

Confidential



**MINISTRY OF WATER DEVELOPMENT SANITATION AND
ENVIRONMENTAL PROTECTION**

**MINISTERIAL STATEMENT ON POLLUTION OF WATER
SOURCES AS A RESULT OF MINING ACTIVITIES DELIVERED
BY THE HONOURABLE MINISTER OF WATER DEVELOPMENT,
SANITATION AND ENVIRONMENTAL PROTECTION MR. LLOYD,
M. KAZIYA, MP.**

June, 2017

MR. SPEAKER;

IN THE FIRST PLACE, I WISH TO TAKE THIS OPPORTUNITY TO THANK YOU MOST SINCERELY FOR GIVING ME AN OPPORTUNITY TO DELIVER A MINISTERIAL STATEMENT ON POLLUTION OF WATER SOURCES IN ZAMBIA AS A RESULT OF MINING ACTIVITIES.

MR. SPEAKER;

SIR, I WOULD LIKE TO REMIND THIS HOUSE, THAT PARLIAMENT ENACTED THE ENVIRONMENTAL MANAGEMENT ACT NUMBER 12 OF 2011 IN ORDER TO REPEAL AND REPLACE THE ENVIRONMENTAL PROTECTION AND POLLUTION CONTROL ACT OF 1990; TO CONTINUE THE EXISTENCE OF THE ENVIRONMENTAL COUNCIL AND RE-NAME IT AS ZAMBIA ENVIRONMENTAL MANAGEMENT AGENCY (ZEMA).

ALLOW ME TO STATE THAT, THE ENVIRONMENTAL MANAGEMENT ACT, INTER ALIA, GIVES MANDATE TO ZEMA TO UNDERTAKE THE PREVENTION AND CONTROL OF POLLUTION AND ENVIRONMENTAL DEGRADATION IN ZAMBIA.

MR. SPEAKER;

FURTHERMORE, I WISH TO INFORM HONOURABLE MEMBERS AND THE PEOPLE OF ZAMBIA AT LARGE, THAT IN ORDER TO ENSURE THAT THE AGENCY UNDERTAKES NECESSARY INTERVENTIONS OF ENSURING SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES AND

ENVIRONMENTAL PROTECTION AS WELL AS PREVENTION AND CONTROL OF POLLUTION, THE ACT CONFERS FUNCTIONS TO THE AGENCY THAT INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING;

- (i) DEVELOP AND ENFORCE MEASURES AIMED AT PREVENTING AND CONTROLLING POLLUTION;
- (ii) DEVELOP STANDARDS AND GUIDELINES ON THE PROTECTION OF AIR, WATER, LAND AND OTHER NATURAL RESOURCES AND THE PREVENTION AND CONTROL OF POLLUTION, THE DISCHARGE OF WASTE AND THE CONTROL OF TOXIC SUBSTANCES;
- (iii) COLLABORATE WITH APPROPRIATE AUTHORITIES AND OTHER BODIES AND INSTITUTIONS TO CONTROL POLLUTION AND PROTECT THE ENVIRONMENT; AND
- (iv) CARRY OUT ACTIVITIES RELATING TO ENVIRONMENTAL MANAGEMENT AND PREVENTION AS WELL AS CONTROL OF POLLUTION.

MR. SPEAKER;

A NUMBER OF ENVIRONMENTAL PROBLEMS INCLUDING AIR POLLUTION, WATER POLLUTION AND LAND DEGRADATION WERE IDENTIFIED AS KEY PROBLEMS AMONG OTHERS DURING THE NATIONAL CONSERVATION STRATEGY AND THE NATIONAL ENVIRONMENTAL ACTION PLAN IN 1985 AND 1992 RESPECTIVELY. AIR POLLUTION AND WATER POLLUTION WERE ATTRIBUTED MAINLY BUT NOT LIMITED TO MINING ACTIVITIES.

MR. SPEAKER;

WATER POLLUTION CONTINUES TO BE AN ENVIRONMENTAL PROBLEM OF CONCERN AND THE MINING SECTOR HAS CONTINUED TO BE A MAJOR SOURCE OF POLLUTION. CONSEQUENTLY, IN EXERCISE OF ITS MANDATE UNDER SECTION 48 (J) OF THE ENVIRONMENTAL MANAGEMENT ACT, WHICH REQUIRES THE AGENCY TO DO ALL SUCH THINGS AS ARE NECESSARY TO ENSURE MONITORING AND CONTROL OF WATER POLLUTION, ZEMA, IN CONJUNCTION WITH WATER RESOURCES MANAGEMENT AUTHORITY (WARMA) AND OTHER KEY STAKEHOLDERS HAS OVER THE YEARS UNDERTAKEN STUDIES IN SELECTED PARTS OF THE COUNTRY ON INDUSTRIAL ACTIVITIES TO ASSESS ASSOCIATED IMPACTS ON THE ENVIRONMENT.

