

PARLIAMENT OF ZIMBABWE

Tuesday, 28th May, 2019

The National Assembly met at a Quarter-past Two O'clock p.m.

PRAYERS

(THE HON. DEPUTYSPEAKER *in the Chair*)

ANNOUNCEMENTS BY THE HON. DEPUTY SPEAKER

ERROR ON THE ORDER PAPER

THE HON. DEPUTY SPEAKER: Order, order, I wish to draw the attention of the House to an error on today's *Order Paper* where the date was erroneously reflected as 23rd of May, 2019 instead of 28th May, 2019.

CHANGES TO PORTFOLIO COMMITTEE MEMBERSHIP

THE HON. DEPUTY SPEAKER: I have to inform the House of changes to Committee membership as follows:

Hon. M. Khumalo to serve on the Committee on Energy and Power Development.

INVITATION TO A ROMAN CATHOLIC CHURCH SERVICE

THE HON. DEPUTY SPEAKER: I also have to inform the House that there will be a Roman Catholic Church Service, tomorrow, Wednesday, 29th May, 2019 at 1230 hours in the Senate Chamber. All Catholic and non catholic members are invited.

HON. TSUNGA: On a point of clarification Madam Speaker. You just indicated the correction on the date but not on the day. It is also stated as Thursday on the *Order Paper* whereas it should be Tuesday. If you could also clarify on that. Thank you.

THE HON. DEPUTY SPEAKER: Thank you Hon. Member.

HON. MADIWA: Thank you Madam Speaker. I rise on a point of privilege according to Section 69 read together with Section 68 (d). My point of privilege arises from Section 17 of the Constitution which says the State must promote full gender balance in Zimbabwe's society

and in particular the State must promote full participation of women in all spheres of the Zimbabwe society. Madam Speaker, the evidence available shows non-compliance with that Section, more specifically with the recent appointed nine boards. I have seen very few women representation in the boards. To add on to that, the recently appointed Ambassadors, imagine Madam Speaker, of the 18 Ambassadors appointed, we only have three women and this shows non-compliance –

[HON. MEMBERS: *Hear, hear.*]

THE HON. DEPUTY SPEAKER: Order, order. Hon. Madiwa, you have raised a very valuable point. It is not a matter of privilege and I advise you to raise that matter tomorrow as a question during Question time.

***HON. HAMAUSWA:** Thank you Madam Speaker Ma'am. I want to raise a point of privilege regarding the CDF issue. I would like to ask Madam Speaker, that since the Minister of Finance and Economic Development is in the House, I would like to request that our local currency should be converted to the US dollar using the inter-bank rate.

Madam Speaker Ma'am, this is important because every time we come to submit our quotations, when we go back to procure material for our projects, we normally discover that the rate which was used when we were given invoices has changed. This means that the people we lead no longer have faith in us as their representatives.

The Minister of Finance and Economic Development is here; he must address this issue and protect the value of our currency. If he can provide a remedy, then he should do so, otherwise we will continually be affected by the prevailing hyperinflation. Thank you Madam Speaker Ma'am. – [AN HON. MEMBER: *Inaudible interjections.*]

THE HON. DEPUTY SPEAKER: Hon. Member, you are raising a very important issue but I am sorry, it is not a point of privilege. You can raise that with your Chief Whips.

***HON. ZWIZWAI:** Thank you very much Madam Speaker. This august House is for all Zimbabweans. Therefore, as their representatives, as political parties and independent Members of

Parliament, it is our responsibility to inform the nation on what is happening. We on this side of the House held our Congress last week.

THE HON. DEPUTY SPEAKER: Order, Hon. Zwiswai that is not a point of privilege. Please sit down.

***HON. ZWIZWAI:** We went to the Congress.

THE HON. DEPUTY SPEAKER: Please take your seat.

***HON. ZWIZWAI:** I have not finished my point of order. Are you implying that it is criminal for MDC to go for its Congress? Mr. Mnangagwa won the elections, do you know why? Allow me to say my point of order that I want to speak about Madam Speaker. Madam Speaker, I implore you to listen to me, why are you so intolerant? I just said that the MDC successfully held its Congress then you decided to order me to sit down – why Madam Speaker Ma'am?

Did we not go to the High Court before going to the Congress. –
[HON.MEMBERS: *Inaudible interjections.*] – Is this not a national issue?

THE HON. DEPUTY SPEAKER: That is unpaliamentary language to say *imbwa dzevanhu*. Hon. Zwizwai, can you leave the House.

Hon. Zwizwai left the House.

SECOND READING

MICROFINANCE BILL [H. B. 11. 2018]

First Order read: Adjourned debate on the Second Reading of the Microfinance Bill [H. B. 11, 2018].

Question again proposed.

HON. MUTSEYAMI: On a point of order. Thank you Madam Speaker. I see in the House it is just business as usual and we have not noted the passing on of the Black Russian, Hon. Dumiso Dabengwa. Are we not recognizing that hero so that we give him a moment of silence in appreciation of what he did? - [HON. MEMBERS: *Inaudible interjections.*] – No, he was not given that respect.

THE HON. DEPUTY SPEAKER: Hon. Mutseyami, please address the Chair.

HON. MUTSEYAMI: He is a national hero.

Opposition Hon. Members having stood up to recognise a minute of silence.

THE HON. DEPUTY SPEAKER: Hon. Members, please take your seats – [HON. MEMBERS: *Inaudible interjections.*] -

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (HON. PROF. NCUBE): I move that the debate do now adjourn –[HON. MEMBERS: *Inaudible interjections.*] –

THE HON. DEPUTY SPEAKER: Order, order Hon. Mliswa!

HON. SIKHALA: Madam Speaker, Hon. Chinotimba is insulting him and I am seeing you having issues with Hon. Mliswa.

THE HON. DEPUTY SPEAKER: Hon. Chinotimba, please sit down.

HON. CHINOTIMBA: Madam Speaker, *ndiri kumuti*

congratulations.

THE HON. DEPUTY SPEAKER: Order!

Motion put and agreed to.

Debate to resume: Wednesday, 29th May, 2019.

HON. GONESE: On a point of order Madam Speaker. As you will recall Madam Speaker, last week during Question Time, a lot of Hon. Members had very burning questions on the fuel crisis in the country and it was indicated to us that the Hon. Minister of Energy was going to make a Ministerial Statement today or as soon as possible, actually Thursday.

I have just verified and ascertained from the Hon. Minister that the statement is not going to be delivered today or any time soon. Madam Speaker, in light of the ruling by the Speaker last week that Members defer questions relating to the unavailability of fuel and the steep rise in the product so that the Hon. Minister would come and give a

comprehensive overview, it was on that understanding that last week during Question Time, this matter was not deliberated upon.

In view of the difficulties that the majority of the people of this country are going through because of the afore-mentioned problems and challenges, it is imperative that this Ministerial Statement be delivered so that Hon. Members as the representatives of the down-trodden people of Zimbabwe are able to seek clarifications from the Hon. Minister – [AN HON. MEMBER: *It is actually fuel and electricity.*] – and energy, yes. There are rumours that this product is now going for \$7,80 and there are also constant black-outs countrywide.

THE HON. DEPUTY SPEAKER: Hon. Gonese, I remember we said that Hon. Chasi was going to give a Ministerial Statement this week, not today but this week.

HON. GONESE: Yes, that is actually the reason I came to you Madam Speaker. I actually conferred with him and he says it is not yet ready and I believe that in view of the undertaking given by his

colleague the Leader of the House last week, and this is an urgent matter which we have to tackle ...

THE HON. DEPUTY SPEAKER: And it was said next week.

HON. GONESE: With the urgency that it deserves.

THE MINISTER OF TRANSPORT AND INFRASTRUCTURAL DEVELOPMENT (HON. CHASI): Thank you very much Madam Speaker. I apologise for the misunderstanding that seems to have arisen as a result of my conferment with the Leader of the House. There could be a perception that I avoided being in the House but I actually had a commitment in Namibia where there was a meeting of SADC Ministers of Energy. I indicated to both the Speaker and the Leader of the House that my preference was that I give a detailed Ministerial Statement covering all issues as I perceive them so that this House can understand all the issues and we start on a clean slate. I have not completed a compilation of this because I want to cover the parastatals as well from governance issues to the state of the Energy

sector and the plans that Government has got to deal with both power and petroleum. So, I thought I should just make that issue clear.

