



# 2020 REVIEW OF ZAMBIAN LAND GOVERNANCE NEWS

## INTEGRATED LAND AND RESOURCE GOVERNANCE TASK ORDER UNDER THE STRENGTHENING TENURE AND RESOURCE RIGHTS II (STARR II) IDIQ

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 COR: Sarah Lowery  
 USAID Office of Land and Urban  
 Contractor Name: Tetra Tech  
 Author: Tetra Tech

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Cover Photo: Clippings from Zambia's major newspapers related to land tenure from 2020

Tetra Tech Contact(s): Megan Huth, Project Manager  
159 Bank Street, Suite 300  
Burlington, VT 05402  
Tel: (802) 495-0282  
Fax: (802) 658-4247  
Email: [megan.huth@tetrattech.com](mailto:megan.huth@tetrattech.com)

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Submission Date: 29 December 2020

Submitted by: Melissa Hall, Deputy Chief of Party  
Tetra Tech  
159 Bank Street, Burlington VT 05401, USA  
Tel: (802) 495-0282  
Fax: (802) 658-4247

Contract Number: 7200AA18D00003/7200AA18F00015  
COR Name: Sarah Lowery  
USAID Office of Land and Urban  
Contractor Name: Tetra Tech  
Author: Chilombo Musa and Matt Sommerville

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# LIST OF ACRONYMS

BCP	Bio-Carbon Partners
BRE	Barotse Royal Establishment
CAA	Civil Aviation Authority
CEC	Copperbelt Energy Corporation
CIDP	Cashew Infrastructure Development Programme
COMACO	Community Markets for Conservation
COVID-19	Coronavirus Disease 2019
CRB	Community Resources Board
DMMU	Disaster Management and Mitigation Unit
DNPW	Department of National Parks and Wildlife
DRC	Democratic Republic of Congo
EIA	Environmental Investigation Agency
GBV	Gender-Based Violence
GMA	Game Management Area
IBSA	India, Brazil and South Africa Project
IDP	Integrated Development Plan
KCC	Kitwe City Council
KML	Kalumbila Minerals Limited
LCC	Lusaka City Council
LTC	Luwingu Town Council
LWSC	Lusaka Water Supply and Sanitation Company
MCM	Mopani Copper Mines
MoU	Memorandum of Understanding
MP	Member of Parliament
MRE	Mbeza Royal Establishment
NCC	Ndola City Council
NGO	Non-Governmental Organization
NLACW	National Legal Aid Clinic for Women

PF	Patriotic Front
PHI	Presidential Housing Initiative
PS	Permanent Secretary
REDD+	Reducing Emissions from Deforestation and Forest Destruction
SAFADA	Small-scale Farmers Development Agency
SDG	Sustainable Development Goal
SEPA	Save the Environment and People Agency
SGBV	Sexual and Gender-based Violence
UK	United Kingdom
UNESCO	United Nations Educational, Scientific, and Cultural Organisation
URP Act	Urban and Regional Planning Act
WARMA	Water Resource Management Authority
WWF	World Wide Fund for Nature
ZACL	Zambia Airports Corporations Limited
ZAFFICO	Zambia Forestry and Forest Industries Corporation
ZCS	Zambia Correctional Services
ZEMA	Zambia Environmental Management Agency
ZIFL-P	Zambia Integrated Forest Landscape Project
ZLA	Zambia Land Alliance
ZNMNGD	Zambia National Men’s Network for Gender and Development
ZNWL	Zambia National Women’s Lobby
ZRL	Zambia Railways Limited

## I.0 INTRODUCTION

Land and natural resources are an important source of livelihoods for many Zambians and a factor of production across various sectors. Access and control of land and natural resources is a common source of news within the Zambian media, frequently highlighting disagreements or conflicts, but occasionally also celebrating achievements promoting secure tenure. In 2020, several high profile projects focused on the improvement of tenure security and protection of natural resources were advanced, aimed at securing land rights and protecting forests and natural resources. Yet activities such as poaching, illegal mining, tree-cutting for charcoal production, and encroachments, continue to threaten the adequate protection these resources. This report presents an analysis of land and natural resource activities in Zambia in 2020 by tracking newspaper articles in four leading daily newspaper: The Daily Mail, Daily Nation, the Mast, and The Times of Zambia. The report organizes news articles around key themes under broad classifications of land governance, administration, conflict, and natural resource management, covering both state and customary institutions, as well as urban, peri-urban, and rural issues. This report also summarizes issues related to gender and women's economic empowerment, as well as traditional leadership, as these topics have a large role in land tenure outcomes across the country. A total of 265 news articles were analyzed for 2020, significantly lower than the over 700 articles reviewed in 2019. This may be partially due to the prevalence of news related to Coronavirus Disease 2019 (COVID-19) during 2020.

The analysis shows that one of the most debated topics, the draft land policy, reached an apex when it was approved by the House of Chiefs, a significant success given the decades of impasse between actors in the policy process. Consensus was reached that chiefs would be responsible for the administration of customary land and not "traditional rulers" as the term was considered vague. However, the leasing of land to non-Zambians, which has also received considerable debate, remained unchanged as non-Zambians are eligible for 99-year leases. The Housing Policy and Implementation Plan was also launched in 2020, as were numerous projects focused on forest and wildlife protection. Key to highlight are the government's vision to construct 220,000 housing units annually to provide affordable and decent housing for all by 2030, the Ministry of Gender's Strategic Plan and Balanced Scorecard, the launch of the National Land Titling Programme, and memoranda of understanding with the governments of the United Kingdom and the United States on skills and infrastructure development in forest and wildlife protection.

Corruption and illegal land allocations were highly prevalent in 2020, and this led to the suspension of the Kitwe City Council and the Lusaka City Council. Although the investigations exposed the local authority officials involved in these activities, the vulnerability of institutional and policy processes to the personalization of land allocation reveals the need for strengthening capacities in land administration. The final approval of the land policy and its subsequent implementation provides an opportunity for these processes to be strengthened through provisions that place authority in the local authority and remove the pervasion of political control in state institutions.

## 2.0 LAND GOVERNANCE

### 2.1 LAND POLICY

The Land Policy debate has elicited varying views from numerous stakeholders over the years. Although the number of articles in 2020 on the subject was significantly lower than in 2019, the debates reached a high point when the draft policy was approved by the House of Chiefs. According to the Daily Mail (11/6/2020), the Minister of Lands, Jean Kapata, said that the House of Chiefs approved the draft policy after critical issues were addressed. This was confirmed by the Chair of the House of Chiefs, Chief Kaputa, who said that the contentious issues had been addressed. Chief Kaputa said one of the key issues addressed was the “administration of customary land by chiefs and not traditional rulers and state land by the government” (Daily Mail, 11/6/2020). This provision makes a clear distinction on who administers land in customary areas. By specifying that the administration of customary land would be undertaken by chiefs, other traditional leaders such as headmen who have previously been involved said that this would ensure that land was protected and would not fall into the wrong hands.

Besides the administration of customary land, another point of contention arising from the 1995 Lands Act and subsequent draft policies has been the ownership of land by non-Zambians. The 1995 Act outlines circumstances under which the President can alienate land to non-Zambians. These include where the non-Zambian:

- i) is a permanent resident;
- ii) is an investor and satisfies investor requirements;
- iii) is a cooperative; or
- iv) non-profit-making organisation.

The current draft does not go into detail on circumstances under which non-Zambians can own land other than their eligibility for leasehold tenure in the same way as residents. Direct Movement (Party) President Edwin Sakala called the 99-year lease of land to non-Zambians irresponsible (Daily Nation, 1/31/2020).

At the continental level, the African Centre for Land Policy has developed the Frameworks and Guidelines on Land Policy, which underscores the need for coordination and a shared vision among all stakeholders. The framework recommends comprehensive rather than sectoral approaches to land development processes. This requires improved budgetary allocations to the policy development process, improving human and institutional capacities, and recognising the role of indigenous institutions, among others. During a high-level policy meeting on land policy reform and social-economic transformation in Southern Africa that was held in Gaborone, Botswana, Said Adejumobi, Southern African Regional Office Director for the Economic Commission for Africa, stressed some of these recommendations, saying there was a need to engage policymakers and other stakeholders on the land reform process in the region to accelerate development and for the harmonization of national policies and regulatory frameworks on land with the regional and continent’s aspiration and framework to create coherence, convergence and standards to promote transboundary investments in land related investments (Daily Mail, 1/30/2020).



National Land Policy continued moving forward during 2020, including through remote validation. Zambia Daily Mail, 11/6/2020



Related to the Land Policy is the Housing Policy, which was launched by Housing and Infrastructure Development Minister Vincent Mwale. According to the 2020 – 2024 National Housing Policy and Implementation Plan, the government envisions constructing over 220,000 conventional houses annually with a view to avoiding a projected deficit of 3.3 million that may be accrued by 2030. Speaking during the official launch of the 2020 – 2024 National Housing Policy and Implementation Plan, Mr. Mwale said the two documents were aimed at providing affordable and decent housing for all by 2030 and facilitating equitable access to land for housing development and finance. He further stated that increasing the quantity and improving the quality of housing was a challenge in Zambia due to rapid urbanization (The Nation, 9/3/2020).

## 2.2 GENDER EQUALITY AND WOMEN'S LAND RIGHTS



The Nation, 8/18/2020

Broader discussions on gender equality dominated debates and centered on issues such as poverty and access to economic resources and women representation in decision-making platforms. Despite efforts to improve women's economic and cultural practices, some inequities such as sexual and gender-based violence (SGBV) and early marriages continued to threaten the effective implementation of sensitization and women empowerment programs. Women in Law and Development in Africa's Access to Justice Coordinator Namuchana Mushabati said society had accepted violence as normal. She also noted the practice by men of having several sexual partners, deciding

on the number of children to have, inheritance of property and assets, restriction of women's mobility and choices, payment of bride price and beating of wives as some of the norms that were harmful. She added that although the government was working with civil society organizations and strategies were being developed to address the social norms and violence against women and girls, the Penal Code needed to be amended and aligned with gender-based violence (GBV) laws in Zambia (The Mast, 3/16/2020).

Regardless, these programs continued to be rolled out across the country and achieve successes in some respects. In relation to women's land rights, Save the Environment and People Agency (SEPA) and the Zambia Land Alliance (ZLA) called for better implementation strategies around securing women's access to land.

### 2.2.1 GENDER EQUALITY

According to the Minister of Gender, Elizabeth Phiri, poverty levels in Zambia are higher among women, compared to men (Daily Mail, 3/11/2020) with the country recording higher gender inequality compared to medium developed countries in Africa (Daily Mail, 3/18/2020). Zambia National Women's Lobby (ZNWL) Coordinator Beauty Katebe said while there was a slight reduction in the gender gap in areas such as access to health and education, the difference in the economic and political participation by men and women was still significant. Ms. Katebe cited poverty among women to be a hindrance to their economic advancement, adding that the ZNWL Gender Audit of 2018 revealed glaring disparities between men and women in terms of holding high-paying jobs in both formal and informal sectors. Despite the lags in gender equality in some circles, Policy Monitoring and Research Centre Executive Director Bernadette Deka Zulu said there was a healthy gender balance in the judiciary, but noted that there more men were being appointed as magistrates than women (The Mast, 2/6/2020).

The low number of women in parliament was anticipated to remain unchanged due to the low numbers of women participating in politics. Several by-elections were held across the country and National Democratic Congress Spokesperson Saboi Imboela said despite going out of its way, the party had difficulties finding women who were willing to participate in the elections. The United Party for National Development said the party would have loved to consider women for adoption but none applied to participate in the by-elections. Meanwhile, People's Alliance for Change President Andyford Banda said there was a need to create an enabling electoral environment for women to participate in politics. Mr. Banda said the violence and insults that characterized politics did not motivate the women to participate in elections (Daily Mail, 1/30/2020).

To address these stark inequalities, the Ministry of Gender developed an operational framework and the 2018 – 2021 Strategic Plan to implement various programmes aimed at attaining gender balance and equality (Daily Mail, 3/11/2020).

### 2.2.2 WOMEN'S ACCESS TO LAND

Women's access to land remains an important issue in the country. The duality of tenure presents varying degrees of access and barriers to land for women. The Non-Government Gender Organisations' Coordinating Council revealed that a survey conducted by the organization showed that women were still excluded from accessing land (The Mast, 7/2/2020). Some patriarchal cultural practices restrict women's access to economic resources, including land only being inherited by male members of a family or decisions on agricultural produce being made by men. Further, ZLA reports that, in some practices, women have conditional ownership of land which they lose when they get married, are widowed or divorced (The Mast, 3/15/2020). ZLA Executive Director Patrick Musole called for a reflection on some of these challenges, acknowledge efforts aimed at addressing them and for meaningful changes in the laws, policies and systems. He added that due to poor economic standing, many women are unable to acquire or rent land on their own.

ZLA, however, commended the government and traditional leaders on their efforts to address the plight of women and other customary land insecurities through the signing of various international protocols and issuance of customary land holding certificates, respectively, but said more needed to be done to ensure the full realization of women's land rights as contained in the current related laws, policies and protocols (The Mast, 3/15/2020). This was emphasised by SEPA Chief Executive Officer Mailes Zulu, who urged the government to give more land to women for them to secure their future. Ms. Zulu said women were left vulnerable after separation or death of their husbands as they did not have secured land despite them taking care of their families. She said SEPA had engaged traditional leaders to ensure that they allocated land to women and continued sensitizing women on their land rights (Daily Nation, 8/18/2020). SEPA also embarked on the training of women in their land rights in the extractive industry. Working in partnership with Irish Aid, the organization aimed to empower rural women with the knowledge that would enable them to own land that would enable them to engage in various activities such as farming, rearing of livestock and building houses thereby benefitting their families, communities and the nation (The Mast, 8/20/2020).

