

PARLIAMENT OF ZIMBABWE

Wednesday, 10th October, 2018

The Senate met at Half-past Two o'clock p. m.

PRAYERS

(THE HON. PRESIDENT OF THE SENATE *in the Chair*)

ANNOUNCEMENT BY THE HON. PRESIDENT OF THE SENATE

ORAL CHOLERA VACCINATION EXERCISE

THE HON. PRESIDENT OF THE SENATE: I have to inform the Senate that the Oral Cholera Vaccination Exercise which started today, will continue tomorrow Thursday, 11th October, 2018 in the National Assembly commencing with a presentation at 0900 hours.

MOTION

BUSINESS OF THE HOUSE

HON. SEN. SHOKO: Madam President, I move that Order of the Day Number 1 be stood over until the rest of the Orders of the Day have been disposed of.

HON. SEN. TIMVEOS: I second.

Motion put and agreed to.

MOTION

PRESIDENTIAL SPEECH: DEBATE ON ADDRESS

First order read: Adjourn debate on motion in reply to the Presidential Speech.

Question again proposed.

***HON. SEN. SHUMBA:** Thank you Madam President. Let me start by congratulating you for being elected the President of the Senate. I also want to congratulate His Excellency E. D. Mnangagwa for the resounding victory in the last Harmonised Elections. When he delivered the inaugural speech, he encouraged unity and peace in the country. This brought great joy to the nation and international observers and this was great. We thank His Excellency for such encouraging words and constructive speeches. We hope to continue living in peace and harmony so that there is progress.

I also want to congratulate fellow Senators for being elevated to this status. It was my ambition that one day in my life time, I should be a Member of Parliament especially in this august House. At the twilight of my age, the Lord has granted me this wish.

I am very glad for the speech given by His Excellency. He touched on a lot of things in his speech. One of the things he talked about was the creation of employment because at the moment there is high unemployment rate in the country. He has this mantra; 'Zimbabwe is open for business', which is a way of inviting foreign investors. There is the adage; Rome was not built in a day. We believe that with all these plans which he has put in place and his mantra, Zimbabwe is open for business, many investors are going to come.

He came to our province Masvingo and he opened a cooperative for slaughtering of beasts. He also went to Zvishavane and Mashava Mines, calling for reopening and resituating of these mines so that there is employment creation. I know, I have given examples of what he has done to Masvingo province but he is a generous man. He has done a lot

in other parts of the country, opening up new businesses aimed at creating employment.

His Excellency spoke at length about corruption; he said there is no room for corruption. In the past, people used to be corrupt in such a way that whenever you wanted to be served, you had to pay something through corrupt means. Madam President, even the police officers manning roadblocks were letting some unroadworthy cars pass because of corruption. I am urging fellow Members of Parliament that we should emulate our President and speak against corruption in our constituencies. Let us emulate our President.

I am also grateful to the President for talking about health issues. He admitted that there is this cholera scourge and because he put so much emphasis on it, we can see that the scourge is on the decrease. We now have vaccinations being carried out and the number of infected people has decreased. This shows that his speech is already bearing fruits. One of the days, when I was thinking about this cholera menace, I was saying in Harare, we are buying water to drink and yet we should

be getting clean water from the tap. I am saying, as people of Zimbabwe, we should buy water so that we avoid cholera. Do we not have other places where we can get clean water because at the moment we cannot drink our water? It comes from Lake Chivero which is highly contaminated of the sewage which gets in there. Why can we not get our water from places like Kariba where we have fish like Kapenta in there because Kapenta is highly hygienic and will not survive in dirty water?

Using technology, can we not find a way to harness water from Kariba to our cities such as Harare? When we have done that, we will only need very few chemicals to treat this water and it will not have any odour. The water from Lake Chivero has a bad odour and needs a lot of chemicals for it to be fit for human consumption. I always ask myself if it is a possible venture that we harness water from Kariba to Harare. The reply I got was that as a country, we do not have oil wells. It comes from the Middle East and North Africa and we are bringing it into Zimbabwe. So, why can we not do the same for our water?

We also know that pipeline is not only going to be used for water consumption but also for agriculture. Let us work hard on this idea of taking water from Kariba to Harare. It means the people of Harare will be drinking clean, pure water and along the water way we will have people in those areas benefitting because they can use water for drinking or irrigation. The President also emphasised that Zimbabwe has an agro-based economy. Zimbabwe is an agricultural country and therefore, let us invest in the harnessing of water from Kariba to Harare and everybody along the way benefits.

Still talking about water, I will look at the dams. When we harness water from the dams we go into irrigation programmes. In the case of Masvingo, we have a lot of dams which when properly used we can have progress in agriculture. We have dams like the Manyuchi Dam. The water is hardly used but that can be used for agriculture. If that water is used and taken to places like Mwenezi, a lot of people will benefit along the way through irrigation. One thing I like about Mwenezi, it is land that is naturally fertile. When you are doing

agriculture in Mwenezi, you do not need any fertilisers or chemicals because the land is fertile. Mwenezi is in region 4 and 5, and there is a myth that in such a region you only need to grow small grain, but I am saying if we harness the water we will have bumper harvests.

