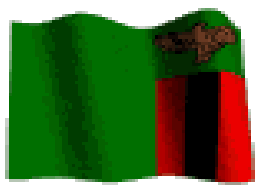


**REPUBLIC OF ZAMBIA
MINISTRY OF TRANSPORT AND LOGISTICS**

Department of Maritime and Inland Waterways (DMIW)

DATE	:	13th – 14th September, 2022
TOPIC	:	Transportation & Inland Waterways Navigation in Luapula Province
PRESENTER	:	BARRYTON RONALDS KAAMBWA, Assistant director (Ports & Shipping), DMIW
OCCASION	:	Sub-national stakeholders workshop on Zambia`s Accession to the “DU BASIN CONGO-OUBANGUI-SANGHA”
VENUE	:	Mansa, Luapula Province, ZAMBIA

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1. Overview of the MTL, in particular DMIW

2. Legal and Policy Framework governing the DMIW

3. State-Owned Enterprises under DMIW

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5. Bilateral/multilateral water transport agreements

6. Challenges faced when regulating transboundary water services

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1. Introduction



Establishment – The Department of Maritime & Inland Waterways (DMIW) in 1994 under the Ministry responsible for transport.

Main Duties - mandated to promote the development and growth of the water transport sector in order to ease the movement of passengers and cargo, especially in large water bodies and wetland regions.

To carry out its duties – DMIW currently administers two Acts of Parliament and closely work in collaboration with state-owned enterprises. DMIW is the regulator of the Maritime & Inland Waterways sub-sector.

Sub-sector Specific objective – is to have a safe, efficient, cost effective and sustainable water transport system that supports development processes and provides linkages to domestic and international waters

1.1. DMIW's Organogram (Ports & Shipping Unit)



Main duty – to coordinate the development Dry Ports, Sea Ports, Harbours and maritime transport logistics.

functions of the
Unit include:

- Administer the Provisional Merchant Shipping Act, 1894 (Cap. 468);
- Co-ordinate the implementation of policies relating to maritime;
- Promote the integration of maritime policies into national development plans;
- Develop national logistics plans with focus on the transportation of international trade;
- Maintain and administer an Open Ship Register in line with international protocols;
- Harbour inspections; and
- interacts with regulatory authorities like IMO, ISCOS which ensure that trade facilitation is enhanced and the correct charges are levied by shipping lines and port authorities.

1.2 DMIW's Organogram (Safety & Licensing Unit)



Main duty – to ensure safety of navigation on Inland Waterway by undertaking the following activities:

Activities:

- Survey and Registration of vessels;
- Sensitization on Safety of Navigation;
- Marine law enforcement;
- Search and Rescue operations;
- Testing, certification and licensing of boat crew;
- Maintenance of the National vessel Register; and
- Harbour Inspections to ensure compliancy to navigation safety standards.



1.3 DMIW's Organogram (Ports of Registry and/or Harbours)

Provincial Offices include Ports of Registry and/or Harbours; These entities will be decentralized by devolution to Local Authorities

There are 21 gazetted Ports of Registry. However, DMIW is present in the following areas:

- Mulamba Harbour in Mongu – Western Province;
- Siavonga Harbour in Siavonga – Southern Province;
- Samfya Harbour in Samfya – Luapula Province; and
- Chiengi Harbour in Chiengi – Luapula Province;



2. Legal and Policy Framework



In order to carry out its duties, DMIW draws its powers from the following Acts of Parliament and National Policies:

Acts of Parliament

1. Inland Waters Shipping Act Cap 466;
2. Merchant Shipping Act Cap 468;
3. Zambia Chartered Institute of Logistics and Transport Act, 2014;
4. The Ports Management & Logistics Act (**still under production**);
5. The SADC Protocol on Transport, Communications and Meteorology.
6. 2016 National Constitution

National Policies

1. The 2019 National Transport Policy;
2. The 2018 – 2037 National Transport Master Plan (yet to be launched);
3. Eighth National Development Plan;
4. The Vision 2030 .