Another project aimed at improving women's access to land was the National Legal Aid Clinic for Women's (NLACW) and Open Society Initiative for Southern Africa-supported two-year intervention called Promoting Land Rights for Rural Marginalized Communities' Economic and Social Empowerment, in Lusaka, Central, Southern, North-Western and Copperbelt Provinces. NLACW, a project of the Law Association of Zambia, aims to promote land rights for rural and marginalized communities with a focus on social and economic empowerment. NLACW Deputy Director Mary Mutupa said the project also sensitizes women, girls, and the general public on their land rights and offers free legal representation in courts on individual and group land disputes or displacements (Times of Zambia, 9/10/2020).

### 2.2.3 EMPOWERMENT PROGRAMS

Other empowerment programs aimed at improving girls and women's livelihood include the US\$65 million World Bank-supported Girl's Education, Women Empowerment and Livelihoods Programme, which saw a total of 33,674 out of the targeted 75,000 women receiving productive grants in more than 51 districts. President Edgar Lungu noted that the program aimed at empowering women and supporting girls to stay in school. The President also said the government was implementing the Agricultural Development and Value Chain Enhancement Programme through the provision of agricultural equipment to chiefdoms with the view to improve agricultural productivity among women's cooperatives. He added that a total of 120 chiefdoms had received tractors, tillers, and solar-powered drip irrigation equipment to support diversification among the women's cooperatives (Daily Mail, 3/10/2020).

In Masaiti District, 999 women were identified to benefit from the project and started receiving the funds amounting to ZMW 2,500 each, which would be paid in two installments through online platforms. District Commissioner Mike Musonda said that the empowerment program would also contribute towards the reduction of early marriages and pregnancies among girls as the project would keep them busy with their business activities (Times of Zambia, 4/21/2020). Lusangazi District Community Development Officer Boston Mulenga said more than 240 women had each received a productivity grant amounting to ZMW 2,700 under the Support Women Livelihoods project being implemented through the Ministry of Community Development and Social Services (Times of Zambia, 7/15/2020).

### 2.2.4 GENDER-BASED VIOLENCE AND EARLY MARRIAGE

Despite the numerous empowerment projects and sensitization programs, gender-based violence and other injustices against women were still reported over the year. For example, a female traditional leader of Chongwe was being threatened with death for campaigning against SGBV in her village. The Zambia National Men's Network for Gender and Development (ZNMNGD) expressed concern over the threat of violence. ZNMNGD National Coordinator Nelson Banda said Chunga Headwoman Susan Mulimbika was among those that were trained in SGBV prevention and was spearheading sensitization activities on the dangers of early and forced marriages and other forms of GBV against girls and women in her area. Consequently, Ms. Mulimbika and her team were being threatened with witchcraft for reporting the perpetrators to the police, with some of the perpetrators allegedly threatening to burn her house (Daily Mail, 4/1/2020).

Sensitization programs continued, with Mkushi North Member of Parliament (MP) Doreen Mwape saying men involved in GBV should stop because women are not punching bags but partners in development. She said GBV was not only against women but men too, adding that some women were in the forefront in promoting GBV by beating their husbands, who unfortunately shy away from reporting such cases to authorities (Daily Nation, 3/23/2020).

In addition, the House of Chiefs Chairperson, Chief Kaputa of the Tabwa people of Kaputa District in Northern Province, expressed sadness at the high prevalence of GBV and early marriages in his chiefdom. During a meeting with all his headpersons at his palace, Chief Kaputa said GBV cases were increasing in his chiefdom, resulting in severe and irreversible body injuries and death. One of the participants in this meeting, Headman Matembele, said the GBV cases mostly increased during the harvest period as men were in the habit of getting most or all the money realized from the sale of the farm produce and disappear, only to reappear when all the money was finished, resulting into fights with their spouses (Times of Zambia, 6/1/2020).

Early marriages continue in some parts of the country. Chief Mabumba of the Ushi people in Luapula Province took a stand against marrying off girls and encouraging them to continue with their education.

He encouraged his fellow chiefs to do the same. He said chiefs are role models for their subjects and should take up the challenge of leading by example in fighting child marriage and teenage pregnancies (Daily Mail, 1/30/2020). In Eastern Province, Chief Madzimawe of the Ngoni-speaking people of Kasenengwa partnered with the Zambia Police to stop child marriages across borders. The traditional leader said child marriages across borders were rampant, especially in his chiefdom, where a lot of young girls were being married off into Malawi. He urged parents of children that get pregnant to take them back to school as opposed to taking them into marriage as the government's re-entry policy is meant to accommodate such. The traditional leader further stated that in some cases, it was a case of defilement as the children involved were too young, hence the need to involve the police (Daily Nation, 2/6/2020). In fact, early marriages and teen pregnancies were anticipated to rise in Eastern Province due to the COVID-19 pandemic as youths, especially those in rural areas with no or limited access to e-learning, were likely to engage in illicit behavior given the continued closure of schools. Plan International Eastern Province Area Programmes Manager Richard Kalyata lamented that resources that were initially being used by organizations to fight early marriages and teen pregnancies had been diverted towards the fight against COVID-19 (Times of Zambia, 6/1/2020).

A blow was dealt to campaigns against early marriages when Chief Nyampande of the Nsenga people of Eastern Province died. The chief was described as an influential leader in pushing for the empowerment of girls and women in his chiefdom. Msanzala MP Peter Daka said that the traditional leader would be remembered for spearheading development not only in his chiefdom, but the province at large (Daily Nation, 1/21/2020).

However, some positive news was reported when the government in partnership with the India, Brazil and South Africa (IBSA) Project, retrieved more than 500 girls from early marriages in Chama District of Muchinga Province. The IBSA Project, which is supported by United Nations Women, is being implemented in Chama and Mpulungu Districts to end child marriages. Speaking when she handed over a scholarship fund of over ZMW 1.8 million and 106 bicycles to girls from 18 schools in Chama District, Gender Minister Elizabeth Phiri said that child marriage was a serious challenge that needed to be addressed as it hindered the attainment of gender equality. Chama District Commissioner Leonard Ngoma expressed happiness with the development and appealed for more support to retrieve more girls that were still in early marriage in the area (Times of Zambia, 9/8/2020).

In response to the rising inequalities between men and women, President Edgard Lungu called on some traditional counsellors, known as Alangizi, to stop perpetuating inequalities through their counselling activities. Speaking during the 2020 International Women's Day celebrations, the President said there was a need for revolutionary thinking in tackling gender inequalities to increase women's participation in decision making and economic empowerment programs (Daily Nation, 3/10/2020). He also said there was a need for the full involvement of both men and boys in addressing gender inequalities and the empowerment of women and girls (Daily Mail, 3/10/2020).

### **2.3 STATE/CUSTOMARY INTERFACE**

State and traditional leaders continue to interface at different stages of development, especially concerning access to land for various purposes. In 2019, the Zambia Correctional Services (ZCS) embarked on projects that aimed at modernizing correctional facilities by leasing some of its land to investors. In 2020, ZCS engaged chiefs country-wide for them to consider giving more land to correctional facilities so that they could seriously venture into agriculture and contribute to food security in the country. ZCS Commissioner General Chileshe Chepela said once the correctional facilities have more land, they would increase agricultural production not only for consumption but also to sell the produce, thereby earning additional income that would go towards infrastructure improvement and other areas of need (Daily Nation, 1/20/2020).

Traditional leaders continued to offer land to the state for various purposes. Chief Madzimawe of the Ngoni-speaking people of Kasenengwa District allocated a 7.6 km<sup>2</sup> piece of land to the government for the construction of offices at Chongo Turnoff (Times of Zambia, 4/22/2020) and in Western Province, the Barotse Royal Establishment in Lukulu District allocated 400 hectares of land to the Ministry of Agriculture with a view to revamping the cashew nuts growing through the Cashew Infrastructure Development Programme (CIDP) (Daily Mail, 8/7/2020).

The government also continued to support traditional ceremonies, and Paramount Chief Mpezeni commended the government for helping him host a successful N'cwala traditional ceremony. "We hosted a successful N'cwala ceremony because of the measures government and the organizing committee put in place to ensure that the event was held without fear and panic among our people," said the chief. The traditional leader also urged the government to strengthen laws on the indiscriminate cutting of trees and wondered why the laws on those who cut down trees are weak while those that are caught poaching were jailed. The traditional leader was concerned that charcoal was freely being sold on the streets when the effects of climate change were visible at a large scale across the country (Daily Mail, 3/10/2020).

President Edgar Lungu assured traditional leaders of government's support to ensure their chiefdoms were developed. Speaking when he met Lusaka Province chiefs that included Bunda Bunda, Mphanshya and Shikabeta of Rufunsa; Mphuka and Mburuma of Luangwa; Chieftainess Chiawa of Kafue; and Chipepo and Sikongo of Chirundu at State House, the President said the government would ensure food supplies reached all people affected by droughts and floods and also assured their Royal Highnesses that the government would complete some unfinished projects in their chiefdoms. Chief Chipepo thanked the President for the opportunity and encouraged him to visit any part of the country without exception (Daily Nation, 2/5/2020).

## **2.4 CORRUPTION**

The land sector is a major area where corruption is felt commonly across the country. This year, both the Lusaka City Council (LCC) and Kitwe City Council (KCC) were suspended by Local Government Minister Charles Banda based on investigations into illegal land deals. Following this suspension, the Minister of Lands also revoked the powers of the two city councils that allows them to sell land (Daily Mail, 8/7/2020). Lusaka Mayor Miles Sampa welcomed the suspension of the LCC and agreed that there were rampant illegal land allocations in the city which he had been dealing with since his election into office. However, he was quick to mention that the illegal land allocation in Lusaka was historical as it started before he became mayor. Mr. Sampa hoped that the investigations would be cast wider to ensure that those involved in the vice within LCC and beyond, could be sorted out once and for all (Daily Nation, 8/6/2020).

Resulting from the suspension, LCC Director of Planning Godwin Chinoya was relieved of his duties for allegedly falsifying council meeting minutes and illegally allocating land. Mr. Chinoya was also dismissed for alleged abuse of authority of office where he was alleged to have performed official duties of the Council whilst on suspension when he wrote a letter to the Commissioner of Lands recommending the issuance of replacement title deeds for properties in Chilenje. Lusaka Town Clerk Alex Mwansa also charged Mr. Chinoya with the offences of failure to comply with established procedure, impersonation and dishonest conduct (Daily Mail, 1/9/2020).

In Kitwe, suspended Bupe Ward Councillor Collins Chansa was implicated in the illegal allocation of land near the Presidential Lodge during a hearing by the ad hoc committee appointed to investigate the illegal and disorderly allocation of land. Kitwe resident Enock Silungwe alleged that Mr. Chansa, who is also the Patriotic Front's Kanfinsa Constituency Chairman, in the company of some agents, used to visit the community to survey the land in question. And another resident Lister Nambeye said the land used to

be for gardening but that Mr. Chansa promised the residents that he would secure some land for them to settle once elected into office. Ms. Nambeye, who paid ZMW 9,500 to secure the land in question, appealed to the committee to have it legalized (9/25/2020).

In another high profile case, musicians Jordan Katembula, popularly known as JK, and Wilson Lungu, alias Wile, were named in a case in which a Ministry of Lands official was taken to court for allegedly selling a non-existent plot worth ZMW 300,000. This is a case in which Mwiza Phiri, a Ministry of Lands official, was charged with obtaining money by false pretences. Between January 9 and March 3, 2019, Mr. Phiri with intent to deceive or defraud allegedly got ZMW 300,000 from Henry Mambwe by pretending that he had a plot for sale when he did not have one. Testifying in the matter, a witness said that the two named musicians facilitated the sale of the 60m x 40m plot in Chudleigh and that the duo also signed as witnesses for the seller (Daily Mail, 1/10/2020).

Addressing corruption cases in the Ministry of Local Government, Permanent Secretary Bishop Chomba said council workers who misappropriate public funds would be dismissed. Speaking when he opened an orientation workshop on accounting policy for local authorities, Bishop Chomba said a few rotten officers in the councils had dented the image of the local authorities because of their corrupt activities. He said there was too much misappropriation of public resources in local authorities across the country and that the Public Finance Management Act of 2018 would be used to lock up officials involved in corruption (Daily Mail, 1/29/2020).

## 2.5 ILLEGAL ALLOCATION OF LAND



Illegal allocation of land is rampant in rural, peri-urban and urban settings across the country, The Nation, 4/9/2020

However, Ms. Kamanga said that the council had established that the land in question belongs to Meanwood and any site plans from the community were null and void (Daily Mail, 1/17/2020).

Land belonging to the Copperbelt Energy Corporation (CEC) was also targeted for illegal allocations. However, KCC advised the Ministry of Lands not to entertain any applications on the CEC power corridor. The local authority was prompted to issue a statement following several inquiries on illegal activities on the said land (Daily Nation, 1/21/2020). A group of people from Voice of the Vulnerable and Luyando Society were allegedly illegally demarcating and allocating land belonging to Mopani Copper Mines (MCM) in Kitwe's Mindolo North, near Ichimpe Forestry. MCM Public Relations Manager Nerbet Mulenga advised the public to avoid buying land from the illegal sellers as they risked losing out on their cash as the structures would be demolished (Daily Nation, 6/20/2020).

Illegal allocations of land are commonplace in many parts of the country as corrupt estate agents and government officials take advantage of an unregulated property market to make illegal land deals. Several illegal allocations were reported in Kitwe in Copperbelt Province. In the Mufuchani and Meanwood areas across Kafue River, illegal estate agents were allocating land to unsuspecting people. KCC Assistant Public Relations Manager Lidah Kamanga said investigations revealed that a group of people were selling private land and that people from Mufuchani and distant places were flocking to buy the purportedly cheap land. Following the illegal allocation of plots, Meanwood obtained a court order to remove and restrain any person from interfering with their quiet enjoyment of the property (Daily Nation, 1/17/2020). Ms. Kamanga said the land in question initially belonged to Gilbert Zulu who later sold part of it to Meanwood and gave 165 hectares to squatters in the area.

