
MONITORING DEBT RESOURCES: THE CASE OF ZAMBIA

A Review of Current Practices and Procedures in Zambia

August, 2007

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JUBILEE- ZAMBIA

Hosted by

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List of Acronyms

ABB	Activity-Based Budgeting
AFRODAD	African Forum and Network on Debt and Development
ART	Anti-Retroviral Therapy
BoZ	Bank of Zambia
CAFOD	Catholic Agency for Overseas Development
CBOs	Community-Based Organisations
CCJDP	Catholic Centre for Justice, Development and Peace
CCZ	Council of Churches in Zambia
CRC	Constitution Review Commission
CSOs	Civil Society Organisations
CSPR	Civil Society for Poverty Reduction
CSSR	Centre for Social Science Research
DRMM	Debt Resources Monitoring Manual
EAZ	Economics Association of Zambia
EFZ	Evangelical Fellowship of Zambia
FBOs	Faith-Based Organisations
FNDP	Fifth National Development Plan
GRZ	Government of the Republic of Zambia
HIPC	Heavily Indebted Poor Countries
HIV	Human Immune Deficiency Virus
IDA	International Development Association
IDASA	Institute for Democracy in South Africa
IFIMIS	Integrated Financial Management Information System
IFIs	International Financial Institutions
IMF	International Monetary Fund
JCTR	Jesuit Centre for Theological Reflection
LoI	Letter of Intent
M & E	Monitoring and Evaluation
MDRI	Multilateral Debt Relief Initiative
MFNP	Ministry of Finance and National Planning
MP	Member of Parliament
MPSA	Ministries, Provinces and Spending Agencies
NGOs	Non Governmental Organisations
NSAs	Non State Actors
OAG	Office of the Auditor General
PAC	Public Accounts Committee
PEMD	Planning and Economic Management Department
PEMFA	Public Expenditure Management and Financial Accountability
PER	Public Expenditure Review
PETS	Public Expenditure Tracking System
PFM	Public Finance Management
PMA	Poverty Monitoring Analysis
POP	Provincial Outreach Programme
PPPs	Policies, Programmes and Projects

PRSP	Poverty Reduction Strategy Paper
PTA	Parent Teacher Association
TSA	Treasury Single Account
UDN	Uganda Debt Network
ZEC	Zambia Episcopal Conference
ZICA	Zambia Institute of Chartered Accountants
ZNTB	Zambia National Tender Board

Since Zambia's attainment of the HIPC Completion Point in April 2005, the question of how every Zambian citizen is benefiting from debt resources which are as a result of debt cancellation or new borrowing has continued to beg for adequate responses. It is well understood that even though there has been substantial debt write off of over 86 per cent of Zambia's debt, the challenge of deriving meaningful benefits that can be seen in a real change in people's accessibility of key essential services like education, health and economic developments of infrastructure are still present in many communities. President Mwanawasa in 2005 expressed this concern when he alluded that "Not everybody in our nation has so far benefited from the achievements made so far and most of our people still wallow in poverty." He later affirmed in 2006 when opening the tenth National assembly, that "Whilst we have made important macroeconomic gains, admittedly the standard of living of the majority of Zambians remains poor."

The achievements made so far in the campaign for debt cancellation need to be complemented by prudent management and utilisation of debt resources in the post HIPC era. In order to facilitate transparency and accountability in the utilisation of debt resources, the debt and trade project of the JCTR has focussed its energies on enhancing the participation of local communities and other stakeholders in monitoring of debt resources. This can only be adequately and effectively done if the current challenges faced in governing and administering debt resources are well understood. Therefore, as a precursor to a Debt Resources Monitoring Manual, this study outlines the current practices in monitoring debt resources. It does not only offer key policy suggestions but also points to the key gaps in monitoring debt resources. Therefore, the two documents namely (1) ***Monitoring Debt Resources in Zambia: A Review of Current procedures and Practices*** and (2) ***Debt Resources Monitoring Manual: A Stakeholders' tool for monitoring Debt Resources in Zambia*** are "hand in glove." The two are mutually beneficial to Stakeholders as tools for monitoring debt resources and are aimed at responding to particular challenges which are well outlined in this study.

It is our hope that this study will, like other reports, find acceptance among key stakeholders such as government institutions including the Auditor General's office, the Legislature, the executive and cooperating partners as this will complement the work of effective public resource management especially debt resources. For advocacy institutions in local communities, at the national level and international level, this study provides key institutions entrusted with the management of public resources and the existing points of engagement for advocacy. With urgent responses to the questions in this study, many people in our nation will benefit from the achievements made so far in debt relief. We hope this will be as useful to all of you as it is to us.

Sincerely,

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1. Introduction

1.1. Background to JCTR

The Jesuit Centre for Theological Reflection (JCTR)¹ is a research, education and advocacy team that promotes study and action on issues linking Christian Faith and social justice in Zambia and Malawi. The JCTR began in 1988 as a project of the Zambia-Malawi Province of the Society of Jesus and is similar in orientation and activities with other Jesuit social centres around the world. It has three main projects, namely the Debt and Trade Project (hosting Jubilee-Zambia), the Social Conditions Research Project and the Church's Social Teaching Project. In addition to the Projects, the JCTR has two task forces on Inculturation and Environment.

