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# Toxic Injustice:

## “They Forced Us Out and Fenced the Land” — Inside the Luela Stream Disaster

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# Sewer Crisis in Mtendere Gives Residents No Peace

***By Gibson Zulu***

***Although those close to the US$355 million Millennium Challenge Corporation–funded project maintain that it was fully implemented and passed fit, the reality on the ground tells a different story. Persistent sewer blockages and recurring spills have left Mtendere residents trapped in a cycle of neglect — one that continues to threaten both their health and their dignity.***

**The crisis on the ground**

On the fringes of Lusaka's densely populated Mtendere East township, in Kalikiliki Ward 35, residents and traders cautiously pick their way through pools of murky water leaking from broken sewer lines. Raw effluent has for years seeped across the narrow footpaths that snake between homes and market stalls, forcing families to live and trade in the shadow of a persistent health hazard.

"The stench hangs heavy in the air, we have lived like this for too long," lamented resident Chisala Laaske, his voice weary but firm. "The situation worsens when the rains come. The sewer overflows into our houses, children fall sick, and no one seems to care, not even the government."

Mtendere East, located on the eastern edge of Lusaka, is a peri-urban community grappling with chronic water shortages, poor housing infrastructure and a collapsing sewerage system.

Ironically, Mtendere means "peace" in the local Cinyanja language — yet for those living amid sewage and repeated flooding, peace remains elusive.

**What was promised**

To address deep-rooted water and sanitation challenges, the Zambian Government partnered with the United States through the Millennium Challenge Corporation (MCC). The resulting Lusaka Water Supply, Sanitation and Drainage (LWSSD) Project was expected to transform communities like Mtendere.

The "Water Supply and Sanitation Project," known as Contract Package 3 (CP3), covered works in both Mtendere West and Mtendere East. It was part of the US$355 million Millennium Challenge Compact signed in 2012.

To implement the compact, the Government established Millennium Challenge Account–Zambia (MCA-Zambia). After the compact expired in November 2018, a transition entity, Millennium Project Completion Agency–Zambia (MPCA-Zambia), was created to finalise remaining works.

The Mtendere component was only completed in 2023, and the post-compact programme officially closed in 2024.

**What was built**

According to MCA-II, which shared clarifications based on institutional memory from the first compact:

- The Mtendere sub-project was valued at US$40 million.
- Elevolution Engenharia, a Portuguese firm, was contracted in 2016 but terminated in 2018.
- UNIK Construction was engaged to complete the works.

Infrastructure upgrades included:

- 88 km of water supply pipelines
- 82 km of sewer network (Mtendere East alone received 42.6 km)
- 1,075 manholes constructed across the area
- Section 11: A 1.5 km sewer interceptor line with 25 manholes routing sewage to the Salama Pump Station.

Under the compact framework, all completed assets were eventually handed over to the Lusaka Water Supply and Sanitation Company (LWSC) for operation and maintenance.

**The reality residents still face**

Despite the infrastructure investments, Mtendere continues to experience recurring sewer blockages, overflows and contamination nearly a decade later.

A MakanDay check found persistent water and sewerage challenges along J. Muko Road and NRDC Road.

Kalikiliki Ward Councilor Shadreck Chimwanga said the problem has been ongoing for more than four years.

"We have had enough of this problem, engineers at Lusaka Water,must take proactive measures to find a lasting solution,'' he said.

**Why the system is failing**

Lusaka Water attributes the recurring failures to a combination of structural and behavioural challenges — including illegal structures built directly over sewer lines, blocked access to manholes, vandalised or missing manhole covers, and sewer lines laid under road centrelines, which makes them highly vulnerable during roadworks.

"Given that many manholes sit on the road centreline, the likelihood of manholes being ripped, exposed, or damaged is extremely high, even under well-planned and properly supervised road maintenance operations," said Pamela Kasese Bwalya, Chief Executive Officer (CEO) of Millennium Challenge Account–Zambia II. "These disturbances often result in debris entering the sewer network, leading to blockages and choking of the system.''