Madam Speaker, I think this is an important matter, I think if Members would like me to deal with it, they should allow me to speak so that I can exhaust whatever it is.

THE HON. DEPUTY SPEAKER: So when should we expect the Ministerial Statement?

HON. CHASI: I can answer questions even now but my preference is that...

THE HON. DEPUTY SPEAKER: When should we expect that detailed Ministerial Statement?

HON. CHASI: Next week – [HON. MEMBERS: *Inaudible interjections.*]-

THE HON. DEPUTY SPEAKER: Thank you Hon. Chasi. Hon. Chasi will bring the Ministerial Statement next week – [HON.

MEMBERS: *Inaudible interjections.*] - order, Hon. Members, I will send some of you out of the House.

HON. SIKHALA: Madam Speaker, the Hon. Speaker has already made a ruling on this case. Why all questions were deferred last week particularly on the subject of energy, was on the basis that the Minister was going to urgently bring a Ministerial Statement to this House. When a ruling has been made by the Chair, at law it is said, the ruling is *functus officio* to which it means that decision cannot be reversed. I am happy because the Minister of Energy is also a lawyer; he knows what I am saying. So, for the Chair today, to overthrow the ruling of the Speaker which he made last...

THE HON. DEPUTY SPEAKER: I am not overthrowing the ruling of the Speaker but Hon. Chasi said he will bring the Ministerial Statement next week. So, what do you want me to do if he does not have it today.

HON. SIKHALA: My submissions talk to the urgency of this case. The Hon. Speaker said this is an urgent matter; the Minister is

going to bring the Ministerial Statement. Last week on Thursday, it was not delivered, however, we thought today, he has brought the Ministerial Statement, so for it to be deferred to next week; I think the Minister is losing it. Next week will dispute the urgency of this case. So, our appeal is that the Speaker has made a ruling that this issue is urgent, can the minister respect this House.

The Minister of Transport and infrastructural Development, Hon. Chasi was asked to approach the Chair.

THE HON. DEPUTY SPEAKER: Hon. Chasi will bring the Ministerial Statement on Thursday this week – [HON. MEMBERS: *Hear, hear.*] -

MOTION

BUSINESS OF THE HOUSE

THE MINISTER OF INDUSTRY AND COMMERCE (HON. M. N NDLOVU): I move that Order of the Day, Number 2, on today's

Order Paper be stood over until the rest of Orders of the Day have been disposed of.

Motion put and agreed to.

HON. T. MLISWA: On a point of order! Thank you very much Madam Speaker. You will recall that when the Hon. Speaker Jacob Mudenda was in your Chair, the issue of a minute of silence to observe the late Dumiso Dabengwa was brought up. The Speaker ruled that it cannot be so until the family speaks and that the Government too must issue a statement. However, those two issues have been done. Madam Speaker, I say so because my father was ZAPU, he was in Zambia, we grew up with him, S. K. Moyo and Mutinhiri. This is a serious issue which deserves that, not only was he a war veteran but he was a Member of this House too. He was a Member of this House of Assembly and all of us will die one day. It is only important that when one of us dies, even if you do not recognise his hero status but let us recognise that one of our Parliamentarians is no more.

There is a rift, the failure for this Parliament to comply to what it says, will create problems which are unforeseen. The aspect of the tribal card will be raised and we do not want that. Therefore, Madam Speaker, with your indulgence; seek for a minute of silence to be observed because the two issues, the Speaker spoke about have been met. We are putting the President in a very difficult situation. He was a Member of this House and why can we not give him the respect that he deserves –
[HON. MEMBERS: *Inaudible interjections.*]

THE HON. DEPUTY SPEAKER: Order, Hon. Members. I think we must all know, as from today that we do not observe a minute of silence on National Heroes if they are not Members of Parliament –
[HON. MEMBERS: *Inaudible Interjections.*] -

HON. T. MLISWA: So, Madam Speaker, if your ruling is that we do not observe that, how come the Speaker did not highlight on that on that day. The Hon. Jacob Mudenda did not say that we cannot observe. We have got to be consistent as a Parliament. Hon. Mudenda did not say that. Why do you hate ZAPU people? We have to be consistent as

Parliament. *VaMudenda havana kuti hati observi, vakati mhuri neGovernment. Ndozvakataurwaka. Ko imimi vanhu veZIPRA indaa muchivenga vamwe vanhu zvakadaro* – [HON. MEMBERS: *Inaudible interjections.*] – Madam Speaker, the Speaker did not say that– [HON. MEMBERS: *Inaudible interjections.*] –

THE HON. DEPUTY SPEAKER: Order, Hon. Mliswa can you approach the Chair.

Hon. T. Mliswa approached the Chair.

HON. T. MLISWA: Madam Speaker, with your wise counsel together with the Clerk that I just received, I do hear what you said that the Speaker did not say it but if that is the rule of Parliament, I am bound by the rules of Parliament. Thank you.

Hon. Biti having entered the House.

[HON. MEMBERS ON THE LEFT SIDE: *VP, VP, VP.*]

THE HON. DEPUTY SPEAKER: Hon. Gonese, order. Hon. Biti, please can you take your seat – [HON. MEMBERS: *Inaudible interjections.*] – Order Hon. Members, order.

Hon T. Mliswa having stood up to speak.

THE HON. DEPUTY SPEAKER: Hon. Mliswa take your seat.

SECOND READING

EDUCATION AMENDMENT BILL [H. B. 1, 2019]

Third Order read: Adjourned debate on the Second Reading of the Education Amendment Bill [H. B. 1. 2019].

Question again proposed.

THE MINISTER OF INDUSTRY AND COMMERCE (HON. M. NDLOVU): Madam Speaker, I move that the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Thursday, 30th May, 2019.

MOTION

REPORT OF THE ZIMBABWE HUMAN RIGHTS COMMISSION ON 2018 HARMONISED ELECTIONS

Fourth Order read: Adjourned debate on motion on the Report of the Zimbabwe Human Rights Commission on the 2018 Harmonised Elections.

Question again proposed.

HON. C. MOYO: Thank you Madam Speaker. I will start my debate on page 7, which highlights the issues of 123 political parties contesting in 2018 elections and also 23 aspiring Presidential candidates participating in the process. It is clear that there is a gap Madam Speaker, that is why you see many political parties coming to the fray. It is not about the issue of opening democracy but there is a gap. There are many issues which are not being resolved by the current Government. The issues of fuel, the issues of prices, I can mention a lot more. That is why you realise that there are many political parties coming into the fray. That is why we have many presidential candidates

who came to participate in the 2018 elections because of the failure of the current Government.

THE HON. DEPUTY SPEAKER: Stick to the report Hon.

Member – [AN HON. MEMBER: *Makaverenga here?*] – Hon. Member may you please go out. Whom are you asking that?

HON. C. MOYO: Thank you Madam Speaker. That is what is on page 7 Madam Speaker, where it is highlighted that there are many problems which have been faced by our people. That is why you have seen so many political parties coming to the fray. Let me now go to page 8 Madam Speaker, where it is highlighting about hate speech which was witnessed during 2018 pre-election period. On 8.1, during the ZANU PF rally in Chiredzi District, that is Masvingo Province, the ZHRC monitors heard supporters of ZANU PF singing a song with lyrics that *Chinja inourayisa* confirms that ZANU PF are killers – [HON. MEMBERS: *Inaudible interjections.*]

THE HON. DEPUTY SPEAKER: Order

HON. C. MOYO: Allow me to go to page 19 Madam Speaker Maam where there was partisan distribution of food aid and Presidential agricultural inputs...

***HON. CHINOTIMBA:** On a point of order Madam Speaker. I do not know whether '*chinja*' is a political party or not. I am lost. Which party is called '*chinja*'. We cannot debate on something that does not exist. '*Chinja*' is not a political party and does not belong to people – it is just a slogan. We cannot say people were going to suffer or going to be killed because they were '*chinjas*' – [HON. MEMBER: *Inaudible interjections.*] –

THE HON. DEPUTY SPAKER: You can proceed Hon. Member.

HON. C. MOYO: Thank you Madam Speaker Maam. I now turn to page 19 where it is talking about partisan distribution of food aid and Presidential agricultural inputs. It is very sad to note that from 2017 annual report, it was clear that there was that partisan distribution of food and it is again appearing in our report for 2018. This means that

nothing was addressed and the recommendation from annual report of 2017 were not taken into consideration. This is an issue on item 9.1 where two candidates in Goromonzi North indicated that there was intimidation by the headman. It is very sad that our headmen are being used to coerce or to force citizens to vote for a particular political party.

