assault on our national reserves. It has now come to pass that our omen has unfortunately come to pass because you now have this failure of a government publicly admitting to the Zambian people that Zambia does not have the money to enter the currently depressed global oil market in order to strategically procure cheaper oil for future consumption. Today it is fuel, one shudders to think that Zambia practically then has no money to invest in the future of our Country , a fact that the Bank of Zambia Governor intimated to when he appeared on the Sunday Interview programme on the 24th of May 2020.

This is yet another example of how much hard working Zambians will continue to suffer if they make the unlikely mistake of voting in the PF who have continued to exhibit the supremacy of their personal powerful interests of its leadership and sycophants over those of the rest of you the Zambian people. People of Zambia stay alert and prepare to cast that vote which will kick out these thieves. Your vote remains the most powerful weapon against this PF government that continues to do what is best for themselves rather than the rest of us.

While the rest of the oil producing world is grappling with the issues of falling oil prices, here in Zambia the PF continues to argue their misguided merits for not reducing the price of fuel products. It seems things are only "global" when effects connive to justify commodity price increases in Zambia that allow these thieves to then shave off the cream of our money for their personal deep pockets. Zambians, this behaviour from the PF is vile and should not be left to go unchallenged and all citizens should rise up and

exercise their constitutional rights that include demanding accountability from the PF regime by putting pressure on this regime to reduce the price of fuel as this singular action will have a snowball effect on the price of other essential commodities. We urge you, the people of Zambia, to take off that veil of deceit over fuel price justifications that the PF is trying to cover your eyes with. People of Zambia, the quality of life that you will live 5 years post August 2020 is in direct proportion to how you choose to cast your vote, i.e., positive change under the UPND or more of the same under the PF.

1Bally is particularly appealing to the youth of Zambia to take a keen interest in the governance of their country. The resources the PF are plundering are yours , otherwise post PF you will find a shell of a country to live in. Yes times are very hard today because of the rising costs of essential goods and specifically in this case the rise of fuel. Therefore, permanently retiring the PF regime out of politics is the issue that should occupy your generation in order to safeguard your future.

When we the people of Zambia complain against the misdeeds of the PF by trying to exercise our right through the ballot, they beat us or even kill us. PF no matter how much you beat us we will not go away. Zambians be rest assured that the UPND will continue to fight for that which the majority desire and yearn for. On your behalf, we promise Zambians that, with your vote, the UPND will reclaim our democracy that has tipped the balance too far in favour of dictatorship.

We urge all well-meaning citizens to stand by the UPND in order to right the evils that the PF has created.





By Natasha Sakala

SIX Lusaka PF supporters have reported Lusaka Province minister Bowman Lusambo to the Anti Corruption Commission for "several acts of abuse of authority of office".

The complainants include Geoffrey Mutale Mwila, Celestine Rocky Mukandila, Simon Mulenga Mwila, Mpange Kalungwe, Roy Rodgers Mugala and Bennet Musonda.

In a letter dated June 8, 2020, and signed by Celestine Mukandila, actions cited include abuse and torture of people found patronizing bars after the presidential directive, demolition of properties in Munalu area, threats made against B-Flow, Chellah Tukuta and Kings Malembe Malembe and the continued donation of goods and cash to his constituency despite not having the financial means to sustain such.

"We wish to make a formal complaint against the Honourable Minister for Lusaka Province, Mr Bowman C. Lusambo on several acts of abuse of office. First and foremost, we wish to make this complaint as Zambian citizens endowed with a responsibility to be patriotic to Zambia and promote its development and good image; as well as those who endeavor to acquire basic understanding of the constitution and promote its ideals and objectives as provided for under Articles 43(1)(a) and 43(2)(a) of the constitution of Zambia (amendment) [No.2 of 2016] respectively and finally as good governance and human rights advocates... We therefore complain that the following actions of the Honourable Minister for Lusaka Province Mr Bowman Lusambo be investigated and prosecuted for having abrogated the provisions of section 21(1)(a) of the Anti-Corruption act No.3 of 2012 which provides for" abuse of authority of office. Actions by the Minister: 1) the demolition of properties in the Munalu

# 6 PF sympathisers report Bowman to ACC for corruption

area between January 1st and January 10th 2020. Section 54 of the Lands and Deeds Registry act Chapter 185 of the laws of Zambia is instructive to the effect of ownership of land in Zambia. (We shall not discuss this further as the same is sub judice)," read the letter in part.