SIR, I WISH TO INFORM THIS HOUSE THAT THESE STUDIES WERE CONDUCTED AND CONCENTRATED ON THE COPPERBELT, CENTRAL AND LUSAKA PROVINCES AS WELL AS ALONG THE KAFUE RIVER BASIN.

REGRETTABLY, THE RESULTS FROM THE STUDIES HAVE SHOWN THAT THERE HAS BEEN POLLUTION AND ENVIRONMENTAL CHANGE IN SOME PARTS OF THE COUNTRY'S WATER SOURCES WHICH ARE HIGHLY LINKED TO INDUSTRIALIZATION.

MR. SPEAKER;

FOR INSTANCE, THE STUDY CARRIED OUT IN 2005 UNDER THE PROJECT SPONSORED BY THE WORLD BANK REVEALED THAT THE KAFUE RIVER WAS

CONSTANTLY UNDER STRESS FROM INDUSTRIAL ACTIVITIES ESPECIALLY MINING AND MINE RELATED ACTIVITIES.

FURTHERMORE, THE STUDY SHOWED THAT THE WATER QUALITY VARIED THROUGHOUT THE STRETCH OF THE RIVER IN THAT THE UPPER KAFUE ON THE COPPERBELT WAS PARTICULARLY AFFECTED BY MINING ACTIVITIES WITH BASE METAL POLLUTANTS SUCH AS COPPER AND COBALT AMONG OTHERS, BEING RECORDED. IN ADDITION, THE STUDY ALSO SHOWED THE PROBLEM OF ACIDITY ALONG THE SAME STRETCH OF THE RIVER.

ON THE OTHER HAND, THERE HAS BEEN RECENT REPORTS OF POLLUTION OF THE KAFUE RIVER AND ITS TRIBUTARIES FROM MINING RELATED ACTIVITIES TO WHICH ZEMA HAS INSTITUTED INVESTIGATIONS AND INCREASED THE FREQUENCY OF ITS MONITORING OF INDUSTRIES IN THE MINING CATCHMENT AREA.

MR. SPEAKER;

OTHER RESULTS FROM THIS STUDY SHOWED THAT THE MIDDLE COURSE OF THE KAFUE RIVER WAS AFFECTED BY POLLUTANTS FROM MANUFACTURING INDUSTRIES NAMELY, FOOD PROCESSING AND DETERGENT MANUFACTURING AND OTHERS, SUCH AS THE AGRICULTURAL ACTIVITIES ALONG THE LOWER BASIN WHOSE MAIN SOURCE IS FROM AGRO-CHEMICALS SUCH AS FERTILIZERS ESPECIALLY COMING FROM MAZABUKA DISTRICT.

SIR, STUDIES CARRIED OUT IN LUSAKA IN 2010 ON THE CHONGWE/NGWERERE RIVER SYSTEM SHOWED WATER POLLUTION FROM AGROCHEMICALS AND INDUSTRIAL EFFLUENT AMONG OTHERS.

IN ADDITION, NEW STUDIES HAVE ALSO REVEALED THAT WATER BODIES IN NORTH WESTERN PROVINCE ARE ALSO BEGINNING TO SHOW SIGNS OF ELEVATED MINE RELATED POLLUTANTS DUE TO INCREASED MINING ACTIVITIES IN THE REGION.

SIR, ALLOW ME TO STATE THAT THROUGH THE COMPLIANCE MONITORING PROGRAMME AS WELL AS THE REVIEW OF THE ENVIRONMENTAL RETURNS, ZEMA HAS IDENTIFIED SEVEN (7) KEY FACILITIES WHOSE EMISSIONS EXCEEDED NATIONAL STANDARDS AS PRESCRIBED IN THE ENVIRONMENTAL (LICENSING) REGULATIONS, STATUTORY INSTRUMENT NUMBER 112 OF 2013, WHICH PRESCRIBE LIMITS FOR THE VARIOUS PARAMETERS SUCH AS COPPER, COBALT, LEAD, CADMIUM AND SUCH SIMILAR METALS.

I FURTHER WISH TO INFORM THE HOUSE THAT THE SAID RETURNS COVERED EMISSIONS TO BOTH AIR AND WATER FOR THE PERIOD OCTOBER TO DECEMBER, 2016.

MR. SPEAKER;

I ALSO WISH TO INFORM THE HOUSE THAT INVESTIGATIONS BY ZEMA ON THE COPPERBELT HAVE REVEALED THAT SOME OF THE MOST AFFECTED WATER BODIES BY THE HIGH LEVELS OF POLLUTION INCLUDE THE

MWAMBASHI, MUNTIPA, MUSHISHIMA AND CHINGOLA STREAMS AS WELL AS THE KAFUE RIVER, WHILE THE MAJOR POLLUTANTS TO THE WATER BODIES WERE COPPER, COBALT, IRON, MANGANESE AND TOTAL SUSPENDED SOLIDS (TSS).

