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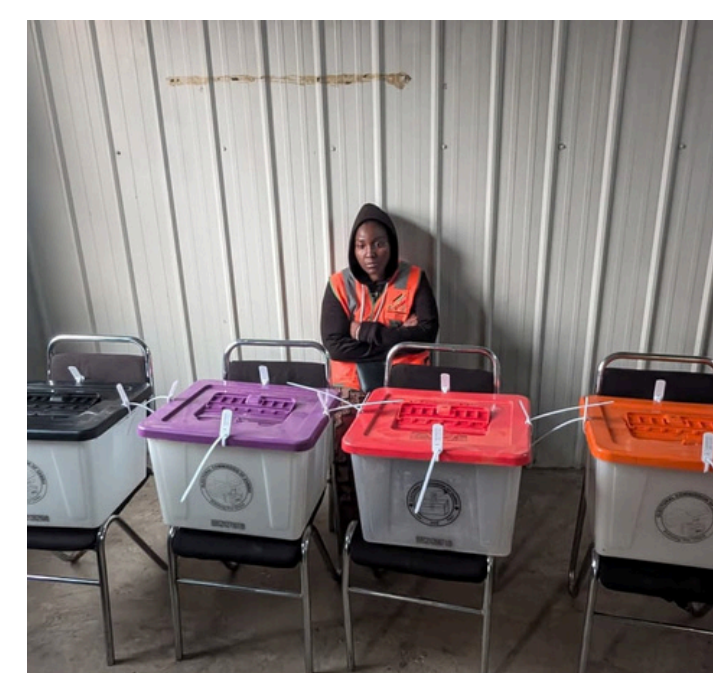
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STORIES THAT MATTER. PEOPLE THAT COUNT.

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# Zambian Mining Giant Builds Roads To Offset Tax Bill

From page 1

By Charles Mafa

## KEY FINDINGS

- Between 2021 and 2025, Kansanshi’s property-rates bill to Solwezi Municipal Council totalled K417.74 million. Instead of settling the entire amount in cash, 17.8% was settled through roadworks carried out by the mining company under its roads-for-rates arrangement with the council..
- Under the arrangement, Solwezi Municipal Council proposes and approves the road projects, while Kansanshi prepares the costings and carries out the roadworks, with the cost offset against the mining company’s property rates.
- Kansanshi says the work is done at cost. But, the company and council have not shared crucial documents to verify the terms and conditions of this work.

Solwezi, the capital of Zambia’s North-Western Province and the hub of the country’s copper belt, draws up a list of the roads it wants built and its biggest ratepayer does the rest. Kansanshi Mining draws up the costings, wins the job, builds the roads and then deducts the bill from the property rates it owes the town council.

This is a small but telling window into a wider dynamic. Solwezi has grown rapidly alongside the copper boom driving it. Its urban population rose from 96,725 in 2010 to 305,027 in 2022, according to Zambia’s census — more than tripling in 12 years. That growth has put increasing pressure on the town’s roads, water and other services. And the gap between that growth and the resources available to the council is reshaping how the town is run.

Kansanshi Mine is the country’s biggest copper and gold producer. When asked about this arrangement with the Solwezi town council, the company confirmed to MakanDay that it did build roads to offset against its municipal rates bill. The arrangement, the company statement confirmed, accounted for K74.36 million

or 17.8% of its total property rates bill between 2021 and 2025. Information supplied by the company also revealed that the value settled through roadworks rather than cash more than tripled over the five-year period, rising from K8.5 million in 2021 to K29.86 million in 2025.

The arrangement gives Kansanshi two roles in the same system. It is a major property-rate payer to the council. But when part of those rates is converted into infrastructure, the company can also become the contractor carrying out the work used to settle that obligation. When asked about this, the company stated that the municipality is free to shop around for other quotes and contractors which, it claimed, the municipality had done on “numerous occasions”.

According to Kansanshi, the process begins with the council. The council sends the company a list of roads it wants constructed. Kansanshi prepares a bill of quantities and costs each road. The company told MakanDay it quotes the council at cost and does not add a profit margin. Once work begins, stated the company, the municipality supervises the work, and the finished road is inspected by state’s Road Development Agency.

MakanDay was unable to verify this. Journalists asked to see the agreements that govern this arrangement but the mining company refused to give MakenDay the agreements or saying that the council had to hand them over. The council has yet to respond to a request for the agreements and neither company or town council are responding to further questions on the matter. Solwezi’s new mayor, Evans Lubelenga, who was elected in August, told journalists that he needed time to understand council systems and projects before responding.



A road in Solwezi

## Over eight years at least K80 million in rates has been “paid” in road construction

Most of Kansanshi's property-rate liability is still paid to the council in cash. But the proportion accounted for through infrastructure has grown.

The amounts involved have increased consistently and substantially and it appears that the arrangement started earlier than 2021. MakanDay has seen council documents that confirm that this roads-for-rates deal was in place in 2018. Journalists were unable to confirm any rates deal for 2019 or 2020.

- 2018: It’s not clear how much was Kansanshi's total property-rate bill, but the company confirmed that K6.63 million (US\$349,000) was settled through road works represented. The arrangement covered maintenance or gravelling of College Road, the FRA-Rodwell Mwepu Road, Kimasala Clinic Road, Golf Road, the Mitech-Kimale School-T5 Road and several others.
- 2021: Of Kansanshi’s total property-rates bill of K63.98 million (about US\$3.37 million), K8.5 million (about US\$447,000) was settled through roadworks on Kankankwa Road.
- 2022: Kansanshi’s total annual property rates bill K63.98 million (US\$3.37 million). Of this K10 million (US\$526,000) was settled through road works including the Signal, Zambezi, Urban and Messenger's roads. This is recorded in council financial statements as township road works.
- 2023: Kansanshi’s total annual property-rates bill was K82.31 million ( US\$4.33 million). Of that K10 million (about US\$526,000) was settled through road works on ABSA, Police and Bishop Potani roads.
- 2024: Kansanshi's total property-rate bill was K82.31 million (about US\$4.33

- million). Of that 19% or K16 million (about US\$842,000) was settled through road works on Market, United Church and Medical roads.
- 2025: Kansanshi's total annual property-rate bill was K125.16 million (US\$6.59 million). Of that 24% or, K29.86 million (about US\$1.57 million) was settled through road works on Chisomo, Magrade and Golf roads.