"2) the abuse and torture of people found patronizing in bars following the Presidential Address to the nation on the Covid-19 pandemic on 25th March 2020 between March 26th and April 15th 2020 in total abrogation guaranteed presumption of innocence as provided for under article 18(2)(a) of the Zambian constitution and fundamental right and freedom from torture as provided for under article 15 of the constitution of Zambia. 3) The threats made against the artists Mr Brian Bwembya, whose stage name is B-flow, Mr Chellah Tukuta- the photographer and Mr Kings Malembe Malembe in total infringement of the right to freedom of expression as contained under article 20 of the constitution of Zambia, Chapter 1 of the laws of Zambia and various regional and international Human rights instruments to which Zambia is a party between the 2nd day of June and 5th day of June 2020. 4) We also note with concern that the honorable Lusambo has been donating assorted goods worth millions of kwacha to his constituency beyond his income and financial means as a minister and Member of Parliament, which donations have been in the public domain for more than a year now. Kindly investigate the same for possible abrogation of the Anti-Corruption Commission Act."

The complainants stated



that they would respect but not fear the country's leadership because their rights were guaranteed in the constitution.

"Finally, CS Lewis said "integrity is doing the right thing even when no one is watching", and because of this, we intend [to] ensure that the right thing is done by our elected leaders, public officers and those who fall within the realm Section 21(1)(a) of the Anti-Corruption Act No.3 of 2012 and consequently ensure that the integrity of public institutions is not vilified nor should the Presidency be put into disrepute. However,

as good governance and human rights advocates, we wish to restate that the Anti-Corruption Commission is mandated to take up matters in line with Section 6 of the Anti-Corruption Act No.3 of 2012. We further wish to state that we shall advertently respect our leadership but not fear them because the constitution guarantees our rights. We shall vehemently foster the adherence of our national values, principles and economic policies as provided for under part two of the constitution of Zambia (amendment) Act No.2 of 2016," read the letter.

# C/belt police nab 5 UPND officials for distributing face masks

By Daniel Chansa and Julia Malunga

FIVE opposition UPND officials in Kitwe have been detained for distributing face masks in markets. And seven UPND officials in Wusakile have also been detained for holding an in-door party mobilization meeting.

UPND Copperbelt spokesperson Kennedy Kalunga confirmed the arrests to News Diggers!

The five officials include UPND Kitwe District vice chairman Chrispin Chomba, and they were picked up at Bulangililo Market as they were distributing free face masks to traders.

Kalunga said it was unfair to arrest people that were fighting Covid-19.

"The President has said we should fight Covid-19 by helping the vulnerable especially the marketeers who can't afford to buy face masks. Now our members went to help and they are arrested, why? This is so unfair. We wonder why the police want to politicise the fight against Covid-19," said Kalunga.

And Kalunga said seven other officials were picked up at a private home in Wusakile on Sunday.

"Just yesterday, our colleagues were at a home in Wusakile having a private meeting to look at ways of mobilization amid Covid-19, but the police came in numbers, outnumbering the people at a meeting. They were arrested and detained. We have tried to secure police bond, but the police have refused. They have not even been charged but just keeping them in cells," said Kalunga.

Kalunga said the party had since informed its legal team to ensure that the members were taken to court.

But in an interview, Copperbelt Police Commissioner Charity Katanga said she was not aware about those who were nabbed for distributing face masks.

"I am not aware about them distributing face masks in Bulangililo, I need to find out on that one. What I am aware about is that there were some UPND cadres who had an illegal meeting in Busakile, seven were apprehended and in Riverside area, five so together 12," said Katanga.

# Judiciary warns against discussing KCM liquidation case

By Zondiwe Mbewe

THE Judiciary has issued a warning to the public against making running commentaries on a matter where ZCCM-IH has instituted winding-up proceedings against Konkola Copper Mines Plc.

Chief Registrar of the Judiciary and director of court operations Charles Kafunda stated in a public notice issued, Monday, that should discussions on the said matter continue, contempt proceedings may be invoked against those discussing the case.

He added that the commentaries made, tend to undermine the authority of the Court as they express a conclusive view.

"The Judiciary has observed with concern the

running commentaries that have been made on a matter that is sub judice. Running commentaries have been made on the case of Vedanta Resources Holdings Limited Vs Zambia Consolidated Copper Mines Investment Holdings Plc and Konkola Copper Mines Plc, Appeal No. 181/2019, an interlocutory appeal before the Court of Appeal. The Commentaries made, tend to undermine the authority of the Court as they express a conclusive view. The Court of Appeal has therefore taken strong exception to the commentaries," Kafunda stated.

"Members of the Public are reminded that discussion of a matter that is sub judice may amount to contempt of court and are further warned

that should the discussions on the matter at hand continue, contempt proceedings may be invoked against those discussing the matter"

Last year, ZCCM-IH petitioned the Lusaka High Court, seeking an order that KCM should be wound up for engaging in tax evasion and being managed in a manner detrimental to its interest, among other allegations.

But Vedanta Resources Holdings Limited, the contributor and majority shareholder of KCM, applied for an order to stay proceedings and refer the parties to arbitration pursuant to section 10 of the Arbitration Act.

However, High Court Judge Anessie Banda-Bobo in her ruling of August 7, last year, dismissed Vedanta's application saying it was not a proper case to refer the parties

to arbitration.