Also on 9.4 – in Murehwa South Constituency where intimidation cases of by ZANU PF Chairpersons were also received in six constituencies whereby they threatened communities of a repeat of the violence of 2008. It is very important to highlight what happened in 2008 and linking that to the annual report of 2017 and 2018 – [HON. MEMBER: *Inaudible interjections.*] –

THE HON. DEPUTY SPEAKER: Order. You may proceed.

HON. C. MOYO: This is a clear confirmation that the violence of 2008 happened again in 2018 and it is very sad indeed

Hon. Sanyatwe having entered the House – [HON. MEMBERS: *Ambassador! Ambassador! Ambassador! Hear!*] –

THE HON. DEPUTY SPEAKER: Order! Order! Order! Hon. Matangira, order! Order!

Hon. T. Khumalo having entered the House – [HON. MEMBERS: Chair! Chair! Chair!

Hon. Members broke into song – Tinoda Nelson Chamisa same same!

THE HON. DEPUTY SPEAKER: Order! Hon. Members, order! Order! – [HON. MEMBERS: *Chair!Chair! Chair!*] – Hon. Khumalo please may you take your seat. Hon. Khumalo! – [HON. MEMBER: *Inaudible interjections.*] – Hon. Member may you debate.

HON. C. MOYO: I now move to post election phase that is on page 26. It is clear here that the board initially announced the results for the top three presidential candidates as Emmerson D. Mnangagwa having 50.8%, Nelson Chamisa having 44.3% and a nonentity Thokozani Khupe receiving 0.9%. After the constitutional petition, there was a review of the percentages here whereby Emmerson Mnangagwa was then declared that he gunned 50.6% from 50.8%.

There was a decrease of Chamisa's vote from 44.3% to 44.39%.

Therefore, ZEC acknowledged that the first set of presidential results was wrong. How do we then trust either the 3rd, 4th or 5th presidential results which were announced?

They admitted that there were mathematical or statistical errors - who knows that there were such errors? They only know. Therefore the issue of legitimacy cannot be washed away. It is very clear because there was such a review. There is also an issue that in the court papers that is on page 26 where the ZEC Chairperson conceded that some polling stations may have been counted twice. How many were counted more than twice, ten, twenty or fifty times? Therefore we cannot wash away the issue of legitimacy. This report clearly points out that there is legitimacy crisis in Zimbabwe. As a country, we must come up with a solution because we are being guided by what is written in the report.

I can go on and on. The military was heavily involved. You can see recommendations on page 33 - 8.3.1 where it says ZDF should refrain from use of live ammunition on civilians during demonstrations

and even after elections. It is clearly written in the report. It is very clear that the issue of legitimacy is questionable and as a country we must solve this. I thank you.

***HON. MATANGIRA:** Thank you Madam Speaker for giving me this opportunity to contribute on the Human Rights debate following the report after the Harmonised Elections in 2018. I will start by talking about the Supreme Law of the country which is the Constitution and the Constitution says, the electorate should go and vote freely and fairly without any interference. The ZHRC discussed after elections and said they had never observed such peaceful elections ever since we started our elections, talking of the 2018 elections.

We noticed that opposition parties were free to operate as they wanted. Please refer to page 10. That is where you will find that we are talking about the peaceful co-existence amongst the people during elections and they said there was peace and everybody was doing whatever they wanted without any interference...

HON. GONESE: On a point of order Madam Speaker.

THE HON. DEPUTY SPEAKER: Order Hon. Matangira. What is your point of order Hon. Gonese?

HON. GONESE: My point of order Madam Speaker arises from the fact that the Hon. Member who is debating is actually misleading the House by making references to pages. The Hon. Member mentioned page 10. He has not read the report. The motion before the House is clearly a debate on the Report of the ZHRC and the Hon. Member in debating was making reference – [HON. MEMBERS: *inaudible interjection*]- The Hon. Member of Parliament said page 10 and I am looking at page 10 and it does not mention what he said. He was saying that on page 10,...

THE HON. DEPUTY SPEAKER: Maybe the interpretation differs.

HON. GONESE: No, no. I am looking at page 10. The Hon. Member must not mislead the House. He must not make reference to pages which he has not read and then we check and ascertain that he is lying.

THE HON. DEPUTY SPEAKER: I hear you Hon. Gonese.

Please take your seat. I have heard your point of order.

HON. GONESE: No, he is misleading the House. If you check in the *Hansard*, he said page 10 which is referring to the quality or the elections which were held - which is not true because I am looking at page 10. If you had not made reference to a page number yes - so, Madam Speaker, if someone has not read the report they must read the report first and then debate on issues raised in the report and not from the top of their heads.

THE HON. DEPUTY SPEAKER: Order Hon. Members. Hon. Matangira please proceed but please stick to the report.

HON. MATANGIRA: Thank you Madam Speaker for making me continue with my debate. We know that there are some people who always want to inflict some injuries on others when injuries inflicted upon them, they say life is not fair, people are ill-treating them. I am the person who is the predator because when the predator is predating, everything is okay, but when they are the prey, they think life is not fair.

Madam Speaker, I will talk about the bio-metric voter registration which was done perfectly well and all the political parties supported this process. There is an issue which I want to bring to the fore which was raised by the previous speaker. When we referred to page 18 of the HRC report, where there is a sub-heading of Hate Speech. During elections and campaigns, we have political parties which will be delivering hate speech instead of issuing slogans. I attended a certain meeting which was organised by a certain party near my constituency in Goromonzi.

These people were saying clap, whosoever deserves to be clapped and the slogan *chisa mbama*. There were people singing that Chinja is a party which may lead to somebody's death, especially the members may die because of allegiance to such a party. Turning to page 99, because this section talks about partisan distribution of food handouts and presidential agricultural inputs. We noticed that if we have a certain clan which is distributing food or any other implements, they distribute amongst the villagers in that area according to the needs of every individual so that everybody is content. However, the people who wrote

this report were receiving messages from the people who are disgruntled because they are in the opposition. What is happening is that they did not come to the distribution point, that is why it appeared as if only ZANU PF members were receiving the food because they availed themselves at the distribution point. That is why there appears to be partisan politics. ***HON. MADZIMURE:** On a point of order Madam Speaker. This is just a reminder. When they are looking at ZHRC, this is not a NGO. The HRC is a Government appointed Commission and I am pleading with Hon. Matangira not to belittle such an institution.

Hon. Karenyi having entered the House – [HON. MEMBERS: VP, VP.]

THE HON. DEPUTY SPEAKER: Hon. Members Order. Please may we sit down. Order Hon. Members.

***HON. MATANGIRA:** Madam Speaker Ma'am, we are debating about issues of hate speech whereby some Members were saying we are going to give a clap to whosoever who does not agree with our sentiments. "This was said in Chikomba West in Chivu". There was a

lot of hate speech delivered and again when the MDC Alliance members at Chibuku Stadium were playing songs with the lyrics such as ZANU PF members are stupid.

If a party is delivering such a speech, is it not a hate speech when we say the party which was delivering hate speech was the party which had not won in the elections; we also notice this in soccer circles. A team which is winning does not talk of hate speech but the losing team is the one which resorts to hate speech and obscene language.

When we are talking about distribution hand-outs from the State, we are not going to talk about partisan distribution. The only people who receive Government hand-outs are people who avail themselves at the distribution points. There was a clash or a fight which erupted in Harare caused by people who are bitter losers. We are saying that if you feel you cannot accept losing when you are in a competition, then you should not take part in any election because when you get into a contest, you are assured that there is going to be a winner and a loser. But, we know that in Zimbabwe according to the Constitution, we are talking of universal

suffrage which talks about democracy and when you get into an election with that in mind you are beaten, you will end up being a bitter loser resulting in violent activities.

When we talk of human rights in Zimbabwe, the rights are uniform throughout the world and they also take hints and clauses from other institutions. When we look at what happened at the Ascot Stadium in Gweru, you will notice that there was suppression of human rights because the delegates who came to that elective congress suffered. They had no food and they suffered from cold.

***HON. B. DUBE:** On a point of order. I am saying that the Hon. Member seems to have lost it because what he is debating is something which is not within the report. If he has no facts, he should sit down.

***HON. MATANGIRA:** I thank you Madam Speaker, I will stick to the report. This report is talking of human rights, especially during the election period. During these days, we can see whatever is happening because the world is one global village and I can talk of one of my neighbours in Buhera who suffered because of lack of human

rights at an electing congress which was held by this other party in Gweru at the Ascot Stadium.

