Debate on new Bills on: Gonese

Zanu PF's attempts to block private members to introduce new Bills in the Parliament have been thwarted and the proposed Bills will be debated in the House of Assembly this week.

Hon. Innocent Gonese, the MDC Chief Whip and Mutare Central MP had moved a motion before the House of Assembly seeking for the repeal of the repressive Section 121(3) of the Criminal Procedure and Evidence Act (CPEA) while Hon. Tsvangirai, MDC-Magwe had moved a motion on the Urban Councils Amendment Bill.

Both Bills were moved by the two MPs and private members. However, Zanu PF tried to obstruct the Bills from being debated in Parliament claiming it was contrary to the Global Political Agreement (GPA).

However, Hon. Gonese dismissed Zanu PF's claim and said it showed how desperate the party was in trying to block reforms in the country.

“This is obviously nonsensical because the GPA does not say that. The only exception is that an MP cannot introduce a private member Bill if the proposed Bill has financial implications to the law. That can only be done by Cabinet ministers,” said Hon. Gonese.

He said Zanu PF was resisting the removal of onerous laws in spite of the provision which stipulated the passing of new laws through the GPA. Section 121(3) of CPEA was introduced in 1975 by the then Ian Smith regime and Zanu PF has been abusing it to incarcerate MDC officials and human rights defenders.

“It is a law which has been abused by the Attorney General’s Office and in the cases of inhuman treatment of citizens, the AG does not make good law. The AG is taking the place of the judiciary by invoking the section when a person has been granted bail,” Hon. Gonese said.

In his notice of motion, Hon. Gonese cited the selective use of punitive detention mechanisms enshrined in the provision and the way it has been utilised in flagrant disregard of human liberty.

Several senior MDC officials are cited in the motion as having been affected. These include Hon. Elton Mangoma, the Deputy Treasurer General, Hon. Douglas Mwonzora, the National Spokesperson, Hon. Thamsanqa Dhlamini, a National Executive member, Hon. Roy Bennett, the Treasurer General, Toendorp Shonhe, the Director General, Hon. Eric Mabilang, the Minister of Constitutional and Parliamentary Affairs and MPs, Hon. Mezi Mkayana, Hon. Bednock Nyaude and Hon. Costin Muguti.

The people's struggle for real change: Let's finish it!!
Over 5 000 Zanu PF youths were illegally deployed by the government in 2009, the MDC has been removed from the civil service payroll, the Minister of Public Service, Hon. Lucia Matibenga has said.

The Zanu PF youths totalling 5 662 were illegally getting a government salary and allowances since 2008 with Minister Matibenga saying their employment was not principled.

“We struck off more than 5 000 youths hired by the Youth Development Ministry because they were not hired above board,” Hon. Matibenga told Parliament last week.

The Zanu PF youths were involved in spearheading violence in 2008 after Zanu PF and its president, Robert Mugabe had been defeated in the elections by the MDC and President Tsvangirai.

Over 500 MDC members were murdered while thousands were displaced and injured during this period.

An estimated US$5 million has been used over the last three years to pay these illegal employees.

The youths have, over the last three years, been kept on the government’s payroll with some of them, knowing they are carrying out government duties.

Most of the recruited youths did not have basic educational qualifications. In government records they are classified under B1 – a grade for people with the basic 5 ordinary level passes.

In 2010, the Ministry of Public Service carried out an employment audit on the civil service payroll, with Minister Matibenga noting there were 75 000 ghost workers where unearned.

Since the formation of the inclusive government, the MDC has been calling for the removal of the Zanu PF youths, in one of the ways to save the salaries of genuine civil servants.

The MDC applauds the actions taken by Minister Matibenga as a step in the right direction aimed at rewarding people who are serving the people of Zimbabwe rather than a dying political party – Zanu PF.

Heads must roll in the Ministries which illegally employed and syphoned money from taxpayers to further personal and political interests at the country’s economy.

“Justice delivery in an efficient, fair and impartial manner is to the advantage of all stakeholders. It is merely an illusion to think an investigation reveals grounds to dismiss a councillor. If the Minister will not be able to dismiss a councillor on suspicion of corruption or other misconduct will remain, but under stricter controls requiring proper institution of investigations and completion within 60 days.

But the minister will not be able to dismiss a councillor. If the Minister thinks an investigation reveals grounds for dismissal, he will have to apply to the High Court for an order of dismissal. If the High Court decides to dismiss will be taken by a High Court judge.

Last year, Justice Patel set aside the minister’s decision of several Harare City councillors, ruling that the minister’s decision was irrational.

Hon. Gonese said Zanu PF was simply carrying out government duties.