Behavioural factors also play a major role. These include residents dumping solid waste into toilets, using inactive sewer connections to flush stormwater into the system, and domestic waste entering manholes due to vandalism.

Bwalya, who also served as CEO of the completion agency and oversaw the finalisation of works after the MCC Compact closed in 2018, clarified that there are no ongoing or planned remedial works supported by MCC or MCA-Zambia.

The Compact programme concluded with a full handover of all assets to Lusaka Water and Sewerage Company (LWSC), which is now responsible for operation and maintenance.

She clarified that there are no ongoing or planned remedial works supported by MCC or MCA-Zambia, since all assets were handed over to LWSC at compact closure. However, LWSC has introduced several measures:

- Routine sewer maintenance and jetting
- Rapid response teams addressing spillages within 24 hours
- Community sensitisation campaigns with Lusaka City Council
- Manhole security improvements
- Targeted rehabilitation of high-risk sewer lines
- Coordination with LCC contractors to minimise damage during roadworks.

Lusaka Water Public Relations Officer Ruth Mulenga added that illegal construction of houses and shops over sewer lines has worsened blockages and severely limited access for repair teams.

**Fear as the rains approach**

With the rainy season approaching, residents brace for worsening conditions.

"For us, the rains don't bring relief, they bring fear," said resident Angela Mande. "People must learn to use toilets properly, yes. But authorities also need to fix this once and for all."

For now, the community remains caught between failing infrastructure, poor planning, and institutional gaps — with no peace in sight.

***Gibson is an intern at MakanDay under the Free Press Initiative's Journalism Graduate Internship Programme, which aims to promote excellence in journalism.***

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# Why Chapter One Has Joined the LAZ Petition Against the Cyber Crimes Act

***By Linda Soko Tembo***

Chapter One Foundation has joined the Law Association of Zambia (LAZ) in petitioning the High Court, arguing that the newly enacted Cyber Crimes Act grants the state excessive surveillance powers that threaten privacy and freedom of expression.

The organisation says these provisions could impede its human-rights work and be used to silence activists, journalists and other civic voices online.

The High Court has granted Chapter One Foundation leave to join the petition, which challenges several sections of the Cyber Crimes Act No. 4 of 2025.

According to court filings, the petition argues that parts of the Act may violate constitutionally protected rights, including the right to privacy, freedom of expression, and media freedom.

Chapter One Foundation, alongside four other civil society organisations: the Alliance for Community Action, Bloggers of Zambia, GEARS Initiative Zambia, and the People's Action for Accountability and Good Governance, first challenged the constitutionality of the Cyber Security and Cyber Crimes Act No. 2 of 2021 in April 2021. Their petition followed widespread concerns raised after Parliament passed the original law under an expedited consultative process.

When the United Party for National Development (UPND) assumed office in August 2021, it pledged to amend the law to address the human-rights concerns raised by stakeholders. This resulted in two new legislative instruments, the Cyber Security Bill and the Cyber Crimes Bill, which passed their third readings in March 2025 and were enacted on 12 May 2025, repealing the 2021 Act.

However, the adoption of the new cyber laws did not quell public anxiety. On 11 July 2025, LAZ petitioned the High Court, seeking the removal of provisions it believes are inconsistent with the Constitution. Chapter One Foundation subsequently applied to join the case, and on 3 October 2025, the High Court granted the organisation leave to participate.

In its affidavit, the Foundation argues that the Cyber Crimes Act No. 4 of 2025 "directly interferes with its operations, including its freedom of expression and its ability to defend human rights or promote accountability online," and that it will therefore be directly affected by the outcome of the matter.

The petition challenges several sections of the Cyber Crimes Act, including:

- Sections 3, 5, 6, 9, 10 and 11, which create offences related to unauthorised access to computer systems, possession and disclosure of data, system interference, and the recording of private conversations.
- Sections 19(1)(a), 21 and 22, which address deceptive electronic communication, disclosure of investigative information, harassment and online humiliation.
- Sections 24(1)(b), 27(2), 28, 29, 30, 31 and 32, which cover cyber-terrorism, search and seizure powers, forfeiture of property, assistance to law enforcement, and the preservation, disclosure and collection of traffic data.