Madam Speaker ma'am, when we talk of violence which happened after the elections, I would say these fights were caused by individuals who are bitter losers and I will repeat. When you go into an election, it is like in any competition – you can either win or lose and you have to accept the outcome. We know what happened at the elective congress during the weekend, members who lost should accept that they did not make it in the elections of their political party.

Let me conclude my speech. Madam Speaker ma'am, when we talk of village heads and chiefs, these are the people who were ruling and running this country before colonisation and when we started on the politics, we noticed that as of now, the chiefs and the village heads are told to avoid politics yet when you look at Britain, the King and the Queen are involved in politics and that is why they are leading the country. Again, when you say chiefs and village heads should be apolitical, we are saying - do they participate in an election and which

party do they vote for because if they go for elections and vote for a party, then they are included in the politics. People should not say that chiefs should not participate in politics. I thank you.

HON. ZHEMU: Thank you Madam Speaker ma'am. I rise to debate on the Zimbabwe Human Rights Commission Report. Let me start by the acknowledgement which was made by the Zimbabwe Human Rights Commission in which they indicated that about 133 parties and 23 presidential candidates registered to participate in the previous harmonised elections. That was actually a sign of the opening up of the democratic space by the President, Cde. Emmerson Dambudzo Mnangagwa.

In the same report, the Zimbabwe Human Rights Commission also acknowledges that all political parties were allowed to advertise in all forms of the media that included the print media on ZBC and on social media. All political parties were allowed to advertise themselves. I think that should be commendable because probably in the past that never existed but because of the coming of the new administration led

by His Excellency the President Emmerson, Dambudzo Mnangagwa, we saw that happening here in Zimbabwe. That must be applauded.

Madam Speaker ma'am, I note with concern some members of the ZHRC who were enticing voters in the name of giving voters civic education. I think that something must be done to the Zimbabwe Human Rights Commission, especially on the calibre of people that they are employing or engaging. There are some people who are actually diverting or missing what they are supposed to be doing as Commissioners but rather giving people the direction on whom they are supposed to be voting for. I think that must be taken note of.

The ZHRC Report also acknowledges the preaching of peace which was done by the President, Hon. Dambudzo Mnangagwa that must be applauded – [HON. MEMBERS: *Hear, hear.*] – Let me explain something; in the report there has been an allegation that some members or voters were asked to bring some evidence or proof of registration as voters. That was done by all parties that went for nominations because

apparently you could not endorse somebody to nominate you without ensuring that the person who was nominating you was a registered voter.

Also, on page 17 of the Zimbabwe Human Rights Commission Report on the Harmonised Elections, the ZHRC acknowledges that the voters' roll was delayed and in the absence of the voters' roll, the only evidence or proof that one could have was the proof of registration by way of showing the nominee that I am a registered voter. So, it is not like ZANU PF or some other candidates or parties were actually forcing people to bring proof of voters' registration. No, that was not the case but one wanted to be sure that whoever is nominating him is a registered voter.

Madam Speaker, the ZHRC Report also acknowledges that ZBC responsibly encouraged all parties to advertise on its air space. On that same note, there was a cost aspect which was involved. Whoever thought never got equal airspace was because of the limitation of that cost aspect. It is not because there was anybody who was not allowed to even spend the whole day advertising but you were limited by the cost.

I am also concerned Madam Speaker, by the hate speech especially on page 18 where one, a contestant in the Presidential Elections was referring to other members as thieves - that must be condemned. That is actually wrong and that amounted to disturbances during and even after elections.

Madam Speaker, I am also concerned by the way this report was crafted. It would appear most of the misdemeanors that are in this report were cited against ZANU PF when we had incidences where the opposition MDC also were pulling down our posters and defacing them. We did not see that in this report. Let me also cite another case which caused post-election violence and which was not reported as it was supposed to have been reported in this report. Hon. Biti went on to announce Presidential Elections which was not within his ambit and that was not recorded and condemned in this report. That must be a point to be condemned.

Madam Speaker, we expect the Zimbabwe Human Rights Commission to be impartial as they are supposed to be. In future, we

expect their reports to add value to the way elections are conducted, not just making pointers unnecessarily to one party. Whoever errors must be condemned. I thank you.

HON. CHINYANGANYA: Thank you Madam Speaker for affording me the opportunity to add my voice on the report by the Zimbabwe Human Rights Commission. Madam Speaker, I want to commend the Commission for coming up with a detailed and well balanced report concerning the events which happened prior and soon after the 2018 elections. Madam Speaker, we hardly have Commissions which are thorough with their reports as this Commission on Human Rights has done.

I will start on page 15, not repeating what my colleagues have alluded to. The Commission noted the intimidation and threats to secrecy of the ballot and other human rights violations linked to BVR during the elections. This is actually what happened and we want to commend the Commission for bringing out this issue.

Coming to the aspect of media on page 17, the Commission noted that only one political party was afforded media coverage both on television and radio. On page 19, the partisan distribution of food and presidential agricultural inputs, these issues have been raised time and again and the Commission was spot on in noting that is what was happening during the elections.

The participation of traditional leaders in politics Madam Speaker, it is true and it has been noted since 2000 but no Commission has ever brought it out and condemned these actions like what the Zimbabwe Human Rights Commission did. The defacing and removal of campaign posters was the order of the day and the Commission actually brought this out to the fore.

I will go on to recommendations Madam Speaker. The recommendations by the Commission, if they are to be followed in this country, I am sure we will have credible elections which will be difficult to dispute; whatever the results, if the Zimbabwe Electoral Commission could do its work as recommended by the Commission. The Zimbabwe

Defence Forces as recommended should not take part in party politics and should refrain from using live ammunition on civilians during demonstrations.

Madam Speaker, of great importance is the recommendation that Zimbabwe Human Rights Commission should not just be an observer but should play its monitoring role during the elections. If that is done, I am sure that we will have free and fair elections.

The media should play its role in giving ample time and enough airtime to all the political parties so that they will broadcast their manifestos to all the citizens of Zimbabwe.

Madam Speaker, without going any further, I want to commend the Commission for bringing out a detailed report which is balanced.

HON. CHOMBO: Thank you madam Speaker. I rise to make a contribution to the 2018 Harmonised Election Report by the Zimbabwe Human Rights Commission; going backwards to 2013, recommendations and also dwelling on the conclusions and some of the recommendations that were made. You will see that there was an outcry

of the voters' role that was in shambles and if you look at the conclusions that were made by the 2018 report, you will see that it was acknowledged that ZEC had put in place a mechanism through the Biometric Voter Registration to try to correct the voters' roll and that was highly commendable.

There was another issue that was raised on the conclusion for this 2018 report. There was an issue of the proclamation of the day of the election which was raised in the 2013 report. If you look at the 2018 report which we are dwelling on right now, it was acknowledged that the proclamation for 2018 elections was timeous, giving each organisation, especially ZEC, to fully prepare for the upcoming elections. In the 2013 report, there was an issue raised of having a properly constituted constitutional court and you can see that in 2018, it played a big role in that there was a very well balanced constitutional court which was able to address the contestation of the 2018 election which was done by the MDC Alliance. It had to be addressed through the courts and it was well handled.

On the recommendations, if you go to 8.71 on one of the recommendations, it is very well articulated that the traditional leaders should be non-partisan. If you even go back to the Constitution, Section 281 (2), it categorically states that traditional leaders must not be members of any political party or in any way participate in any partisan politics. They should not act in a partisan manner and should not further the interests of any political party, cause any violence or violate the fundamental rights and freedoms of any person. If you see that we go back to the recent happenings, we can quote Chief Ndiweni and Chief Maduna. You can see how much he was acting in a way that was not reflective of him being a traditional leader. So these are the systems that we are supposed to avoid.

Hon. Speaker, we should try to make sure that we limit the involvement of traditional in politics. If politics is for politicians, traditional leaders have no role to play. If we are to go by this report that was produced for 2018 elections; I implore the opposition party to

also take an active role and make sure that we act according to the report. I thank you.