Still on water, we now talk of bread shortage where we have wheat being imported from other countries. It pains me because if we could utilise the water bodies in our country we can have wheat which can grow twice a year. There is no need for us to waste our precious foreign currency importing wheat. We can only use our water ways by taking advantage of the water bodies which we have. I know that because of the current situation and knowledge, we are concentrating on small grains but let us think of wheat so that we will not have bread shortages.

Zimbabwe is an agro-based economy and Zimbabwe's development is based on agriculture. The President also talked of Command Agriculture and when he talked about it, I said to myself in Mwenezi we do not have Command Agriculture. So, I asked for the reason why we do not have it and was told that there are no irrigation

facilities, but I am saying we need to do agriculture. We have a lot of water bodies in our country in Mwenezi or Masvingo.

The Government is now dealing with Command Agriculture in terms of livestock. Places like Mwenezi and Masvingo have that sweet grass which is good for animal husbandry and the Minister of Agriculture should pass through our areas and observe the kinds of pastures which we have. He will definitely launch a programme of animal husbandry for both cattle and goats as a matter of urgency. Definitely, we would reopen the Cold Storage Commission because we will have the best beef or animals because of the pasture which we have.

I am also grateful for what the President said. Listening to the news last night Tuesday evening, the President showed us that there were countries which were coming to look for investment opportunities in Zimbabwe. Amongst the countries that have shown interest in coming to Zimbabwe is Israel, a well-known country in its irrigation facilities and intensive agricultural programmes.

Let me turn to the other part which made me feel very proud of my President during his speech. He talked about the elevation of the status of women and a very good example is that the President of the Senate is a lady, Hon. Mabel Chinomona. Even amongst his Ministers, he has women and not only that; he launched a Women's Bank which has an inclination towards the viability of women's projects and the ease access to that bank. I am urging fellow women to utilise this facility that has been given to us.

We have people who are always talking against the President saying the President is not creating jobs or doing enough for the country to create wealth. But I am saying we also need to be creative and not be cry babies. We should create jobs, wealth and development on our own. Be an employer and do not have that inclination of being an employee and I believe the Lord is with us and will guide us through our progress.

– [HON. MEMBERS: *Inaudible interjections.*] – If everyone can use their brains and be creative, we will progress in the country –

THE HON. DEPUTY PRESIDENT OF THE SENATE: Order, order! Do not listen to anybody. Address the Chair and ignore everybody. I appeal to you once again Hon. Senators, let us allow each other to debate.

HON. SEN. SHUMBA: Thank you. They could be making noise but despite that noise they are also getting something from what I am saying and I am grateful. Thank you Mr. President.

HON. SEN. S. K. MOYO: Mr. President, I move that the debate do now adjourn.

HON. SEN. MOHADI: I second.

Motion put and agreed to.

Debate to resume: Thursday, 11th October, 2018.

MOTION

NATIONAL DRUG POLICY AND LEGISLATIVE FRAMEWORK

Third Order read: Adjourned debate on motion on National Drug Policy and legislative framework to effectively regulate drug use.

Question again proposed.

+**HON. SEN. S. NCUBE:** Thank you Mr. President, I want to thank Hon. Sen. Timveos for the motion that she brought to this Senate which dealt much on medication. The motion is a very important for it covers almost everywhere; it is a crosscutting motion. There is no one on this earth who says I have never taken tablets or medication.

Medication is used in different areas for example like healing ailing people and some is used on animals. We have some tables that can kill people. I think the main issue on this motion was issues to do with drugs that are dangerous and the motion dealt much on our country not legalizing all drugs to come into this country. When the drugs come, there are so many things that there are used for - for example some people may die if they take certain medication.

As a nation we have a way of checking visitors to our country, especially when they come with illegal drugs. Drug trafficking is a way of trying to get money. Medications like tablets are manufactured in different companies and they are like anything else that can be used to

bring money into a country. Allow me to use examples of the 10 countries that do not allow importation of drugs. I take example of South Arabia and Islamic States. In South Arabia if you are caught in possession of drugs, you are tortured or they will kill you, or they will give you a sentence that you will regret for the rest of your life. The other nations are Iran, Indonesia, North Korea, Dubai, Singapore, China, Vietnam and Japan. It is indicated that Japan has stiffer penalties and we have read in newspapers that when someone has been caught in possession of drugs, they are given life sentence in jail. People try in different ways Mr. President to leave the country in possession of drugs.

They are some countries where medication is sold in streets and those who buy those medications will use them in their own way. You realise that the person who will take such medication, some of them will get sicknesses like dropping off of fingers or their facial features are disoriented.