Several of these provisions give law enforcement wide powers, including the ability to:

- Search and seize electronic devices (Section 27)
- Forfeit property linked to suspected offences (Section 28)
- Compel individuals or organisations to provide access to computer systems or assist investigations (Section 29)

Preserve, disclose or collect traffic data, including through ex-parte court applications (Sections 30–32)

Critics argue that these powers enable broad state surveillance and could be used to intimidate activists, journalists and other dissenting voices.
Chapter One Foundation contends that the challenged provisions violate, or are likely to violate, constitutionally protected rights, including:

- The right to privacy
- Protection from deprivation of property

Freedom of expression—including the rights to hold opinions, receive and impart information, and press freedom.

The High Court is expected to set hearing dates. The outcome of the case is likely to have far-reaching implications for press freedom, digital rights and the regulation of online spaces in Zambia.

The story first appeared in the 2012 edition of the Bulletin & Record magazine.

# Teachers in Vicious Circle of Debt

**Civil servants, especially teachers, are taking on more debt than they can afford and getting themselves into a financial mess**

***By Kingsley Kaswende***

Money is a scarce commodity for many people. It does not matter how hard someone works, there always seems to be a need for more cash.

One way people plug their financial holes is by obtaining loans. In Zambia, the recent proliferation of microfinance institutions is evidence that there are more people borrowing than ever before. When well used, loans solve financial problems, and encourage investment and productivity. But, when mismanaged, they can be a source of financial woe - as many Zambian civil servants are finding out.

Microfinance institutions have been targeting salaried employees such as civil servants because their secured income means there is less risk of them defaulting on repayments. There are approximately 140,000 employees in the Zambia public service, including 90,000 teachers, 20,000 health workers, 12,000 police and 8,000 in the agriculture sector so civil servants are potentially a big market for lenders. The result of this is that many government employees are now shackled with debt, not only with microfinance companies but also with banks and shops.

Teachers in particular appear to be highly indebted. Education minister Dr John Phiri says the majority of the country's 90,000 teachers are in debt and, as a result, their productivity at work is deteriorating. Stressed by their financial problems, teachers are concentrating on finding ways to repay their loans rather than on teaching, which is contributing to the poor quality of education in the country.

Dr Phiri said in an interview with The B&R: "The teaching service has 90,000 teachers most of whom are heavily indebted. The exact statistics are not known but our hunch tells us the problem is widespread. Indebtedness brings about so many emotional problems and employees don't concentrate on work."

Dominic Hamooba Kamangu, a teacher based in Lusaka, says indebtedness has affected many teachers.

"A big problem that is killing us as teachers is loans. Teachers are the ever-faithful customers of lending institutions....A large number of teachers get loans to use on liabilities and not on assets. Most of us get loans for consumption not investment. We get loans to pay other loans. We buy luxurious cars for ourselves that we even end up not driving because we are broke; we don't have money for servicing and fuel," he said.

The Zambia National Union of Teachers (ZNUT) says it is aware that there are teachers whose net salaries are negative – ie they have to repay more each month on their loans than they earn - because they have over-borrowed.

ZNUT general secretary Newman Bubala said: "This problem was identified a few years ago and we had a discussion with the Public Service Management Division to see how best it would be resolved. It was agreed that people should be allowed to borrow but they must remain with at least 40% of their salaries. We are now coming up with measures to see how those who have over-borrowed are helped to come out of the debt trap."

The 2010 auditor general's report reveals that this 40% threshold agreement is not being implemented faithfully, a situation that has compounded the problem.

"Contrary to a Public Service Management Division Circular No. B.19 of 2007 that stipulates that the net pay of an employee, after deductions, should not be less than 40% of the basic salary, a review of the employees' payslips revealed that 76 employees who were paid loans earlier had obtained additional loans from the ministry resulting in their net pay being below the 40%," the report said.