1.2. Vision

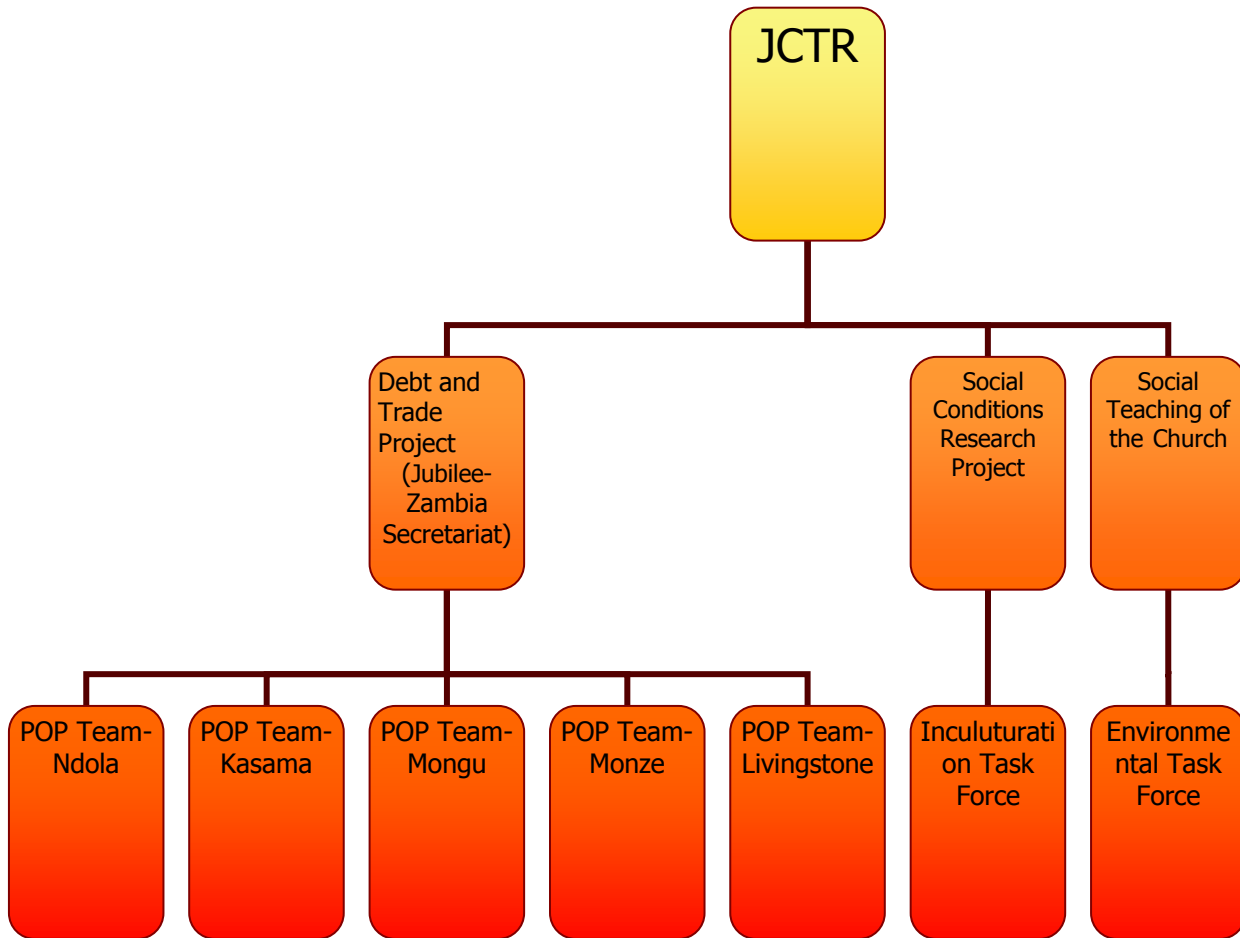
A society where faith promotes justice for all in all spheres of life, especially for the poor.

1.3. Mission

The mission of the JCTR broadly stated is to foster from a faith—inspired perspective a critical understanding of current issues. Guided by the Church's Social Teaching that emphasises human dignity in community, our mission is to generate activities for the promotion of the fullness of human life through research, education, advocacy and consultation. Cooperating widely with other groups, our Jesuit sponsorship directs us to a special concern for the poor and assures an international linkage to our efforts. We aim to promote an inculturated faith, gender equality and empowerment of local communities in the work of justice and peace and the integrity of creation.

¹ For more details on the Jesuit Centre for Theological Reflection (JCTR) please visit <http://www.jctr.org.zm>

Figure 1.0 JCTR ORGANISATIONAL STRUCTURE



2. Jubilee-Zambia and the POP Teams

The focus of this study is to strengthen the operations of Jubilee-Zambia with its outreach programmes in relation to debt relief monitoring in the five districts of Zambia as shown in the organisation chart. Formed by the three church mother bodies, namely the Zambia Episcopal Conference (ZEC), the Evangelical Fellowship of Zambia (EFZ) and the Council of Churches in Zambia (CCZ), Jubilee-Zambia is part of the global Jubilee movement whose main aim at both national and lower levels is to wage a relentless campaign for total debt cancellation and promotion of a just international trade system in order to facilitate poverty eradication in Zambia.

Through an advocacy programme based on in-depth research, popular mobilisation using an active Provincial Out-reach Programme (POP) and international cooperation, Jubilee-Zambia has been instrumental over the years in calling for full cancellation of external debts and linking freed resources to equitable poverty eradication across the country. By highlighting the close link between debt and trade, the campaign continues to call for trade justice in order to avoid a possible debt trap in future.

2.1. Objectives of the POP Teams

Jubilee-Zambia has the following objectives at the provincial and district levels:

-
- **Increase Outreach** of the number of people and organisations participating in lobbying for debt cancellation
 - **Increase Awareness** on a variety of issues related to the debt problem through different modes of communication such as meetings, rallies, popular drama, radio and television programmes and newsletter/newspaper articles
 - **Participate in area-specific issues** such as Provincial/District Development Committees' planning, monitoring and evaluation meetings
 - **Increase networking** with district councils, government departments, NGOs and churches for the purposes of not only building capacities of different civil society organisations but also to discuss and advocate for debt cancellation, related poverty and social-economic issues from an informed point of view
 - **Provide a good platform** for discussion on socio-economic development issues with local districts, provincial and constituency leaders
 - **Influence policy** on matters that promote sustainable government behaviour as it relates to future acquisition of loans as well as the overall management of public funds

3. Why the Debt Resources Monitoring Manual for CSOs?

The need for public involvement in the monitoring and evaluation of allocation and usage of public resources such as debt relief resources cannot be overemphasized. Monitoring promotes accountability and transparency in the use of public resources. It leads to appropriate and effective use of resources. It also empowers citizens to take corrective actions or seek redress in the event of misuse of resources. In Zambia there are notable examples of how debt relief resources are making a positive difference, e.g., in the last few years there has been increased budgetary allocations to pro-poor programmes and rehabilitation and (re)construction of infrastructure particularly in the rural areas. The Government has also used part of the debt relief money to remove user fees on basic education and healthcare in rural health centres and increasingly more people suffering from HIV have been put on anti-retroviral therapy (ART). In short, more and better things could be achieved if these resources were protected and properly utilised.