She ruled that staying the proceedings at the instance of Vedanta would be contrary to the wishes of ZCCM-IH and KCM, who were the parties to the proceedings.

Being dissatisfied with her ruling, Vedanta appealed to the Court of Appeal and asked Justice Banda-Bobo to stay the proceedings before her pending the determination of the appeal.

Justice Banda-Bobo in the interest of justice, allowed a stay of the proceedings before her.

She said this would enable the issues raised by Vedanta to be interrogated by the Court of Appeal.

"That being the case, the proceedings are stayed pending the outcome of the matter before the court of appeal," said Justice Banda-Bobo.

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# 15 Qualities of a Dictatorship

**D**ictators often rise to power out of conflict or a coup d'etat. However, there have been dictators who got into power democratically or legally. Adolf Hitler, for example, was appointed chancellor, or head of government, by President Paul von Hindenburg in 1933. After Hindenburg DIED, Hitler made himself "Führer" (a combination of president and chancellor).

So how can you tell if your President is a dictator?

1. Dictators foster cults of personality, a form of hero worship in which the masses are fed propaganda declaring their leader to be flawless and divine.

2. Under a dictatorship, protestors of bad governance are punished harshly.

3. Political power is concentrated

in the hands of few people or just one person.

4. Media freedom is systematically obliterated, leaving newspapers, radio and television as tools for indoctrination.

5. Intimidation, murder, imprisonment, state-sponsored violence and other human rights abuses are used to control the population.

6. The right to private property is easily abolished.

7. They weaken institutions of governance, and compromise law enforcement agencies to protect individuals in the ruler's inner circle.

8. Dictators usually have a larger number of security personnel, which is disproportionate to the country's status.

9. Citizens are not allowed to check the ruler's power; people's complaints are condemned and regarded as sponsored sentiments of regime change.

10. Dictators use secret intelligence services to spy on the citizens and monitor private communication.

11. Civilian or not, military is usually a top focus for dictators and they often prioritise defence spending over social services.

12. Dictators never appoint ambitious subordinates as second in command, they prefer figurehead deputies.

13. They accumulate unexplained wealth and invest heavily on their hold to power.

14. Sometimes dictators do allow elections, but they remain in control of the outcome by allowing people to participate in a controlled manner.

15. Dictatorships sometimes come to an end just as chaotically as they began. What happened to Adolf Hitler, Fascist Italian dictator Benito Mussolini, Iraq's Saddam Hussein and many other autocratic rulers is public knowledge.

News Diggers!

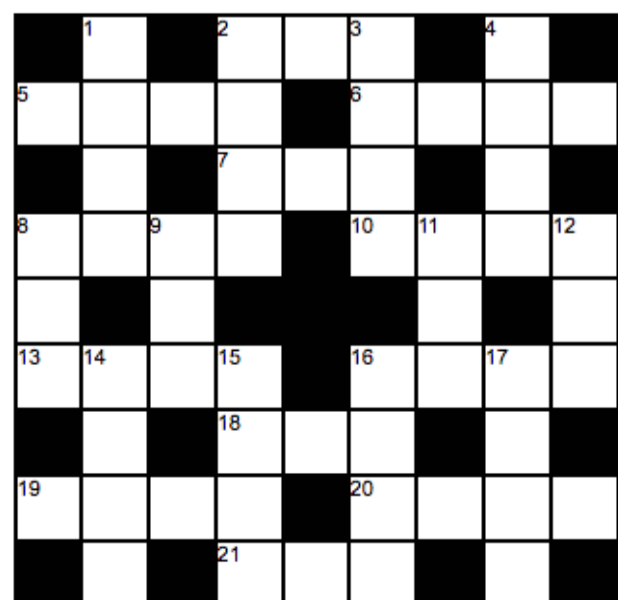
Ear to the ground

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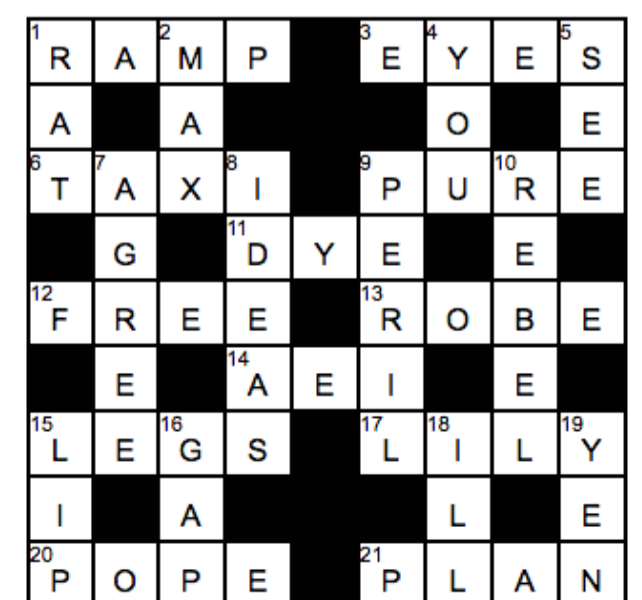
## Crossword puzzle No 620