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“What is worrying was that they were attending court, taking notes and gazing at them in a very suspicious manner. We are feeling insecure. We are feeling we are under undue pressure after being arrested on flimsy and largely contentious allegations.”

“The problem is further worsened when key persons in the Attorney General’s office openly declare their support to and allegiance to a particular political party. In my humble view, the prosecuting authority in any country should never, ever openly declare its support to any political party. Such an action erodes the credibility of the prosecuting authority.”

Hon. Gutu said his ministry has launched a new programme called the Equal Justice for All.

“Under this programme, in which we are collaborating with the United Nations, we have engaged 29 police officers who were arrested and detained in the brutal enforcement of law in Shamva that led to the death of Leonard Chirwa. These officers were made public and their case is being heard so that justice may take its course.”

President commissions Glen View North projects

The Anti-Corruption Commission (ACC) will continue with its work to include the 210 constituencies that benefited from the Constituency Development Fund (CDF) have been audited. President Tsvangirai who is also Zimbabwe’s Prime Minister has said.

President Tsvangirai said this at Glen View 3 High School on Saturday, after officially launching the CDF projects that were undertaken in Glen View North Constituency, Harare.

The MP for the area is Hon. Fani Munengami. "Corruption is corruption and those who stole CDF money will be dealt with under stricter controls requiring proper institution of investigations and completion within 60 days."

But the minister will not be able to dismiss a councillor. If the Minister thinks an investigation reveals grounds for dismissal, he will have to apply to the High Court for an order of dismissal. If the High Court decides to dismiss will be taken by a High Court judge.

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Last year, Justice Patel set aside the minister’s decision of several Harare City councillors, ruling that the minister’s decision was irrational.

Hon. Gonese said Zanu PF was simply carrying out government duties in order to confuse the people.

“They are just politicking. What they are doing legally is untenable but want to cause maximum confusion among the people,” he said.
Zim’s civil society shocked by declining human rights

Civil society organisations have expressed shock over the sharp deterioration of the political and human rights situation in Zimbabwe.

Through its umbrella body, Crisis in Zimbabwe Coalition, the civil society said these events were a true reflection that Zimbabwe could not hold free and fair elections.

Zanu PF has been pushing for early elections without carrying out major reforms that were agreed on in the Global Political Agreement (GPA).

“These events emphasize our considered view that the political field is not level and conditions are not conducive to the holding of free, fair and transparent elections,” the organisation said.

“Calls for early elections in the absence of critical reforms are therefore misplaced, premature and outright irresponsible.”

“Crisis in Zimbabwe Coalition is alarmed and dismayed by the sharp deterioration of the political and human rights situation in Zimbabwe as evidenced by a series of recent events detailed below,” a statement read.

Crisis in Zimbabwe Coalition cited a number of disturbances that have taken place in Zimbabwe in the recent past.

The incidents mentioned by the coalition include the recent conviction of Munyaradzi Gwisai and five other human rights defenders at the Harare Magistrates Court on Monday. The five are: Antonius Choto, Welcome Zamuto, Hopewell Gumbo, Tatsenda Munyanyiwa and Edson Chakama. The six committed no crime and the civic society is encouraged by their decision, through their lawyer, to appeal against both conviction and sentence.

The outrageous conviction of six activists by the court on the ridiculous charge of conspiracy to commit public violence simply because they watched a video of the Egyptian revolution early last year is the clearest indication yet of a severely compromised and extremely politicised judiciary that is no longer independent,” said Crisis in Zimbabwe Coalition.

They were fined US$300 each, 24 months suspended sentence and 420 hours of community service.

“The sentencing has no basis in law. The compromised judiciary is using the Zim 6 to communicate a message of intolerance to the fundamental right to freedom of expression and to induce paralysing fear in pro-democracy activists. We totally reject this message of fear and we wish to register our sympathy to all activists who stood in solidarity with the Zim 6 in a leading role in our campaign to clamp down from the judiciary which had appeared set to give effect to the harsh jail term,” the organisation said.

Following their arrest, all six activists were severely tortured while in police custody, but those responsible have not been brought to account.

“In sharp contrast, in a serious indictment of the judiciary and police, we have a total failure to ensure justice for over 200 MDC supporters killed during the 2008 elections,” the statement read.

The organisation further cited the indefinite postponement of the bail ruling for 29 MDC activists members in remand prison facing dubious charges of murdering a police officer in Harare last May.

Those in remand prison include the MDC Youth Assembly chairperson, Solomon Madzore, the National Executive member, Last Maengahama and two Harare City councillors, Tumangirai Madzookwe and Ondrey Chimombo.