| Year | Ratable Value | Infrastructure | Rates Paid in Cash | Additional Works 'Donated' | Roads Completed                                               |
|------|---------------|----------------|--------------------|----------------------------|---------------------------------------------------------------|
| 2021 | K63.98m       | K8.5m          | K55.48m            | —                          | Kankankwa Road                                                |
| 2022 | K63.98m       | K10m           | K53.98m            | —                          | Signal Road<br>Zambezi Road<br>Urban Road<br>Messenger's Road |
| 2023 | K82.31m       | K10m           | K72.31m            | —                          | ABSA Road<br>Police Road<br>Bishop Potani Road                |
| 2024 | K82.31m       | K16m           | K66.31m            | K3.04m                     | Market Road<br>United Church Road<br>Medical Road             |
| 2025 | K125.16m      | K29.86m        | K95.3m             | —                          | Chisomo Road<br>Magrade Road<br>Golf Road                     |

**CAPTION: Kansanshi says part of its property-rate obligations to Solwezi Municipal Council has been accounted for through road construction. The amount increased from K8.5 million (about US\$447,000) in 2021 to K29.86 million (about US\$1.57 million) in 2025.**

## Cash versus roads

Not every road project funded by Kansanshi forms part of this system. The company says some roads are voluntary projects like the one leading to the mine and others form part of its annual corporate social responsibility spending.

In 2024 for example, it spent K3.04 million (about US\$160,000) on road works over and above its roads-for-rates obligation for work on the Mukhuba Road and the road from Kansanshi Golf Estate to Mukhuba. This was allocated as CSR spend, the company told MakenDay.

An example of the voluntary road projects it finances, the company said that it paid K52 million (about US\$2.74 million) towards the Boom-Gate to Mitech Road which goes to the Kansanshi Mine. This was also not deducted from rates or taxes.

## Why this matters in Solwezi

The roads-for-rates deal has delivered roads in and around Solwezi, but it has made a bigger problem worse. Solwezi, which is the capital of Zambia’s Northwest Province, can’t keep up with the pace of growth that is driven by the region’s mineral wealth.

Zambian Mining Giant Builds Roads To Offset Tax Bill

The Kinsanshi mine generates substantial revenue in taxes but not all of it goes to the local municipality which is responsible for dealing with the consequences of the rapid growth that is driven by the mine and its operations.

For example, a source at the mine told MakaanDay that the company’s total annual taxes, other statutory payments, including municipal rates and taxes, in 2025 was nearly US\$450 million. Of this total the rates and taxes paid to Solwezi are 1.2% of the total tax bill. Zambia central government gets 98.8% of the total.

The 2023 figures from the ZEITI report show the same pattern. Kansanshi paid K4.39 billion to the Zambia Revenue Authority and K826 million in royalties to ZCCM Investment Holdings, the Zambian government’s investment vehicle for mining. By comparison, it paid K72,79 million to Solwezi Municipal Council in business fees and rates.

The figures show that for every K1 (US\$0.053) paid directly to Solwezi Municipal Council, about K71.50 (US\$3.76) went to the two national institutions.

The comparison does not mean Solwezi should have

received more of Kansanshi’s total tax payments. They serve different purposes. But, it highlights a cjalleneg for a rapidly growing mining town.

Research by anthropologist Rita Kesselring found that the expansion of Kansanshi Mine and the growth of Solwezi placed new pressures on the council and contributed to an increasingly close relationship between the municipality and the mining company.

Those pressures extend beyond roads. MakaanDay has documented residents in Kimakolwe struggling to access piped water,

while at Kyawama Market more than 2,000 traders were operating without running water or drainage almost two years after the groundbreaking ceremony for a K53.5 million (US\$2.82 million) modern market.

These examples do not establish that Kansanshi’s property rates have been poorly spent or that the council has enough revenue to meet all of Solwezi’s needs. Rather, they illustrate the tension at the heart of the city’s growth: mining provides significant revenue and infrastructure support, while the growth it helps drive increases demand for the roads, water, markets and other services the council must provide.



Truck carrying copper concentrate on Independence Road, Solwezi, August 2017. Photo by Aanthropologist Rita Kesselring



From page 1

# Why Police Arrested Kasama Mayor

*By Angela Mtambo in Kasama*

For more than a month after an alleged unlawful entry at the residence of Northern Province Acting Permanent Secretary Beauty Undi-Phiri, Kasama mayor Peter Yuda Chikweti remained uncharged.

Then, on September 25, 2026, police picked him up at Wamulungwe Lodge in Kasama, where he was attending a meeting with persons with disabilities. He was taken into custody and later charged with criminal trespass over the August 14 incident.

Police allege that Yuda, together with other people, unlawfully entered Undi-Phiri’s residence with the intention of intimidating her and members of her family.

Yuda denies involvement.

His arrest has brought renewed attention to events surrounding Zambia’s August 13 general election and, in particular, allegations that pre-marked ballot papers had been taken to Undi-Phiri’s residence.

No publicly established evidence has shown that pre-marked ballot papers were at the property.

But questions remain about how an election-day allegation, an incident at the home of a senior government official and a police investigation eventually resulted in the arrest of Kasama’s mayor more than a month later.

### How it started

Voting in Kasama on August 13 was generally peaceful.

But during the day, allegations began circulating that vehicles carrying pre-marked ballot papers had been directed to the residence of Undi-Phiri, the acting Northern Province Permanent Secretary.

No evidence was publicly established at the time showing that pre-marked ballot papers had been taken to the residence.

Later that day, Undi-Phiri visited Chiba modern market polling station.

Her presence attracted attention against the background of the allegations circulating in the area.

There was, however, no reported discovery of pre-marked ballot papers or other unauthorised election materials in her possession at the polling station.

The following day, August 14, events escalated.

According to Undi-Phiri’s account, people went to her residence and searched the house and a vehicle while looking for pre-marked ballot papers.

She said nothing was found.

Police were subsequently called to the residence.

In a statement issued on August 14, Inspector General of Police Graphel Musamba said police were investigating what he described as an attack on Undi-Phiri’s residence involving suspected supporters of the National Reconciliation Party for Unity and Prosperity (NRPUP).

Police described the group as armed and said one suspect had been picked and was in custody.

### Where Yuda comes in

Yuda’s name subsequently became linked to the incident.

Undi-Phiri told the reporters that she recognised one of the people involved and that the person linked the visit to Yuda.

Yuda strongly disputes that account.

In an interview with Radio Mano, he said he had never interacted with Undi-Phiri before the incident and denied instructing anyone to go to her residence.

He also said he was not at his home at the time of the incident and denied any involvement.