3. State-Owned Enterprises under DMIW

1. Zambia Cargo & Logistics Limited (ZCLL);

2. Mpulungu Harbour Corporation (MHCL);

3. Bangweulu Water Transport Limited (BWTL);

4. Mweru Water Transport Limited (MWTL);

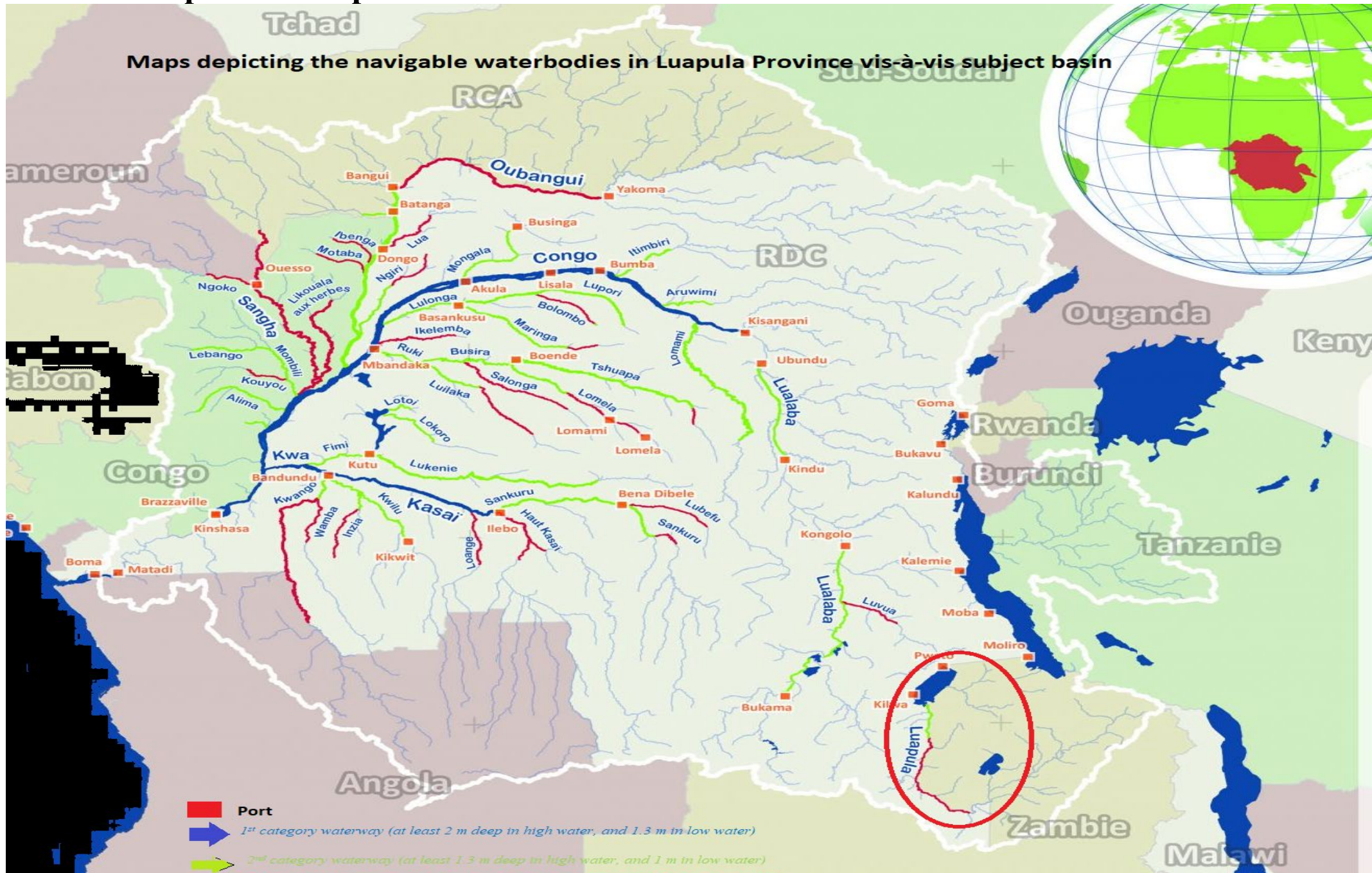
Other state-owned institutions directly supporting DMIW include;




- Meteorology Department – weather forecasts
- Communications Department – Towers (easy navigations on lakes)
- Zambia Police for Law enforcement
- Local Authorities (déléation of th Navigation Safety Management Programme)
- Road Transport & Safety Agency (RTSA) (will soon be managing our Digital platform for the Vessel Register)

4. Water Transport in Luapula Province vis-à-vis “DU BASIN CONGO-OUBANGUI-SANGHA”



Maps depicting the navigable waterbodies in Luapula Province vis-à-vis subject basin



-  Port
-  1st category waterway (at least 2 m deep in high water, and 1.3 m in low water)
-  2nd category waterway (at least 1.3 m deep in high water, and 1 m in low water)

5. Bilateral/multilateral water transport agreements



Bilateral / Multilateral Water Transport Agreements	To overcome the challenges presented by the dictates of the sovereign law, countries enter into bilateral or multilateral agreements in a case where the water body is shared by more than one country-e.g. lake Tanganyika that has four(4) riparian states and forms part of the Congo basin.
Role of water transport services	Transport is in general regarded as a catalyst to economic development. Transport bears the economic activities as it facilitates trade.
Areas of water transport regulation	<ol style="list-style-type: none"><li data-bbox="603 658 2321 839">1. VESSELS SEA WORTHINESS Sea worthiness classifies whether a ship has passed the required tests and safety checks to be able to sail without any mishaps.<li data-bbox="603 911 2321 1092">2. CREW COMPETENCE The competence of crew is equally regulated to ensure the personnel in charge of a ship have the right competencies.<li data-bbox="603 1163 2321 1345">3 SAFETY EQUIPMENT AND APPLIANCES Ships are also regulated to ascertain whether a vessel category is carrying the correct safety equipment. Varying classes of vessels are expected to carry on board certain safety equipment and tools.



6. Challenges faced when regulating transboundary water services

1. *Operations in most cases are in remote and undeveloped areas which increases the cost of supervision.*
2. *Redress of misdemeanors and offences take a long time as they are regulated by an agreement and in certain instances need to evoke the clause on settlement of disputes*
3. *Monetary transactions may be lengthy and protracted*
4. *The setting up of operations will require support infrastructure and in most cases this is at a huge cost*

6.1. Areas of consideration when drafting a bilateral water transport agree



- the alignment of crew competencies
- the alignment of environment regulations (sea worthiness)
- the provision of immigration requirements
- the provision of health requirements
- the provision of customs and tax requirements
- the provision of phytosanitary requirements
- the provision of a clause on disputes resolution.
- the provision of administrative structures .



7. CONCLUSION

- A safer and better water transport would boost the economic development within the subject basin
- Both Hydropower and inland waterway navigation are beneficial to climate changes adaptation.
- The Ministry of Transport and Logistics to promote water transport through Bilateral Water Transport Agreements.
- Bilateral engagements should be encouraged as they enhance cooperation between countries enhancing economic development and socio culture enrichment