Copperbelt Province Minister Japhen Mwakalombe said the law would visit the people behind the illegal allocation of land to more than 100 families whose structures were demolished following a court order obtained by MCM, the legal owners of the land in question. Mr. Mwakalombe said the land allocation was the mandate of the Ministry of Lands and Natural Resources and the local authority and that some people used the illegal allocation of land to benefit themselves. Mr. Mwakalombe said the government would assist the affected families with relief food and tents before finding them alternative land (Daily Mail, 8/14/2020). Investigations into the demolition of structures revealed that the land in question was illegally allocated by a non-government organization (NGO) called Luyando Community Board. This was confirmed by the victims found squatting on Luyando Community School premises following the demolition of their structures. However, Luyando Community leader Howard Mwema explained that his institution followed all the land acquisition procedures as it had been to the Ministry of Lands and the local authority and had paid ZMW 30,000 for surveying services of the land in question (Daily Mail, 9/24/2020).

Action taken by some landowners to protect their land included the deployment of armed police officers to their sites. One landowner, a Mr. Nshimbi, used the strategy to protect his piece of land located in Kitwe's Zamtan area after obtaining a court order (Daily Nation, 6/30/2020).

Still in Copperbelt Province, the Ndola City Council (NCC) in conjunction with Zambia Police arrested seven illegal land dealers in Ndola's Dola Hill area. NCC Town Clerk Wisdom Bwalya said the seven were found on-site and were arrested and charged with criminal trespass, threatening violence, and conduct likely to breach peace as they threatened violence against the legal owners of the plots (Times of Zambia, 4/10/2020). NCC Mayor Amon Chisenga said that the local authority would not end at demolishing illegal structures in the district but would take illegal developers to court to curb the practice (Daily Nation, 4/22/2020). Ndola Town Clerk Wisdom Bwalya said the local authority was exploring ways of detecting and correcting illegal land allocations in the city (Daily Nation, 8/10/2020). Dola Hill residents expressed concern at the illegal land allocation to foreigners by alleged Patriotic Front (PF) cadres in the area. They stated that the illegal practice disadvantaged locals, who were not given priority in the allocation of the said plots. They lamented that political cadres had too much power to do whatever they wanted, including illegal acts, and still go unpunished (Daily Nation, 8/10/2020).

The NCC was asked to clarify the ownership of the land located in Kantolomba Township, following claims of ownership by two groups of farmers. Centre for Governance Director Patrick Munthanga said one group of farmers claimed to have acquired the land from the council, whilst the other group claimed to have bought the same land from individuals, an activity he suspected to be illegal. Ndola Mayor Mr. Chisanga said the local authority was aware of some unscrupulous individuals that were illegally demarcating and selling land in the district and has since advised the farmers to countercheck their land documents with the Council (Times of Zambia, 6/21/2020).

More illegal allocations were reported in other districts. In Livingstone, residents of Zambezi Ward accused Councillor Robert Wandila of selling a piece of community land known as Magoregore, located next to the National Heritage Commission site. The Councillor, however, said he did not have information on anyone buying that piece of land and that only the council's Planning Department could verify (Daily Nation, 9/4/2020). In Kaoma, illegal land allocations were reported in Mahilo and Kaomandongwa areas in Kaoma (Daily Nation, 4/22/2020). Chilanga MP Maria Langa and four others were sued in Lusaka High Court for allegedly illegally allocating land on farm no. 7026 which was owned by the late Mr. Jethro Namakobo. The plaintiff, Ms. Malelo Ilukena, who is the administrator of the estate in question, accused the area MP of being in the habit of transporting political cadres to the farm to subdivide and allocate them plots (Daily Nation, 9/17/2020). Four illegal land dealers were arrested in Chingola's Gymkhana area for obtaining money on false pretenses from 248 unsuspecting people. The four claimed that they had high-cost genuine plots in Luano Forest Reserve which they promised to give out to those who paid. Copperbelt Police Commissioner Charity Katanga confirmed the arrest of the

four and added that out of the 248 people that were swindled, only seven officially reported to the police that their money amounting to ZMW 25,430 was collected from them (Daily Nation, 9/23/2020).

Illegal allocation was not restricted to state land but was also observed in customary areas. Senior Chief Magodi of the Ngoni people of Chasefu in Eastern Province warned his subjects against allocating land to strangers without his authority, adding that those found wanting would be dealt with by the law. The warning followed reports that some village headmen in his chiefdom were allocating land to people from other chiefdoms without his authorization. The chief also appealed to his headmen to ensure they preserve the forests and guard the environment jealously, following his observation that huge areas of forest had been depleted due to charcoal burning and opening up of land for farming in his chiefdom (Times of Zambia, 4/23/2020).

In Chongwe, police arrested a headman of Mulalika Village in Lwimba Ward and his five subordinates for allegedly illegally selling traditional land to an unsuspecting buyer on the pretext that they were authorized to do so by Senior Chieftainess Nkomeshya, whose signature they forged. This was confirmed by police spokesperson Esther Katongo, who said the six were in police custody awaiting further investigations (Daily Nation, 6/17/2020).

Kasama Central MP Kelvin Sampa said he did not grab any land from Senior Chief Mushili of the Lamba people in the Copperbelt as it already belonged to him and he had appropriate papers to that effect. Mr. Sampa added that he had engaged the traditional leader to remove all structures on the land, but he did not cooperate. He said this in reaction to a report that Senior Chief Mushili had asked President Lungu to help him get back his land that Mr. Sampa had grabbed from him (Daily Nation, 7/1/2020).

Some irregular allocations encroached on utility installations such as water lines. In Lusaka, fifty-eight properties were allegedly built on water and sanitation service installations of the Lusaka Water Supply and Sanitation Company (LWSC). LWSC Director of Operations, Wilson Shane said it was unfortunate that some council officials allocated land to members of the public without following procedure (Daily Mail, 9/22/2020). Applications for change of land use in Kitwe were rejected because they would contaminate groundwater. Kitwe City Council and Water Resource Management Authority (WARMA) rejected an application from 15 farm landowners in Mufuchani, to have their land subdivided into residential plots, for fear of subsequent contamination of groundwater. WARMA Director-General Kenneth Nyundu, said the area in question had no piped sewer system, implying that the change of use would prompt residents to put up septic tanks and soak-aways which would contaminate groundwater (Times of Zambia, 9/26/2020).

## 2.6 SUCCESSION WRANGLES AND TRADITIONAL CONFLICT

Despite efforts in 2019 to address succession wrangles among traditional leaders, the practice was observed in 2020 as well. Chief Kakumbi sued Senior Chief Nsefu, seeking a declaration that he was the reigning Chief Kakumbi of the Chikunda people of Mambwe in Eastern Province. Chief Kakumbi also sought an order of interim injunction directed at Senior Chief Nsefu to restrain him, his servants or agents or whosoever, from dethroning or attempting to dethrone him from the throne as Chief Kakumbi. The chief stated that Senior Chief Nsefu had informed him through a letter that he had been dethroned as Chief Kakumbi for alleged insubordination, violence, arson, and refusal to give consent to land by applicants, to which he said he had not been allowed by the Senior Chief to be heard (Daily Nation, 1/21/2020). Despite the case still being in the High Court, Senior Chief Nsefu announced that



As administrators of customary land chiefs have significant responsibilities for monitoring and approving land allocations within their chiefdoms, Time of Zambia, 4/23/2020



the person who would act as Chief Kakumbi following the removal of John Kunda Kapepa from the throne had already been appointed. Chief Nsefu stated that in 2000 he refused to install the dethroned chief on three occasions and that he was only convinced when chiefs invited Chieftainess Nyanje of the Nsenga people of Sinda. But the dethroned Chief Kakumbi maintained that his removal from the throne was null and void as the procedure to dethrone a chief was not followed and vowed to continue acting as chief (Daily Nation, 1/15/2020).

The battle deepened following the argument by Chief Kakumbi in the Lusaka High Court that the injunction against Senior Chief Nsefu could be tried and had not been overtaken by events (Daily Nation, 2/7/2020). The Lusaka High Court prohibited Senior Chief Nsefu from dethroning and replacing Chief Kakumbi (The Mast, 1/23/2020).

The disputed ascension to the throne by the University of Zambia Dean in the School of Veterinary Medicine, Professor King Nalubamba, as new chief of the Mbeza Royal Establishment (MRE) in Namwala District remained unresolved in 2020, with representatives of the MRE maintaining that Professor Nalubamba did not qualify to be selected and installed as chief. This is a case in which representatives of five out of the eight families that constitute the MRE, of the Ila people of Southern Province, challenged the selection and installation of Professor Nalubamba as the new chief. However, Professor Nalubamba argued that the plaintiffs did not represent members of the MRE but their interests (Daily Nation, 2/5/2020).

Succession disputes and other traditional conflicts were described as negatively affecting development by Minister of Justice Given Lubinda (Daily Mail, 1/23/2020) and Western Province Provincial Minister Nathaniel Mubukwanu (Daily Nation, 1/23/2020), who said that resources were being channeled towards dispute resolution. During the burial of the late Chief Nyamphande in Petauke, Mr. Lubinda said that Bill 10 would put a stop to succession wrangles once enacted into law as stipulated in Article 165 of the amended Constitution, and urged chiefs to encourage political parties to support the Bill because it was allegedly progressive (Daily Mail, 1/23/2020). Article 165 of the now failed Bill 10 sought to repeal Article 165 of the 2016 Constitution by providing for the resolution of succession disputes by the House of Chiefs if not resolved by the culture, customs, and traditions of the people concerned.

Other disputes related to chiefdom boundaries, such as the case in Siavonga where Chief Sikoongo and three others sued Chief Chipepo, Headman Chalokwa, and the Attorney General over ownership of Lusitu area. The four sought a declaration that Sikoongo Chiefdom extended to six wards, namely Sikoongo, Chirundu, Lusitu, Ng'ombe Ilede, Nanyanga, and Ibwe Munyama in Siavonga. The plaintiffs also sought a declaration that Chipepo Chiefdom extends over an area called Chipepo in Gwembe District and not over Lusitu. In delivering his judgment, High Court Judge Edward Musona refused to grant the declaration sought and said there was evidence that the people of Chipepo Chiefdom were forced by the colonial government to relocate to Lusitu in 1958, to pave the way for the construction of Kariba Dam. Judge Musona said that the area where Chief Chipepo currently exercised his jurisdiction was indeed Chipepo Chiefdom (Daily Nation, 8/17/2020).

Minister of Chiefs and Traditional Affairs Lawrence Sichalwe condemned chiefdom boundary wrangles as they scare potential investors away. Speaking when he visited Chief Shimbizhi and Chief Kaingu of Itezhi Tezhi District, who had been involved in boundary disputes for several years, the minister said the



Conflicts over chiefdom boundaries and succession within chiefdoms slow rural development, The Nation, 1/23/2020

government policy only recognized 1958 chiefdom maps and that topographical features of these maps had been enhanced with the view to solve chiefdom boundary wrangles (Daily Nation, 7/6/2020).

## **2.7 TRADITIONAL GOVERNANCE**

Traditional governance continues to complement state governance in many respects. As COVID-19 continued to disrupt social and economic activities around the country, traditional leaders were involved in sensitization campaigns in partnership with the government and non-governmental organisations. Senior Chief Nzamane of the Ngoni-speaking people of Eastern Province commended the government for the preventive measures that were put in place to stop the spread of COVID-19. The traditional leader appealed to his subjects to follow the health guidelines that were put in place by the government and urged the people not to engage in business activities with foreigners as doing so would spread the disease. He appealed to the 50 headpersons that attended the awareness meeting that was facilitated by the Chipata District COVID-19 Committee to ensure they sensitized their subjects about the pandemic (Times of Zambia, 4/8/2020). Also, House of Chiefs Chairperson Chief Kaputa said chiefdoms had committed to working with the government in the fight against COVID-19 pandemic through the United States Embassy's *Zambian Partners Against COVID-19* initiative. Chief Kaputa said with the support from the USAID DISCOVER-Health and Stop Gender-Based Violence projects, the initiative would equip traditional leaders with information and guidance, which they would share with their communities to stop the spread of COVID-19 (The Mast, 6/17/2020).

## 3.0 LAND ADMINISTRATION

### 3.1 LAND ADMINISTRATION SYSTEMS

The COVID-19 pandemic and the subsequent restrictions and guidelines developed to curb the spread of the virus exposed inadequacies in planning activities by local authorities. Cooper Chibomba, in an article in the Zambia Daily Mail, analysed the pandemic and how it relates to the need for proper urban planning. He wrote that the spread of COVID-19 was likely to be facilitated by the difficulty in observing social distancing, especially in the densely populated and poorly planned informal settlements, as people seek to access essentials such as water and as they move from one point to another using public transport. “We do know as city planners that adhering to planning standards set out in development plans such as observing minimum building setbacks, buffer zones, open spaces and urban forests, offer durable solutions to managing the spread of diseases. Effective COVID-19 response requires us to reclaim open spaces, parks and urban forests as areas of social distancing, quarantine and systematic decongestion,” he added (Daily Mail, 4/15/2020).

The redevelopment of urban spaces in a growing city like Lusaka is inevitable, and there has been an upsurge in infrastructure development projects in the city. However, with Minister of Lands Jean Kapata declaring that Lusaka has no greenfield land to allocate to developers, the LCC contemplated developing the old Chilenje Cemetery for commercial purposes and indicated that a full council meeting had resolved to build a wall fence around the cemetery. “As you know, you can only develop a cemetery after 100 years, and we still have 30 years (remaining), so we are looking for partners so that we clear it, but the decision will be made later regarding what activities will be taking place at the cemetery,” said LCC Public Relations Manager George Sichimba. In 2016, Chilenje residents had asked LCC to consider developing the cemetery into a commercial facility, but the local authority declined the request and advised that 100 years needed to elapse before venturing into any development on the land (Daily Nation, 9/5/2020).

Customary land administration systems across the country remain localized but offer opportunities for information sharing among chiefdoms. North-Western Province Permanent Secretary Willies Mangimela called on traditional leaders to improve customary land administration systems to ensure that they were more effective, transparent, and accountable as the majority of people in Zambia depend on customary land for their livelihoods through farming activities (Daily Nation, 8/26/2020).