***HON. MADIWA:** Thank you Madam Speaker. I have viewed this report as one written by somebody who is very partisan yet they are supposed to be non-partisan. It is a report written by somebody who is biased, it is not a serious report – [HON. MEMBERS: *Inaudible interjections.*]-

***HON. MADZIMURE:** Madam Speaker, we are talking about a Commission which was solemnized by His Excellency, the President of Zimbabwe and the way the Hon. Member is talking, she is insinuating that the President is biased because he elected these so called political activists into the Commission. Therefore, the Hon. Member should withdraw her statement that the Commission is biased. It is an independent Commission which this House must protect at any cost. Section 232, of the Constitution makes a provision for the establishment of this Human Rights Commission. So, if the Hon. Member can

withdraw because they are not activists – [HON. MEMBERS: *Inaudible interjections.*] -

THE HON. DEPUTY SPEAKER: Hon. Madiwa, this Commission is a board which was appointed by the President. It cannot be biased. Hon. Madiwa, may you please withdraw your statement.

***HON. MADIWA:** Madam Speaker, I said...

THE HON. DEPUTY SPEAKER: Order. Hon. Madiwa, please may you withdraw.

***HON. MADIWA:** Madam Speaker, I have said, my opinion – [HON. MEMBERS: *Inaudible interjections.*] – I withdraw Madam Speaker.

HON. DINAR: On a point of order Madam Speaker. I would like to thank the Hon. Member for spilling the beans that whatever happens is always biased. Thank you Madam Speaker.

THE HON. DEPUTY SPEAKER: Your point of order overruled Hon. Member. Hon. Madiwa, may you proceed.

HON. MUKHULHANI: Thank you Madam Speaker. I want to thank you for tabling this report for debate today. Before I go into the report, let me say I am heartened by the fact that, today our counterparts have acknowledged that we do have a President and he has the power to appoint a Commission and more so...

HON. GONESE: On a point of order Madam Speaker.

THE HON. DEPUTY SPEAKER: Hon. Gonese, I did not recognise you, please may you sit down.

HON. GONESE: It is just a point of order Madam Speaker. Can I beg your indulgence, I think it is an important issue Madam Speaker if you can just allow me. There is an observation I have made Madam Speaker, in terms of our proceedings. My point of order relates to the fact of the governing party and the official opposition. I have noted that after Hon. Chombo, there was Hon. Madiwa and now there is the Hon. Member who had the floor and sadly that ...

THE HON. DEPUTY SPEAKER: There was nobody standing –
[HON. MEMBERS: *Inaudible interjections.*] – There was nobody
standing on this side Hon. Gonese.

HON. GONESE: They were standing and I think that we must
have a balanced debated.

THE HON. DEPUTY SPEAKER: There was nobody standing –
[HON. MEMBERS: *Inaudible interjections.*] – Order! Maybe you can
submit your names Hon. Gonese.

HON. GONESE: We can submit names Madam Speaker but
before we do that...

THE HON. DEPUTY SPEAKER: There was nobody standing

HON. GONESE: No, they were standing, I will give you the
names.

HON. MUKULHANI: Madam Speaker, in a mathematical model
where you have one third and two thirds, it means for every two, there is
one from the other side. It is just a point of advice. Madam Speaker, I

want to speak to the issue of the media on recommendation 8.8, which states that the media, in future, should be fair, equal and balanced.

Madam Speaker, for it to be equal, we should have a premise on the equality without figures or knowing what every party is entitled to in terms of media coverage. We cannot speak of equality. For you to be balanced, it is subjective. More so, Madam Speaker, the issue of advertising on the national broadcasting is not free. It must be paid for. The fact that other parties cannot afford to pay for the services and we have to pay, it does not mean that it is not fair and it is not balanced. Therefore, we – [HON. MEMBERS: *Inaudible interjections.*] –

THE HON. DEPUTY SPEAKER: Hon. Mamombe, order!

HON. MUKHULHANI: We know and we are alive to the fact that some of the political parties which participated in the ended 2018 elections could not pay for their election agents, late alone to pay for an advert on the media. It is not the fault of the winning party. I thank you Madam Speaker.

***HON. B. DUBE:** Thank you Madam Speaker. When we look at this report, it is very clear on what constitute hate speech. Therefore, we need to know from the experiences gained in these elections that during the election campaign period, we need to campaign peacefully. We have heard some people saying when you belong to another party, you may die or you may be killed. This was in reference to what ZANU PF was saying in this report – [HON. MEMBERS: *Inaudible interjections.*] –

THE HON. DEPUTY SPEAKER: Order Hon. Members!

HON. B. DUBE: Madam Speaker, may I please continue. I am talking about an issue that is on item No. 9 in the report. This is talking about the distribution of food and the distribution of Presidential agricultural inputs. It shows that as a country, we are still going backward because we are not very serious in inculcating the principles of democracy and we are saying when we have handouts which are paid for by the tax payers money, these should be given to people without partisan allegiance. When people are being given these issues because they have attended political rallies, this is quite unfair. I will now go to

page 37 on recommendations where on point 8.7, they are indicating clearly, talking about traditional leaders, the chiefs and the village heads. The law is very clear, it says, they should not participate in political activities. What this means is that when we are saying they are into politics, chiefs and kraal head and village heads should not utter slogans. Therefore, I am asking Members in this august House that when we are talking of traditional leaders as Members, we should address this issue and there should be punitive measures because the laws guiding us are now archaic. Hence, the chiefs keep on violating these laws but if they come to such gatherings and greet people, that is in line. We know it is rhetoric. What really happened on this occasion is that the traditional leader Chief Ndiweni came to greet people who had gathered in an area which is within his jurisdiction. Our culture dictates that you greet visitors. This is what happened on that occasion. The people who had organised that gathering extended an honorary invitation to the traditional leader since they were in his territory. It is common knowledge that when a traditional leader attends such a gathering, he will only give a courtesy greeting and not utter political slogans.

I am appealing to Chief Ndiweni to educate some of his fellow traditional leaders who utter political slogans when they attend political gatherings. They even raise the clenched fist political symbol. Chief Ndiweni attended the MDC- Alliance elective Congress and simply greeted the delegates and did not utter any political slogan. After that, he left the gathering showing clearly that he does not belong to any political party, either ZANU PF or MDC. This is the culture which should be inculcated in some traditional leaders who indulge in partisan politics.

In conclusion, if we go to paragraph 8.7 of the Human Rights Report, it talks of shameful aspects and behaviours of some traditional leaders who threaten their subjects who vote for the opposition by evicting them from their villages. Madam Speaker, this confirms what we were debating in the past few days that there are some people who are being victimised by evictions from their resettlement areas because the elections did not go as per the expectation and these people, are the ones who are accused of voting for the opposition. We are therefore

calling for the stopping of victimisation of villagers in resettlement areas because they support Chamisa or the opposition -[HON. MEMBERS: *Inaudible interjections.*] –

THE TEMPORARY SPEAKER [HON. MAVETERA]: Order, may the Hon. Member be heard in silence. This is a very pertinent issue which needs us all to be attentive.

***HON. RAIDZA:** Thank you Madam Speaker. I rise to give my contribution on the Zimbabwe Human Rights Commission. We appreciate most of the things that came from this report.

If we go to page 9, the Commission saw the effort that was made by our President Hon. Mnangagwa on enhancing and encouraging peace in this country and also that election be held in peace and harmony. If we go to page 18, it talks about hate language that some aspiring presidents of this country used when our President was saying that there should be peaceful elections. This is on 8.2 and 8.4. Mr. Chamisa was supporting violence and was insulting other presidential candidates. This is a lesson that if anyone wants to be the president of a country,

they should encourage peace in the country. You cannot be a president when you insult other people.

I would also want to highlight that some Hon. Members from this House went out and caused violence because they thought that election results were not announced on time. We know that in terms of the Electoral Act – there was a deadline, but because these people know that they had lost the election, they calculated wrongly and thought they had won. They informed people to complain but we thank the Commission because it clearly states on page 26 that the results were announced on time. It is also written that the people who incited the violence are from the opposition and some of them are in this august House. We want them to know that we should adhere to our Constitution even if your calculators lie that you won the election.

On page 27 on 5.3 - electoral dispute resolution the law states that if anyone is not satisfied with election results – they should go to court. Like what Chamisa did – he went to court and claimed that he won 60%. ZEC said it was 54%. We do not understand where the 60% came from

– Facebook or WhatsApp. He did not explain that to the court and did not have enough evidence – he did not have the V11s. This is when the President had more votes than Chamisa for the second time. This shows that Zimbabwe is a democratic country.

If we go to page 31, it shows that election observers from other countries and places came to observe elections. This reflects that our elections were run properly, though some people think that there was some rigging.