*"Sometimes a people lose their right to remain silent when pressured to remain silent" - Criss Jam*

- |  |   |
|--|---|
| <p><b>Across</b></p> <ul style="list-style-type: none"> <li>2. Actress Ullman or Tyler</li> <li>5. Egg on</li> <li>6. Foot fraction</li> <li>7. Male offspring</li> <li>8. Rolling stone's lack</li> <li>10. Very long time</li> <li>13. Back of the neck</li> <li>16. Winter forecast</li> <li>18. Become unwell</li> <li>19. Overlook</li> <li>20. October birthstone</li> <li>21. Garage service</li> </ul> | <p><b>Down</b></p> <ul style="list-style-type: none"> <li>1. Round cream filled cookie</li> <li>2. Not as much</li> <li>3. Tarzan's transport</li> <li>4. Done to a snapshot to make digital</li> <li>8. Adult male</li> <li>9. Wee drink</li> <li>11. Hold title to</li> <li>12. Do some tailoring</li> <li>14. Amongst</li> <li>15. Big ___ Conference</li> <li>16. Sluggish</li> <li>17. Egg shaped</li> </ul> |
|--|---|

## Crossword puzzle No 619





# Readers' Feedback

## ND! Opinion: Careful how you manage gold, if Congo had no minerals, there wouldn't be war

Editor,

"You are very right. Local people can take up arms and start fighting security forces if gold mining is not well managed. Without sounding treasonous, I must mention that Lundas are the most politically volatile tribe in North Western ( I am Lunda by tribe). They formed the bedrock of resistance against President Kenneth Kaunda's government during the 7 year Mushala armed rebellion. Even by tradition, a man without a short gun or muzzle loader is not regarded

as a man in Lundaland. The market for arms is wide open a few meters across the border both with Angola and Congo DR and the same tribes overlap the bordering provinces. 'General' Saimbwernde who commanded the rebel Mushala insurgents (after Mushala's death in 1982) is still alive in Chief Kanyama's area in Mwinilunga and he is likely to confirm my strong assertions about Lunda militancy and volatility. Go and interview him. These potential hot spots must be managed carefully


and swiftly. Prevention is better than cure". - Haggai Muzeya

"You cannot get a licence and put it away for future generations to use, you lose your idle licences. The system is complicated and there are so many reports to do, once you go sleepy you lose your licence.

The biggest issue is finance for equipment so you're right, government should be coming on board and providing incentives to financiers willing to support local businesses that have mining licences.

Foreign and local banks ain't just willing to take risks these days, they don't lend especially if you don't have security or collateral worth or more than the loan you seek so yes, it's right to advise government to provide incentives to finance houses". - Sylvester Chongo

"But is there a reason to go borrow huge amount of money outside Zambia, when we can easily raise it through our resources. It is sad that we lack proper leadership in Zambia". - Baldwin Michael



**EDITOR'S NOTE:**

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### 'MPs must walk out of Parley when PF tables Bill 10!'

Editor,

"Opposition and independent MPs must walk out when Given Lubinda presents it in parliament. Say NO to harmful bill10". - Chanda Pochoko

"Bill 10 consequences are worse than of wizards it will destroy more lives but create a few dictators to ruin Zambia, stop this nonsense at all costs". - Vongo Mwandila

"Any MP who is supporting

Bill 10 is useless and not working for Zambian, but for his belly nonsense". - Lovemore Mununga

"Bill 10, an alleged path to full 2nd colonialism. Everyone with the intent of supporting bill 10 does not have the best interest of the nation". - Mwenya Kay

"WE DON'T WANT BILL 10 PLEASE BA LUNGU TWAPAPATA, MA MPS BE CAREFUL NOT TO VOTE FOR BILL 10". - Habwela Chuumpi

## Lungu's attempt to solicit for debt relief

Dear editor,

"I am sure he was misquoted or was just a slip of the tongue by him, for right now he is pushing for bill 10 which would allow him to borrow ( get more kaloba ), anyhow, his ministers and members still insist 'every country borrows so we can't stop' while he hears and keeps quite, meaning he blesses them". - Callaghan Mwamba

"What has happened to that phrase? 'I'll continue borrowing and no one Will stop me'. Be careful what you wish for". - Saphira Mundwe

"What has happened to the once upon manageable debts. You were told to slow

down on borrowing and you called all those who advised as bitter people, losers and who is a loser now?" - Josephine Ngulube

"There won't be any debt cancellation under a government as clueless as PF. You don't even meet the basics of transparency and fighting corruption. So stop wasting our time and prepare to go into retirement". - Richard Waga