His account is therefore at odds with the allegation linking him to the people who went to Undi-Phiri’s residence.

### What does the criminal trespass charge mean?

Police formally charged Yuda with one count of criminal trespass under Section 306 of Zambia’s Penal Code.

Under that provision, criminal trespass involves entering into or upon property in another person’s possession with the intent to commit an offence, or to intimidate, insult or annoy the person in possession, or unlawfully remaining there with such intent.

Police allege that Yuda and others entered Undi-Phiri’s residence without lawful authority and intended to intimidate her and members of her family.

This means the criminal trespass allegation does not necessarily depend on police proving that pre-marked ballot papers existed at the residence.

The circumstances surrounding the ballot-paper allegation may help explain why people allegedly went to the property, but the criminal case against Yuda centres on whether he was involved in the alleged unlawful entry and whether the elements required for criminal trespass can be proved.

Yuda denies involvement in the incident.

### What happened to the suspect taken into custody on August 14?

There are also unanswered questions about the people police initially said were involved.

On August 14, Musamba said one suspect had been picked and was in police custody following the incident at Undi-Phiri’s residence. Police have not publicly clarified whether that person was subsequently charged, released or cleared of involvement.

But when police announced Yuda’s arrest more than a month later, they said he had allegedly acted with other people whose identities had not yet been established and that investigations were continuing to identify and take them into custody.

### Why was Yuda arrested more than a month later?

Another unanswered question is why police waited more than a month after the August 14 incident before taking Yuda into custody.

Police have not publicly explained when Yuda first became a suspect, what evidence linked him to the alleged unlawful entry, or whether investigators had attempted to question or summon him before September 25.

His spokesperson, Raymond Chola, described the arrest as politically motivated and said no police call-out had been issued before Yuda was picked up. MakaanDay has not independently established that claim.

Police have said investigations into the August 14 incident are continuing, but have not publicly explained what developments in those investigations led to Yuda being charged more than a month later.

### From January defeat to August victory

The arrest comes at the end of a politically turbulent period for Yuda in Kasama.

In January 2026, he contested the Kasama mayoral by-election on the Forum for Democracy and Development (FDD) ticket following the death of mayor Theresa Kolala in December 2025.

Yuda lost to the ruling United Party for National Development (UPND) candidate Bywell Simposya.

Simposya received 17,647 votes against Yuda’s 14,302. But the election was accompanied by allegations of electoral malpractice, intimidation and inducements.

MakaanDay subsequently reported allegations that some voters had surrendered voter and national registration cards in exchange for money. Opposition councillors also alleged that they had been offered financial incentives to change political allegiance or support the ruling party.

The UPND rejected allegations of intimidation and inducements.

The Electoral Commission of Zambia later confirmed that it had received a formal complaint from the FDD alleging that UPND supporters were giving voters money and collecting voter cards.

Why Police Arrested Kasama Mayor cont...

ECZ said the complainant did not provide evidence to substantiate the allegations before the district conflict management committee.

However, because the allegations were criminal in nature, the commission said the matter had been referred to the Anti-Corruption Commission and Zambia Police for further investigation.

ECZ also said collecting voters' cards or requesting their details in the manner alleged was illegal under electoral regulations.

Seven months later, Yuda returned to the ballot for the August 13 general election, this time standing on the NRPUP ticket. The result was markedly different.

Yuda won the Kasama mayoral election with 54,269 votes, defeating Simposya, who received 16,589 votes.

He was subsequently declared mayor-elect.

It was the following day, August 14, that the incident at Undi-Phiri's residence occurred.

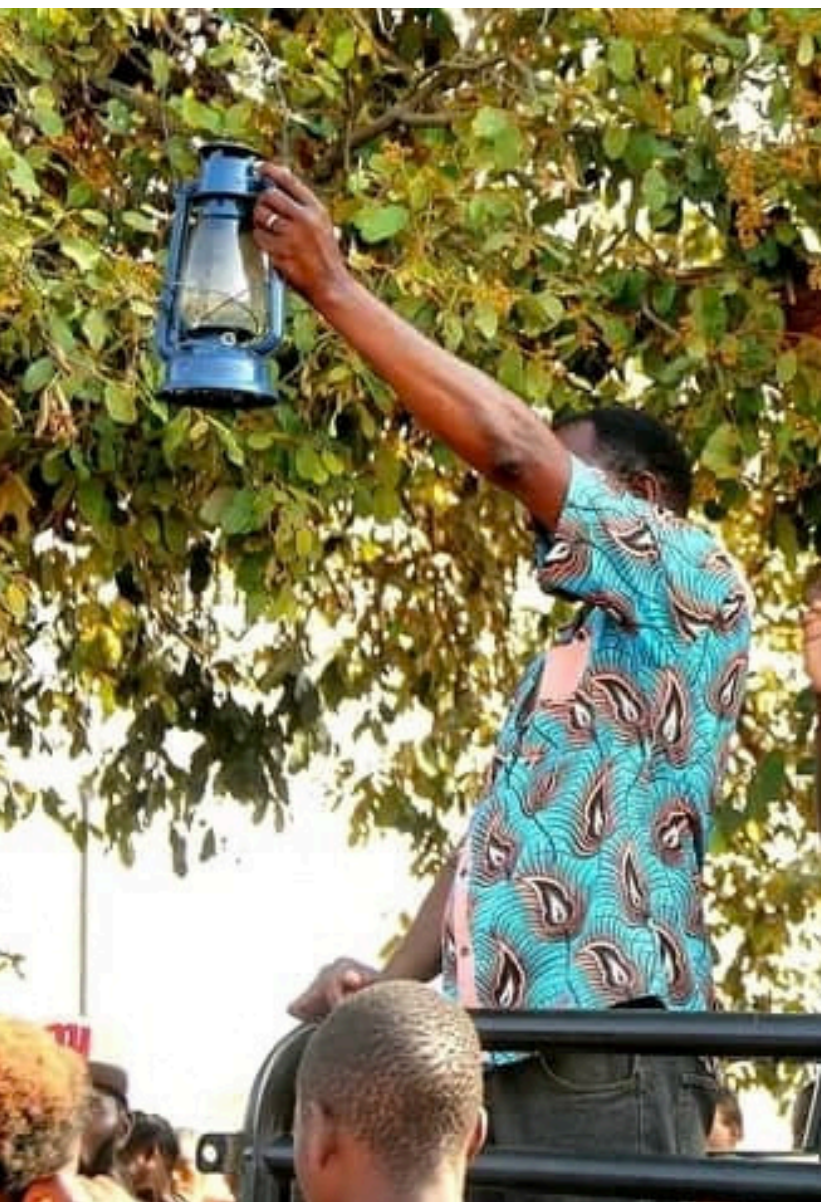
Attempts to secure police bond

Following Yuda's arrest, his lawyers, relatives and supporters sought police bond.