I disagree with the writers of this report on food distribution. On recommendations, it seems they are saying food was used to buy votes. Food and seed distribution has always been done whether there are elections or not.

Some of us are celebrating because they won elections at their Congress, but they are not concerned about the people's welfare – especially those who were hungry and cold during the congress. I thank you.

HON. T. MLISWA: Thank you Madam Speaker. First of all I want to give credit to the Zimbabwe Human Rights Commission for coming up with such an incisive report. I think for a very long time, the Zimbabwe Human Rights Commission has been very consistent in its reporting. I am aware of their findings again in the Hurungwe West bi-election which I did contest. It is a Commission which is appointed by this Parliament, in case some do not know and then the President appoints the Chairperson, but the vetting comes through the Standing Rules and Orders.

Members of Parliament must realise that whatever they are saying about this Commission is also reflective of them, because it is appointed by them.

It is important Madam Speaker Ma'am to be able to talk about two issues which are critical in this election. No one argues that the pre-election environment was the best since 2000. I think that goes to the credit of His Excellency and equally the other parties involved in that there was a consensus that at some point as politicians, we cannot allow

a situation where our people are constantly killing each other because of our selfish interests.

Zimbabweans at the end of day remain Zimbabweans and as a result, the outcome of an election must be one's right. It is also pretty clear Madam Speaker Ma'am that political maturity has improved. The aspect of political maturity is key. Zimbabwe in terms of its literacy levels is considered one of the best but the previous elections in Zimbabwe made us seem to be baboons, not an educated people because we were constantly beating each other up without accepting one's right to choose who their candidate is.

What is also important Madam Speaker - before I get into the merits of these reports, is that the political parties in this country are the breeding ground for violence. That I will not mince my words to say all political parties have a role to play in the people who have been killed because the internal elections that they have at primary elections is an election which they are prepared to forsake their own, even give way to

the opposition. The internal elections are marred with violence, so when that happens the real election has no choice but to also exhibit the same.

Madam Speaker, the ZHRC is a body of professional people who are experts in many other fields. Therefore, their credibility can never be doubted. What is important in this report is to come up with necessary electoral reforms. We all talk about electoral reforms and this is the start of electoral reforms. What happened in the election, what went wrong and all that. The recommendations when you go to them are pretty clear in terms of what needs to be done. The media has a role to play. It cannot just focus on the President. It must also focus on Members of Parliament and Councilors because it is an election for everyone.

So to me the media has lacked in that respect because there is one side that the President goes to and he is in that constituency and other Members of Parliament do not enjoy the same publicity. It has a ripple effect on how the person will perform. There is also the aspect of vote buying. I must hasten to say that if we really believe that giving our people food and rice is the basis to be in power, then you certainly do

deserve to be a leader. If there is any Member of Parliament who thinks you are here because you gave people rice and maize, people need more rice and maize now because of the drought.

You have five years to supply them with rice and maize. The Commission is very clear in its recommendations when it talks about the aspect of food. Paragraph 8.5 talks about the Ministry of Public Service, Labour and Social Welfare and Grain Marketing Board and in its recommendation 8.5.1, the Ministry and GMB should have transparent systems for distribution of food aid and presidential farming inputs and ensure they do not advance certain political agendas. Honestly, why do we think that our people are only hungry when it is election time?

All this time they are eating. Right now this is the time for Members of Parliament to go and give them food, but the Members of Parliament are nowhere in their communities. The governing party must understand that those are very short-lived gains which have serious

repercussions in that our people are now used to a situation where they take food.

Madam Speaker, I will give an example of Norton in the 2016 by-elections where 5 000 stands were given to people. My dear *sekuru* Kasukuwere who is not here right now told me that they spent over US\$12 million in Norton. On the day of the elections, they were still giving people food, but they still lost. What I am trying to say is that our people now know that you like to give and so they come to receive. When they come to receive, they disappoint you the most. They are enlightened and they know that Members of Parliament are very generous during the election time. After election time, there is no generosity. It is like they go to church once a year and after that they do not go to church.

The other recommendation on 8.52, food distribution towards elections should be suspended to avoid political manipulation of the process. With the establishment of the mechanism which ensures that beneficiaries receive adequate allocations in advance of the election

period. Why is it like that? If we know that our people need food, then they must be given. Why do we not know that when we are going towards election, we give them enough until the election is done?

This is the recommendation Madam Speaker Ma'am which is critical. If we do not go over this hurdle, it will become very difficult for us to have elections which are said to be free, fair and credible. Free, fair and credible elections mean that resources are equitably distributed by Government not one arm gets resources and the other does not get. The aspect of food, people have a right to food. Let it not be a situation that is only used doing elections.

Madam Speaker, the issue of the voters roll is critical. The bio-metric voter registration system was that you must get a soft copy and this is what Members of Parliament who are in elections never do. You go and get a soft copy. This is why I have always said the Zimbabwe election besides the electoral practice, you cannot rig it because if you are well prepared like some of us, we go and get electronic copy and we

also have hard copies. We then go and check the entire electorate on those hard copies where people's names are.

Hon. Mpariwa having entered into the House.

Some Hon. Members shouted Chair! Chair! Chair!

HON. T. MLISWA: Madam Speaker, it would be totally wrong for me not to congratulate Hon. Mpariwa. This is because it is a woman; when women are in power, we celebrate and I thought other women will still celebrate. Hon. Mary, I see you are not celebrating.

Madam Speaker, the issue of electronic voters' roll was well received by our people. It brought in a system where dead bodies were said to be voting and everybody did not talk about them anymore. It cleaned it up totally but it is up to the relevant candidate to go a step further but examining it through the hard copy going door to door. There is no law in this country which stops people from sharing one room even if they are 100. So, you can go to a place and you can get 100 people registered at that address. Whether you like it or not, the law does not stop them.

Madam Speaker ma'am, it is important that the biometric system is encouraging and we go a step further. We need to go a step further by ensuring that our finger prints are now the basis of identifying somebody. That is where we need to graduate to, where your face is immediately pictured. That is the way the world is going to.

On the issue of traditional leaders, my colleagues in the governing party know very well that traditional leaders are for everyone and there is nowhere where it says that they cannot attend any party. Because, how can you be a leader when you do not attend what the ruling party is saying or what the opposition is saying? In fact, we must have a system because amongst their people, there are people who are MDC, independent and ZANU PF. So, if you are going to call yourself a good leader, you must be expunged at all congresses and all conferences so that you are able to do that. The problem with some of my colleagues is that they are whipped – 129 K is terrible for them. They cannot imagine even saying to their fellow colleague who they sit with in committees, they eat together but they cannot just say well-done although everybody

is watching. Everybody wants to go to the caucus and say, but he said congratulations to an MDC person. When are we as a people going to cross that line? When excellence is achieved, let us celebrate that excellence.

The capacity of the Members is important and it is judged by what you do when others do well. Madam Speaker ma'am, the issue of hate speech, I think this election, I must say there was not much of it. If there is anything, when you resort to hate speech, you have nothing to offer your people, you have nothing to say. If you have nothing to say, pray at the rally and go home. That is good enough. So to me, there was not much hate speech though some instances are there.

Madam Speaker, the defacing and removal of campaigns – if you drove along the Bulawayo Road, you will see that I ended up having banners, that of His Excellency the President, E. D. Mnangagwa. It was the same size but I was not a presidential candidate. It was because when people go low for the posters, I went high. So, I wanted to see who would be able to do that. I am sure that Members of Parliament

admired along the road the posters which were there. Chamisa had his there, President ED Manangagwa his there and I also had mine but I was not a presidential candidate. So, there is no need to encourage and deface a poster and with the politics of today, people have matured to a point where a poster really means nothing. People like me in the coming elections, if we decide to stand, we will not even have a poster because we are well known for the works that we do and the poster does not do the work. It is the work you do that people vote you for. So, there is no point wasting time in terms of the posters.

Madam Speaker ma'am, the Parliament of Zimbabwe's role – this is where it is critical in the recommendations that the Electoral Act must be visited, it must be looked at and it must be amended to ensure that all the issues which people complain about are dealt with. This Parliament is inundated with that responsibility and for as long as we do not deal with the problems of the elections, already it is a year whilst we have been in this Parliament and there is no tangible electoral reform that has taken place. For as long as the electoral reforms do not take place, it is

about improving the electoral reforms. So, Parliament is urged in 8.42 to promulgate a law which operationalises Section 210 of the Constitution which provides for enactment of mechanisms to enable the public to have complaints against the security services. Whether the security services are doing well or bad, people must have a right to report. That is democracy opening up to the people.