The campaign for Debt Cancellation in Zambia was premised on the fact that debt relief once secured from the creditor community would go toward uplifting the living standards of the poor. After all, it is this section of Zambia's society that bore the brunt of economic adjustment programmes as the Government "tightened its belt" to reach the much elusive heavily indebted poor countries' (HIPC) Completion Point. It is the poor in form of workers, mothers and children who constantly crush rocks for sale along highways, marketeers and the jobless who were made to sacrifice their comfort in the quest to get to the Completion Point! Therefore, these same people should be rewarded by ensuring that there is no misuse of public resources including debt relief by government, contractors and spending agencies. To this end, there is need to put in place a robust mechanism that can help communities track the use and impact of debt relief resources.

Against this background, Jubilee-Zambia decided to commission a study in order to develop a debt relief monitoring manual (DRMM)—a user friendly tool that can be employed by various stakeholders to monitor the application of debt relief resources on prioritized and key areas of development according to national plans. It goes without saying that economic injustice prevails in a country or region when ordinary citizens are discounted and/or left out in economic decisions at community, national and international levels. In this case the DRMM is one instrument that can be used to empower citizens² to take part in decision making processes by constantly engaging in those areas where services are not being delivered according to district, provincial and national plans. The idea is not to embarrass government (although at times it is necessary to name and shame people in order to correct societal wrongs!) but to point out areas that need urgent attention in social service delivery and development in general. Effective participation of the people in decision making processes also presupposes that there is easy access to information to facilitate monitoring of government programmes and projects, but also that there is capacity among civil society organisations (CSOs) to be able to monitor such programmes.

However, the International Monetary Fund (IMF) in one of their publications warned against attempting to track only HIPC assistance as this would provide a partial perspective, and could undermine ongoing efforts to develop effective government budget systems, and may not ensure that poverty reduction targets are met (IMF, 2001). While this point is valid and appreciated, it is also important to remember that in the Zambian case, there are other groups³ that carry out comprehensive budget monitoring. Therefore the work of Jubilee-Zambia in monitoring debt relief resources should be seen as complementary to the already ongoing efforts by other monitoring groups. It should also be seen as a specific attempt to evaluate the efforts that went into the campaign and the corresponding benefits from debt cancellation that are supposed to accrue to the people of Zambia, especially the rural poor. The Zambian people generally want to know whether or not it was worth sacrificing and fighting for debt cancellation and they can only know it if there are mechanisms to measure how debt relief is being used, on what programmes and for whom.

3.1. Methodology

This study employed in its methodology secondary sources of data by critically reviewing official documents from the IMF, the World Bank, and the Government of Zambia. Other reviews were based on various civil society documents on budget tracking and monitoring. These were then complemented with primary sources of data through structured questionnaires which were

² One interviewee from civil society noted that an independent CSO monitoring team would complement the efforts of the Auditor General whose office is currently overstretched. Since the Auditor General only considers books of accounts, the CSO monitoring team would monitor actual implementation, progress, timeliness and standards of projects being funded by debt relief resources at all levels of society. These views are consistent with those given by Kabwata Member of Parliament; Honourable Given Lubinda who noted that government has limited capacity for conducting monitoring, and CSOs can offer valuable assistance in this regard by providing independent assessment of the utilization and impact of debt relief resources through people-based lenses rather than the government which tends to be inclined towards releases and expenditures while ignoring the social impact. He also said that CSOs have a greater presence in target areas than the government. However, a government official we interviewed said that in as much as he welcomed an independent CSO Monitoring team, the real challenge this team will face is access to information as government does not readily volunteer information especially on donor resources that are normally deemed as being sensitive and therefore not in the purview of the public

³ Civil Society for Poverty Reduction (CSPR), Catholic Commission for Justice, Development and Peace (CCJDP), Economics Association of Zambia (EAZ)

administered electronically to key selected government and donor institutions as well as civil society organisations. A list of interviewed institutions is provided in the annex. We have deliberately used names of institutions as opposed to names of individuals particularly for Government to avoid victimization of officers from their superiors.

3.2. Objectives of the study

3.2.1. Overall Objective

The overall objective of this study is to identify gaps inherent in Zambia's current debt monitoring system to effectively monitor and evaluate the use and impact of debt resources. Proceeding from this, the study endeavoured to develop a Debt Resource Monitoring Manual to be used at both national and local level, by civil society groups and other stakeholders, to check the utilization, outcomes and impact of debt resources. More importantly, it is envisaged that with improved monitoring, and other things being equal, there will be a corresponding improvement in the living standards of the targeted beneficiaries, Zambians in general.

3.2.2. Specific Objectives

1. To undertake a thorough analysis of current debt resource monitoring framework that outlines the use, the envisaged impact of these resources on poverty reduction and accountability by all spending ministerial departments as well as other private sector programmes.
2. To highlight major flaws and inadequacies existing in the debt resource monitoring mechanism by giving evidence-based statistics and scenarios.
3. Based on the results of the field study, design an appropriate debt resource monitoring manual that civil society and other non-state actors (NSAs) can use as advocacy tools to exercise their right to hold national leaders accountable in the use of public resources.

4. Review of Current Monitoring Mechanisms

It is important to note that monitoring of public resources does not take place in a vacuum. The Constitution of Zambia⁴ under Part X of the Finance Act as amended by Act No.18 of 1996 prescribes the general role of monitoring of acquisition and usage of public resources to the Office of the Auditor General (OAG).

4.1. Institutional Mechanisms

4.1.1. Auditor General's Office

The OAG for any country plays a major role in the management and control of financial and other resources of the Government and parastatal entities. It occupies a very important position in the area of accountability, transparency and good governance which are essential to democracy and development (CRC, 2005)⁵. The CRC Report further states that the OAG is not only a watchdog in the management of public resources, but more importantly must ensure that the Office carries out a "preventive" function in addition to the "discovery and reporting" function. In other words,

⁴ <http://www.thezambian.com/Constitution/1996partx.aspx#118>

⁵ GRZ (2005), Interim Report of the Constitution Review Commission, Lusaka, Zambia see also <http://www.crc.org.zm/downloads/Interim%20Report.pdf>

the OAG should put in place measures that help to prevent fraud or misapplication of resources instead of confining its role to reporting such vices after they have already occurred.