"Borrowed, over borrowed and now asking for cancelation? Let the lenders ask for

total disclosure of where the money was taken before considering cancelation/relief because they can't keep giving money which is misappropriated in turn by adada and his minions". - Lutabito Mabele

"Bally warned you about too much borrowing, but you roasted him left right and centre. Now you are soliciting for relief, Levy was a great leader because he listened to opposition voices carefully. #2021 tivota - You out". - Michael Muke

## Chama's confidence on Zambians voting for PF again despite problems

Dear editor,

"Not next year sir... And we are apologizing in advance kaili PF brought a new system of telling someone to apologize when he tells the truth, apologizing in advance we won't vote for PF next year, we are sorry". - Shi-Serah David

"Governance is not like marriage, honourable, 'ati I'll keep him even if he doesn't treat me right". - Kanyika Kawala Simwanza

"Just renovate the prisons because that is where you will go next year together with your visionless president". - Ray Masambo Nkumbwa

"In your dreams, just prepare and renovate the prisons because that will be your new home in a new country". - Alex Malambo

"The man lacks wisdom and foresight". - Chibangu Chiluba

"Sad part is that there are some misguided people out there who are still benefiting from this leadership who would not think twice about doing what he is saying. Then there is the weak minded who would sell their vote for a few hundred kwacha, some chibuku, a tshirt and a chitenge". - Robert Shamwendabantu

"These leaders have taken people for granted and they have lost touch with reality". - Simon Chinyama





By Julia Malunga

AN investigation has revealed that government, through the Ministry of Health, last year awarded a US\$17 million contract for the supply of health centre kits to a company called Honey Bee Pharmacy Limited, which did not exist.

Research at the Ministry of Health shows that Missionpharma, a Danish company with a subsidiary in Lusaka, had an active contract to supply and deliver drugs to Zambia for several years and was a key government partner for supplying health centre kits. However, owing to an US\$11 million drug supply debt, the company stopped supplying in December 2018, demanding that the government first settles its debt, a move that forced the Ministry of Health to find a replacement.

According to Ministry of Health sources, tender number MoH/SP/032/19 was issued following a decision to procure 50,000 health centre kits through a limited bidding process.

Records at the ministry show that a solicitation document for the tender was issued on October 7, 2019 and the evaluation of bids was done on October 22, 2019, while the contract between Honey Bee Pharmacy Limited and Ministry of Health was signed on November 22, 2019.

But Patents and Companies Registration Agency (PACRA) records do not show any company that existed prior to 2019 registered as Honey Bee Pharmacy Limited.

Research showed that Honeybee Pharmacy had been a sole trading name for an individual named Imran Lunat, with records at PACRA indicating that it was registered as a business name on April 14, 2016.

On October 16, 2019, another company called Honeybee Pharmaceuticals Limited was incorporated, with shareholders namely Zakir Husen Motala, Abdurrauf Motala and Yousouf Jasat, but according to Ministry of Health records, this was not the name of the company that was awarded the US\$17 million contract. The company that was awarded the contract is Honeybee Pharmacy Limited.

Further, a search at PACRA showed that another company now called Honey Bee Pharmacy Limited, which corresponds with the company that was awarded the contract, was incorporated on April 1, 2020, with shareholders namely Imran Lunat, who

# How Ministry of Health awarded a \$17m contract to a company that did not exist

was also registered as a sole trader for Honeybee Pharmacy, Zakir Husen Motala and Abdurrauf Abdurrahim Motala.

When contacted to explain how Honey Bee Pharmacy was awarded a US\$17 million contract when it was not incorporated at PACRA, Lunat said that was for the ministry to explain, adding that the tender process was followed.

He confirmed that the contract was not awarded to Honey Bee Pharmacy Limited, which ironically appears on the tender documents, but to the sole trader Honey Bee Pharmacy.

"The contract was not awarded to the Limited, it was awarded to Honey Bee pharmacy, not Limited. Honey Bee Pharmacy Limited, from what I know, was registered later on. Honey Bee Pharmacy has been running since 2015. It is the same directors, there is a group of directors who have come together, so they have created another name but the contract was not awarded to the Limited," Lunat explained.

Asked how he won the US\$17 million contract if the limited company was not registered with PACRA at the time, Lunat said he was no longer a director for the company that won the contract, as he was now working for the new owners of the company and was not responsible for decisions.

"I don't know, you can ask them. That is something you can speak with them. I think there is a tender process that went through. I am not sitting on the board of directors. I used to be a director but I am no longer a director. So I don't make any decisions, I don't deal with them, I am now a worker for them," said Lunat.

Zambia Public Procurement Authority (ZPPA) acting public relations manager Laura Hamusute said she was unable to provide a response to the press query as it needed the attention of the managing director who was unavailable at the time.