They were informed that bond could not be granted at the time because investigations were continuing.

As of 01October, Yuda remained in police custody and, according to information available to MakaanDay at the time, had not appeared before court.

Angela Mtambo is an investigative journalist based in Kasama and a former MakaanDay fellow. This story was edited and fact-checked by MakaanDay.



Beyond Who Won

MakaanDay has been featured in a Vanguard Africa article examining the lessons from Zambia's 2026 general election and the institutional reforms needed ahead of the next polls in 2031.

The article, Beyond Who Won: A Reckoning with Zambia's Institutions, draws from Zambia After the Ballot, an online discussion convened by the Resistance Bureau, where Charles Mafa, our editor, joined other panellists in examining the election beyond the question of who won.

MakaanDay argued that accepting the declared election result should not prevent scrutiny of the electoral process, including concerns about procedures, policing and the performance of institutions responsible for safeguarding Zambia's democracy.

“Yes, we can accept the results and still question the process. That is very important.”

The discussion also featured Zambia Human Rights Commission Chairperson Dr Pamela Sambo and explored reforms participants said would be necessary to strengthen public confidence in key institutions ahead of the 2031 elections.

<https://www.vanguardafrica.com/africawatch/2026/9/28/beyond-who-won-a-reckoning-with-zambias-institutions>



Entries Open for the MakaanDay Investigative Reporting Award

Now in its fifth year, the Eminent Prize for Investigative Journalism celebrates Zambian journalists whose reporting goes beyond the headlines to expose corruption, abuse of power and injustice.

Entries close: 31 October 2026

An independent panel of judges will review the submissions and select up to two winners.

What's at stake?

Overall Winner: A brand-new laptop  
Runner-up: A fully paid internship at MakaanDay  
Honourable Mentions: Up to two outstanding entries may receive special recognition, with the journalists invited to MakaanDay's awards ceremony.

Winning and finalist investigations will also be showcased on the MakaanDay website and across our social media platforms, giving exceptional investigative journalism greater visibility.

Who can enter?

The award is open to journalists based in Zambia, including MakaanDay contributors. However, journalists employed by MakaanDay are not eligible to enter.

Entries should demonstrate strong investigative reporting by uncovering information of significant public interest, particularly reporting that exposes corruption, abuse of power, wrongdoing or injustice.

Journalists may submit their own work or nominate another journalist's work with their permission.

Submission Guidelines

Eligible work must have been published or broadcast between 1 December 2025 and 31 October 2026.

Entries published or broadcast in languages other than English must be accompanied by an English translation.

For print or written entries, submit a scanned or digital copy. Where the text is difficult to read, include a transcript in Word or PDF format.

For radio, television or online video entries, provide a working link or attach the relevant audio or video file.

Every submission must include a short biography and photograph of the entrant or entrants.

Ready to enter?

Send your submission to [editor@makanday.org](mailto:editor@makanday.org) by 31 October 2026.

Visit the MakaanDay website for more information.

Great investigations deserve to be recognised. If your journalism uncovered what others wanted hidden, we want to see it.



PART ONE: The Men Who Were Sent to Eswatini

From page 1

They left the United States expecting deportation. Instead, they were flown thousands of kilometres to a country they had never known — and taken to a maximum-security prison.

This investigation is part of The Deportation Project — Inside the Trump administration’s secret deals to expel people worldwide, a collaborative investigation led by Forbidden Stories involving 24 media organisations in 15 countries.

By Inhlase Reporter

The journey

When Phone Chomsavanh closes his eyes, he can still picture the moment he believed his journey was finally coming to an end.

It was July 2025. His wrists and ankles were shackled when he boarded what immigration officers told him was a deportation flight from the United States.

After nearly a decade living under an order of removal, the 45-year-old thought he was finally being sent to Laos, a country he had never really known, but one where he hoped he could begin again in a country from which his parents had once fled.

“I was happy,” he recalled in an interview from His Majesty’s Correctional Services in Matsapha.

“I thought, okay, I get a second chance at life. I can start over. I can live like a free man.”

Then he noticed something that did not make sense.

The four other men boarding the aircraft were from Vietnam, Yemen, Jamaica and Cuba.

“I’m thinking, I can’t be going to Laos. They’re not from Laos,” he said.

No one, he says, explained where they were going.

The men were loaded onto a private jet before being transferred in Djibouti to a military cargo aircraft. Phone says the shackles remained on his wrists and ankles throughout the journey.

About an hour before landing, an immigration officer handed him papers and asked him to sign.

The destination was not Laos.

It was Eswatini.

“I said, ‘That’s not my country. I’m not signing that.’”

He says the officer returned minutes later and again insisted that he sign. Phone refused.

His refusal did not change the destination.

On 16 July 2025, after nearly two days in transit, the aircraft landed at King Mswati III International Airport.

Outside waited armed security officers.

Phone remembers the aircraft’s rear ramp opening into darkness.

“It reminded me of military movies,” he said.

The men were photographed before being handed over to Eswatini authorities.

More than a year later, Phone remains inside Matsapha.

He has not been charged with an offence in Eswatini.

And he says he still does not know when he will leave.

Likewise, Roberto Mosquera del Peral stepped off the aircraft in Eswatini in July 2025, he did not know where he was.

He had been moved through a chain of American detention facilities before being placed on a flight with four other men. They were transferred through Djibouti and eventually brought to the small southern African kingdom.

For Mosquera, the journey ended at Matsapha Correctional Complex, a maximum-security prison outside Manzini.

He had not committed a crime in Eswatini. He had not been sentenced by an Eswatini court. Yet that was where the United States had sent him.

The other four men on that first flight were Kassim Saleh Wasil of Yemen, Dung Tien Nguyen of Vietnam, Phone Chomsavanh of Laos and Orville Etoria of Jamaica. [Amnesty International](#) documented their arrival on 16 July 2025 and their detention at Matsapha.

The men had something else in common:



Dung Nguyen (Vietnam) Kenny was born in Vietnam and left before he was even two years old, so he has no memory of life there. His family arrived in the United States in 1992, fleeing the aftermath of the Vietnam War

none had a known connection to Eswatini.