The Auditor General is appointed by His Excellency, the President of the Republic of Zambia. He/She is a constitutional appointee. The functions of the Auditor-General are laid down in Article 121 of the amended 1996 Constitution as well as the Interim Report of the CRC (2005)⁶ of the Republic of Zambia and are stated as:

There shall be an Auditor-General for the Republic whose office shall be a public office and who shall, subject to ratification by the National Assembly, be appointed by the President.

(1) It shall be the duty of the Auditor General among other things --

- to satisfy himself/herself that the provisions of this Part are being complied with;
 - to satisfy himself/herself that the moneys expended have been applied to the purposes for which they were appropriated by the Appropriation Act or in accordance with the approved supplementary estimates, or in accordance with the Excess Expenditure Appropriation Act, as the case may be, and that the expenditure conforms to the authority that governs it;
 - to audit the accounts relating to the general revenues of the Republic and the expenditure of moneys appropriated by Parliament, the National Assembly, the Judicature, the accounts relating to the stocks and stores of the Government and the accounts of such other bodies as may be prescribed by or under any law;
 - to audit the accounts relating to any expenditure charged by this Constitution or any other law on the general revenues of the Republic and to submit a report thereon to the President not later than twelve months after the end of each financial year.
- (2) The Auditor-General and any officer authorised by him or her shall have access to all books, records, reports and other documents relating to any of the accounts referred to in clause (1).
 - (3) The Auditor-General shall, not later, than twelve months after the end of each financial year, submit a report on the accounts referred to in paragraph (c) of clause (1) in respect of that financial year to the President who shall, not later than seven days after the first sitting of the National Assembly next after the receipt of such report, cause it to be laid before the National Assembly; and if the President makes default in laying the report before the National Assembly, the Auditor-General shall submit the report to the Speaker of the National Assembly, or if the office of Speaker is vacant or if the Speaker is for any reason unable to perform the functions of his office, to the Deputy Speaker, who shall cause it to be laid before the National Assembly.

While the core functions of the Auditor General are clear, the office of the Auditor General (OAG) is faced with considerable capacity constraints, including limitations with human resources (CSPR,

⁶ <http://www.crc.org.zm/downloads/Interim%20Report.pdf>

2006)⁷. Furthermore, the function of the Auditor General is weakened by lack of operational independence and inadequate funding. The Auditor General's reports are for all intents and purposes treated as academic by the Government – suggested corrective measures recommended by the Auditor General and the Public Accounts Committee of Parliament go unattended to⁸. Because of these constraints the reports are usually published late and rarely get acted upon, although there is sufficient debate in the media about the findings of the reports. The OAG audits the internal controls but as the Office does not have the resources to audit all areas every year there could be a long time before entities are audited in that respect (GRZ, Public Financial Management Performance Report, 2005).

Although control procedures are in place, they may not necessarily be totally consistent or completely adhered to, particularly given capacity constraints in the office of the Auditor General. This may lead to errors in the accounts particularly in terms of financial reporting. Another problem is the understanding of rules and lack of enforcement from upper levels in the ministries as to who should be responsible for the enforcement. This is a major concern as lack of enforcement undermines the function of the system however well it might be constructed. For instance, the 2003 HIPC report stated that the internal audit control function faces severe resource constraints and is hampered by the predominance of manual systems and the difficulty in enforcing the compliance of controlling officers in the line ministries (GRZ, Public Financial Management Performance Report, 2005).

It is worth noting that the OAG has no legal power to prosecute any offender. Therefore once the audit report is finished and submitted to Parliament, the responsibility for making recommendations rests with the Parliamentary Accounts Committee (PAC) and the Government is then supposed to take responsibility for follow-up on the recommendations from the PAC. Because of heavy bureaucracy in government structures, follow ups are rarely undertaken. The OAG in subsequent reports makes observations on action taken or not. In 2006, the OAG released a report in which K3.5 billions of tax payers' money meant for poverty reduction programmes had been misappropriated by some civil servants and to date it is not clear whether or not action has been taken against the erring officers (Auditor General's Report, 2005). This means that the OAG in its current form cannot be relied upon entirely to oversee usage of government resources such as the debt relief resources. In any case the audits are done when expenses have been incurred, thus leaving little room to arrest wrongs. The OAG basically locks the stable after the horse has bolted!

With the strong stance of "zero tolerance" on corruption that Government has taken since 2001, one can assume that corruption and general misuse of public resources are on the decline. However, this statement needs to be backed with empirical research to establish the correlation between government stance on corruption and the levels of corruption. While the OAG highlights financial misdemeanours in the public sector, it does not stop them!

⁷ CSPR (2006), Claiming Fiscal Space Through Budget Support: The Role of Government and CSOs in Zambia, Lusaka, Zambia

⁸ Honourable Given Lubinda, Kabwata Member of Parliament

4.1.2. Internal Audits and Monitoring

Although there are well-formulated and integrated internal government control systems⁹ in place, weaknesses exist in the extent of compliance with internal controls both because of inadequate information flows (including poorly integrated databases), and because of capacity constraints. Procedures are followed fairly well, although there are significant exceptions (World Bank, 2001). Uncertainty thus exists as to whether or not the internal control system can be relied upon, suggesting a significant risk to public financial management. The *Zambian Poverty Reduction Strategy Paper (PRSP)* clearly identified HIPC resources as one major source of financing the poverty reduction programme in the country. This was consistent with the position of the international financial institutions (IFIs) that debt relief resources should go toward poverty reduction with a high premium being placed on the social sectors (education, health, water and sanitation).