Ministry of Health officials declined to explain the circumstances under which a company that was not registered at PACRA was awarded the tender to supply and deliver health centre kits worth US\$17 million.

When queried, Health Minister Dr Chitalu Chilufya referred the matter to his Spokesperson Dr Abel



Kabalo.

"Write a press query and my spokesperson will handle it. He will give you an informed position," said Dr Chilufya.

When a press query was sent to him, Dr Kabalo could not respond, saying: "I am still pursuing the officers; immediately I get the information, I will definitely share it with you. It is not me, what you can do is that, give me time to just compile, get in touch with me next week, let's say Tuesday... I will get back to you once I get to the technocrats," he said in January.

When contacted a few weeks later, Dr Kabalo said: "I may need to verify. What I know is that Mission Pharma has been supplying us with health center kits. So I may just need to verify with the procurement people. Where did you get that information from?"

He later said he did not have access to the "restricted" information that this reporter was asking for.

"That is restricted information, I can't access, I haven't accessed it yet. I am just waiting on the people that deal with that to give it to me. It is not within my control so I am just waiting. They have not given me the information up to now but we have been receiving kits and drugs we have been receiving. The way government procurement is, they procure by getting goods, that is when they pay so there is no institution that supplies goods to government that is not owed. We don't pay upfront cash, that is how government procurement systems are. That is why even the road contractors have to provide the product, that is when they

are paid. So government owes people so it has to get the product first before it pays. And before anyone is paid, we have to verify that the product received is of good quality and all that," Dr Kabalo said.

According to tender documents, the Ministry considered the matter a crisis when Missionpharma stopped supplying.

"In the circumstances, limited bidding was the appropriate method of procurement in accordance with Regulation 14(b) of the Public Procurement Regulations of 2011. To avoid the problems of non-delivery due to delayed advance payment, the solicitation document and subsequently the contract that was to result from the tender would have no provision for advance payments. Suppliers would be paid 100 percent of the contract sum after full delivery. The Ministry Procurement Committee noted that the request to use limited bidding as the method of procurement was approved during the 30th ministry procurement committee meeting which was held on 2nd August 2019. Further, at its 31st ministry procurement committee sitting held on 9th August, the Ministry Procurement Committee approved the addition of two companies to the shortlist of suppliers," read the evaluation report.

Records showed that 10 companies were invited to take part in the limited bidding process; among them Shalina Pharmaceuticals, NRB Pharma Limited, Kingphar Limited, Yash Pharmaceuticals Ltd, Missionpharma (Z) Limited, International Drug Company Limited,

Baxy Pharmaceutical Manufacturing Company Limited, Pharmanova Zambia Limited, Artemis Pharmaceuticals Zambia Limited and Honey Bee Pharmacy Limited.

"At the time of tender closing, eight of the ten shortlisted companies submitted bids and they read as follows; (1). International Drug Company Limited Lot 1. US\$13,350,000. Lot 2. US\$13,350,000. Lot 3. US\$17,800,000. Delivery period 10-12 weeks. (2). Honey Bee Pharmacy Lot 1. US\$7,600,000. Lot 3. US\$10,133,333. Delivery period 6- 8 weeks (3). Baxy Pharmaceuticals Manufacturing Company Limited US\$45,800,000. Delivery period 12-16 weeks. (4). Yash Pharmaceuticals Limited. Lot 1 US\$13,815,000. Lot 2 US\$13,815,000 Delivery period 14 weeks. (5). Pharmanova (Z) Limited Lot 1. US\$10,662,300. LOT 2. US\$14,216,400. Delivery period 14 to 16 weeks. (6). Kingphar Company Zambia Limited Lot 2. ZMW 94,305,000, US\$2,837,700. Delivery period 12 weeks. (7). Missionpharma Zambia Limited. Lot 2 US\$7,066,809. Lot 3 US\$9,422,412. Delivery period 22 weeks. (8). Artemis Pharmaceuticals Limited. Lot 1 and 2 US\$26,197,985. 14-18 weeks," the report read.

In a letter dated September 18, 2019, ZPPA wrote to the Ministry of Health expressing concern with the manner in which the ministry intended to meet its contractual obligations with Missionpharma.

The ZPPA also warned that the Ministry would incur and accrue more costs by engaging another supplier for the

stop gap measure as opposed to relying on the existing contract with Missionpharma.

But on 23rd October 2019, the Procurement Committee approved the award of contracts recommended by the Evaluation Committee as follows; (a) Lots 1 and 3 to Artemis Pharmaceuticals Zambia Limited at the sum of US\$14,139,450,00 with a delivery period of 6 to 10 weeks. (b) Lot 2 and 4 to Honeybee Pharmacy at the sum of US\$17,958,150,00 with a delivery period of 8 to 12 weeks. (c) Lot 5 to Pharmanova Zambia Limited at the sum of US\$3,554,100,00 with a delivery period of 14 to 16 weeks.