Their arrival marked the beginning of a new chapter in the Trump administration’s use of third-country removals—sending people out of the United States to countries that are neither their country of nationality nor, in many cases, a place they had ever visited.

For the five men, the destination was not disclosed until the journey was almost over.

Third Country  
Deportation Watch, a project of Human Rights First and Refugees International, records that the men on the first flight were informed they were being sent to Eswatini only as the plane was preparing to land. All five refused to sign the third-country removal notices presented to them at that point.

Then came Matsapha Maximum Prison.

From lives in America to a prison in Eswatini

The men did not arrive as ordinary prisoners convicted under Eswatini law.

Their circumstances in the United States were different from one another, and their immigration histories were complicated. Some had criminal convictions in the United States; some had already served sentences; some had lived in America for decades.

But once they reached Eswatini, their lives converged behind the walls of Matsapha.

The Guardian reported that the five were initially held in solitary confinement at the prison, citing the Eswatini government and local reporting.

Their lawyers struggled to gain access to them.

Amnesty International reported in September 2025 that lawyers seeking confidential, in-person and unmonitored access had faced obstruction from Eswatini authorities.

PART ONE: The Men Who Were Sent to Eswatini cont...

The confinement created an unusual legal situation.

The men were not serving Eswatini prison sentences. They had been transferred under an arrangement between two governments, yet they were being housed in one of Eswatini’s highest-security correctional facilities.

The question of what, exactly, their status was would eventually become one of the central unresolved issues surrounding the agreement.

But for the men themselves, the first problem was more immediate.

They were locked away in a country they had not chosen.

**A life built in America**

Phone’s story begins long before Eswatini.

He was born on Christmas Day in 1980 in a refugee camp in Thailand after his family fled Laos. He was six when they resettled in the United States.

“I don’t know much about my family history,” he said. “My parents never really talked about it.”

His family settled in California before later moving to Tennessee.

At 17, Phone was convicted of second-degree murder and sentenced as an adult. He spent 17 years in prison.

He says those years changed him.

“I found God,” he said.

“It gave me a whole different point of view on life.”

When he completed his sentence in 2015, he expected to rebuild his life.

Instead, immigration authorities took him into custody and issued a final order removing him to Laos.

But Laos would not accept him.

Released under immigration supervision, Phone was required to report periodically to Immigration and Customs Enforcement (ICE).

His permanent resident status was revoked. Without valid immigration documents, he struggled to obtain a work permit.

“I still had to make a living,” he said.

He found informal work in restaurants, landscaping and construction.

In 2022, he was arrested on marijuana-trafficking charges, which he attributes to his inability to obtain lawful employment.

After serving his sentence, he says he tried again to rebuild his life.

He moved to Florida with his girlfriend. He says he was working honestly.

Then, on 23 June 2025, officers arrived at his apartment.

“It was scary,” he recalled.

“There were ICE officers, Drug Enforcement Administration (DEA) agents, Federal Bureau of Investigation (FBI) agents. They had guns.”

He was taken to a detention facility in Orlando and later flown alone on a commercial flight to El Paso.

For weeks, he believed he would eventually be removed to Laos.

Instead, he was sent to Eswatini

Thousands of kilometres away, another man was following a remarkably similar path.



*Khai Vo arrived in the United States in 1984 at the age of 8 (born in 1976) as a refugee after the Vietnam War, sponsored by an uncle in North Carolina. He grew up in California and worked as an audiovisual technician in Orange County.*

Khai Vo arrived in the United States in 1984 as an eight-year-old refugee after the Vietnam War.

He grew up in California.

As a teenager, he was convicted of attempted murder following a fight. He served approximately 13 years in prison and was released in 2007.

Like Phone, he received a final order of removal.

At the time, however, Vietnamese nationals who had arrived in the United States before 1995 were generally protected from deportation under the policy then in force between the two countries.

For the next 18 years, Khai says he reported to immigration authorities every year.

He worked.

He paid taxes.

He built a life.

“I was living like an ordinary person,” he said.

“I had a job. I paid my taxes. Every year I went to immigration. I never missed.”

On 17 March 2025, he went for what he expected to be another routine check-in.

Instead, he says officers handcuffed him immediately.

He expected deportation to Vietnam.

After months in detention in Arizona and Louisiana, he was flown to Eswatini.

“I still don’t understand why I’m here,” he said.

“Vietnam is accepting people back every month.”

“If the United States wants to send me back, send me back to Vietnam.”

Why Eswatini? That question is repeated by several of the men interviewed for this investigation.

**Waiting without a release date**

For many of the men, uncertainty has become harder than imprisonment itself.

A criminal sentence has an end date.

Immigration detention can have procedures and hearings. But the men in Matsapha say they have no clear countdown.

“It’s like a mental war,” Phone said.

“You wake up every day and don’t know what’s going to happen.”

The first weeks were particularly difficult.

Phone says the original five men spent days confined to their cells and had no communication with their families until early August.

When calls eventually became possible, he says they lasted about 10 minutes and were made on speakerphone using an officer’s mobile phone.

“There was no privacy,” he recalled.

“You had to choose who to call.”

Conditions later improved.

The men gained limited access to telephones, television, internet, a canteen and exercise within designated parts of the facility.

The International Organization for Migration began visiting and providing support. But the central uncertainty remained.

“We’re still in prison,” Phone said.

“We still don’t know when we’re getting out.”

Orville’s way out

For one of the five, the stay lasted two months.

Orville Etoria had lived in the United States for decades. He was deported to Eswatini in July 2025 after serving a lengthy prison sentence in the United States.

The U.S. government had portrayed the first five deportees as people whose home countries would not accept them.

But Jamaica disputed that explanation in Etoria’s case.

Jamaican authorities subsequently helped arrange his return, and Etoria was repatriated to Jamaica on 21 September 2025.

PART ONE: The Men Who Were Sent to Eswatini cont....

His departure offered the first indication that the arrangement did not necessarily mean every person sent to Eswatini would remain there for the full period contemplated by the agreement.

It also exposed a contradiction at the centre of the programme. If a person’s home country could ultimately receive him, what had the transfer to Eswatini been intended to accomplish?

For the men left behind, there was no immediate answer.

**Then came more men**

On 6 October 2025, another ten people arrived in Eswatini.

They included nationals of Cambodia, Chad, Cuba, Ethiopia, Haiti, the Philippines and Vietnam, according to reporting at the time. They too were taken into the Eswatini system under the U.S.-Eswatini arrangement.