“The case has all the hallmarks of political persecution through prosecution and points to political motivations for the judiciary,” said the organisation.

Other issues cited by Crisis in Zimbabwe Coalition are the arrests of four other activists celebrating the non-custodial sentence given to Gwisai and five others, the banning of 29 non-governmental organisations (NGOs) in Masvingo by Zanu PF and the spewing of hate speeches by Zanu PF politicians. While addressing mourners at a funeral, former Zanu PF legislator, Tendai Savunhu last week declared, “I would eliminate whites in Zimbabwe within a week, especially MDC Member of Parliament Iain Kay,” adding that whites had been raping women in Zimbabwe. Savunhu is closely associated with the Zanu PF – aligned vigilante group – Ch互ngano – a group that has unleashed terror in Mhare, Harare with impunity.

In its recommendations to South Africa, SADC and the international community, Crisis in Zimbabwe Calls for an independent judicial system for political persecution through prosecution, the use of hate speech and guarantees the protection of NGOs to operate in a free operating space.

They also called for the restoration of the rule of law and the establishment and nurturing of strong democratic institutions that are independent, non-partisan and professional, especially the judiciary, the police and other arms of the security sector.

Other recommendations made are for the establishment of an independent and non-partisan Zanu PF-led Electoral Commission where military and state intelligence agencies play no role, an updated and accurate voters’ roll and ensure long term monitoring and observations of elections by both domestic and international observers to minimize violence.

...as we move together with the people

...as we move together with the people

The Constituency Development Fund in Glen View North constituency managed to cover a number of challenges that residents in the area were facing.

The MP, Hon. Fani Munengami said the CDF programme came in handy as schools had benefited from the Constituency Development Fund.

Glen View 2 Primary School had its computer lab furnished at a cost of US$ 100.00.

“At a meeting held here with stakeholders, we requested for a computer. We are grateful to our MP, Hon. Munengami,” said Mr Lancekom Madzimudzi, the headmaster of Glen View 2 Primary School.

He said the school had benefited immensely from the CDF and has other projects in the pipeline should the fund be made available in future.

Glen View 3 High school was electrified at a cost of US$23,000. The Head of the school, Mrs Ruth Moyo said the school needed electricity as they were using a generator, which was unable to meet some demands of the school.

“We did not have electricity and it really affected our operations. Our generator did not have enough fuel because we were pumping to all areas in the school. Our computer lab was not working because there was need to have electricity in the lab, so we are grateful that now, the tubing is all working and done. And very soon we will have electricity. We are happy with what we are getting through CDF.”

Showing off the tomatoes grown in the school’s greenhouse, Mrs Motoy said, another resident said ZESA was having power cuts. So the community, through the CDF, supported by a local NGO, has helped our community in such a big way. We are thankful to the MP,” said Mrs Motoy.

Mr Chimbone Shepstone, the Deputy Headmaster at Glen View 1 High said the school had benefited from CDF and has been relieved of the furniture woes they were facing in the A’ levels class.

“It came as a rescue plan. We managed to furnish our block for the A’ levels” said Mr Chimbone.

The Headmaster of Glen View 7 Primary school, Mr Lancekom Munengami said he was very happy with the donation of 16 computers because the school needed them. He said: “It was an issue here and now we are sure we can develop computer literate children from here.”

Mr Munengami said: “We got quotations for the computers and only the better priced companies charged. The computers and furniture were being bought at a subsidised price and the school was able to get the computers through CDF.

“Now we have been able to ensure that every classroom has enough benches and tables for the students. That was our biggest challenge here and, I think heaven we now have something through CDF,” she said.

The pupils were equally excited about the whole development and said the benches and tables were very welcome as they used to go under the desk because of the furniture around classrooms. One of the teachers said this constant movement of furniture caused the students to the already limited resources.

In Glen View 7 extension, the CDF programme has helped to help solve the national challenge of generation capacity, the elimination of power cuts. So the community, through the CDF, suggested that the subsidies be protected with steel screens.

Police raid senior MDC official’s Harare home

Armed police officers last week raided the residence of MDC Chief of Staff, Abisha Nyangwwe in Harare, claiming to be searching for weapons of war and massacre destruction before they impounded his Isuzu double cab vehicle.

The officers claimed the raid was in connection with the bombing of Zanu PF’s Gweru offices in December 2011.

No-one was arrested but the impounded vehicle was taken to Mabedzense Police Station.

The police went to Nyangwwe’s house in the morning but were denied entry by his lawyer because they did not have a search warrant. The police officers called for reinforcement and police officers from Harare’s Law and Order Section arrived with a search warrant.