Madam Speaker, the aspect of us not being able to dialogue after elections is sad. I am a sports person by profession and rugby is the most physical sport that you can play but it is the only sport after you have played, after you have been tackled hard that you are able to greet the opponent and say well done and well played. Even in football, after anything else, it is my prayer that the national dialogue that is going on must not be a one day event. It is a process and we need to exercise that from time to time so that as a nation we are seen to be together after all. It is also my prayer that the just ended congress from the MDC, those who lost, let them be part of those who have been elected and those who have been elected, let them work with those who lost. Charity begins at

home. We cannot have a situation where in political parties after election, your primary candidate is the one that you hate.

In having to close my contribution, I would like each Member of Parliament to ask themselves that after the election, after you won, did you go to the primary contestants and say I am willing to work with you.

HON. MUSAKWA: Thank you very much Madam Speaker ma'am. I would like to thank the Human Rights Commission for writing such a pragmatic report where they acknowledge that there were a lot of legislative improvements, in particular amendments to the Electoral Act which goes to demonstrate that we have a listening President who has a legal mind.

We thank him for the amendments, for we know that for them to have legal effect, he must have signed them.

THE HON. DEPUTY SPEAKER: Order Hon. Musakwa.

HON. NDEBELE: On a point of order Madam Speaker. I just want to correct one error. The 2007 Report does not speak to the E.D presidency. Thank you.

THE TEMPORARY SPEAKER (HON. MAVETERA): Hon. Ndebele, firstly you say 2007. I am not sure if we are talking about the same report.

HON. NDEBELE: Yes, 2017 there was a different President then.

THE TEMPORARY SPEAKER: Thank you. We are relating to the 2018 Harmonised Election Report. Hon. Ndebele, worth noting is that today we are discussing the 2018 Harmonised Election Report.

HON. MUSAKWA: Thank you Madam Speaker for protecting me. The Hon. Member, I think as a legal mind must be aware that all the amendments were given the Presidential assent by Hon. Mnangagwa. I thought he was privy to that knowledge. However, I will proceed.

The report notes a lot of improvements on the voting system including the Biometric Voter Registration, the polling station based voting, free and fair campaign period which is highly noted. However, there are issues of concerns which are raised in the report where the

report says that there was voter intimidation based on people who were requested to bring their voting slips.

Of much concern to me is that the report lists areas like Zaka, Bikita where I come from. I was a participant in the electoral process and I am not privy to such a process where people were intimidated through voting slips but what I am aware of is that all political parties were supposed to mobilise their members to go and register. There is no way ZANU PF could have mobilised members of another party to go and register. When they state these areas, there are no names given. I see in most sections that write names of whoever violated, but for such a grave issue to be noted as serious they should have names or victims of those but they are absent, which shows that it was just an opinion and not fact.

I also see in the report that they note that there was no turn out of female candidates but I think it must be noted that throughout the whole electoral process, the ruling and winning party ZANU PF registered the largest number of female candidates and must be applauded for that. In this report, there is a section on page 17 where they note that most of the

public media covered ZANU PF but it must be stated as fact Madam Speaker, that the media followed political programmes and campaigns. The party which had the highest level of organisation and order was ZANU PF. They had the most programmes and so, they ultimately got the most coverage because of their programmes. The other parties did not have programmes and so there was nothing to report.

On page 18 of the report, I see there is a mention of hate speech and that there was a song which was been sung in Masvingo where I happen to come from which is purported to have had the lyrics of *chinja inourayisa*. I am a member of ZANU PF for over 30 years and I do not know of this song, and being a musician myself I am not privy to such a song. There is also mention of ...

HON. T. MLISWA: On a point of order. My point of order is that the report talks about Masvingo and Masvingo is big. It does not talk about a specific point. He has mentioned that he is from Bikita. So, I do not know why he wants to bring the aspect of that because Masvingo is big and there is – [HON. MEMBERS:*Inaudible interjections.*] –

THE TEMPORARY SPEAKER: Order Hon. Members. May the Hon. Member be heard in silence. Order! Let us hear his point of order.

HON. T. MLISWA: So, what I am trying to say is that Masvingo is big and it is a very ambiguous statement for him to say I was not there. It is not proper because it is not even cited where it was and that is all I would like to say. We must stick to facts.

THE TEMPORARY SPEAKER: Point of order overruled.

HON. MUSAKWA: Thank you Madam Speaker for protecting me. If people of Masvingo did not know of the song, I would wonder how someone from as far as Norton would know of this song – [HON. MEMBERS: *Hear, hear.*] –

On the issue of partisan food distribution, I am not aware of such. The areas which are mentioned, in most cases we know these are Government programmes and are done by Government employees and there is no way the ruling party with all its supporters would manage to influence such.

I want to also proceed to the issue raised in the report about traditional leaders intimidating voters, particularly on page 22. There is mention that these issues where traditional leaders were intimidating voters were rampant in Manicaland, Mashonaland East and Masvingo Provinces, and these were highlighted as serious cases. However, it boggles the mind that the picture which is then put of traditional leaders is not from those provinces which are mentioned. It is from Matebeleland North. I wonder if this issue was rampant in Manicaland, Masvingo and Mashonaland East. I would have expected a picture of traditional leaders from those provinces, not from another province – [HON. MEMBERS: *Inaudible interjections.*] –

Madam Speaker, the report on page 23 also mentions the issue of disenfranchisement where it talks of diaspora vote. It is mentioning that the Government must make sure that there are resources for the diaspora to vote. I want to note that for the State to be able to mobilise resources to go and have elections in the diaspora requires a lot of foreign exchange. This is not feasible as long as sanctions and ZIDERA is in place. Whilst it is possible, we would want it to be reciprocal, the

removal of sanctions and then to enable our State to mobilise resources for the diaspora to vote. However, as long as sanctions are in place, I do not think the State will have capacity to enact such an environment.

I want to thank you Madam Speaker, for allowing me to add my voice on this report and I hope it will be amended accordingly to reflect the true electoral process. At the same time, despite all the issues raised by the report, I would like to congratulate the people who put together this report for acknowledging that ZANU PF won squarely and fairly. I thank you.

HON. GONESE: Thank you very much Madam Speaker for giving me this opportunity to debate this very important report. I would like to begin by saying that all Hon. Members of this august institution must take this report very seriously. There has been a tendency in the past to brush aside reports by some observer missions on the basis that they are from the West and something similar to that. However, in this instance, we have got a report of the Commission which was set up in terms of the Constitution.

I am aware that there are some Hon. Members who do not have a culture of reading and who are not even aware of the Constitutional provisions. For their benefit, I am going to read what is provided for in terms of Chapter 12. The Zimbabwe Human Rights Commission is a Chapter 12 institution and when we go to the heading of Chapter 12, it talks of institutions supporting democracy and this is a very important point to note. My colleague, Hon. Mliswa has already mentioned that the Commissioners are selected through a process and a series of interviews conducted by the Committee on Standing Rules and Orders and thereafter the names are submitted for appointment.

It is very critical to appreciate and understand that when reports of this nature are tabled before this august Institution, we must take them seriously, read them and appreciate the contents therein. When you look at the report, it raises a lot of critical issues which I think we must take cognizant of. I want to begin by looking at the contents of the report on page 14. When we go to page 14, the report talks about legislative amendments and it is instructive to note that in the 2018 elections, we

had just passed the Electoral Amendment Act. What is important is to realise that we have got a habit as a nation of doing things at the last minute, that Act was passed in 2018 on the 26th of May, to be precise.

I want to say that we must learn from those experiences and we should have actually begun and started the process of amending our electoral law soon after the 2018 elections. What it illustrates is the lack of commitment, the lack of political will, there is no desire to deal with these issues which have arisen time and again. It is not the first time; we have had in this country a history of disputed elections and we want to move away from that. We want to have a scenario and a situation like what obtains in democratic countries. I was going to say other but I have deliberately not said so. In South Africa recently, we actually saw what happened. All the participants were satisfied with the process and that is what obtains in other countries. For us to deal with that aspect, let us deal with first things first and the first things first are the issues of the legislative amendments.

We have got one Minister of Government here, he should go to his colleagues, when they sit in Cabinet, they should tell us why in 2019, we still have not had legislation, and we do not have a Bill to deal with the Electoral Law which should have been done yesterday, last year, soon after the harmonized elections.