In terms of monitoring the usage of debt relief resources in relation to poverty reduction, the overall coordination of implementation of the PRSP rested with the Ministry of Finance and National Planning (MFNP) with the full participation of line ministries, other government institutions, civil society, and the international cooperating partners (*Zambian PRSP, 2002*). The Planning and Economic Management Department (PEMD) in the Ministry of Finance and National Planning (MFNP) was made the focal point for the PRSP coordination, monitoring and evaluation. In 2002 the GRZ held a workshop in Livingstone in order to develop a Poverty Monitoring Analysis (PMA) system as a basis for effective monitoring of the PRSP. The PMA is a tool that looks at appropriate methodologies to be adopted for monitoring and evaluating the PRSP and this is done by identifying and developing key input, output, process and impact indicators for the various policies, programmes and projects (PPPs) under implementation (*AFRODAD, 2003*).

The coming of the Fifth National Development Plan (FNDP) has not changed this role of the MFNP in monitoring poverty reduction programmes. The MFNP in collaboration with sector and line ministries, and through regular contacts with civil society worked out and implemented a comprehensive monitoring system on the basis of performance, intermediate and final indicators (*Zambian PRSP, 2002*). Deliberate efforts were made to link district and provincial planning and administrative systems and line ministries with regard to planning, implementation, monitoring, and evaluation of the PRSP programmes. While there was an improvement in the monitoring of the PRSP, there were however some weaknesses such as fragmented databases, manual and paper-based elements of some systems. This results in the lack of real time information for the MFNP and line ministry oversight.

4.1.3. Use of HIPC Initiative Interim Assistance and the Tracking System

Budgetary savings from interim HIPC debt relief have been used broadly in line with the criteria set forth at the Decision Point. Government, in consultation with staff of the IMF and International Development Association (IDA), developed an expenditure tracking system that allows for explicit identification of savings from interim HIPC debt relief. Under this arrangement savings of debt service accruing to government were allocated to priority poverty-reducing programmes. To facilitate monitoring, funding for these programmes was channelled through a

⁹ It is worth mentioning that Government has several instruments at its disposal for monitoring public resources e.g. public expenditure tracking systems (PETS), public expenditure reviews (PERs), monthly returns, Quarterly reports, Economic reports, Quarterly IMF Reporting formats, Annual World Bank Data Requirements, etc.

special account (herein called Control 49) at the Bank of Zambia (BoZ). Government ministries and their agencies executing these priority programmes using HIPC debt relief were required to submit their request for resources to the MFNP, which would then authorize the BoZ to release these resources (HIPC Completion Point, Document, 2005).

In 2006 the Government decided to abolish Control 49 and all public resources are now held in the national treasury. This move could have been motivated by the current thinking among the donor community within the context of the Paris Declaration¹⁰ on aid effectiveness that all resources need to be delivered to a partner government in one central basket (the principle of direct budget support) in order to cut down on transaction costs that go with several project and programme accounts of various donors. Whilst this decision makes economic sense, it may create other problems if not properly managed. By allowing debt relief resources to co-mingle with other resources in the national treasury, it becomes difficult to track these resources and measure their overall impact on development. Therefore, Government should disclose both in absolute and real terms how much of the resources in the treasury are from debt relief.

4.1.4. Treasury Single Account

In its continued financial reform programmes, the GRZ intends to establish a Treasury Single Account (TSA) system that could be in place by end-2008, to strengthen budget execution and cash management. In preparing for the TSA, the MFNP will gradually consolidate government accounts in commercial banks into a limited number of accounts at the Bank of Zambia and create a Treasury Department by end-June 2007 (IMF Letter of Intent (LoI),2007). According to the 2007 LoI, Government intends to publish budget execution reports quarterly. The reports will include an analysis of budget provision, releases, and expenditures by functional classification, using the streamlined format agreed with the PEMFA Joint Technical Working Group. According to GRZ the usefulness of the current reports has been hampered by the failure of various Ministries, Provinces, and Spending Agencies (MPSAs) to submit accurate expenditure returns in a timely manner. Measures to enforce compliance will be stepped up, including withholding funding to those MPSAs that fail to submit the relevant returns in line with section 17 of the Public Finance Act (IMF LoI, 2007). While Government's intentions on the TSA are good, the reality is that government has not yet started releasing information on budget execution as promised in the 2007 LoI.

4.1.5. PEMFA

Zambia's Public Financial Management (PFM) system is centred on a set of basic budgetary and accountability structures around a clear legislative framework. These include (1) responsibility and accountability for public funds delegated to individuals through the system;(2) appropriate oversight by the legislature; (3) clear statement of powers of the Ministry of Finance and National Planning (MFNP) and for the Auditor General; (4) clear and well-documented roles and responsibilities for all stakeholders. However, in recent years, there has been an increased focus on accountability through the Parliamentary committees and the work of the Auditor General. It is generally noted that budget presentation has been clearer with the advent of activity-based budgets (ABBs), and there has been greater Cabinet involvement earlier in the budget process to discuss expenditure priorities and approve/issue ministry ceilings (GRZ, Public Financial Management Performance Report, 2005).

¹⁰ See www.oecd.org/dac/effectiveness/parisdeclaration/members

In 2003 the Government of Zambia under the Reform Process identified the Public Expenditure Management and Financial Accountability (PEMFA) as one of the key priority programmes for implementation. The PEMFA is meant to improve the quality of service delivery in the public sector. The overall objective is to contribute to the efforts of Government in improving capacity to effectively and efficiently mobilize and utilize public resources (improve public expenditure management) and to strengthen overall financial accountability. The programme is coordinated by the Ministry of Finance and National Planning. A number of other public bodies/institutions in Zambia are closely involved in the implementation of the PEMFA programme, including the Ministry of Justice, Zambia National Tender Board (ZNTB), Bank of Zambia, Office of the Auditor General, National Assembly and the Zambia Institute of Chartered Accountants (ZICA).