It appears that civil servants are borrowing from multiple sources and, come pay day, are not left with much. With little salary left over to pay for daily needs, their only option is to find other lending sources, leading them into a vicious circle of debt.

Webster Mate, secretary of the Association of Microfinance Institutions of Zambia (AMIZ), regrets that the problem has been permitted to get to this stage. "The problem was identified in 2010 as being serious. It's a pity that it was allowed to grow to this level," he said.

Until the liberalisation of the banking sector in the 1990s, credit finance in Zambia was dominated by several large public sector institutions. However, unsustainable business practices led to the closure of these institutions throughout the decade, making way for the emergence of microfinance institutions.

A few microfinance institutions sprung up at that time but there was no regulation governing them. On January 30, 2006, the Banking and Financial Services (Microfinance) Regulations became law, with the intention of propelling the sector to maturity. According to AMIZ, there are now 25 registered microfinance institutions but there could be as many as 60 players in the industry.

A recent country survey by mftransparency.org shows that of the 25 official microfinance institutions, 84% are payroll-based consumer lenders, accounting for 92% of the sector's total assets.

"This rise in microfinance institutions targeting salaried employees has changed the structure of the industry significantly and has been an unanticipated consequence of the regulations.

There has been a rise in the level of personal indebtedness, leading to concerns about how to encourage responsible lending," the survey stated.

Data from 2007 shows that the overall reach of the microfinance sector was approximately 120,000 people with a total loan amount of about K98.5 billion, although it is likely to be considerably larger today.

It was not possible to get official up-to-date records at the Public Service Management Division - which prepares civil servants payroll - on how much of this figure is made up of civil servant debt despite several attempts. However, sources within indicated that there are currently over 90,000 civil servants, especially teachers, from whom loan deductions are being made. The total monthly deductions from civil servants to microfinance institutionsare in the region of K60 billion, sources said.

One microfinance institution, Bayport, says about 20% of its clients are civil servants who live in rural villages. The company said that 30% to 40% of these take out loans to pay for education and 20% to fund home improvements. According to Bayport's website, the rest of the loans serve various functions, including funding small businesses and consolidating more expensive debt.

"Bayport's loans range in size from just US$20 (K103,500) up to US$1,500 (K7.8 million). The average loan issued is US$250 (K1.3 million), which is no small amount considering that a teacher in Zambia earns just US$ 200 (K1 million) per month. Annual interest is between 70% and 90%. The microfinance institutions' repayment terms range from one to 36 months and repayment rates are high (96.5% in Zambia)," the company said.

The Competition and Consumer Protection Commission (CCPC) attributes the problem to the lack of financial education in Zambia.

CCPC public relations officer Hanford Chaaba said: "As a commission, we have received [reports of indebtedness] in the recent past and, from our investigations and assessments, most of these cases bordered on financial illiteracy on the part of the borrowers. The Commission discovered that borrowers do not understand the terms and conditions of the financial agreement they go into, and this is a source of concern to the Commission."

Perhaps the new financial education strategy which was launched in July by the Bank of Zambia will help. The strategy is a five-year US$15 million (K77.7 billion) project aimed at galvanizing existing initiatives that target educating citizens in financial matters. The strategy hopes to improve knowledge of finance, which will hopefully lead Zambians to save money, budget correctly and plan their expenditure more carefully. It will also teach people about financial services such as loans, banking and insurance. The strategy is comprehensive in its design and scope: it will cover children, the youth in tertiary institutions, adults in their work places as well as the general public.

Meanwhile, AMIZ says it will encourage its members to retrain staff who handle credit analysis.

"More time should be given to analysing credit risk. In the newspapers there are so many adverts about repossessions. There's a need to check the way people qualify for loans," AMIZ's Mr Mate said.