The second arrival changed the scale of the experiment.

This was no longer a single group whose circumstances could be treated as an isolated diplomatic episode. Eswatini had become part of a developing American system for transferring people who could not, or were not being, returned directly to their countries of nationality.

For some of those transferred, there was another complication.

Third Country Deportation Watch records that at least three people sent to Eswatini had previously received humanitarian protection from U.S. immigration judges that prohibited their return to their countries of origin.

That protection was designed to prevent a person from being sent somewhere where they faced specified risks. But a third-country transfer created another question:

**What protection existed against what happened next?**

If a person could not legally be returned to his country of nationality, could he instead be sent to Eswatini and subsequently transferred elsewhere?

That question would follow the men into Matsapha.

**A year behind the walls**

For Mosquera, the months passed.

In October 2025, he went on hunger strike, according to Amnesty International and subsequent reporting. The protest drew attention to his continuing detention and lack of access to counsel.

The men had become increasingly dependent on lawyers, relatives and outside organisations to communicate their circumstances to the world.

**The fight to see a lawyer**

Their lawyers challenged their lack of access to local counsel.

In April 2026, Eswatini’s Supreme Court confirmed that four of the original detainees had the right to consult a local lawyer. The ruling followed months of litigation over whether the men could meet their lawyer in person. The legal battle began with a relatively simple demand: that lawyers be allowed to meet their clients.

Sibusiso Nhlabatsi, who now represents six of the men, says access was initially restricted.

US-based immigration lawyer Tin Nguyen, who coordinates with Nhlabatsi, says the inability of local counsel to meet detainees in person made it difficult to represent them.

Families sometimes had to relay information between lawyers and detainees, Nguyen said.

The dispute eventually reached the courts. The Supreme Court later confirmed that Nhlabatsi could access four of the detainees.

But even as the lawyers gained access, another question remained unresolved: what legal authority allows the men to remain inside a maximum-security correctional facility?

The decision did not resolve the larger question of why the men were being held in Matsapha.

It answered a narrower question: whether they could have meaningful access to legal representation.

By then, the first group had spent months in Eswatini and more people had arrived.

**The arrivals continued**

Four more men were transferred to Eswatini on 11 March 2026, according to Amnesty International and Third Country Deportation Watch. They came from Somalia, Tanzania and Sudan. Then, on 8 July, another 11 people arrived.

The July group included nationals of Angola, the Democratic Republic of Congo, Kenya, Jamaica, Cameroon, Mauritania, Belize and the Central African Republic, according to Third Country Deportation Watch.

Among them was 64-year-old Jamaican pastor Junior Alves.

His case differed sharply from the image of the dangerous criminal used by U.S. officials to describe some of the earlier deportees.

Jamaica’s Observer reported that Alves had no criminal conviction in the United States and had been allowed to remain there under protection granted under the Convention Against Torture in 2016. He had reported annually to U.S. immigration authorities before being arrested by ICE in January 2026 and eventually transferred to Eswatini.

His case raised a question that went beyond the circumstances of one man. What happens when a person who has been protected from return to his country of nationality is instead moved to a third country?

And what happens when that third country itself becomes the place of detention?

**A prison that was never supposed to be the destination**

The U.S.-Eswatini agreement does not describe Matsapha as the final destination for the people being transferred.

Instead, the agreement provides for Eswatini to give third-country nationals an appropriate immigration status or other legal accommodation under Eswatini law for up to one year. It also envisages assistance from the International Organization for Migration or another service provider with further relocation within that period.

That distinction matters. The men were not supposed to disappear into an indefinite legal void.

There was supposed to be a process.

But from inside Matsapha, the process was difficult to see.

The government’s public descriptions of the arrangement repeatedly characterised the men’s stay as temporary and linked it to eventual repatriation.

For the men, however, temporary did not necessarily mean short. Etoria left after two months, others remained.

By August 2026, the government was announcing individual departures, including people who had been returned to their countries of nationality. In other cases, authorities said individuals had requested voluntary repatriation and that the government was engaging relevant authorities and partners.

The departures demonstrated that movement out of Eswatini was possible.

But they also left unanswered a basic question for those still inside Matsapha:

**The man who filmed the prison**

By August, Mosquera had spent more than a year in Matsapha.

He had obtained access to a mobile phone and used it to record images from inside the facility.

The footage later became public, showing parts of the prison and the arrival of another group of detainees.

The New York Times subsequently reported extensively on

PART ONE: The Men Who Were Sent to Eswatini cont...

Mosquera’s life, his journey to Eswatini and his continuing detention at Matsapha.

The footage also triggered an unusual response from the Eswatini authorities.

The government announced that it would review protocols concerning the management of third-country nationals at the correctional facility. The Eswatini Observer said the footage raised questions about what the detainees were permitted to record inside a high-security prison.

The significance of the footage was not simply what it showed.

It provided a glimpse into a system that had largely remained inaccessible to the public.

The men had been transferred across continents under a government-to-government arrangement. They were held in a prison. Their legal status was disputed. Access to lawyers had been contested. Their onward movement depended on decisions made by governments and other actors.

Yet for much of the outside world, the people themselves remained largely invisible.

**What the men carried with them**

The first five arrived with histories that stretched across several countries and decades.

Mosquera had lived in the United States since childhood.

Etoria had spent most of his life there before being returned to Jamaica.

Others had established lives in America, served criminal sentences and then lived for years under immigration supervision.

Their individual histories are different. They should not be reduced to their criminal records or immigration cases.

Nor should the fact that some had committed serious offences in the past obscure the question that arose after they reached Eswatini: What legal authority allowed a foreign government to confine them in a maximum-

security prison after the United States had transferred them?

That question is separate from whether they had committed crimes in the United States.

It is also separate from the U.S. government’s power to remove someone from American territory. It concerns what happened next.

The journey did not end at the airport

The story of the Eswatini deportees is therefore not simply a story about deportation.

For the men, the decisive moment came after the aircraft landed.

The United States had made the decision to remove them.

Eswatini had agreed to receive them.

But once they crossed the prison gates at Matsapha, another system took over — one whose legal basis, rules and decision-making authority were not immediately apparent.

The International Organization for Migration said in a September 2026 statement that, before agreeing to work in a receiving country, it assesses whether the government can provide essential safeguards including legal stay arrangements, freedom of movement and access to international protection. IOM also said it does not decide who is removed and does not engage in forced movements or detention.

Those safeguards provide a useful lens through which to view the experience of the men in Eswatini.

What legal status did they receive?