Further, ZPPA noted that some of the companies that were awarded the contract did not meet the conditions specified in the tender, including the fact that "companies needed to hold a license from Zambia Medicines Regulatory Authority (ZAMRA) because kit packaging was part of manufacturing.

ZPPA noted that it was surprising that selected companies without such licenses were allowed to participate and eventually selected for award of contract.

There was a further contradiction of the statement in the bid document which required participating companies to have manufactured or marketed the product for a minimum of two years. The Authority observed that the Evaluation Committee did not fully consider the qualification requirement ITB 7.1 (a) of the SF when evaluating the bidders, which was contrary to Section 50 (2) of the Public Procurement Act (PPA).



**By Abraham Kalito**  
MUFULIRA Wanderers Chief Executive Officer Chimwemwe Manda says their inability to produce high calibre players has negatively impacted the club.

With the league expected to resume in three weeks' time, Wanderers will once again face the nightmare of a possible relegation from Zambia's top flight.

Manda, however, is of the view that one of the challenges that has pulled the club down include the inability to produce high calibre players who can represent Zambia at national level, playing for Chipolopolo. She said this when she featured on radio Phoenix, Monday.

"I think the challenge we have is that, you that (inability to supply players to the national side) has been a blessing and a curse. It's a blessing because it has given us time to have a good foundation, and it's been a curse because somehow it has been pulling us behind. Instead of focusing on the future we tend to think more about what we used to have. For us to get back to that it's not something which is going to happen within one, two or three seasons," she said.

"It's something we are planning to do in the next three or five years, we will be able to build on that because even if we were to produce high calibre players now, it doesn't mean that player will be there two or three years down the line. For now we have started concentrating on our young Wanderers, that theme has always been there but we haven't given it all our attention. We have to go back to our roots somehow. Then maybe five ten years, we can look back again and admire what the clubs will have produced. We are not looking at having miracle people who are there for two or three seasons and perform wonders and then

# Mufulira Wanderers rue their inability to produce top talent

leave."

Manda revealed that Wanderers will soon unite supporters when it launches means through which fans on Facebook and WhatsApp can be streamlined.

"I think using replicas

is not supported, it's not a very good indicator. I think if you see a lot of replicas on the ground of clubs just know that the administration of that club is doing well. Let me just talk about my club, for the past two three years

Wanderers has done so much to push out their replicas, I think you have seen it, but then maybe our planning, our strategy was not effective and that's why you are finding that these other clubs are doing fine. But in response to unity, we

do have plans of bringing everyone together. We will be launching something very shortly within a week or two and it will help us to streamline because as at now we have so many groups of supporters on Facebook, on WhatsApp and we don't

have something central for the club and that is what we will be able to bridge. We have a challenge with supporters in the diaspora but we will come up with a plan but let's deal with our local one before we reach out."

## Hearing opens as Manchester City appeal two-year European ban

MANCHESTER City's appeal against a two-year ban from European competition opened before the Court of Arbitration for Sport (CAS) on Monday by videoconference, a court official told AFP.

City are accused of overstating sponsorship revenue to hide their failure to comply with UEFA's financial fair-play (FFP) rules between 2012 and 2016. In addition to the ban, they were also fined 30 million euros (\$34 million, £27 million).

"The hearing has started well and the video conference is working well," Matthieu Reeb, the secretary general of the Lausanne-based CAS, said.

The remote hearing, which pits Manchester City against UEFA lawyers, opened 09:00 local time (0700 GMT) and is scheduled to last three days before closing on Wednesday evening.

Reeb said a decision could be announced in July.

Even if City's appeal to CAS fails, the English champions could present a further appeal before the

Swiss Federal Court, also based in Lausanne.

UEFA's case was prompted by a series of leaked emails published by German magazine Der Spiegel in 2018 that seemed to show how City manufactured extra sponsorship revenue from a series of companies with connections to the club's Abu Dhabi-based owner Sheikh Mansour.

Under the Sheikh's ownership, City's fortunes have been transformed, winning four Premier League titles in the past eight years.

However, the billions invested in players and managers have not yet delivered the club's first Champions League title.

City are still involved in this season's competition and will be allowed to compete should the 2019/20 edition of the Champions League return in August, no matter the outcome of the appeal.

Another European powerhouse, Italian club AC Milan, has already been excluded from European competitions for failing to comply with the FFP rules, after losing their appeal to



Manchester City could struggle to keep manager Pep Guardiola and stars such as Kevin De Bruyne

CAS in June 2019.

A two-season ban from the competition would represent a huge blow to City's prestige, finances and hope of keeping manager Pep Guardiola and key players like Kevin De Bruyne

and Raheem Sterling.

"Two years would be long. One year is something I might be able to cope with," De Bruyne told Het Laatste Nieuws last month.

City banked 93 million euros from prize money and television rights alone by reaching the quarter-finals of last season's Champions League.