PEMFA is quite an ambitious and loaded programme and consists of the following components:

- Commitment control and Financial Management System
- Integrated Financial Management Information System (IFIMIS)
- Improved Fiscal Policy and Economic Planning
- Reformed Budget preparation and Budget Execution
- Improved Debt Management
- Improved Internal Audit
- Better External Finance Coordination
- Consistent Legal Framework for Public Finance Management (PFM)
- Strengthened External Audit
- Accounting Training and Regulation
- Public Procurement Reform

Despite these elaborate principles and strengths about PEMFA, effective Public Financial Management is challenged by a number of institutional and capacity constraints which potentially undermine the efficient fulfilment of these systems and procedures (GRZ, Public Financial Management Performance Report, 2005). Weaknesses exist in the extent of the compliance with internal controls both because of inadequate information flows (including poorly integrated databases), and because of capacity constraints. These lead to poor predictability of the budget and the original budget (particularly line ministries) is not a good predictor of actual expenditures.

4.2. Parliamentary Oversight

The emergence of a strong and vibrant civil society in Zambia in the past few decades has had tremendous influence and impact on the policy landscape of the country. As noted by Mutaure (2003)¹¹, increasing public awareness of their rights and entitlements have placed responsibility on elected representatives, i.e., Parliamentarians, to be more effective in their multiple functions of representation, oversight and legislating on behalf of the constituents. The Zambian Constitution ascribes to the National Assembly the broad roles of representation, legislation, accountability and oversight. From the standpoint of providing oversight function, the Zambian Parliament is an indispensable institution that provides checks and balances on the excesses of the potentially dominating Executive. It is the role of Parliament to approve the Budget and

¹¹ Mutaure, Mike (2003), Parliamentary Functions and Reforms and their Application in Promoting Health Equity in Southern Africa

monitor its implementation through the work of its Committees. When approving the Budget, Parliament is expected to evaluate both the objectives and the strategies presented by the Executive, ensuring their feasibility, suitability and acceptability to the country's needs (CRC, 2005). The Zambian Parliament through its constitutional mandate holds government to account in terms of how it uses public resources (including debt relief). Through its various standing committees it can summon public officers to explain the movement and usage of public resources. The committees can then recommend for remedial or corrective measures depending on the circumstances.

The question is: has the Zambian Parliament been effective in providing checks and balances in the management and usage of public resources? While the Zambian Parliament has been discharging its mandate of providing oversight functions on the Executive, the institution suffers from capacity constraints especially in generating solid evidence to pin down Government. Honourable Given Lubinda¹², Kabwata Member of Parliament put it more succinctly: "the Parliamentary Oversight Committees although firmly in place have limited financial and time capacity to conduct on the spot inspections of projects and programmes. Decisions of Parliament are, by and large not binding on the government".

There are several reports and cases that support Honourable Lubinda's assertions. For instance, there is the Mongu-Kalabo road fiasco where billions of taxpayers' money was allegedly paid to a private road contractor who failed to construct the road and left the site in unclear circumstances. There are other numerous cases as reflected in the 2003 and 2005 Auditor General's reports where the Government has lost colossal sums in either fraudulent accounting by staff, wasteful and irregular purchases and expenditures by ministries, or simply misappropriation of public resources by some civil servants.

For instance, according to the 2003 Auditor General's report the Zambia Revenue Authority (ZRA) lost K1, 501,394,283 as a result of misappropriations and other fraudulent activities by some members of staff. It was observed that although disciplinary action including dismissals was taken against the officers, the amounts misappropriated had not been recovered. The 2005 Auditor General's report also shows, among other cases, that the Zambia Police Service (ZPS) at the Police Headquarters and other selected police stations in Lusaka could not account for revenue totalling K215, 695,100 collected between June 2005 and August 2006 which is contrary to the Financial Regulation No.117. All these are clear cases of misuse of public resources. One would have thought that Parliament was going to take Government to task over these thefts and misuse of public resources but it would appear these form part of those cases that usually fall through the cracks! There are other cases where HIPC resources meant for poverty reduction programmes were diverted by some government officials in the provinces to buy fuel for their vehicles and Parliament has not dealt with them with a firm hand.

However, it is gratifying to note that the parliamentary watchdog committee on public accounts (PAC) recently summoned Finance and National Planning Minister and Bank of Zambia (BoZ) Governor, to appear before it over alleged fake K15 billion funding slips for road projects at the Ministry of Works and Supply. This was after Works and Supply Permanent Secretary, denied

¹² Honourable Given Lubinda was one of our respondents

receiving K1.2 billion for the Nakonde-Malawi border road commonly known as Nakonde-Kanyala as stated in the 2005 Auditor-General's report¹³.

One prominent survey on the Zambian Parliament noted that there was a wide gap between citizens' views of MPs and how MPs see themselves. The public opinion survey highlighted a widespread popular perception of the Zambian Parliament as an unresponsive and opaque institution, while MPs reported that they spend most of their time listening to people's problems and dealing with constituency matters (CSSR Working Paper No.160, 2006)¹⁴. In such a situation Parliament cannot be expected to provide effective monitoring of public resources. The institution needs to be proactive and aggressive in its discharge of duties. There is also need for Parliament and CSOs to establish a good working relationship based on trust and mutual respect for each other. The interaction will then lead to a rich and cross-fertilisation of ideas.

4.3. Independent HIPC Monitoring Team

The GRZ in keeping with the ideals of an open and accountable society decided in 2001 to form an independent HIPC monitoring team. It comprised professionals and civil society activists drawn from a broad sector of the Zambian society. The main aim of the team as espoused in its terms of reference was to play a watchdog role by offering checks and balances on the allocation and usage of HIPC resources by the GRZ. The team was chaired by a professional accountant from the private sector and whose private firm acted as a temporary Secretariat in terms of office space in the interim as Government was scouting for offices for the team. The formation of the team heralded a new chapter in the relationship between Government and the non-state actors and also in the management of public resources in Zambia. By allowing the team to work "independently," the Government essentially agreed to cede part of its policy space and open its "wardrobes" to outside scrutiny! The assumption then was that the GRZ had nothing to "hide" from the public.

In terms of fulfilling its mandate, the team worked closely with government departments and ministries both at national and provincial levels. With prior arrangements from the Ministry of Finance and National Planning (MFPN), the team was able to access a lot of Government financial documents from the Accountant General and Auditor General's offices particularly on HIPC resources. The team was availed with documents on projects and programmes that were being funded by the HIPC resources. Based on these documents, the team was then able to undertake site visits in the provinces and districts. Projects such as feeder roads, boreholes, school and clinic rehabilitation works, among others, were visited and inspected. Based on what the team saw and the interviews with government officials and the communities, information was collected, collated, analyzed and a report of the findings was then compiled. The report was later launched publicly at a press conference in the presence of the Minister of Finance, government officials, and the public. Through the HIPC Monitoring Team, the public was kept informed of how the Government was using debt relief resources.