### 3.2 LAND OFFERS

As observed in 2019, various councils across the country opened new areas and called for applications from the public for residential, commercial, and industrial development. Local authorities in Chisamba, Kalomo, Luanshya, Mpika, and Mungwi advertised land in their jurisdictions.

Land was also offered to marketeers in Luanshya, specifically Kalubilo marketeers in Kafue Ward Section 9 and 10 of Roan Constituency. Luanshya Mayor Nathan Chanda said the desire of his leadership and the local authority was that no one should be a squatter in the district. He commended the Luanshya Municipal Council for



Councils have been frequently criticized for improper procedures in allocating land, The Nation, 4/22/2020

their transparency in conducting interviews in the allocation of the said plots (Daily Nation, 1/24/2020). In the same vein, Kitwe City Council promised to start regularizing the ownership status of Kwacha Resettlement through the issuance of proper documentation which would start with demand notices at a fee of ZMW 3,000. Kitwe Mayor Christopher Kang'ombe said the residents had been given a six-month ultimatum as opposed to the 30-day one, to allow them to secure resources for this process after which letters of offer will be given to them to show ownership (Times of Zambia, 2/6/2020). In Chipata, Mayor Sinoya Mwale apologized to Chipata residents that were given offer letters by Chipata City Council but were not allocated land for many years and said the council would work hard to ensure that people are given land for construction purposes (Times of Zambia, 7/8/2020).

“The system of land alienation is not sufficiently regulated by adequate policy, laws and regulations to meet the needs of various stakeholders, and if the Ministry of Lands and Natural Resources did not regulate the system of land regulation, Zambia will have a shortage of land in the future,” said Mr. [Boyd] Moobwe. He also encouraged small scale farmers to secure their land with title deeds and appealed to government to review the agriculture and land policies accordingly.”  
“Ban selling of Land SAFADA appeals to government,” *Times of Zambia*, 18 August 2020

Following debate around Zambians in the diaspora accessing land in the country, the Association of Zambians in South Africa acquired over 150 hectares of land in Livingstone to be shared among 103 of its members. Association President Ferdinand Simanya said the land would be demarcated into different sizes for agriculture, commercial and residential use. And Zambia's High Commissioner to South Africa, Jackson Miti, who is also Association Patron, said the land empowerment programme would enable citizens in the diaspora to access the natural resource for investment in the various sectors of the economy and appealed to Zambians in that country to take advantage of the initiative (The Mast, 1/20/2020).

In customary areas, traditional leaders offered land for various purposes. For example, Chief Munkanta of the Chishinga people in Kawambwa District reserved 10 hectares of land for the construction of a youth training centre. The Chief said courses such as bricklaying, welding and plumbing were among those that would be introduced once the centre was in place. And the Presidential Empowerment Initiative Fund distributed block making machines and incubators to the youths in the area (Daily Mail, 1/24/2020). The Barotse Royal Establishment (BRE) allocated 2,650 hectares of land to farmers to be used for growing cashew trees in Nalolo and Senanga in Western Province. Chief Mudale said on behalf of the establishment that it had a keen interest in seeing the district develop especially through the Cashew Infrastructure Development Programme (CIDP). The chief said BRE partnered with the government to ensure that women were prioritized, as they were among the 530 farmers to be given land for the CIDP project (Daily Nation, 1/29/2020).

Local authorities also engaged other landowners, including private and customary landowners, to offer land for development projects. Chisamba Town Council Secretary Titus Goma said the local authority was engaging commercial farmers in the area to surrender part of their land so that the council could have enough space to expand townships and build the necessary social amenities as it pursues the municipality status. Mr. Goma said that one commercial farmer had thus far given the local authority five hectares, which would be used as a cemetery. The council was also given land by Chief Chamuka of the Lenje people, which was earmarked for district administration offices and Zambia Police offices (Times of Zambia, 10/07/2020).

However, some traditional leaders were reluctant to give authority for the conversion of their land to state land as provided for in the 1995 Land Act. Chalimbana University was reported to have experienced difficulties in processing title deeds for the land where the institution sits in Chongwe due to a lack of authority from the traditional leadership to go ahead. This was revealed during an inspection of the university by Ministry of Higher Education Permanent Secretary Kayula Siame in readiness for re-opening. The University Deputy Vice-Chancellor, Dr. Geoffrey Tambulukani, said due to the absence of

the title deed, private developers had refused to build student hostels and lecture theatres at the institution and that management had since asked the Ministry of Higher Education to help facilitate the acquisition of the title deed (Daily Mail, 6/16/2020). Chieftainess Nkomeshya is reported to be reluctant in approving the conversion of customary land.

### 3.3 TITLING

The inadequacy of data on land ownership in both state and customary areas has raised concern in various circles. Small-scale Farmers Development Agency (SAFADA) Director Boyd Moobwe appealed to the government to ban the sale of land in the country to allow for thorough investigations into its distribution and titling. Mr. Moobwe feared that if not checked, the small scale farmers would have no land to grow crops, and this might negatively affect the food security of Zambia (Times of Zambia, 8/18/2020). To address the dearth of statistical data on land ownership, various projects are currently being implemented on state and customary land. The National Land Titling Programme was launched by the Minister of Lands and Natural Resources, Jean Kapata, on October 28, 2020. The program, which was initiated in 2014 and piloted in Lusaka, aims to issue four million certificates of title by 2027. As part of the project, Chilanga Town Council gave 250 land occupancy titles to residents in the district. Chilanga Council Secretary Ms. Mumbi Chocho said the event was a moment of pride for the local authority as it was the first ever mapping, planning, and upgrading of unplanned settlements since the establishment of Chilanga as a district in 2012. She said the exercise would enable residents to have documents for their properties and attract services such as water, roads, and electricity, and also generate revenue for the local authority through rates and related fees (Times of Zambia, 9/12/2020).



The National Land Titling Programme moved forward through a partnership with Medici Land Governance, Times of Zambia, 10/29/2020

Similarly, Ministry of Local Government Permanent Secretary (PS) Ed Chomba said the government had started the upgrading process of informal settlements and that residents of Makululu Compound in Kabwe had started receiving occupancy licenses as part of the upgrade programme. Mr. Chomba indicated that the upgrade process included planning, infrastructure development, and land tenure improvement, and that the exercise would be extended to Lusaka's Chibolya, Kanyama, and Misisi Compounds. The PS stated that the upgrade of informal settlements was aimed at ensuring that residents had improved lives through access to decent services that included infrastructure, water and sanitation facilities (Daily Nation, 8/28/2020).

To increase the uptake of the project, LCC Public Relations Manager George Sichimba disclosed that the local authority has reduced regularization fees in unplanned settlements from ZMW 7,000 to ZMW 2,500 with the view to allow citizens afford to pay for their properties and obtain their occupancy licenses. He added that 300 occupancy licenses had not been collected from the council's Deeds Registry because the owners failed to pay the conditional regularization fee (Times of Zambia, 8/24/2020).

Plans to upgrade informal settlements continued with support from various partners. For example, the Romanian government was expected to pump in about US\$1 million to conduct a feasibility study on the possibility of upgrading unplanned settlements in Lusaka's Kanyama and Misisi Townships. Romanian Foreign Affairs Analysis Manager Any Ivan said that the project was aimed at improving the living standards of people in the two locations. Ms. Ivan said the two governments signed a memorandum of understanding (MoU) in 2018 and that the exercise was expected to begin in six months and would run

for 18 months, and assured that no one would be displaced during the planned study (Daily Nation, 9/7/2020).

Titling activities extended to land belonging to government institutions. Following the directive from Ministry of Lands and Natural Resources Minister Jean Kapata, the Kitwe City Council started actualizing the directive by numbering, surveying and titling of all relevant institutional land to avoid encroachment. Kitwe Mayor Christopher Kang'ombe, who confirmed this development, said the local authority had written to the Regional Surveyor at the Ministry of Lands in Ndola to assist in the commencement of the exercise (Daily Nation, 7/15/2020).

### 3.4 DECENTRALIZATION AND NEW DISTRICTS

Although the creation of new districts is aimed at devolving the functions of local authorities in service delivery across the country, some of the districts are still not functional. Two years after the creation of Chipangali in Eastern Province, the district is allegedly not fully functional. However, a full workforce has been put in place by the Local Government Commission, resulting in part of the ZMW 3 million allocated to the establishment of the district going towards salaries. Yet, Council Chairperson Million Phiri, said part of the ZMW 3 million allocation had been used to construct an office block at the cost of ZMW 400,000 and also to procure two vehicles and four motorbikes to be used for revenue collection (Daily Mail, 3/26/2020). Besides having a workforce and office premises, local authorities are also required by the Urban and Regional Planning Act No. 3 of 2015 (URP Act) to develop integrated development plans (IDPs) to guide their development projects.

IDPs are principle planning instruments to guide and inform all planning in an area. Out of the 117 districts countrywide, only fourteen IDPs are currently active. However, North-Western Province Minister Nathaniel Mubukwanu said the government had prioritized IDPs to guide development at the local level, adding that the URP Act prescribed that all districts should have IDPs to guide decision making. Speaking during the presentation of progress reports on the preparations of IDPs for Kabompo, Mufumbwe, Chavuma, and Manyinga Districts, Mr. Mubukwanu encouraged district commissioners and principal officers from local authorities to be actively involved in the development of IDPs as they would be held accountable for the success or failure of the plans (Daily Nation, 6/25/2020).

### 3.5 REVENUE COLLECTION AND OPERATIONS OF LOCAL AUTHORITIES



In the 2021 budget, the government allocated two percent of the total amount for public services to the Local Government Equalization Fund. The fund was established in 2015 to supplement local government revenues and has seen a 98 percent increase in the allocation since then. Local authorities continued with traditional revenue collection methods that included property rates and ground rent. Lusaka Mayor Miles Sampa and Lusaka Province Minister Bowman Lusambo implored the LCC to enhance its revenue collection efforts and be innovative in generating income. Mr. Lusambo regretted the local authority's dependence on the Equalization Fund (Daily Nation, 1/31/2020). In Luwingu District, President Edgar Lungu expressed happiness at the way Luwingu Town Council (LTC) was utilizing the funds to develop the district.

Land rates are the primary source of revenue generation for local councils, The Nation, 12 May 2020

LTC Public Relations Officer Tasila Banda said the president made the remarks after he visited Bama Market Shelter which was under rehabilitation using the Equalization Funds, and that the head of state

encouraged other local authorities to do the same as opposed to channeling the resources to clear staff salaries (Times of Zambia, 6/25/2020).

Kitwe City Council recorded 70 percent efficiency in its revenue collection in 2019 compared to the 64 percent recorded in 2018 according to Town Clerk Mbulo Seke. Mr. Mbulo said, “according to the 2019 valuation roll, the value of rateable properties in Kitwe now stands at K23 billion, but what is payable in K139 million,” said Mr. Seke. The town clerk said the variance in the value of the rateable property and what is payable in terms of rates was because some properties, including railways, churches, defense, and agriculture farms, were exempt from paying rates (Daily Mail, 2/10/2020).

### **3.6 COMPULSORY ACQUISITION**

One of the most discussed cases of compulsory acquisition in 2019 was that of Horizon Schools. In 2020, the Lusaka High Court stayed proceedings in a matter where Horizon Schools was seeking leave to apply for judicial review challenging President Edgar Lungu’s decision to compulsorily acquire the private institution’s properties in Lusaka’s Kabulonga area. Ms. Justice Gertrude Chawatama said the case would be stayed until Horizon Schools paid costs occasioned by the state under the discontinued cause no. 2019/hp/1867 in the Lusaka High Court (Daily Nation, 1/15/2020).

Another intriguing case of eminent domain that dominated newspaper headlines in 2019 was the three decade-old case involving Jonathan Van Blerk, who challenged the use to which his repossessed Baobab land was put. Previously, his challenge was dismissed by the Court of Appeals. The Mast newspaper published an opinion piece pointing out the absence of a substantive statement by the state to defend itself against the allegation that it used fraudulent misrepresentation to defeat Mr. Van Blerk. Mr. Van Blerk took the matter to court on the grounds that the state took part of the land at a time it was fully being utilized and that it was meant for the construction of housing units for civil servants that needed accommodation, a plan that was never fulfilled by the state. He believes the compulsory acquisition of the said land was made in bad faith (The Mast, 6/15/2020).

In a rather interesting twist, Mr. Van Blerk had also been fighting a number of attempts, including criminal trespass, aimed at incriminating him. According to the Mast (3/9/2020), these did not “yield the desired results as the Principal Resident Magistrate Malumani was not satisfied with any of the accusations against the accused due to lack of evidence.” Magistrate Malumani said it would be gross incompetence on his part to draw inferences of guilty on facts that were not adequately supported. He, therefore, declared Mr. Blerk not guilty of all the accusations (The Mast, 3/9/2020).

# 4.0 LAND-RELATED CONFLICT

## 4.1 LAND ALLOCATION DISPUTES



Land disputes threaten investment across the country, The Nation, 6/7/2020

Most of the conflict around land related to allocation disputes. Of the cases reported, a number concerned local authorities' allocation processes. In 2017, Minister of Lands and Natural Resources Jean Kapata announced that LCC had no land to allocate (12/17/2017, Lusaka Times). Three years later, the minister said she was surprised that LCC had continued allocating land in the city. The minister said she had written to the local authority three years prior, advising them to stop allocating land as there wasn't any left, but wondered where the local authority was finding land for allocation. Ms. Kapata said she expected the local authority to put its house in order, hence her decision to withdraw the land agency to pave the way for an audit (8/3/2020). Table I below highlights irregular land allocations.