Were they free to move? Who could authorise their departure?

What happened if they could not return home? And what would happen when the one-year period contemplated by the agreement ended? These questions and more were sent to the Eswatini authorities by the consortium on 4 september 2026 however no response had been recieved by the deadline of 11 September.

For the men who entered Matsapha in July 2025 and those that followed in subsequent months, the journey that began in American detention did not end when they landed in Eswatini.

It entered a new and uncertain phase.

Of the five men deported from the United States to Eswatini on July 16, 2025 (originating from Jamaica, Cuba, Laos, Vietnam, and Yemen):

- One man has been repatriated: Orville Etoria, a Jamaican national, was repatriated to Jamaica on September 21, 2025, through assistance from the UN’s International Organization for Migration (IOM) after being detained in Eswatini for over two months.

- A year has lapsed but four of the men remain in Eswatini: the other four men—Phone Chomsavanh (Laos), Khai Vo / Dung Tien Nguyen (Vietnam), Kassim Saleh Wasil (Yemen), and Roberto Mosquera del Peral (Cuba)—remain detained at the Matsapha Correctional Complex while awaiting resolution or onward movement.
- Out of the total 32 men deported from the United States to Eswatini across five flights, 6 men have been repatriated to their home countries.
- 26 men remain at the Matsapha Correctional Complex in Eswatini awaiting resolution.



Map of countries to which US expelled people – Credit: Mélody da Fonseca / Forbidden Stories

- The next part examines the agreement that brought them there — the negotiations, the \$5.1 million, the promise to accept up to 160 people, and the decisions made before most Eswatini citizens knew the deal existed.

EDITORIAL

From page 1

The Catholic Bishop They Called “Polish Mad-Man”

As Zambia reflects on recent events surrounding the arrest and charging of Lusaka Catholic Archbishop Alick Banda, an old question has returned to the centre of public debate: What role should the Church play in politics and in society more broadly?

Archbishop Banda has been charged with possession of property reasonably suspected to have been unlawfully obtained in connection with a Toyota Hilux allegedly originating from the Zambia Revenue Authority. He has pleaded not guilty, and the matter is now before the courts.

Without passing judgment on that case, the controversy surrounding it provides an opportunity to revisit the long history of Christian leaders speaking on questions of governance, human rights and social justice in Zambia.

For that reflection, we turn to the words of the late Cardinal Adam Kozlowiecki, SJ, who became the first Archbishop of Lusaka in 1959 and resigned from the position in 1969. He later became a cardinal.

His words are particularly instructive because they describe a Church that spoke out under very different governments and political systems — against discriminatory colonial laws, during the struggle for African self-determination, after independence and during Zambia’s one-party era, and later under the Third Republic.

For Cardinal Kozlowiecki, speaking out was not simply about supporting or opposing a particular government. He presented it as part of the Church’s responsibility to defend human rights, challenge injustice and speak on behalf of the people.

The passage below is his Foreword to the book The Social Teaching of the Catholic Bishops and Other Christian Leaders in Zambia. We reproduce it as published:

FOREWORD

“As Church leaders, we have always to speak out for human rights, for the rights of the people.”  
Cardinal Adam Kozlowiecki

“As a Church, we have the duty to say the truth. When something is unjust we should not hesitate to speak against it”. This has been our guidance whenever the Church has spoken out.

I came to this Country 57 years ago, just after the Second World War. From that time, I saw that the people were not treated well.

The British South African Company (BSA) had constructed the railway to the Copperbelt. The prospectors (BSA) did not have an idea about the people of the land in which they had come. All they were interested in was the copper.

Later, when the country became a British Protectorate before it became Northern Rhodesia, the people were still not being treated rightly. It was therefore not surprising that people (Africans) started thinking of independence.

We as Church leaders, at that time, stood for the self-determination of the Africans. We spoke about the rights of the African population to participate in the affairs of their land.

The question of the Federation of Rhodesia and Nyasaland was one example. It was an issue that was only between the settlers alone without the participation of Africans.

I was personally so outspoken that the Federal Government used to call me a “Polish mad-man”.

I remember the visit of Bishop Kiwanuka, from Uganda, when he came to bless the Church of the Martyrs of Uganda in Luanshya. He was the first black African to become Bishop. He arrived in Salisbury (Harare) and was put in a third class hotel because of a law they used to call “Land Apportionment Act”,

famously known as the “colour bar”. Under this law, people were segregated according to the colour of their skin. I asked my secretary to call the Northern News (what is known as the Times of Zambia today). I said, “I want to protest the way an important guest was treated”. I was told, “That was the law”. I said, “then I want to protest against such laws”.

We as Bishops spoke against the colonial Government for some of their bad laws and policies. We still were very critical after independence, especially during the One Party rule of the Kaunda regime.

We are still speaking out today during the Third Republic during the rule of President Chiluba. We have always spoken on behalf of the people. This is the essence of the pastoral letters the Bishops have been writing since 1953!



In the photo, Adam Cardinal Kozlowiecki, SJ (left), with the late Pope John Paul II.

Photo: Emmanuel Haambokoma’s Facebook Page

MakanDay

INVESTIGATE.  
INFORM.  
EMPOWER.

**YOUR SAY**

Your opinion. Your argument. Your space.

A space for our readers to share their views, challenge ideas and contribute to conversations about the issues shaping Zambia and our communities.  
Opinions expressed here are those of the authors and do not necessarily reflect the views of MakanDay.

Undi-Phiri is Offside

- "Undi herself ordered the cops to arrest Mr Yuda just a day after he was declared as mayor elect. In what seemed like an after thought, after initially issuing a general complaint that a group of people had attacked her home, Undi now said, Mr Yuda was one of them. Allow me to add one more question to the list of questions that you already have. In her initial complaint, Ms Undi just said a group of people had attacked her home. A week or two later, she alleges that the mayor elect was one of the people that had allegedly attacked her home. When did Ms Undi know that Mr Yuda was part of the group that had attacked her home and why didnt she mention his name in her first complaint to the cops?" - Emmanuel Saisende reacting to our story on Why Police Arrested Kasama Mayor

Trade Kings Must Emulate FQM

- "Let Trade kings do the same in industrial area" - Watertight Reporters reacting to our on Zambian Mining Giant Builds Roads To Offset Tax Bill



From page 1

# Speaking Parliament — the words you will hear and what they mean

By MukanDay Editor

Last week, HOUSE BUSINESS explained what happens before Zambia’s new national assembly gets down to work — from the swearing-in of MPs to the election of the speaker and deputy speakers.