¹³ For more details on this see article "Zambia: Parley Watchdog Summons Magande", dated 14/08/07 on <http://allafrica.com/stories/200708140243.html>

¹⁴ Can Parliaments enhance the quality of democracy on the African continent?

An analysis of institutional capacity and public perceptions, CSSR Working Paper No. 160, Lia Nijzink, Shaheen Mozaffar, Elisabete Azevedo, Centre for Social Science Research (CSSR) University of Cape Town, 2006

However, in 2003 the GRZ back-pedalled on its initial idea and plan. The HIPC Monitoring team was dissolved in very suspicious and unclear circumstances. Reasons cited for dissolution were issues of duplication of efforts¹⁵, time and other resources with other government departments and institutions that were already auditing and monitoring government accounts and projects.

Three lessons emerge from this experience. First, it was naive on the part of CSOs and the private sector to allow government to constitute a team and fund its operations entirely and then expect it to be “independent” of government influence and manipulations. By accepting to be part of the team, CSOs had compromised their mandate to be independent watchdogs and thus were at the mercy of the appointing authority and could be dispensed with whenever government saw it convenient to do so. Second, the interests of government and CSOs will not always converge and so if there is a conflict, as the case was, either party could walk out of the “marriage of convenience,” thus defeating the very purpose of having a monitoring team. Third, the team had no legal status and so could not seek legal redress in the courts of law in the event of a dispute with Government. These observations should provide strong lessons to Jubilee-Zambia and any other organization that may want to partner with Government in whatever area of interest.

5. A Debt Resources Monitoring Manual

Based on what we have reviewed so far and the weaknesses identified in the current institutional arrangements, the monitoring manual will be a blend of processes, interventions and tools. It will also be a stop-gap measure or tool designed to facilitate independent tracking of debt relief resources at the point of receipt, allocation, disbursement, utilization, outcome and finally impact on the community. In the spirit of good governance there is need for community-based monitoring—a principle which represents a significant departure from centralized systems usually carried out by government to the communities themselves. This practice has the added benefit of enhancing the participation of communities in the management and usage of public resources. The broader view and purpose is to empower communities to articulate their development needs and priorities through a sustained monitoring mechanism from planning, implementation and evaluation of development programmes. The method not only offers opportunity for tracking and monitoring government policies and priorities but involves also the citizens in capacity building to bring about significant change in the quality of life in the community.

Therefore, this manual is meant to be an interactive and flexible instrument that can respond to the information needs of various users at different levels and should be employed with ease to gather and analyze information on how Government is using the debt resources on behalf of the people. The IMF (2001) in their publication on tracking of Poverty Reducing Public Spending lists a number of imperatives that should be taken into account if debt relief is to have a significant impact on poverty in poor countries. These are:

- ❖ From a development perspective, countries need to focus on the allocation and implementation of public expenditures as they formulate poverty reduction strategies;

¹⁵ In an interview a government official from the MFNP said that CSOs are already well represented in the Sector Advisory Groups(SAGs) and also in the PDCCs and DDCCs and so there is no need to have another Monitoring Team comprising Government officials and CSO actors

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- ❖ From a fiduciary perspective, citizens and governments in donor countries need assurance that resources they provide under the Enhanced HIPC Initiative—henceforth HIPC assistance are devoted to poverty reduction;
 - ❖ From a governance perspective, citizens and parliaments in recipient or partner countries need reassurance that debt reduction resources are being used for the purpose intended;
 - ❖ From a broader perspective, the capacity to track public spending also supports the ultimate aim of the HIPC Initiative of tilting the composition of overall public spending toward poverty reduction.

Generally speaking, the public sector of most developing countries is usually criticised for poor quality of services, corruption, non-transparency, among other issues. While several of these criticisms are usually attributed to lack of equity and those of efficiency of resources and the conflict between the needs of equity and those of efficiency, research has shown that in general the correlation between increased public expenditure and actual outcomes or improvements in service delivery is weak (Trocaire Civil Society Guide, 2004). Governments themselves may not be in a position to analyse the discrepancies between budgeted programmes and actual spending, to track what happens to funds once they have been disbursed or to evaluate the impact of services delivered at the local level.

For example, before the implementation of the public expenditure tracking system (PETS), a participatory assessment tool to track education spending in Uganda, the government was simply unaware that only a fraction of the money designated for primary schools in the budget was actually reaching the local communities down the line (Heimans, Jeremy, 2002). This is where the role of civil society organisations (CSOs) becomes extremely essential and important to be able to step in the gap and complement government efforts.

The World Bank in its World Development Report (2004) identified four main challenges associated with poor service delivery. These are:

- 1) Either the government is misallocating resources, i.e., spending on the “wrong” goods or the “wrong” people. This effectively is a budgetary or resource allocation problem;
- 2) Or the resources never reach the frontline service providers—thus even if resource allocations are correct, expenditure “leakages” mean that the money does not reach its ultimate destination. This is an expenditure tracking problem;
- 3) Even when the money reaches the service provider, the incentives to provide the service may be weak. This lack of incentives can be attributed to the problem of accountability and monitoring;
- 4) Finally, there may be a demand side failure, i.e., people may not avail of the services provided to them. This is to a large extent, a problem of awareness and participation.

But one needs to quickly add that for the IMF imperatives to hold and the World Bank concerns on service delivery to be improved, there must be a supporting environment in form of (a) an open and transparent budgetary process where citizens can effectively participate in the setting of priorities for development, (b) mutual accountability between donors and aid recipient countries rather than the current practice where a debtor is expected to account to the donors but the donors do not account to anyone, (c) appropriate domestic policies anchored on strong

public institutions to be able to carry out development programmes and deliver services effectively (these public institutions should render themselves open to public scrutiny in terms of how they utilize public resources), and (d) an alert and well informed citizenry that can keep an eye on government activities.