**TABLE I. REPORTS OF IRREGULAR LAND ALLOCATIONS**

Source	Local Authority/District	Details	Resolution
Daily Nation, 8/19/2020 and 8/17/2020	Lusaka City Council	Land under electricity pole lines in Presidential Housing Initiative (PHI) allocated to a Chinese firm for the construction of a shopping mall. PHI Neighborhood Watch Committee member Ms. Jacqueline Chishimba narrated that LCC had earlier refused to sell the land in question to the residents for the construction of a youth centre citing its proximity to ZESCO power lines. Minister of Lands and Natural Resources Jean Kapata warned that any individual or firm that would be found wanting in the PHI land investigations, would be dealt with mercilessly. She added that it was illegal for LCC to allocate land that was under ZESCO powerlines.	LCC Town Clerk Alex Mwansa called for a meeting with residents who appealed against the allocation. LCC Public Relations Manager George Sichimba confirmed that the Chinese firm had the right to develop the land as they had title deeds from Ministry of Lands. Lands Minister Jean Kapata said the land reportedly belongs to Chainama Hospital, on which the PHI was allowed to build structures following extensive invasion by squatters.
Daily Mail, 1/21/2020	Choma Municipal Council	Choma Municipal Council demarcated over 300 plots on the 2,100 hectares state-owned Harmony farm. Minister of Fisheries and Livestock Nkandu Luo nullified the sale because her ministry did not sanction the transfer of the land in	Choma Mayor Javan Simooloka maintained that the sale was approved and that Cabinet office formally documented this approval.



		question and that procedures were not followed as a PS did not have the authority to approve such a transaction.	
Daily Mail, 6/11/2020	Mpongwe Municipal Council	Zambia Airports Corporation Limited (ZACL) and Ibenga Secondary School both claimed ownership of land in Mpongwe.	Copperbelt Minister Japhen Mwakalombe said the land that was under dispute between ZACL and Ibenga Secondary School in Mpongwe District belonged to Chieftainess Malembeka of the Lamba people.
Daily Nation, 7/3/2020	Kitwe City Council	A land wrangle erupted between St. Andrews Presbyterian Church in Kitwe's Parklands and Marblearch Investment Limited, a company that was constructing a block of flats near the Kitwe Stream.  The church claimed to have applied for the piece of land but were told it was a river bed. The church also said Marblearch claimed the land where the reverend's house sits and indicated that it would demolish it.	Kitwe Town Clerk Mbulo Seke said the church had encroached on the company's land and that the local authority could only mediate between the two parties.
Daily Nation, 7/17/2020	Kitwe City Council	Ministry of Local Government PS Bishop Chomba warned that all title deeds that were issued on land located near the Presidential Guest House in Kitwe would be cancelled as the area needed to be protected.	Unknown
Daily Nation, 8/6/2020	Kitwe City Council	A dispute erupted in Kitwe between residents of flats along Chandamali Road in Parklands and some suspected illegal land developers who were allegedly backed by two suspended councillors. The residents complained that the illegal developers had invaded the land between Mawlaik Barracks and Parklands Secondary School on the foot of the tailing dam, which could collapse as a result of the construction works.	Kitwe City Council denied allocating the land to anyone.
Daily Nation, 6/22/2020	Kitwe City Council	Some residents of Ndeke Township in Kitwe challenged their area Ward Councillor, Mr. Aaron Lungu, to explain why he allocated part of their land to a church when he knew that they had paid for it. They complained that Mr. Lungu gave part of their land to Upper Room	Unknown

		Ministries International Church without notifying them. They further complained that during the construction of the said church, its members uprooted the vegetables belonging to the residents which were a source of their income.	
The Mast, 7/3/2020 and Daily Nation, 7/3/2020	Lusaka City Council	A Lusaka resident, Aaron Mulope, sued Minister of Lands Jean Kapata in the Lusaka High Court for ordering the demolition of structures built on his land on the pretext that it belonged to her. Mr. Mulope claimed that Ms. Kapata obtained the title to the same land by using her authority as minister and asked the court to order an injunction restraining Kapata from further demolitions and that the title held by her be cancelled. In his application to the Lusaka High Court, Aaron Mulope said that in 2019, he executed a contract of sale in respect of a piece of land on stand number Chong/TLN674/167, which he offered to various individuals who had since developed structures. According to Mr. Mulope's, Ms. Kapata ordered residents of the said property to vacate as she claimed ownership of the land in question. He claimed that the title obtained by Ms. Kapata was a fraud and was intended to deprive the genuine occupants.	Unknown
Daily Mail, 6/21/2020	Kabwe Municipal Council	A land wrangle erupted between Kabwe Municipal Council and a group of people who claimed ownership of the land that was recently opened up and allocated to over 3,000 applicants by the local authority. This prevented the people who were officially awarded the plots from accessing them.	Kabwe Town Clerk Joel Shawa said the local authority was engaging the people in the affected areas through the area MP to ensure the process moved forward amicably.
Daily Mail, 7/20/2020	Kitwe City Council	A Lusaka man, Kennedy Kamba, sued the Kitwe City Council in the Lusaka High Court for allegedly allocating land that belonged to him and was already on title. Mr. Kamba asked the court to grant him an order to demolish all structures that had been erected on his land located in Kitwe's Nkana East. He	Unknown

		complained that it was illegal for the local authority to create new parcels of land where he already had a title deed.	
Daily Mail, 4/3/2020	Kawambwa	Peasant farmers in Chikanta Chiefdom in Kawambwa District are allegedly selling their cultivated land to private buyers for as low as ZMW 280 per lima. Chief Chikanta expressed concern over the development and warned farmers to stop the practice.	The traditional leader stated that he held a meeting with relevant government officials that included the police, and that a decision to start monitoring the small scale farmers was made. He further mentioned that stakeholders agreed to blacklist those farmers found selling their land from benefiting from the Farmer Input Support Programme and that the farmers had been advised accordingly.
Daily Nation, 8/11/2020	Chongwe	Illegal developers built houses on a road reserve in Chongwe's Ntandabale Ward.	Chongwe Council demolished the structures. Chongwe Mayor Geoffrey Chumbwe said that the local authority followed the required procedure and was within the law in the demolition exercise, adding that a notice was given to the illegal developers who chose to remain defiant. He revealed that the council was looking for an alternative trading place for marketeers that were affected by the demolition exercise.
Daily Nation, 7/13/2020	Lusaka	A family in Lusaka West was shocked to learn that the farmland where they had also built a primary school had been invaded by other people who demarcated it into plots. The family claimed that they had been paying ground rent and were up to date.	Ministry of Lands and Natural Resources Public Relations Officer Diniwe Zulu said the Ministry re-entered the land in May 2011 as it was allegedly idle. Ms. Zulu further stated that the property had also deteriorated, which was against the lease agreement and that the owner had neglected paying of ground rent which amounted to ZMW 254,133 as at September 2007.
Daily Nation, 1/10/2020	Lusaka City Council	Shumeite Investment commenced construction of a mall in Lusaka in 2017 without planning permission and against Zambia Environmental	

		Management Agency (ZEMA) conditions. LCC then issued an enforcement notice to demolish the illegal structure, but later allowed the construction to continue and even lifted the enforcement notice in 2019.	
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## 4.2 DISPLACEMENTS

Displacements occur for several reasons, sometimes arising from the illegal occupation of land or development projects. In addition to displacing people, such acts also lead to the demolition of structures on the affected land. According to newspaper reports in 2020, close to 3,000 structures were demolished. In Nakonde, of the 1,400 buildings (including residential, shops, and churches) earmarked for demolition following the invasion of the land by residents leading to increased criminal activities in the area (The Mast, 2/4/2020), over 600 shops were demolished for having been built on the borderline that separates Zambia and Tanzania (buffer zone) and was said to have contributed to increased smuggling activities at the border post. The demolition exercise followed a commitment that was made between President Edgar Lungu and his Tanzanian counterpart, John Magufuli, on October 5, 2019, to relocate all traders in the buffer zone (Daily Nation, 1/31/2020). Nakonde District Commissioner Field Simwinga said no compensation would be given to the affected people as they occupied the land illegally (The Mast, 2/4/2020).

In Copperbelt Province, over 600 households in Kitwe's Mindolo area had their houses demolished by MCM after the mine obtained a court order because they settled in the area illegally. Copperbelt Province Minister Japhen Mwakalombe said the government would work with relevant authorities to ensure that alternative land for the displaced families in Kitwe's Mindolo area was secured. Meanwhile, the Nkana MP and the Disaster Management and Mitigation Unit (DMMU) gave some relief to the affected families through the provision of cash, food, and tents (Daily Mail, 8/14/2020).

More than 50 structures were also demolished by Chingola Municipal Council in the Luano area following the illegal acquisition of land reserved for development by squatters. Chingola Mayor Titus Tembo said the exercise should signal a warning to would-be squatters, adding that the council would not tolerate lawlessness in the acquisition of land and that those affected would not be compensated (Times of Zambia, 9/23/2020).

Over 500 flood victims were expected to lose their houses after the government decided to demolish more than 500 houses on the banks of Kafue River in Kitwe. Kitwe Mayor Christopher Kang'ombe said the decision to demolish the houses was endorsed by various government offices that included the Provincial PS, Kitwe District Commissioner, and the DMMU. DMMU National Coordinator Chanda Kabwe said the decision to demolish the houses and relocate the victims was made in good faith as it was meant to save the people from perennial floods. Mr. Kabwe added that the government would provide cement and roofing sheets for the construction of the new houses (Daily Nation, 3/13/2020). Similarly, more than 200 houses constructed on river banks in Nakonde District collapsed following the bursting of the rivers. Nakonde District Commissioner Field Simwinga said most of the affected structures were built near water bodies that were usually waterlogged during the rainy season (Times of Zambia, 3/21/2020).

Vice President Inonge Wina undertook an aerial tour of flood-hit provinces and called on communities to follow professional guidelines when building houses for their permanent settlement and stop daring nature by building on the banks of water bodies (Times of Zambia, 4/18/2020).

Some displacements attracted court action in Mwembeshi when over 700 villagers sued the state and Franshoek Farm Limited for allegedly taking their land on which they claimed to have lived on for over 50 years and which had graves of their ancestors on it. The villagers asked the Lusaka High Court to cancel the title to the said land on the grounds of impropriety in its allocation. The villagers also stated that their search at the Patents and Companies Registration Agency revealed that the named company did not have a registered address; hence their resorting to the public media to serve court processes (Daily Nation, 4/27/2020). Also, five Lusaka residents sued the state and LCC in the Lusaka High Court seeking a declaration that they were the owners of the land on which houses that were demolished following the order by Lusaka Province Minister Bowman Lusambo on allegation of illegal acquisition, were sited. The five were also seeking compensation for the demolished structures, damages for mental stress and anguish and any other relief that the court may deem fit. They stated that they followed all the requirements of the law to acquire the land in Munali Ward 33 and that LCC did not advise the minister correctly (The Mast, 3/16/2020).

However, some clemency was extended to victims of demolitions in Siavonga when the District Commissioner, Lovemore Kanyama, directed the council to halt the demolition of illegal structures until after the rainy season, adding that the timing was inappropriate and that the government would not allow the affected residents to spend their nights in the cold during this season. He stated that any officer who would go against this directive would be punished. The council planned to demolish all illegal houses built in the district (Daily Mail, 2/5/2020).

Furthermore, the Court of Appeal ordered that the consent judgement entered between a Lusaka lawyer, Germano Kaulungombe, and Elizabeth Catherine Cooke and on behalf of 360 farmers from Lusaka West for the purchase of land, be executed as farmers risked losing their land on which they had invested for the past 27 years. The court directed that the 360 farmers should be allowed to purchase the land in question from the title deed holders at a price to be agreed. This is a case in which the farmers were squatting on the land, but after a series of court hearings, the parties agreed that the farmers be given an option of purchasing the land provided they paid the agreed costs and damages (Daily Nation, 7/6/2020).

### 4.3 ENCROACHMENTS

Incidences of encroachments were reported in various parts of the country and elicited either displacements or regularizations. Minister of Lands and Natural Resources Jean Kapata instructed councils to cancel illegal plots allocated on state land to curb encroachment and warned councilors involved in the illegal allocation of land on government property that they would face the wrath of the law regardless of their political affiliation (Daily Nation, 7/4/2020). Minister of Works and Supply Silvia Chalikosa said many government properties were not on title hence people found it easy to trespass/encroach on such properties. She said that the government was in the process of evaluating all of its properties to secure them through title deeds (Daily Mail, 8/3/2020).

Table 2 below presents the different encroachment incidents that were reported during the year.

**TABLE 2. REPORTED INCIDENCES OF ENCROACHMENT IN 2020**

Source	Case	Resolution
Times of Zambia, 10/01/2020; 6/25/2020, and Daily Mail	300 hectares of land belonging to MCM were encroached on by over 2,000 residents of Kitwe's Mugala area. KCC Town Clerk Mbulo Seke said people had a tendency of encroaching on other people's land and later cry foul to attract sympathy when their illegal structures are demolished. This followed a request from	Kitwe District Commissioner Chileshe Bweupe said the government would provide alternative land to squatters that were farming on land given to flood victims and residents whose houses were demolished by MCM in

	<p>the affected residents for the government to engage MCM to rescind its decision to demolish the illegal structures.</p>	<p>Luyando community, adding that they would no longer be called squatters as they would be given titles in the new location. Mr. Bweupe further stated that Zambia National Service officers were clearing the 15-hectare piece of land in Kafue Park where the flood victims and those whose houses were demolished would be relocated.</p>
<p>Daily Mail, 6/12/2020</p>	<p>Minister of Commerce, Trade and Industry Christopher Yaluma sued a group of people that allegedly encroached on his piece of land and built a car wash, shops, and other structures without his consent. Mr. Yaluma stated in his affidavit filed in the Lusaka High Court that he followed all the laid down land acquisition procedures through the local authority and was subsequently issued with a title deed to the land in question by the Ministry of Lands and Natural Resources. The minister stated that his attempt to engage the encroachers and his complaint to the police did not help, hence his resort to the High Court.</p>	<p>Unknown</p>
<p>Daily Nation, 8/7/2020</p>	<p>Isoka District Council Chairperson Charles Simukoko advised residents that built structures on land belonging to the Civil Aviation Authority (CAA) to stop immediately or risk having their structures demolished. He also appealed to the traditional leadership in Mwembe and Mwaiseni villages to stop allocating CAA land to residents for residential purposes, warning that they would be forced to compensate them for the 12 structures when they are demolished by the council.</p>	<p>Unknown</p>
<p>Daily Nation, 6/13/2020 and 8/11/2020</p>	<p>About 14 illegal developers allegedly encroached a piece of land belonging to the Zambia Railways Limited (ZRL) in Kitwe. It was suspected that the 14 developers were illegally allocated the land in question by some councilors from Kitwe City Council who were raising funds for their campaigns in the 2021 election. This development has been confirmed by ZRL and some councilors that were separately interviewed.</p>	<p>The illegal developers, that include a church, were written to by ZRL to stop the developments. KCC advised ZRL to find ways of securing its land in Kitwe's Mindolo and Garneton areas, adding that it was not the responsibility of the local authority to police private property, but that the owners had a duty to secure their land.</p>
<p>Times of Zambia, 4/14/2020</p>	<p>Brian Mwamba and Onias Siamulonga submitted to the Lusaka High Court that they legally purchased the Lilayi land from Step of Faith Investment Limited and had been making periodic payments as per their agreement with the company. This is a case in which the two, who were among 80, were dragged to court by</p>	<p>Unknown</p>

	the company for allegedly encroaching on its land. The company complained that it could not carry out any commercial activities on its land due to the encroachment.	
Daily Nation, 10/19/2020	The land belonging to the Catholic Diocese of Ndola where the church is constructing a secondary school in Bukulungwe Ward of Bwana Mkubwa Constituency was allegedly encroached.	This was confirmed by the Diocese Bishop Benjamin Phiri, who said the church opted to resolve the issue through dialogue as opposed to using litigation. A man only identified as Mr. Nswana was claiming ownership of the land in question, despite the church having title deeds. The church also engaged PF Copperbelt Province Chairman Nathan Chanda, who promised to look into the matter in collaboration with relevant authorities, including the town clerk, mayor, and Ndola City Council Director of Planning, to ensure the matter was resolved amicably.