# Toxic Injustice: “They Forced Us Out and Fenced the Land” — Inside the Luela Stream Disaster

***By Linda Soko Tembo***

In March this year, authorities found Rongxing, a Chinese-owned mining company, guilty of failing to prevent an acid leak into the Luela stream — a tributary of the Kafue River, one of Zambia’s major water sources. The leak, which followed a tailings dam failure, affected more than 200 farmers. Yet for the families who depend on the stream, the government’s action brought little comfort.

Before the pollution disaster, the Luela farming block in Kalulushi District was a vibrant agricultural zone, sustaining households through vegetable and crop production. The area sits in the same district where another Chinese-owned company, Sino Metals, caused a separate environmental disaster, raising concerns about a pattern of regulatory failures on the Copperbelt.

Farmers say the land that fed them for generations is slowly dying, poisoned by pollution from Rongxing’s processing plant in Sabina along Mufulira Road.

Today, stunted crops, barren fields, and rising health fears tell the story of a community pushed to the brink — yet meaningful action to stop the contamination remains absent.

**A farming community in decline**

A MakanDay investigation found that since Rongxing began operations in 2017, more than 50 farmers lost their land to the company without adequate compensation. Farmers who retained some land say their fields were later contaminated by acidic waste, leaving the soil infertile.
They say land that once produced maize, carrots and sugarcane now resembles a wasteland. Although lime was later applied to neutralise the pollution, farmers report that it has made little difference.

“Farming is our life, but now the land is slowly dying, and the same polluted water is what traders use to wash the carrots, cabbage, rape, tomatoes, and other crops they buy from us,” said one farmer, who requested anonymity.

Another insider familiar with environmental operations in the area said the company had been polluting the Luela stream for years.

According to the source, pollution incidents, whether in water, dust, or air — are often dismissed as falling within “acceptable limits”.

Residents now question whether water quality in the stream is independently monitored, and whether any oversight exists beyond paperwork

A project that grew beyond its promises

The source further revealed that Rongxing initially acquired a small plot of about five acres, roughly the size of three football pitches, from a local couple. He alleges that during the Environmental Impact Assessment (EIA), the company assured the community it would not expand nor pollute the stream or surrounding environment.

However, the company has since expanded aggressively, with minimal regulatory restraint.

“From a layman’s perspective, the location is questionable. The distance between the rail line and the stream is too narrow for industrial activity,” the source said.

Initially registered as a small-scale operation, Rongxing reportedly obtained multiple Environmental Project Briefs (EPBs), allowing it to enlarge its operations beyond its original approval.

Farmers allege that since 2020, the company has offered compensation each time the stream is polluted, a cycle they describe as inadequate, inconsistent and unethical.

A ZEMA media statement dated 16 October 2020 shows that the ridge of the tailings dam at the Rongxin Investments plant collapsed on 15 October, resulting in an abnormal discharge of slurry effluent into the Luela Stream.

Preliminary investigations by ZEMA inspectors confirmed that large volumes of tailings had entered the waterway. As an immediate enforcement action, the agency ordered the company to suspend operations, undertake clean-up and restoration works along the affected stretch of the stream, and submit a detailed remediation plan.

**“They forced us out and fenced the land”**

One of the affected farmers, Febby Chewe, said that after acid destroyed her field, the company took over the land entirely.

“We used the stream to irrigate our gardens. After the pollution incident, they forced us out and fenced the land. They only gave me K3,000 while other farmers were given 2000,7000, 1000 among others. I used to make K3000 every week from farming,” she said.

Chewe added that even aquatic life has vanished from the stream.

Another farmer, Ian Kapongolo, a father of nine, expressed similar disappointment.

“Farming is my life. That is how I raised my family. After our fields were destroyed, they gave me K3,000. Even people in offices respected the income we used to make. But now we are suffering,” he said.

Farmers say they expected higher compensation after Copperbelt Minister Elisha Matambo announced that payouts would range from K100,000 and above, depending on the size of land affected.

Kapongolo questioned how such low figures were approved, asking: “Can the government honestly approve that people be given just such kind of compensations?”