The further loss of gate receipts and commercial revenue would make it extremely difficult for the club to meet FFP regulations without cutting costs.

- Harder line -

City have steadfastly rejected UEFA's allegations.

"Based on our experience and our perception, this seems to be less about justice and more about politics," said CEO of the City Football Group Ferran Soriano.

UEFA has been under pressure, most publicly from La Liga president Javier Tebas, to impose a harder line on clubs backed

by states, such as City and Qatari-owned Paris Saint-Germain.

European football's governing body also have plenty riding on the case. If they lose the appeal, the FFP regulations would be undermined.

A delayed outcome would leave a cloud hanging over the return of the Premier League season.

City seem certain to secure Champions League qualification on the field with a 12-point lead over fifth-placed Manchester United.

If they are excluded, fifth would be good enough for the riches of next season's Champions League, which are all the more valuable during the economic crisis caused by coronavirus.

Just six points separate United from Crystal Palace in 11th, leaving plenty to play for in the final nine rounds of matches of the season once the Premier League restarts on June 17. **AFP**

## Racism 'only disease right now' - Sterling



MANCHESTER City and England footballer Raheem Sterling on Sunday insisted that racism is "the only disease right now".

The 25-year-old, who has often and powerfully spoken out on discrimination, admitted his remarks may appear ill-chosen as the globe fights the coronavirus pandemic.

"I know this might sound a little bit cheesy but the only disease right now is the racism that we are fighting," said Sterling in a BBC TV interview to be broadcast on Monday.

Sterling is the latest sports star to voice support for protests against racism in the United States and across the world following the death of George Floyd in Minneapolis last month.

"This is the most important thing at this moment in time because this is something that is happening for years and years. Just like the pandemic, we want to find a solution to stop it," he added.

"At the same time, this is what all these protesters are doing. They are trying to find a solution and a way to stop the injustice they are seeing, and they are fighting for their cause. **AFP**



# PATSON ON FIRE

**By Abraham Kalito**  
PATSON Daka bagged a hat-trick as Red Bull Salzburg thrashed Hartberg 6-0 in Sunday's Bundesliga game.

The Chipolopolo hitman opened the scoring four minutes into the game after an assist from Switzerland international of Nigerian descent Noah Okafor.

Enock Mwepu doubled the score three minutes later before Daka made it three for Salzburg in a thrilling performance for the Zambian boys.

Mali's Sekou Koita added salt to Hartberg's wounds with a fourth strike just five minutes before the interval and Patson completed his treble in the 46th minute of the game.

Okafor added to his assist with a sixth goal for his team before the final whistle.



Daka has now scored four goals in two appearances since the Bundesliga returned from a Coronavirus forced break. With 21 goals in 23 games this campaign, the Chipolopolo star's exploits are exciting viewers at home and abroad. Patson will hope to continue his fine form and keep viewers on their seats.

## Sydney makes surprise bid for Fury-Wilder rematch

AUSTRALIAN city Sydney has made an audacious bid to host a blockbuster heavyweight rematch between Tyson Fury and Deontay Wilder, with promoters eyeing Boxing Day for the trilogy superfight.

Promoter Dean Lonergan has tentatively booked Bankwest Stadium in the city's west for the bout, The Australian reported Monday. Semi-autonomous Chinese city Macau is also in the running.

"I put a proposal to (Top Rank promoter) Bob Arum about six weeks ago by way of email to bring down here the world heavyweight title fight between Deontay Wilder and Tyson Fury," Lonergan told the newspaper.



"The day I suggested was December 26 here so we would (broadcast) to the USA on Christmas night." Lonergan wasn't immediately available to confirm the comments. Following a controversial draw in December 2018, Britain's Fury, unbeaten as a professional, overpowered American Wilder in Las Vegas in February, beating him in seven rounds. **AFP**

## Juve's Dybala yet to fully recover from coronavirus

PAULO Dybala has revealed he is still not 100 per cent fit after overcoming coronavirus - but he is relishing the return of Serie A all the same.

The Juventus forward confirmed in March that he and girlfriend Oriana Sabatini had tested positive for Covid-19, by which time football in Italy had been suspended due to the pandemic.

Dybala had to isolate for over a month before Juve announced he had returned two negative tests on May 6, though he is still not yet in peak condition following his illness.

Having gone up against Tottenham's Dele Alli in FIFA 20 as part of a charity event organised by Gamers Without Borders, the Argentina international declared his delight at the upcoming resumption to the 2019-20 campaign.

"I had coronavirus, but I feel much better now," Dybala said during the Instagram Live transmission.

"I am still not quite at 100 per cent, but I'm pretty good. We've started training again and football is coming back, so soon we will be able to do what we love the most.

"I hope we can have fun and entertain.

"I think it will be useful because we will have many consecutive football matches, and people like us who love this wonderful sport will have the opportunity to watch a different game every day." **GOAL**