Some encroachments led to the destruction of natural resources such as water bodies. For example, in Ndola, Kafubu River was allegedly polluted due to encroachments on the river bed. Water Development, Sanitation and Environmental Protection Minister Dr. Jonas Chanda directed WARMA, ZEMA, and Kafubu Water Supply and Sanitation Company to investigate the alleged encroachment. The minister wondered why the institutions and the Ndola City Council did not act to prevent the encroachment and subsequent pollution of the river as provided by the law. Dr. Chanda said the pollution of the river was unacceptable as it posed a health hazard to the people of Ndola and could cause various waterborne diseases. Meanwhile, Dr. Chanda mentioned that his ministry would soon come up with a statutory instrument that would protect all water resources and catchment areas (The Mast, 9/21/2020).

## 5.0 NATURAL RESOURCE MANAGEMENT

### 5.1 PROTECTION OF NATURAL RESOURCES

In 2019, details emerged of the degazetting of Forest Reserve No. 27 and the allocation of land to Chief Justice Ireen Mambilima, Minister of Lands Jean Kapata, and Communications and Transport Minister Mutotwe Kafwaya, among others. The controversial allocations led to numerous protests by different sections of society, the most lingering of which was that by the former Minister of Natural Resources William Harrington and environmental activist Robert Chimambo. The two requested Chief Justice Mabilima, who was implicated in the scandal, appoint a tribunal to investigate the allocations and investigate whether or not Ms. Kapata was in breach of Parliamentary and Ministerial Code Act when she acquired a small-holding plot in the de-gazetted part of Lusaka East Local Forest Reserve 27. This matter continued to make headlines in 2020 when the Deputy Chief Justice refused to appoint a tribunal to probe the alleged wrongdoing by Ms. Kapata. However, Mr. Harrington and Mr. Chimambo vowed to contest the Deputy Chief Justice's refusal to institute a tribunal (The Mast, 1/10/2020).

"We have finally sued the Attorney General for failure by the Deputy Chief Justice to appoint a tribunal to address the illegalities in Forest 27. So currently, we're awaiting the High Court to inform us when the matter can proceed in the courts. Once the proceedings start, that is when we shall fight to ensure the tribunal is appointed to look into Forest 27."

- Minister of Tourism William Harrington (quoted in "Harrington sues AG over Forest 27 tribunal," *The Nation*, 3/23/2020)

"I stand to complain about what has happened in Forest 27. We are the ones that initiated the degazetting of Forest 27 when we wrote an appointment letter to Honourable Jean Kapata, who in turn wrote to the Commissioner of Lands to look into the matter. The Commissioner quickly guided us and we have the letters we wrote," said one purported PF cadre. However, Lands Minister Jean Kapata, said she did not know the cadres and reported them to the police.

"Share Forest 27 fairly," *The Nation*, 3/13/2020

Mr. Harrington said he and Mr. Chimambo were determined to forge ahead in their quest to be heard on Forest Reserve 27 and had informed the Deputy Chief Justice on their intention to challenge his decision (The Mast, 1/20/2020). The two proceeded to sue the Attorney General.

However, Ms. Kapata said the de-gazetting of Forest 27 in Lusaka did not only benefit prominent people but ordinary ones as well. The Lands Minister added that the de-gazetting of the said forest was necessitated by the high demand for land and that there was still over 1,000 hectares of land left in the forest, contrary to allegations that all land had been allocated in the area. Ms. Kapata further stated that water sources had not been affected after de-gazetting of Forest 27 (Daily Nation, 7/7/2020).

Despite the controversy, buildings were erected on the land and there were reports of the "illegal structures being demolished by the Lusaka City Council" (Daily Nation, 3/26/2020). According to a source, the local authority gave a directive to ensure all illegal structures in the forest were demolished as ZEMA did not

approve any construction of structures in the area. However, purported political cadres who had been reported to the police by the government refused to move from their plots in Forest 27, claiming that they were the ones who identified the piece of land which had been shared among the elites to their exclusion. The debate around Forest 27 has quietened.

Despite the reported threats to natural resources due to human activities, some effort was made towards the protection of the environment. In Kitwe, the City Council objected to an application by Mufuchani farmers who wanted to change their farmland to residential use. KCC Water and Sanitation Coordinator Aaron Banda said the local authority would not change the use of land as requested by the farmers as this might compromise the quantity and quality of water resulting from residential developments in the area. WARMA Director General Kenneth Nyundu said his institution would work



with the local authority to educate the farmers in the area on the dangers of turning their land into residential (Daily Mail, 9/21/2020). Similarly, the Minister of Local Government, Charles Banda, warned local authorities against approving the change of land use from play parks or open spaces to any other use, and directed the demolition of any structures on such land as the procedure was not followed. Dr. Banda said action would be taken against any local authority or officials that would be found to have approved land-use changes (Daily Nation, 10/01/2020).

In a related matter, the Minister of Lands and Natural Resources, Jean Kapata, said the regulation of activities in wetlands is important as it preserves the ecosystems. Speaking during the commemoration of World Wetlands Day, Ms. Kapata said she was concerned with the increasing threats on wetlands that included the change of land use for agriculture, encroachment and unplanned settlement. She added that the government had already started the process of formulating a national policy on wetlands aimed at creating a conducive environment for stakeholders to contribute to the conservation of wetlands (Daily Nation, 2/5/2020). Some residents of Mwanachingwala Chiefdom in Mazabuka reportedly abandoned farming and opted for illegal sand mining in Magoye River, resulting into big gullies on the river banks and leaving it dry. As part of the World River Day commemorations, Minister of Water Development, Sanitation and Environmental Protection, Dr. Jonas Chanda, World Wide Fund for Nature (WWF), and the media visited Magoye and Kaleya Rivers to check on the extent of the degradation. Eight traditional leaders led by Headman Hanjuwa regretted the sand mining and damming by a local commercial farmer which allegedly contributed to the drying of Magoye River. WWF Country Director Nachilala Nkombo called on the government to be proactive in addressing the disaster caused by human activities (Daily Mail, 9/28/2020).



Concerns over degazetting and allocation of land within a Lusaka forest reserve was a frequent theme in the media in 2020, The Nation, 1/31/2020

Furthermore, Vice President Inonge Wina said the government would decisively deal with all illegal settlements and exploitation of natural resources in protected areas like national parks, adding that this would be done with the primary focus of preserving land for conservation and tourism. Ms. Wina said the action followed concerns and reports from traditional leaders and conservation groups who were alarmed at the increased encroachment and suspected illegal exploitation of natural resources. The Vice President directed the Ministry of Tourism and Arts to work closely with the private sector, philanthropists, cooperating partners, and Zambians to increase law enforcement activities in the country (Daily Mail, 12/31/2020).

Other activities aimed at the protection of wildlife and natural resources include the launch of a fundraising and awareness campaign on wildlife conservation by Gemfields, the majority shareholder in Kagem Mines, the Industrial Development Corporation, and Space for Grants, an international conservation charity which protects Africa's elephants and their landscapes. The campaign kicked off in August 2020, with Gemfields releasing two exclusive capsule collections for Net-A-Porter, an online luxury fashion retailer (Daily Mail, 9/28/2020). To mitigate against increased soil erosion, Eastern Province PS Buleti Nsemukila cautioned Chipata residents against cultivating and building structures on hillslopes. Dr. Nsemukila observed an increase in the number of people putting up illegal structures and conducting agricultural activities on hillslopes in the district, saying nearly all the hills in Chipata had been tampered with (Daily Mail, 1/7/2020).

Another project aimed at the protection of natural resources is the partnership between the CEC and the Forest Department to protect river sources in Copperbelt Province through a five-year program that aims to restore forests and river sources to their original state. This is given the destruction that

has been done to forests and river sources due to illegal activities that include cultivation and settlements. The program, which is expected to cost US\$35,000, will involve the restoration of degraded river sources and forestry reserves, afforestation of water catchment areas, establishment of indigenous seedlings bank, and environmental awareness programs that will target children at school (Times of Zambia, 7/15/2020).

Intrinsic in the protection of wildlife and natural resources are the economic benefits that accrue arising from tourism and other opportunities. Determining the stock and flow of natural resources is not only fundamental in ensuring that the full economic value of natural resources is realized, but that decision making around the use and conservation of natural resources is adequately informed. This can be achieved through natural capital accounting, which WWF Country Director Nachilala Nkombo said would reveal the full economic value of natural resources in Zambia and enhance economic decision making, by providing rich information on natural capital stocks and ecosystems. Ms. Nkombo appealed to the government to use this information in the making of policy and investment decisions, which would enable the attainment of related Sustainable Development Goals (SDGs) and conserve the natural resources in the country. Also, Ministry of National Development Planning PS Chola Chabala said Zambia heavily relied on natural and human capital for income generation, hence the need to appropriately manage natural capital (The Mast, 6/12/2020). The government projected to lose about US\$9 million in anticipated revenue from the safari hunting industry as a result of the COVID-19 pandemic (Daily Nation, 4/11/2020).

Related to income from natural resources were reports from Zambia's main forestry company, Zambia Forestry and Forest Industries Corporation (ZAFFICO), which recorded a significant increase in revenue valued at over ZMW 280 million in 2019 compared to about ZMW 240 million in 2018. This was attributed to the implementation of various programs and activities. The company was reported to have realized ZMW 144 million from the initial public offering, as part of its mobilization of resources for investment (Daily Mail, 3/18/2020). Key highlights under plantation activities in 2019 were the replanting of 2,222 hectares in Copperbelt Province and the establishment of 1,100 hectares of new exotic forest plantations spread over Luapula, Muchinga, Western, and North-Western Provinces. The company also shut down the production of forest products to pave the way for replanting on over 3,000 hectares of land. Interim Managing Director Manuel Mutale encouraged the public to plant trees in their different localities during the rainy season, adding that this was meant to mitigate the adverse effects of climate change (Daily Nation, 1/6/2020).

## **5.2 LAND FOR INVESTMENT**

As in previous years, land was allocated for various investment projects in different parts of the country. In Western Province, the BRE expressed keen interest in seeing Nalolo and Senanga Districts develop, especially through the Cashew Infrastructure Development Programme (CIDP). Litunga Lamboela said the land in Liangati Ward would be allocated to 530 farmers as a way of encouraging more agriculturists to engage in cashew farming. The BRE also expressed concern about the low numbers of women that had taken an interest in the project due to poverty and lack of access to land. Litunga Lamboela said the BRE, in partnership with the government, had been stimulated to ensure that women were prioritized in the issuance of land for use under the CIDP initiative (Daily Mail, 1/29/2020).

Additionally, following the allocation of 500 hectares of land by Senior Chief Kalilele to ZAFFICO, the company cleared about 20 hectares of the land for the establishment of a tree plantation in Mushindamo District of North-Western Province. Mushindamo District Commissioner Emmanuel Chihili said that President Edgar Lungu was scheduled to launch the project, which was expected to create about 1,000 jobs (The Mast, 1/30/2020).

However, some land allocations attracted mixed reactions from the public. For example, reports of ZESCO selling land located at Victoria Falls to a Chinese national, Ju Wenbin, for the construction of a ferris wheel was condemned by Chief Mukuni who said the government needed to provide full information on its dealings on the sale as this had the potential to negatively affect the diplomatic relationship with Zimbabwe, who also has a share of the falls (The Mast, 6/30/2020). Chief Mukuni also questioned the government’s decision to displace 22 ZESCO employees from the Victoria Falls land. The chief said the government intended to demolish the houses, churches, market and a bus station at the Victoria land, adding that Livingstone had a lot of land elsewhere that could be given to the developer other than the targeted area (The Mast, 6/5/2020).

“The Victoria Falls is a shared resource with Zimbabwe and more, it’s our only World Heritage Site. We need to preserve the site as guided by UNESCO. So I challenge President Lungu to tell the nation how much the PF or government got from Mr. Ju Wenbin.”

- Chief Mukuni of the Leya people in Southern Province (quoted in “Govt needs to come clean on Zesco land at Vic Falls – Mukuni.” The Mast, 6/30/2020)

The National Heritage Conservation Commission did not object to the land allocation but advised that since the area was under the Victoria Falls World Heritage Site, all activities and planned tourism facilities needed to conform to the United Nations Educational, Scientific, and Cultural Organisation (UNESCO) World Heritage Convention rules and regulations governing the area (The Mast, 6/17/2020).