I want to highlight specific issues which were mentioned by the Commission in its report. One of them related to the issues of transparency, procurement and printing of ballot papers. This was a very contentious issue and one would have expected that because it was raised last time and there was a technical problem which the Commission highlighted, that stakeholders raised it at a time when it could not be implemented in time for those elections. However, now that those elections have gone already past, we should have dealt with it as a matter of urgency. The fact that we did not do so is indicative of the fact that we do not have a desire, the will power to deal with those issues.

Again, the report talks about the role of the Zimbabwe Human Rights Commission. In terms of the Electoral Law, the Zimbabwe Human Rights Commission was supposed to observe elections, which is wrong. If you look at our Constitution, it is very clear that the mandate of the Zimbabwe Human Rights Commission is actually to monitor the issue of Human Rights. Generally, and also in particular, when it relates to the issue of elections; the Zimbabwe Human Rights Commission was very clear, very emphatic in its report that it had made submission that the Electoral Act must define its role and its role must be different to that of observers. Its role must be to monitor so that it has more power and I want to say those Hon. Members who were in the Eighth Parliament, will recall that when we debated the Zimbabwe Electoral Act in this very institutions, I moved several amendments and one of those amendments dealt with the issue of monitoring of elections as opposed to observing. Unfortunately, the Hon. Minister of Justice did not accede to the amendments which I had proposed. Unfortunately, this august House, using the tool of majority rejected those proposals which were well meant and which were in fact, supported by the Commission

itself. When you look at our Constitution, it is very clear that the Zimbabwe Electoral Commission makes recommendations in relation to Electoral Amendments. I believe that the time has come for us to now deal with these contentious issues and we should not delay any further. I want to give a challenge to Hon. M. Ncube who is the only Minister who is present in this House at this present moment to impress upon his colleagues. They need to deal with this aspect. It impacts on the performance of our economy because when you have contentious issues hurting to issues of legitimacy, it affects the way in which our country is perceived. I believe that the starting point is to ensure that our electoral framework, our legislative framework is in conformity, not just with our Constitution but with the principles of democracy. Mr. Speaker Sir, I would now want to divert to page 17 of the report.

HON. T. MLISWA: On a point of order Mr. Speaker Sir. I think when a man does good, people must acknowledge. Let me commend the Minister of Finance for being with us here the whole day and I think when good happens, we really appreciate that.

HON. GONESE: Page 17 Mr. Speaker Sir, relates to the issue of the media and this is from the Commission. I want to read it because I think it is very important. At the bottom of the page, the Commission had this to say, “the Zimbabwe Human Rights Commission observed that the 2018 Harmonised elections signified an improvement in terms of access to media coverage of political players in both print and electronic media. However, some shortcomings were that the State media coverage was not fair”. I repeat, “the State media coverage was not fair, providing more coverage to ZANU PF over other parties”. This was evidenced from the ZHRC monthly media monitoring reports on elections which indicated that State radio stations, the national television station and state newspapers visibly covered more material for the ruling party as compared to other parties. Mr. Speaker Sir, this is not acceptable. We have a situation where we have institutions which are funded by the tax payer because we know that most of those institutions are loss making and you and me are supporting those institutions through our taxes. Those institutions have an obligation to give fair coverage to all political parties. This is an issue which has been talked

about time and again in spite of the Electoral Act specifying that in relation to the election period, they are supposed to give fair and balanced coverage to all political players.

Mr. Speaker Sir, we cannot continue having a situation where only one political party is given 90% of the coverage. We want a situation when we go to elections, we have all the contestants, if five minutes is given to President E. D. Mnangagwa, five minutes should also be given to President Nelson Chamisa. If thirty minutes are given to President E. D. Mnangagwa, thirty minutes must be given to President Nelson Chamisa. If there is going to be a live coverage of a political rally by ZANU PF, we must also have live coverage of a political rally by the Movement for Democratic Change. This is something that we expect. I want to go a step further Mr. Speaker Sir. We should not confine ourselves to the election periods. I want to propose that when we eventually want to deal with amendments to the Electoral Act, we cover coverage at all times. As you know Mr. Speaker, elections are not just about the election period. Right now, all the political players already

have the 2023 bias. So we must have equal coverage of political parties, equal coverage of political players at all times and I propose that the Electoral Act must be so amended to reflect that position.

Be that as it may, we have a challenge that even where balanced coverage is supposed to be given in terms of the election period, it was not being observed. Unfortunately, the reason that was happening is because they have not given enough teeth to the Electoral Commission. We must give powers to the Zimbabwe Electoral Commission to enable it to ensure that there is compliance. That must be enshrined in our legislative framework as opposed to a situation where there is lip service to that hallowed and fundamental principle.

Mr. Speaker Sir, I will now refer to page 18 which talks about the issue of hate speech. At the bottom of the page and again I just want to read from the report that passage which is very instructive. During a ZANU PF rally in Chiredzi District, Masvingo Province, the ZHRC monitors heard a supporter of ZANU PF singing a song with lyrics that *Chinja inourayisa*. That is unacceptable. It was something that was said

at a rally of a political party and we cannot have such a scenario obtaining when we are conducting our elections. I want to say that it is very critical that we have a situation where hate speech is not allowed during the election period. I will go to page 20. Sometimes Mr. Speaker Sir, it is important for people to keep their mouths shut...

HON. NDUNA: On a point of order Mr. Speaker Sir. Mr. Speaker, we need not have selective line of thinking. There is 8.4, way before his comment, which states that at Chibuku Stadium in Chitungwiza, MDC Alliance Members were playing songs with the lyrics that *maZANU mastupits*. As he debates about that hate speech, let him not have selective amnesia. I request Mr. Speaker Sir, that you align the Member accordingly – [HON. MLISWA: *Inaudible interjections.*] – *Themba nyarara*.

THE TEMPORARY SPEAKER (HON. KHUMALO): Order Hon. Mliswa. The Hon. Member who was debating decided to pick on a point in the report. He is allowed to do that and he is allowed to take any other point which he would like to debate. You can continue.

HON. GONESE: What is imperative Mr. Speaker is that we should have a culture to ensure that we remove some of these undesirable practices when we conduct our elections. The other important point which I want to go through is on page 20, it relates to the role of traditional leaders. Examples are cited in the report. I think it is important to ensure that traditional leaders perform their role as traditional leaders. When they are in their areas of jurisdiction, they have people who belong to different political parties and the Constitution is very clear that they must not belong to any political party, neither should they be partisan. I recommend Mr. Speaker that we quickly enact in terms of Section 287 of our Constitution, the Ethics Committee to govern the conduct of traditional leaders so as to ensure that those undesirable practices do not continue.

I will now quickly go to the recommendations because I just want to wind up my contribution.

THE TEMPORARY SPEAKER [HON. M. KHUMALO]:

Your time is running out.

HON. GONESE: I am now going to the recommendations.

I have already mentioned that we must enact the legislation which is required to ensure that institutions such as traditional leaders do not violate the provisions of the Constitution.

On the issue of partisan food distribution, we have got serious challenges in the report. The Commission mentions specific instances where this was clearly violated and I would also want to say before I conclude that one of the weaknesses of our system is that the Zimbabwe Electoral Commission does not have sufficient powers. I believe that we must have a situation where these powers are clearly defined and they must include but must not be limited to: firstly, they should be able to disqualify candidates; they should be able to disqualify political parties which continuously violate the provisions of the electoral law. At the present moment the framework is not strong enough. It is weak. I believe that as Hon. Members of this august House, we must put our heads together. We must have consensus so that at the end of the day, the elections that we conduct are reflective of the will of the people of

Zimbabwe as opposed to a situation where the elections are not an accurate reflection of the will of the people of Zimbabwe.

In conclusion, I want to say that at present, our country is facing a myriad of problems emanating from the disputed elections in 2018. We do not want to have a situation where we again have disputed elections and we can deal with that very easily by ensuring that the correct winner ...

THE TEMPORARY SPEAKER: Hon. Member, your time is up.

HON. GONESE: ...who was Nelson Chamisa is declared in future elections.

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (HON. PROF. M. NCUBE): I move that the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Wednesday, 28th May, 2019.

On the motion of **THE MINISTER OF FINANCE AND
ECONOMIC DEVELOPMENT (HON. PROF. M. NCUBE)**, *the*

House adjourned at Ten Minutes past Five o'clock p.m.