As the 14<sup>th</sup> national assembly begins its work, you will hear MPs, journalists and parliamentary officials use words such as sitting, session, motion, order paper, Hansard and point of order.

They may sound technical, but they describe processes through which MPs make laws, question Government and represent citizens. Here are some of the terms worth knowing.

## Session and sitting — they are not the same

A session is a period of parliamentary business lasting no more than 12 months. It begins with the first sitting after a general election or after the previous session has been formally ended, and ends with prorogation or dissolution.

A sitting, on the other hand, is simply one parliamentary working day — from the moment the Speaker takes the Chair until the House adjourns for the day.

In simple terms: Parliament can have many sittings during one session.

## Meeting

There is another layer between the two. A meeting is a series of sittings beginning when the assembly is

summoned and ending when it adjourns sine die — meaning without fixing the next sitting date.

Think of it this way: a session contains meetings, and meetings contain sittings.

## Order Paper

The Order Paper is parliament’s agenda for a particular sitting. It tells you what business MPs are expected to deal with that day. An order of the day is business carried over from a previous sitting.

For citizens, the order paper is one of the easiest ways of knowing what parliament is about to discuss.

For citizens, journalists and researchers, this matters: when there is disagreement over what an MP said in parliament, the hansard provides the parliamentary record.

## Motion

A motion is a proposal asking the house to decide or express a position on a particular matter.

If you hear that an MP has “moved a motion”, it means the MP has formally put a proposal before the house for consideration.

## Point of Order

A point of order is not simply an MP disagreeing with another MP.

It is an declaration that a parliamentary rule, procedure or privilege has been breached.

## Hansard

The hansard is the verbatim report of proceedings of the house. It provides the written record of what MPs actually said in Parliament. The Clerk of the National Assembly is responsible for its production.

HOUSE BUSINESS will continue translating these procedures into ordinary language — following the questions MPs ask, the laws they debate, the answers ministers give and, where the record allows, how MPs vote.



This week in the Bulletin & Record

# 10 Commandments to Guide MPs

As Zambia’s newly elected Members of Parliament prepare to begin their work in the National Assembly, MakaanDay reaches into the Bulletin & Record archives for a satirical piece first published by in 2014. Twelve years later, the names and numbers may have changed — but readers can decide how much else has.

By Charles Mafa

**Editor’s note:** This article was first published in 2014. We are republishing it as Zambia’s newly elected MPs begin their parliamentary work. To preserve the original satire while giving readers a sense of the change in the value of money, some monetary figures have been adjusted to approximate 2026 purchasing-power equivalents. They should not be read as the current salaries or allowances of MPs.

In 1776, the scholar and champion of capitalism Adam Smith published his landmark work, An Inquiry into the Nature and Causes of the Wealth of Nations.

Two and a half centuries later, we offer a rather less scholarly sequel: An Inquiry into the Causes of the Poverty of MPs.

It consists of 10 commandments, drawn from years of observing the pressures, expectations and lifestyles that can accompany political office — including the perennial debate over MPs’ salaries, allowances and gratuities.

Here, then, are 10 basic rules for turning a potentially comfortable Member of Parliament into a pauper.

New MPs, take note.

### 1. Become everybody’s wallet

Once you become an MP, demonstrate your love for the people by buying beer and chitenge materials, paying funeral expenses, school fees and medical bills, and giving personal money to anyone who asks. After all, why should constituents distinguish between their elected representative and an ATM?

### 2. Never make a financial plan

When the money starts coming, do not make a budget. Instead, immediately upgrade your lifestyle

to match your new title. If necessary, upgrade your relationships too. Add a few expensive girlfriends or boyfriends, pay their bills, book nice hotels and make sure everybody dresses according to your new status.

Planning is for ordinary people.

### 3. Dress like Parliament is a fashion show

Why wear one outfit a day when you are now a public figure who appears on television?

Have several.

Visit the most expensive boutiques and, where possible, buy on credit. Everyone knows you are Honourable now. Surely the clothes must match the title.

### 4. Blame everybody except yourself

Whenever the money runs out, complain.

Blame the system. Blame the Government. Blame Parliament. Blame the banks for refusing to lend you more money.

Under no circumstances should you examine your own spending habits.

### 5. Never save small money

Do not bother saving until you have "real money."

The original 2014 article joked about a K6,000 weekly sitting allowance. In today's purchasing power, that is a little bit more.

Besides, there are vehicles to pay for, constituents to assist, campaigns to prepare for and lifestyles to maintain.

### 6. Your children must also become Honourable

Send your children to expensive schools abroad.

Why should they attend the same schools as everybody else's children? Give them everything they request. Buy them cars. Pay for their fuel when they return for holidays.

Make sure they never experience the inconvenience of having to build their own lives.

You have connections, after all.

Perhaps somebody somewhere will eventually find something for them to do.

### 7. Drink according to your status

Do not drink somewhere affordable simply because the beer is cheaper. You are Honourable.

Go where Honourable people are expected to be seen.

In 2014, this column joked about paying K50 for a beer at an expensive hotel. Adjusted roughly for the change in prices, imagine spending around K200 today.

And never drink alone. Invite friends. Let them invite their friends too. Your wallet must understand that you won an election.

### 8. Buy the car before doing the mathematics

An MP needs a vehicle befitting the title.

Therefore, buy the most expensive one you can obtain — preferably one costing far more than you can comfortably afford.

Buy other consumer goods on credit as well.

If the banks become difficult, borrow from businesspeople and friends. Tomorrow will solve itself.

### 9. Campaign as though money grows after elections

When the next election approaches, borrow heavily. Dish out money.

Buy food. Buy drinks. Pay bills. Attend every funeral. Suddenly remember every village you have not visited for years.

You cannot possibly fail to repay the loans

because, naturally, you are definitely going to win again.

What could possibly go wrong?

# 10. Keep several lawyers on standby

Finally, retain enough lawyers to defend you should someone challenge your election victory.

Lawyers are clever people. They can help you through difficult situations.

They can also help a rich person discover just how quickly money can disappear.

Follow these 10 commandments diligently and you may discover that political office does not automatically produce financial security.

And when the voters eventually decide that somebody else should represent them, all the people whose school fees, funerals, drinks, transport, businesses and personal problems you financed will surely remember you in your hour of need.

Won't they?

## Isn't it good to be an MP?

This satirical article was originally published in 2014 and has been lightly edited and updated for republication in MakaanDay Weekly in 2026.