Chief Chitambo of the Lala-speaking people in Central Province confirmed allocating land near Kasanka National Park to Tanzania’s Lake Petroleum Group for agricultural development despite opposition from activists who held that the farming activities were an immediate and severe threat to the integrity of the park. Chief Chitambo allegedly gave the company 15,000 hectares of land bordering the park, without the knowledge of the Department of National Parks and Wildlife (DNPW) or the local district council. The chief defended his move, arguing that he was doing it in the best interest of his subjects and that no one, not even DNPW, could stand in his way in the development of his area (The Mast, 3/19/2020).

### 5.3 WILDLIFE AND POACHING



Wildlife protection remains a major focus of cooperating partner investment, The Daily Mail, 9/28/2020

Wildlife continues to be threatened by poaching globally and across the country. WWF reports wildlife populations had fallen by more than two thirds in less than 50 years primarily due to human activity, raising concerns that the trend could get worse if nothing serious was done about it (The Mast, 11/09/2020). In Zambia, wildlife expert Isaiah Banda said the rate at which the natural resources were being depleted deserved a quick intervention if Zambia was to realize its SDGs on the global environment by 2030 (Daily Nation, 1/16/2020). Also, Zambia Community-Based Natural Resource Forum Chairperson Rodgers Lubilo said the country was under threat of illegal wildlife trade which was preventing the treasury from earning revenue through tax. He cited mukula and pangolin trophies as among the resources that were being illegally moved out of the country, adding that Zambia should safeguard its resources to boost the economy (The Mast, 3/19/2020). Further, Care for Nature Zambia Executive Director Nsama Kearns said there was a need

to invest in human capital and community services to reduce wildlife, forestry and fishery crimes. Ms. Kearns said every citizen had the right to use natural resources but also had the responsibility to ensure

that the same resources were conserved and preserved for future generations (Daily Nation, 1/28/2020).

Wildlife crimes were reported in Livingstone where the Magistrate Court sentenced a Lusaka businessman, Gift Miyanda, to five years imprisonment for illegal possession of ivory. Mr. Miyanda sent his driver, Makombe, to deliver 26 pieces of ivory in Livingstone without a certificate of ownership from the Zambia Wildlife Authority. However, Makombe, the driver, was acquitted as he was found innocent after claiming that he did not know what he was carrying as the ivory was concealed (Daily Mail, 2/6/2020). A former wildlife police officer, Lovemore Nkhowani, was sentenced to seven years imprisonment for illegal possession of elephant ivory, which was suspected of having been illegally harvested from West Musalangu Game Management Area (GMA) (Daily Nation, 6/18/2020).

Legal hunting was promoted through the issuance of over 150 licenses for the season from September to December. The 150 were issued from over 1,600 applicants through a raffle draw (Daily Mail, 10/15/2020).

Other efforts to curb illegal hunting and poaching and preserve wildlife were made through numerous partnerships. For example, an MoU was signed between the Zambian government and the United Kingdom (UK) that would see the UK forces train, mentor, and supervise Zambia's security, defense, and forest officers. British High Commissioner to Zambia Nicholas Woolley said there was a need to support and protect those on the frontline of anti-poaching efforts. Zambia's Defense Minister, Davies Chama, said the agreement would allow Zambia to benefit from the latest technology to avert poaching, as poachers can gather intelligence information using information and communication technology (Daily Mail, 7/4/2020).

The British government also partnered with the Zambian government in wildlife conservation through the construction of a Conservation Education Centre at the Lusaka South Park (Daily Mail, 9/22/2020). Tourism and Arts Minister Ronald Chitotela asked the UK and other influential countries to help negotiate for a partial lifting of the ban on ivory trade to allow Zambia and other countries with a stockpile of the commodity to dispose of it. Mr. Chitotela said Zambia had over 42 tons of ivory in its warehouses which, if sold, would help uplift the lives of many Zambians. Ivory sales currently require approval from the international community through the Convention on International Trade in Endangered Species of Fauna or Flora (Daily Nation, 3/21/2020). Across the southern border, Botswana allegedly sold the rights to shoot 60 elephants for US\$43,000 per animal in the first auction after it lifted its ban in 2019, angering conservation activists. The country has the largest elephant population in the world, with about 130,000 of the giant mammals roaming its swamps and savanna. The country's Tourism Spokesperson Alice Mmolawa declined to comment on the matter and referred all queries to the government (Daily Nation, 2/11/2020).

In a related development, an MoU aimed at combating poaching and other wildlife crimes in Zambia was signed between the United States and Zambia. Minister of Tourism and Arts Ronald Chitotela, who expressed regret at the high level of illegal offtake and trade in wildlife products, said there was a need for closer cooperation in devising strategies and protocols, training, intelligence and resource interventions aimed at curtailing the illegal trade, hence the MoU between the two countries. The US pledged US\$30,000 for conservation programmes for three years and committed to supporting the DNPW through training of Wildlife Police Officers (Daily Mail, 9/28/2020).

Another MoU was signed between DNPW and Kalumbila Minerals Limited (KML) in 2014. Arising from this MoU, over 150 illegal firearms were confiscated from poachers and more than 15,000 wire snares removed from West Lunga GMA in North-Western Province. KML Wildlife Conservation Coordinator Dorian Tilbury said during the donation of 100 impalas to Ntambu Community Game Reserve in Chief Ntambu of Mwinilunga that the initiative was aimed at providing legal bush meat that would help meet the high demand for the product in Ntambu and surrounding areas and appealed for the replication of

the model to other national parks and GMAs around the country. DNPW Principal Warden Lusizi Mwale said the Ministry of Tourism and Arts was promoting the initiative of forming community game ranches to reduce pressure on national parks and GMAs for game meat (Daily Mail, 9/28/2020). The Minister of Tourism and Arts, Ronald Chitotela, also said the government was committed to releasing money to communities in hunting areas because they play a crucial role in tourism development, adding that ZMW 19.8 million that was owed to these communities would be released (Daily Mail, 2/21/2020).

However, Mr. Chitotela said he would not recognize any community resource boards (CRBs) that did not work with and involve the local communities in their activities. He emphasized that the CRBs were there to represent communities in the management of Zambia's natural resources. He also directed DNPW to facilitate elections for all CRBs (Daily Nation, 8/26/2020). The participation of communities in the conservation of natural resources is vital for efforts to be effective. For example, DNPW in partnership with Breeding Impulse and Agri-serve Zambia and in consultation with key stakeholders that included community members and their traditional leaders in Mboroma, Chembe, Mboshya, Chamuka, Mphanshya, and Shikabeta Chiefdoms, developed a general management plan for Luano Game Management Area. DNPW Director Paul Zyambo said the plan aimed to ensure inclusive participation of the community in the preservation and management of wildlife in the Luano GMA. An assessment of the GMA by DNPW revealed that most of the natural resources, which include forests, woodlands, grasslands, 19 species of mammals, 42 species of birds, and a number of reptiles, amphibians, and invertebrates, were still in good condition. The GMA is also endowed with a hydrological system of rivers and streams that include Lunsemfwa, Lukusashi and Luangwa Rivers (Daily Mail, 1/29/2020).

However, the relocating of animals from national parks elicited concerns from traditional leaders and local communities. Chief Mukungule of Mpika District expressed anger at DNPW for relocating animals from North Luangwa National Park without engaging the local community and its leadership. Minister of Tourism and Art Ronald Chitotela said the relocation of animals was a necessary program, but that the department needed to involve the local leadership and community accordingly (Daily Nation, 9/1/2020). Similarly, following public concern on the relocation of 35 buffalos from South Luangwa National Park to Mbizi Game Ranch in Petauke, Ministry of Tourism and Arts Spokesperson Sakabilo Kalembwe said the exercise was normal and that there was nothing sinister about it as it was in line with the Seventh National Development Plan to ensure depleted areas were restocked accordingly. He said the exercise was meant to restock animals in the private game ranch, which was in line with government policy to promote tourism and that the exercise started last year. Concerns were raised from wildlife conservationists and members of the public who wondered how tourism would be promoted when animals were reducing in numbers due to translocation. Some members of the public raised concerns that the government may be illegally selling the animals to private individuals/facilities (The Mast, 9/15/2020).

### 5.3.1 HUMAN-ANIMAL CONFLICT

Conflicts between humans and animals were reported in Chama District and Nabwalya community. In Chama, elephants were reported to be destroying crop fields, and four people were reportedly killed by wild animals. Members of Nabwalya community, which lies between South Luangwa National Park, North Luangwa National Park, and Munyamadzi GMA, complained of the high number of elephants in their area that continued to eat/destroy their crops and kill members of the community. Some community members spoken to wondered why there was no compensation to families that lost their loved ones through elephant attacks and said that animals were more valued than human beings in the area. They appealed to DNPW to look into their plight (Daily Mail, 4/25/2020).

Chama District Commissioner Leonard Ngoma assured the community that DNPW was doing everything possible to ensure the community members were given enough gunpowder to scare off the animals (Times of Zambia, 10/02/2020). Forum for Democracy and Development Acting Spokesperson

Yotam Mtayachalo called on the Ministry of Tourism and Arts to crop elephants in the district (Times of Zambia, 4/13/2020).

DNPW, Livingstone Tourism Association, and Conservation and Tourism Association jointly expressed concern that the conflict between elephants and the human population was sending a wrong signal to international tourists on how Zambians treat one of the nation's most important natural resources. They appealed to the local communities to stop attacking the animals for no reason. They said this would result in loss of life as the said animals were dangerous if provoked. The local population was encouraged to co-exist with the wild animals as they were necessary for tourism. The group embarked on sensitization of the surrounding communities (Times of Zambia, 10/07/2020).

## 5.4 DEFORESTATION AND CHARCOAL PRODUCTION

### 5.4.1 TIMBER TRADE

In 2019, one of the highest reported cases of illegal timber trade was the “mukula cartel” that implicated the President, his daughter Tasila Lungu, Justice Minister Given Lubinda, Minister of Lands Jean Kapata, and Chief Nkula in the illegal trade of mukula logs. A report by the Washington DC-based Environmental Investigative Agency (EIA) alleged that the cartel had been illegally exporting mukula logs.

In 2020, Tasila Lungu, Jean Kapata, and Given Lubinda sued News Diggers Media Limited, one of its reporters, Mukosha Funga, and EIA in the Lusaka High Court. The trio sought damages for libel for linking them to the illegal sell of mukula logs and an interim and permanent injunction restraining News Diggers Newspaper and EIA from publishing similar libelous and malicious articles and opinions relating to them until the determination of the case (Daily Nation, 1/15/2020). News Diggers and EIA asked the court to dismiss the matter, but the High Court rejected the application and instead asked them to file a defense within 14 days, to which they failed to comply (Daily Nation, 3/21/2020). Following the failure of News Diggers Newspaper and EIA to file a defense and make an appearance in the defamation claims, the trio asked the court to enter a default judgement in their favor (Times of Zambia, 3/21/2020). The EIA filed an application on the Court of Appeal challenging the High Court's refusal to dismiss the case for alleged irregularities (Daily Nation, 8/6/2020). The High Court has since stayed the proceedings pending the appeal.

However, Zambia Revenue Authority Commissioner General Kingsley Chanda said there was no evidence indicating that President Edgar Lungu and his daughter Tasila Lungu were involved in the smuggling of mukula logs. Mr. Chanda, however, confirmed that the government had been exporting mukula logs that were impounded from some suspected smugglers, adding that this was a cabinet decision taken to ensure that the trees that were cut before the ban did not go to waste (Daily Nation, 1/8/2020). Corroborating Mr. Chanda's claims, a government report allegedly cleared those implicated in illegal mukula trade, saying the government was “not aware of any senior government official or indeed their relations, that are involved in illegal dealings of the Mukula tree species” (Daily Nation, 6/21/2020).

Following the ban on the export of mukula logs and its confiscation, over 3,300 logs were reported to be lying idle at Isoka District Commissioner Evenwell Mutambo's office. Mr. Mutambo said he was



Allegations over the trade in mukula logs made national headlines, The Nation, 6/21/2020

worried about the logs as they had been there for over three years and that ZAFFICO was quiet over the matter (Daily Nation, 1/16/2020). In addition, three trucks loaded with illegally harvested rosewood timber were seized during a joint operation by Zambia Police and Forestry Department of Western Province in Lukulu District. Lukulu District Forestry Officer Dominic Makole advised the timber traders to acquire concession licenses and follow the laid down procedures before engaging in timber trading. The seized trucks were handed over to the courts of law for disposal as required by the law (Daily Nation, 6/17/2020).

Timber traders were reported to be targeting species such as mupapa and mukula trees for timber production in the Luano Valley. Former Luano Vice District Council Chairperson Benford Katiti said the government should protect forests to preserve the remaining species of trees, adding that the high rate of deforestation in the area would turn the valley into a desert if not controlled (Daily Nation, 1/21/2020). It was alleged that the timber traders were from Lusaka and Copperbelt Provinces, to the dissatisfaction of the local community members. Former Luano Vice Council Chairperson Benford Katiti appealed to the government to put in place tight measures that would control the illegal harvesting of the precious species in the area, adding that the practice had the potential to negatively affect the rainfall pattern in Luano Valley (Daily Nation, 6/23/2020).

Also, some farmers in Sioma expressed concern over the increasing number of timber traders who were indiscriminately cutting down trees in the area. A lead farmer under conservation agriculture, Sipalo Mubita, said there was an increase in people (mostly Chinese) dealing in timber business who were cutting down trees, which was contrary to what villagers in the area were taught by WWF. He said more than 3,500 farmers in Sioma were practicing conservation agriculture but regretted that their efforts were being watered down by the said businessmen. He appealed to the government to put in place measures that would ensure a balance between timber business and allowing conservation agriculture to continue by the farmers (Daily Nation, 1/17/2020). In a similar report, some residents of Mulobezi District in Western Province complained over the rampant timber harvesting by mostly foreign nationals (Chinese), who come through the local traditional leaders (indunas and headpersons). The concerned residents appealed to the government to move in quickly and address the situation as they feared that the district would soon be turned into a desert if the situation was not kept in check. The residents indicated that it was difficult (against Lozi culture) to challenge their traditional leaders involved, hence their appeal for government's intervention (Daily Nation, 6/19/2020).