I WISH TO NOTE WITH CONCERN THAT THESE POLLUTANTS HAVE ADVERSELY AFFECTED THE SAID WATER BODIES RESULTING IN AMONG OTHER EFFECTS, SILTATION OF STREAM BEDS, CHANGES TO THE WATER CHEMISTRY, AND IMPACT ON AQUATIC LIFE AND ADVERSELY AFFECTING OTHER WATER USERS INCLUDING DOMESTIC USERS.

DUE TO SERIOUS CONSEQUENCES ON THE HEALTH OF THE PEOPLE LIVING AROUND THE WATER BODIES, THE MINISTRY HAS SINCE BROUGHT THIS TO THE ATTENTION OF THE MINING COMPANIES AND STRIDENT MEASURES HAVE BEEN TAKEN AGAINST THE SAID COMPANIES.

MR. SPEAKER;

AT THIS JUNCTURE, ALLOW ME TO HIGHLIGHT SOME OF THE MEASURES THAT THE MINISTRY THROUGH ZEMA IS UNDERTAKING TO ENSURE THAT THERE IS ENHANCEMENT OF WATER POLLUTION MONITORING PROGRAMMES WITH SPECIAL EMPHASIS ON MINING ACTIVITIES AND RELATED INDUSTRIES.

- (i) IN THE SHORT TERM, ZEMA HAS CONTINUED TO INSTITUTE INVESTIGATIONS AND HAS ALSO INCREASED THE FREQUENCY OF MONITORING OF INDUSTRIES TO ENSURE CONTROL AND

COMPLIANCE TO NATIONAL STANDARDS FOR EMISSIONS NOT ONLY TO WATER BUT AIR AS WELL.

ARISING FROM THIS MEASURE AND AS STATED ABOVE, ZEMA WORKING WITH OTHER GOVERNMENT AGENCIES WAS ABLE TO IDENTIFY SEVEN (7) MINING COMPANIES ON THE COPPERBELT WHOSE EMISSIONS WERE ABOVE THE PRESCRIBED POLLUTION CONTROL LIMITS WHICH ARE CONTRARY TO THE PROVISIONS OF THE STATUTORY INSTRUMENT NO 112 OF 2013 WHICH I HAVE CITED ABOVE.

IN LIGHT OF THESE FINDINGS, THE SEVEN (7) COMPANIES HAVE SINCE BEEN ISSUED WITH COMPLIANCE ORDERS TO IMMEDIATELY INSTITUTE MEASURES TO COMPLY WITH THE NATIONAL EMISSION STANDARDS WHILE IN ADDITION TO A COMPLIANCE ORDER, ONE (1) MINING COMPANY HAS BEEN SERVED WITH AN ENVIRONMENTAL RESTORATION ORDER TO REMEDY THE POLLUTION IT HAS CAUSED ON THE MWAMBASHI, MUSHISHIMA AND MUNTIPA STREAMS.

FURTHERMORE, THE SAID MINING COMPANY HAS BEEN SERVED WITH KEY CONDITIONS THAT INCLUDE THE FOLLOWING:

- (i) RESTORING THE FLOW CHANNELS OF THE THREE STREAMS NAMELY; CHINGOLA, MUSHISHIMA AND MUNTIPA BY DE-SILTING THEIR BEDS IMMEDIATELY;
- (ii) DEVELOPMENT AND IMPLEMENTATION OF A PROGRAMME FOR CONTINUOUS DE-SILTING OF THE THREE (3) STREAMS NAMELY;

CHINGOLA, MUSHISHIMA AND MUNTIMPA, AND THE POLLUTION CONTROL DAM (PCD) TO PREVENT THE CONTRIBUTION TO CAUSE WATER POLLUTION IMMEDIATELY; AND

(iii) CONDUCT AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) FOR RESTORATION OF CHINGOLA STREAM, MUSHISHIMA STREAM AND HIPPO POOL.

IN THIS REGARD, I WISH TO TAKE THIS OPPORTUNITY TO ASSURE THE PEOPLE AFFECTED BY THE POLLUTION OF THE WATER BODIES AND THE PEOPLE OF ZAMBIA AT LARGE, THAT ZEMA WILL UTILIZE THE RELEVANT PROVISIONS OF THE ENVIRONMENTAL MANAGEMENT ACT TO ENSURE THAT ALL THE SEVEN (7) COMPANIES COMPLY WITH THE CONDITIONS OF THE COMPLIANCE AND ENVIRONMENTAL RESTORATION ORDERS WHICH THEY HAVE BEEN SERVED WITH AND THAT NON -COMPLIANCE BY THE COMPANIES SHALL ATTRACT STRINGENT MEASURES INCLUDING COMPLETE SHUTDOWN OF POLLUTING COMPANIES AND LITIGATION.