They searched the house but failed to find any weapons. The police officers had impounded the vehicle without an allegation that it had been used to bomb the Gweru offices.

Early this year, police in Gweru arrested three MDC members, Shepherd Mhangwane, Douglas Turo and Silas Mutenzidzwa on charges of bombing the Zanu PF offices but were later released.
No to unilateral declaration of elections: Mangoma

Coming with an election date is not a one man’s decision so Mugabe alone does not have the powers to announce for an election, a cabinet official has said.

Addressing people at Nyanguru Ground in Chimanimani East on Sunday, Minister for Energy and Power Development, Hon Elton Mangoma clearly spelt out that it was agreed between the three Principals that there has to be an election roadmap before any election can be conducted.

He said SADC has also announced that despite the three Principals being embroiled with powers to choose an election date the regional body is also taking a stance to have a say on our election date to ensure that the election will be non-violent and that people freely vote for the Zimbabwe they want as well as who should govern them.

“The road map we were given by SADC outlines certain issues that must be clearly adhered to. First and foremost, the constitution must be completed before the referendum is held, after which elections can be conducted,” he said.

Hon Mangoma said with regards to the constitution, only three things were still being debated before the constitution is finalised.

“The issue of citizenship, devolution of powers and executive powers. These are the only three issues left to be finalised before the constitution making process is finalised,” he said.

Minister Mangoma said they agreed that the voters’ roll should be given to the voters, that the voters’ roll should be given to the voters, which would reap benefits because it was agreed between the three Principals that there has to be an election roadmap before any election can be conducted.

He said that to actively participate in the voting process and vote for the Zimbabwe we want,” he said.

Speaking at the same occasion the Provincial chairman and Manicaland Governor designate, Julius Murgunangoma echoed the same sentiments and said it does not help to just have huge gathering at our rallies when none of them or very few of them vote.

He encouraged people to go and register to vote and ultimately exercise their right to vote when election comes.

Mutore Senator, Keresensia Chabuka said the only weapon to outwit Zanu pf was the ballot which would eradicate violence and bloodshed.

He took a swipe on people with double sentiments and said it does not help us to haunt you if you commit murder. So I urge you never to participate in any form of violence. We should be united as people and not to divide ourselves.

“Violence and our position is that those who committed violence to be dealt with accordingly,” he said.

He encouraged unity of purpose and that people should work together with love and in harmony.

“The issue of citizenship, devolution of power and elections are still remaining. When we have all the three issues resolved, the Constitution will be finalised and the referendum will be held. We will have a new Constitution by 2012,” he said.

He also stressed that the voters’ roll should be given to the voters, which would reap benefits because it was agreed between the three Principals that there has to be an election roadmap before any election can be conducted.

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Minister Mangoma said they agreed that the voters’ roll should be given to all political parties before elections are conducted. He encouraged everyone to go register to vote. Those already registered should verify their names and they should help remove dead people on the voters’ roll.

“We should not just yearn for a new Zimbabwe but we should do more than that. We should actively participate in the voting process and vote for the Zimbabwe we want,” he said.

Shamu to appear before Parliamentary Committee

Hon Settlement Chikwinya on Saturday convened a Parliamentary, a legal topping up meeting in M zbvo to discuss some of the key national issues that include progress made so far in the constitution making process and GPA sticking points.

Hon Chikwinya said the gathering that as Chairman of Parliamentary and Portfolio Committee on Media, Information, Broadcasting, Sport, Arts and Culture, he will call Minister Webster Shamu to account for the controversial redistribution programme in 2000.

It was highlighted at the meeting that most courts were abstaining Section 121 of the Criminal Procedure Act as way of punishing mostly, MDC political activists by detaining them for weeks on-end. Shamu also said the media will deliberate on the controversial redistribution programme in 2000.

Hon Chikwinya said: “We no longer want to see a violation of Human Rights and use of hate speech like what is being witnessed in the media public where Zanu PF uses hate language against President Morgan Tsvangirai,” Hon Chikwinya noted.

Other constitutional issues discussed at the meeting included the death penalty, dual citizenship and the postal welfare which will allow Zimbabweans in the diaspora to vote. Millions of Zimbabweans live beyond the country’s borders and was concerned about making sure everyone is eligible to vote is registered to eliminate rigging for the forthcoming election.

The Legislator also expressed concern with sections within the Human Rights Bill which violate people’s rights of expression and association.

Civil Protection Unity and the DA’s offices were by yesterday busy to post-mortem done and arranging for proper identification of the victims.

In 1991, 93 people, mostly students from Regina Coeli Mission and members of staff, perished at the same spot on board a B&C bus.

The feedback meeting was attended by representatives from civil society councils, national and provincial members.