Legal trade in timber is possible for those with concession licenses. However, President Lungu indicated that cancelling of concessions and licenses was a possible immediate action to curb deforestation that had reached worrying levels in Western, Eastern, and Southern Provinces as evidenced in the preliminary forest status report by the Ministry of Lands and Natural Resources. The president expected the traditional leadership to support the planned move by the government (Times of Zambia, 7/15/2020).

In a positive development, according to a status report by the Ministry of Lands and Natural Resources, over ZMW 2 million was raised by the state through inspection and escort fees on the mukula logs transiting through Zambia from the Democratic Republic of Congo (DRC). In 2018, the government entered into a deal with the DRC to allow the transitioning of mukula logs from that country under the escort of the Zambian authorities (Daily Nation, 6/27/2020). However, Minister of Lands and Natural Resources Jean Kapata said the government would not lift the ban on mukula trade in Zambia until appropriate measures were put in place to ensure that the export of the logs benefit the communities hosting the species and the nation at large. She added that once the ban is lifted through cabinet approval, trade in mukula would be managed by the government through the Industrial Development Corporation, which would ensure that proceeds benefit the whole nation as opposed to a few individuals (Daily Nation, 9/5/2020).

ZAFFICO planned to conduct a forestry plantation inventory to determine the availability of wood quantities and stocking levels. This exercise would cover all exotic plantations in Muchinga, Luapula, Northern, and North-Western Provinces. Information from this exercise would be used to formulate medium-term forest management plans and annual wood harvesting schedules, among others (Times of Zambia, 4/23/2020). To complement the plantation inventory, Water, Sanitation and Environmental Protection Minister Dennis Wanchinga said his ministry was developing a project to create economic and social benefits through forestry restoration in the country. Dr. Wanchinga said the project would be implemented under the sustainability, stability and security initiative with support from the United Nations Convention to Combat Desertification. He said the initiative aimed at creating two million green jobs for vulnerable groups through investment in restoration and sustainable land management of 10 million hectares of degraded land by 2025 (Times of Zambia, 1/31/2020).

#### 5.4.2 CHARCOAL PRODUCTION

Fuelling many homes' energy needs, charcoal remains an essential commodity in many Zambian homes despite its threat to forests. Pemba District Commissioner Reginald Mugoba expressed concern at the rampant cutting of trees for charcoal production in the district. Mr. Mugoba stated that the district had good rains and people had enough harvest for both consumption and sale and that the practice was unjustifiable. He appealed to the chiefs in the district to help the government in sensitizing their subjects on the dangers of deforestation, warning that if this was not done, the district risked having low rainfall which would result in suffering by both people and animals (Daily Nation, 8/10/2020).

To address the challenges of unregulated charcoal production, Indaba Agricultural Policy Research Institute Executive Director Chance Kabaghe said Zambia should enact an energy bill that would regulate charcoal production in a bid to address the effects of climate change. Appearing before a Parliamentary Committee on Agriculture, Lands, and Natural Resources, Mr. Kabaghe said policy provisions such as community forest management and sustainable charcoal production were yet to be implemented at full scale in Zambia. He called for more funding to the forest department for monitoring purposes and further advised farmers to start practicing sustainable climate-smart agriculture to mitigate the effects of climate change (Daily Mail, 1/24/2020).

On the ground, Bio-Carbon Partners (BCP) partnered with some rural communities in Zambia to address deforestation in areas that are rich with wildlife. This is the case for Rufunsa District, where BCP partnered with communities through the CRBs, in Shikabeta, Mphashya, and Bunda Bunda communities. This partnership enabled the CRBs to raise funds through conservation fees (up to ZMW 161,000 per year) and sale of carbon credits (of up to ZMW 5 million after two years in the case of Shikabeta), which has been used to support various social-economic development projects in their communities (Times of Zambia, 4/6/2020). The Luangwa Community Forests Project and the Lower Zambezi REDD+ Project facilitated by BCP in partnership with communities, the Forest Department, and DNPW have resulted in direct monetization of forest resources amounting to ZMW 50 million (Daily Mail, 9/21/2020). Twelve communities in the Luangwa Valley are reportedly benefiting from the project (The Mast, 9/14/2020).

In a similar project, the government handed over ZMW 65.5 million to 23 cooperatives in Eastern Province in its effort to promote agriculture, wildlife and forestry under the Zambia Integrated Forest Landscape Project (ZIFL-P). During the handover, which was done by Vice President Inonge Wina, Minister of National Development Planning Alexander Chiteme appealed to traditional leaders to encourage their subjects to form cooperatives that would enable them to access the funds. Chief Madzimawe expressed happiness at the development and thanked the government for putting in place measures that address environmental challenges which threaten food security (Daily Mail, 10/20/2020).



ZIFL-P National Project Coordinator, Dr. Tasila Banda said the project had contributed to Zambia's development aspirations as contained in the Seventh National Development Plan, particularly development outcome on climate change under the poverty and vulnerability reduction pillar. She added that the ZIFL-P, which was an initiative supported by the government in partnership with the World Bank, also contributes to the following SDGs" SDG 1 – no poverty; SDG 2 – zero hunger; SDG 5 – gender equality; SDG 7 – affordable and clean energy; SDG 13 – climate action; and SDG 15 – life on land (Times of Zambia, 4/20/2020).

“To ensure reduction in the loss of trees, the project spent time through the department of energy to disseminate information on the use of improved cook-stoves in the villages,” said Dr. Banda. Training of District Multi-Sectoral Teams and local authority officers in Participatory Land Use Planning was one of the key activities, among others, that the ZIFLP project undertook.”

*“Forest landscape initiatives ticks,” Times of Zambia, 4/20/2020*

Another community-focused project is carried out by Community Markets for Conservation (COMACO), which partnered with the American retailer Sharing Our Best to start exporting local products that include peanut butter, honey, rice, beans and dried mushrooms. COMACO Communications Specialist Peter Banda said the profits from sales would be directed to the firm's linked cooperatives for their locally prioritized investments. “The initial order is about US\$30,000. The goal is to have this as a monthly shipment. We hope that the benefits will trickle down to all of the farmers we're supporting as we scale up the export to the US,” said Mr. Banda (Daily Mail, 9/11/2020).

### 5.4.3 TREE PLANTING ACTIVITIES

Various infrastructure development projects are underway across the country. The effects of these projects are the clearing of land that has led to the cutting down of trees for road expansions or commercial development projects. To mitigate the impact of these developments on the environment, tree planting exercises have been undertaken in various parts of the country.

Contractors engaged to work on the Great North Road, from Chinsali to Nakonde Districts, started planting trees in collaboration with two local organizations. China State Engineering Corporation working on the Chinsali-Isoka Stretch (Lot 1) was collaborating with Imiti Ikula Empanga, while China Railway Seventh Group working on the Isoka-Nakonde stretch (Lot 2), partnered with Vicili Vikwiza to plant trees as part of their corporate social responsibility. A total of 17,000 pine trees, beyond the target of 10,000 trees, were planted by the organizations, working with the local community members to empower them economically. The organizations planned to train and continue working with community members for them to have personal and community wood lots (Times of Zambia, 7/15/2020). The Minister of Lands and Natural Resources, Jean Kapata, launched community planting trees and establishment of plant nurseries in Mandevu township in Lusaka. Ms. Kapata said a lack of education and awareness on the causes of climate change had contributed to deforestation. Savanna Zambia Executive Director Nkole Mwamba said his organization would strengthen community neighborhoods in collaboration with Ministry of Lands and other partners in protecting the environment (Daily Nation, 10/16/2020).

## 5.5 MINING

Reports in 2019 indicated that there were high levels of illegal mining activities in various parts of the country. Given the discovery of gold deposits in almost all the 16 districts in Eastern Province, there has been an increase in illegal mining activities in the area. According to a report, Eastern Province Provincial PS Buleti Nsemukila said the provincial administration had developed resource maps which showed that

there were gold deposits in most parts of the region. Dr. Nsemukila said the resource maps would help market the province during expos in the province (Daily Mail, 2/21/2020.)

Despite commitments by the government and traditional leaders to curb these activities, they continued in 2020, especially in customary areas. Chief Chanje of the Chewa people in Chipata District directed his subjects to effect a citizen's arrest on foreigners found extracting minerals at gold sites in his area. The chief said the invasion of gold sites by Malawian and Mozambicans was upsetting and urged serious government intervention. Chief Chikwanda of Mpika District called on the Ministry of Defence to get involved in the protection of gold sites, adding that foreign miners were taking advantage of the porous and corrupt police deployed at the sites. The chief said the law of the land should be enforced to stop illegal mining of gold by foreigners (Daily Nation, 1/16/2020). Senior Chief Mboroma advised the government to kick out suspected Tanzanians and other foreign nationals that were illegally mining alluvial gold and engaging in timber (Mukwa and Mupapa) trade in Luano Valley and other areas in his chiefdom. He said that the government was losing colossal sums of money because of the illegal activities that exploited resources meant for Zambians. The chief said he wanted genuine investors with proper documentation that would create employment for his people (The Mast, 2/15/2020).

In Eastern Province, Chief Sandwe of the Nsenga people of Lusangazi District said illegal mining was still rampant in his chiefdom. The traditional leaders said that the government, through Vice President Inonge Wina, had promised that it would legalize mining in his area and that people needed to form cooperatives, but nothing much had happened since then. He called on the government to speed up developmental projects in the district so that it catches up with other newly created districts (The Mast, 1/10/2020).

Chief Mpuka of Luangwa District warned that minerals in Lower Zambezi National Park would be depleted because of illegal mining activities, adding that selfish individuals were benefitting at the expense of Zambians. The chief appealed to President Lungu to give a go-ahead to legal mining operations in the area so that his people and the country at large could benefit (Daily Nation, 1/21/2020). Chief Katyetye of Isoka halted operations at Nkombwa Mine until he was given an explanation on how the mine, previously owned by locals, had been sold to a Chinese firm. The chief said he felt undermined that the Ministry of Mines facilitated the transfer of ownership without consulting the traditional leadership in the area. "We have been complaining that explorations at Nkombwa Mine had taken long, especially with reports that the firm doing explorations was taking minerals. And now we have just heard that it was sold to a Chinese firm without even notifying us," lamented the chief. He vowed that no mining would take place at Nkombwa if the traditional leadership is not engaged (Daily Nation, 1/29/2020).

As reported in 2019, Ministry of Mines and Minerals Development PS Barnaby Mulenga confirmed that over 800 inactive mining licences were cancelled and that 874 more would be cancelled in the next 30 days if holders did not exculpate themselves. He said the government was grabbing the licenses from those holding them for speculative purposes and would give licenses to others that had the capacity to develop so that the country can benefit through taxes (Daily Nation, 1/20/2020).

Some of those involved in illegal mining were convicted; two men in Rufunsa District were sentenced to one month imprisonment each, for trespassing in the Lower Zambezi National Park. The pair, who were arrested by the wildlife officers during their patrols, admitted the charge and stated that they were mining gold in the park (Daily Nation, 8/18/2020).

Although the gold rush that Zambia is experiencing is an opportunity for boosting Zambia's foreign currency through exports, it was ripe for corruption and illegal activities due to a lack of a clear framework for meaningful citizen participation in the mining, according to an article in the Daily Nation (1/6/2020). "It appears Government was not prepared for the pleasant discoveries and is sluggishly trying to come up with a direction on how the gold will be mined, by who, where it will be sold and who will sell it," read the article in part. The article suggests that the Ministry of Mines and Minerals

Development should work with other stakeholders in reviewing the legal framework to ensure it is not restricting to the ordinary person to participate in mining, as the case is in Tanzania.

## 6.0 CONCLUSION

There has been recorded progress in the management of land and natural resources in Zambia. The improvement of tenure security through the National Land Titling Program and several other customary land documentation projects are indicative of the steps being taken to secure land rights. Significant progress has also been recorded through the approval of the draft National Land Policy, which has been under formulation for several years, by the House of Chiefs. Although the draft policy is still under consideration by Cabinet, consensus on the administration of customary land by chiefs by removing the term “traditional rulers,” which was perceived to be ambiguous, shows that the engagement of all stakeholders in policy formulation is cardinal in gaining the confidence of all actors and having their interests heard in the process. However, the protection of women’s land rights is still threatened by cultural practices that prevent women from inheriting land or losing their rights once married or divorced. Developments such as the Ministry of Gender’s Strategic Plan and Balanced Scorecard that aim to address imbalances in gender rights, not only in land rights, provide an opportunity for addressing these inequalities.

During the year, state and customary leadership continued to collaborate on several projects. Traditional leaders offered land for various development projects, for example, the Barotse Royal Establishment offered land for the Cashew Infrastructure Development Project in Lukulu District, and Chief Chamuka offered land to the Chisamba Town Council for various development projects. Despite these collaborations in land allocations, disputes were reported in both state and customary land administration. Illegal allocations by local authorities led to the suspension of the Kitwe City Council and the Lusaka City Council. Subsequent investigations revealed that councilors and other council officials are able to circumvent and personalize land allocation processes. In addition to punitive measures such as the suspension of those found to have been involved in illegal allocations, the development of more robust policies and institutional processes in land allocation is required in both state and customary administration systems.

Several projects aimed at the protection of natural resources, including forests and wildlife, were undertaken in collaboration with various partners. MoUs were signed with the governments of the United Kingdom and United States, aimed at improving the human and institutional capacities of actors in the natural resource management sector. However, threats such as the logging of trees for illegal export and charcoal production continue despite sensitization activities on deforestation and the conservation of forests.

This summary shows that although the news media identifies a broad range of projects, advancements and challenges related to land and natural resource administration and governance, many of the cases either linger over years, or their resolution and broader impacts are not necessarily broadly publicized. Additional investment by Zambian government, civil society and academia could help to follow these cases and dig into the conditions that support successful resource governance in Zambia.

**U.S. Agency for International Development**

1300 Pennsylvania Avenue, NW

Washington, DC 20523

Tel: (202) 712-0000

Fax: (202) 216-3524

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