MR. SPEAKER;

ALLOW ME TO STRESS THAT THE ENACTMENT OF THE ENVIRONMENTAL MANAGEMENT ACT NUMBER 12 OF 2011 HAS BROADENED THE MANDATE OF THE AGENCY AND CONSEQUENTLY REQUIRE ENHANCED CAPACITY FOR ZEMA IN ORDER TO MEET THIS BROADER MANDATE.

THE GOVERNMENT IS THEREFORE MAKING STRIDES IN THE CONTINUOUS CAPACITY BUILDING OF STAFF FOR ZEMA, ESPECIALLY WITH REGARD TO

EMERGING ENVIRONMENTAL ISSUES SUCH AS E-WASTE, CLIMATE CHANGE AND STRATEGIC ENVIRONMENTAL ASSESSMENT AMONG OTHERS AS WELL AS INFRASTRUCTURE DEVELOPMENT.

ON THE OTHER HAND, THE AGENCY IS MAKING STRIDES IN ENSURING THAT IT EXTENDS ITS GEOGRAPHICAL PRESENCE TO ALL THE TEN (10) PROVINCES OF ZAMBIA. TO THIS END ,THE GOVERNMENT THROUGH ZEMA PLANS TO OPEN THREE (3) FFICES IN SOLWEZI, NAKONDE AND CHIPATA IN 2017 IN ORDER TO ENSURE CLOSE MONITORING OF THE REGULATED INDUSTRIES SUCH AS THE MINES.

IN ADDITION, ZEMA PLANS TO EXPAND ITS WORKFORCE FROM THE CURRENT NINETY ONE (91) TO TWO HUNDRED AND FORTY ONE (241) IN THE NEXT FIVE (5) YEARS TO ENSURE THAT THE AGENCY IS RESPONSIVE TO THE NEEDS OF THE COUNTRY AND THUS HAVING A RIPPLE EFFECT IN THE REGULATION OF INDUSTRIES RESULTING IN INCREASED ENVIRONMENTAL COMPLIANCE.

MR. SPEAKER;

I FURTHER WISH TO TAKE THIS OPPORTUNITY TO INFORM THE PEOPLE OF ZAMBIA, THAT ZEMA IS CURRENTLY DEVELOPING A STRATEGIC PLAN THAT WILL ENCOMPASS ENHANCEMENT OF THE CURRENT ENFORCEMENT MECHANISM FOR ENVIRONMENTAL PROTECTION.

SIR, I WOULD LIKE TO MENTION THAT THE CURRENT LEGAL FRAMEWORK PROVIDES FOR ISSUANCE OF ORDERS INCLUDING THE COMPLIANCE ORDERS TO ENSURE THAT INDUSTRIES COMPLY WITH THE PROVISIONS OF THE LAW. IT IS IN THIS REGARD THAT ZEMA RELIES UPON THIS MECHANISM COUPLED WITH THE CAPACITY BUILDING PROGRAMME TO ENSURE THAT ENFORCEMENT IS A PRIORITY.

FURTHERMORE, I WISH TO TAKE THIS OPPORTUNITY TO SOUND A TIMELY WARNING THAT IN ADDITION, TO THE MEASURES I HAVE HIGHLIGHTED ABOVE, ZEMA WILL UNDERTAKE TO INSTITUTE CRIMINAL PROCEEDINGS AGAINST THE PERPETRATORS OF WATER POLLUTION AND INDEED OTHER POLLUTION RELATED OFFENCES.

MR. SPEAKER;

I WISH TO MAKE AN EARNEST APPEAL TO HONOURABLE MEMBERS OF PARLIAMENT AND THE PEOPLE OF ZAMBIA TO SUPPORT THE EFFORTS THAT ZEMA AND INDEED MY MINISTRY AND THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA IS MAKING TO ENSURE THAT OUR ENVIRONMENT IS MANAGED IN A SUSTAINABLE MANNER

IN CONCLUSION SIR, I WOULD LIKE TO ASSURE THE PEOPLE OF ZAMBIA THAT MY GOVERNMENT THROUGH THE ABLE LEADERSHIP OF HIS EXCELLENCY, THE PRESIDENT OF THE REPUBLIC OF ZAMBIA, MR. EDGAR

CHAGWA LUNGU REMAINS FOCUSSED TO PROVIDE ADEQUATE SUPPORT
TOWARDS THE SUSTAINABLE MANAGEMENT OF THE ENVIRONMENT IN
ZAMBIA FOR OUR FUTURE GENERATIONS.

I THANK YOU MR. SPEAKER.