6. Conclusion

Clearly the issue of monitoring and evaluating usage and impact of public resources lies at the core of good governance. It is a bold step toward promotion of accountability and transparency in the management of public affairs. However, it should be noted that monitoring and evaluation, although necessary, are not sufficient on their own unless there is a positive change of attitude by both government and those entrusted with the responsibility to look after public resources. Equally those contracted by Government to carry out public works must be people of credibility and integrity to be able to deliver quality works in a timely and cost effective manner. Currently government keeps repeating a lot of public works (especially rehabilitation of roads and bridges) because many of them are shoddy or of substandard and yet they get certified every year by controlling officers as having been satisfactorily completed! If contractors can do proper works then government will be able to save a lot of money and use it on new projects and development programmes for the benefit of the people.

Finally, the monitoring and evaluation frameworks should be anchored on clear administrative and legal frameworks and protected by the supreme law of the land—the Constitution!

7. Limitations of the Manual

We did not reach some of the major stakeholders in the selected provinces and districts of Zambia due to time constraints and so the study may have missed some provincial and district dynamics and perspectives. However, we are glad that through some Jubilee-Zambia representatives who were interviewed we were able to get a sense of district and provincial views on the importance of monitoring and evaluation of debt resources.

We also used secondary data and information that might have been generated for different purposes other than the purpose for which we have used it in this study. Furthermore, some of the monitoring tools are too simple compared to the level of sophistication that may be required to capture data in full and in a more robust manner.

8. Recommendations

In light of what we have reviewed and discussed, we proceed to offer some key recommendations for both Government and the CSOs.

8.1. Government

- The Government should be obliged to release approved allocations on a quarterly basis, in full and on time
- There should be full information disclosure on debt relief resources in terms of source, amount, usage, and the mode of access to the resources
- In line with the point above, Government should sign and ratify the Freedom of Information Bill to facilitate ease access to public information

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- Government should move away from mere spending of resources to measuring the impacts of such spending in order to determine the value for money
 - Government should harmonize the debt resources tracking with the general poverty expenditure tracking initiatives - the people should be aware of their government spending regardless of the heading of the money
 - Government should strengthen and tighten internal administrative financial controls
 - In connection with the preceding point, Government should impose sanctions on all officers who do not comply with internal controls and procedures
 - The Government should adhere to the administrative and legal frameworks for contracting new loans to avoid abuse
 - The OAG should be strengthened through adequate funding and staffing levels
 - Parliament should be involved in the loan procurement procedures to avoid another debt trap in future
 - Parliament should be proactive in its watchdog role and provide effect oversight on the management and usage of public resources
 - Auditor General's reports should be widely circulated among various stakeholders and there should be adequate action taken e.g., punitive measures should be imposed on erring offices to avoid recurrence of the problems
 - The fight against corruption should be heightened through strengthening the Anti-Corruption Commission (ACC) and the Police Service

8.2. CSOs

- CSOs should use evidence-based findings in their advocacy campaigns to effectively influence policies, practices and strategies in budget formulation and implementation with a special focus on pro-poor strategies
- The communities should understand that most of the debt-relief resources do not involve physical movement of resources from donors but represent resources that government would save by not paying back the debts and as such CSOs should contribute to the formulation of government budgets so that the saved resources are utilized and allocated to activities that will have the highest impact on poverty reduction and at the same time maximize welfare gains to the country
- In terms of usage the reports of the independent monitoring CSO team, these reports should be discussed initially at the Local Community level and then a synthesized District report discussed at the local authority (Council) level before presenting it to the Provincial Monitoring and Evaluating Team and finally to both Ministry of Finance and Parliament
- Communities should also insist that government comes up with open and transparent debt contracting procedures to avoid the tendency to get loans just because they are available from creditors. Consequently, this procedure if followed and with the active role of Parliament should help to forestall another debt trap
- Jubilee-Zambia should conduct baseline surveys in all its geographical zones before embarking on tracking of debt relief resources. The idea is to establish the current status quo before any monitoring interventions and then use findings of the baseline surveys as a yardstick to measure performance afterwards

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- CSOs should maintain close contacts with Parliament as the statutory body that holds government accountable. Pass messages to Parliament so that some of the issues can be raised as part of the parliamentary debates
 - In line with the preceding point, Jubilee-Zambia should engage various Committees of Parliament such as the Public Accounts Committee, Finance Committee, etc., with clear messages
 - Capacity building of the POP teams and where feasible community structures in the monitoring and evaluation skills as well as budget tracking should be an on-going activity. This will eventually improve the quality of monitoring and also provide upstream feedback from the communities
 - Jubilee-Zambia should strongly encourage the use of citizen based tools such as community score cards to engage the poor in holding their government accountable. This way the voices of the poor in the communities will be captured
 - The monitoring tool to be used at any one time should be determined by the level of capacity of the monitors to handle it effectively. Jubilee-Zambia should be flexible in the choice of tools at various levels of monitoring
 - Communities should be encouraged to take keen interest in the governance of public institutions and the decision-making processes. This has to be supported by increased transparency and information sharing in the governing bodies
 - CSOs should constantly check the National Budgets to ensure that Government does not just end at allocation of resources but goes beyond to actual disbursement and utilization on intended programmes and projects
 - Jubilee-Zambia and the communities in general should forge strong alliances with the media for easy dissemination of information

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ANNEX: List of Interviewees

Units	Name	Institution/Status
1	Saul Banda Jr.	Former POP Coordinator, JCTR
2	Kirsi Salonen	Kepa-Zambia
3	Nachilala Nkombo	MS-Zambia, Former Jubilee-Zambia Coordinator, JCTR
4	Phoebe Moono	Jubilee-Zambia, Monze
5	Edmond Kungamungazi	Economics Association of Zambia/CCJDP
6	Charles Nyambe	Jubilee-Zambia, Mongu
7	Namukolo Liywali	CCJDP
8	Government official	MFNP
9	Kaputo Chenga	GTZ
10	Dr Ladslous Mwansa	IMF Lusaka Office
11	Honourable Given Lubinda	Kabwata Member of Parliament, Lusaka