**Government response and ongoing negotiations**

Kalulushi District Commissioner Joseph Phiri attributed the variations in compensation amounts to differences in land size.

“Compensation depended on the hectares each person was cultivating. Government officers conducted ground assessments and the company paid according to the committee’s report,” he said.

Phiri added that, in his view, the matter has been resolved.

However, Malisa and Partners Legal Practitioners, who represent some of the 118 affected residents — say there is no court case yet because discussions with both the company and the government are still ongoing.

Lawyer Mehluli Malisa Batakathi said many affected individuals feel excluded from the compensation process.

“Most of the time, compensation packages are imposed on them. They are simply given money and asked to sign,” he said.

**The company’s defence**

A source within Rongxing said the company followed all required environmental procedures before beginning operations in 2017. He confirmed that heavy rains in December last year caused an overflow from one of the dams, resulting in waste entering the stream.

"ZEMA inspected the site and advised us on remedial measures. We immediately applied lime and cleaned up the spill," he said.

The source also claimed that members of the community had been stealing materials from the dam infrastructure, which weakened the structure and contributed to the overflow. He added that misinformation circulating in the area had further fuelled tensions between the company and residents.

"In March, the Minister of Water Development and Sanitation, Hon. Collins Nzovu, visited the site as part of his inspections following the Sino Metals incident. He had previously visited our company and given recommendations.

During his visit, he inspected the dams, including the section where the breach had occurred, and observed traces of the earlier spill," the source said.

According to the source, the Ministry of Agriculture and other government departments assessed the affected fields and presented a compensation bill of over K2 million, which the company paid.

Rongxing Mineral Processing Plant representative Destiny Xiao declined to comment further, saying only that the company had complied with the government's directive to compensate affected farmers. She also warned the reporter that legal action would be taken if what she described as "correct information" was not published.

**A community still waiting for justice**

Despite the company insisting it has met its obligations, farmers say their land remains poisoned, their income wiped out, and the Luela stream, once the lifeline of the community, now flows with uncertainty.

For many families, the spill did not just destroy crops; it destroyed their future. And while authorities insist the matter is resolved, residents say the soil tells a different story.

## Comment

# Lessons From Tasila Lungu's Loss of the Chawama Seat

The decision to declare the Chawama parliamentary seat vacant following Tasila Lungu's prolonged absence is a reminder of an often-ignored principle in Zambia's democracy: public office is a duty, not a title.

While the circumstances are undeniably sensitive, Ms. Lungu is in South Africa following the death of her father, former President Edgar Lungu, the law does not bend for individual situations, no matter how emotional they may be. Parliament's standing orders on absenteeism are clear: MPs are elected to represent constituencies, and prolonged absence without official leave risks depriving citizens of their voice in the National Assembly.

This development exposes deeper issues that have long troubled Zambian politics.

First, the blurred line between political privilege and accountability. For years, political leaders and their families have operated with the belief that rules are negotiable. Enforcing absenteeism rules marks a shift toward stronger institutional discipline, something the country urgently needs.

Second, constituencies deserve active representation. Whether an MP is bereaved, abroad, or overwhelmed with personal matters, the reality remains, Chawama residents have gone months without effective representation. Their urgent needs, sanitation, security, youth unemployment, cannot be paused to fit personal circumstances.

Third, politics should not revolve around personalities. Ms. Lungu's situation highlights the fragility of political roles gained through family influence rather than consistent community engagement. Leadership must be grounded in service, not political inheritance.

Fourth, this is an opportunity for Parliament to assert itself. By applying its rules, Parliament is signalling that it intends to uphold standards regardless of who is involved.

This is healthy for democracy. What matters now is consistency—the same rules must apply to all MPs, not only to politically exposed individuals.

Lastly, compassion and accountability can coexist. We can acknowledge Ms. Lungu's loss while also recognising that public roles come with non-negotiable responsibilities. Bereavement is human; governance is institutional.

Ultimately, the decision in Chawama serves as a cautionary tale, public office demands presence, commitment, and respect for the rules, regardless of one's surname or political lineage.