Mr. President, I also want to indicate on pills that are very dangerous, there is a pill known as a spice, once you take that pill the

person will appear as if he or she is epileptic, at the end of the day you will not even be able to tell who you are. Another pill is known as cathedine, it is said that taking two doses of that pill, you can actually die. The other one is known as krokodil, it will burn your skin. The other drug is one that when one takes it he/she will become more of an autistic person who will jump even a 3 metre fence and will be very energetic. Another pill is known as U-47700 and I understand that that pill was never tested medically to show whether there are any implications in taking it. All those tables that I have mentioned are very dangerous. As a nation Mr. President, do we have a way of checking if people coming to this country are not in possession of such drugs? My question is from the drugs that I have mentioned, do not we have people who are coming into the country in possession of those people.

There is another pill that is known as street value which can change the lips of a person into blue. Another one is known as prestisidi pills that pill once you take it and when you look at it, it looks like concrete and just one dose is enough to kill you. Another one is known

as Gray death and it is said that just a single dose can cause someone to die.

Mr. President, I love this motion, my expectations are that as a parent and someone who is living in this area; as a nation if we do not have a way of checking what kind of stuff is coming into the country – whilst we are talking about children in universities, some of them do not have jobs and most of the issues of drugs emanate from universities. As parents we realise that most parents have succumbed to different illnesses and they end up failing to take their children to universities to further their education and some of these children will come back without any pass; others join bad company and they end up in drug abuse. They will even sell what they have in order to get money to buy the drugs.

These drugs are not very expensive. Some of them go for \$4 or \$6 and children whenever they get such amount of money, the first thing that they think of is to buy drugs because they will be craving them. Like I said, there are some areas where those drugs are being sold in the

streets. Our request is that such stuff should not be allowed to enter our borders and it is a harassment to parents especially when your child- I think using the name drug sounds a bit strong but if we say pills one would think of paracet or a minor tablets but these tablets cause them to be violent, that is why we say drugs. Some will run naked and most of them become so autistic and they want for example, if they see a soldier or a police officer they will want to hit them. Some of them will even destroy cars.

My plea is that our country should be protected from such issues, therefore we should have a national drug policy so that it can stop importing illegal drugs into the country. When we are coming from other countries, you will notice that you cannot just get into the country. There is thorough search at their borders and ports of entry. It is surprising to notice that at our airports we do not have sniffing dogs and this is why people can enter into the country with anything. I think most of these drugs do not exist in our country.

Most of our children no longer respect their elders. Way back when we were growing up, we knew that even if an elderly person is not your biological parent you have to respect them. Today as an elderly person, you cannot discipline someone's child because you would not be aware of what that child has taken as food or drugs, you will be ashamed. When you go outside the country that is when you will realise that our children are now gangsters. Even murder cases that are happening, most of them are due to drugs. There are so many things that are happening due to intake of drugs. My request is for the Government to protect its country and we should not have a nation where people do whatever they want. We know it is a way of making money and many people are making a living out of selling drugs but in other countries no one can get into their country in possession of harmful drugs.

I once saw someone on television, a lady who had a very long dreadlock and she had smuggled drugs in her dreadlocks. When she was about to exit, a sniff dog was already on her because it had sniffed the drug. Why can we not do that so that we protect our families? I loved

the paragraph that is in the motion that was raised by Hon. Sen.

Timveos, that women should be uplifted in the teaching industry or in any other industry for you realise that at the end of the day all those drugs that are imported - is because there is no empowerment and people do not have anything to do.

These drugs are not taken only by children; there are older people who also take those drugs because they would have failed academically. Some end up selling their houses and they will be living a miserable life. I want to thank the mover of this motion and with this few words I want to emphasise that our nation should be given the respect that it deserves. We know that police officers have their sniffer dogs and they use them where it is necessary to use, why can we not have them at our borders so that we can catch those who are importing these drugs into the country. This will be a way of protecting our country and our children. I thank you.

+HON. SEN NYATHI: Thank you Mr. President. I want to add my voice on what was said on this motion. I want to thank Hon. Sen.

Timveos and the seconder of the motion. I want to contribute on the issue to do with the policy that is talked about. I think we got our independence in 1980 and I know this policy was there that the drugs that are being mentioned were not there. Why is the policy not being implemented now. We talked about this over and over again but nothing is being done about implementing this policy.

Secondly, these drugs, in my view, I doubt if most of them are there in Zimbabwe but these are drugs that are imported from other countries just like what the previous speaker said. In the borders we realise that there are people who are working there who are supposed to check thoroughly that such things do not enter our borders but you notice that these are the same people who let people pass without being searched. There are certain things that are not important and people struggle to cross borders with such things but things like drugs you will realise that they let them pass through freely. These drugs are not something that if one takes them she/he will remain normal. If as a country we have security and this is happening so what is the purpose of

this security? Why are they not searching for such things which are dangerous to life? If someone is under drugs, you will realise that the person will be violent and can even commit murder because of the influence of these drugs. Drugs such as *musombodhiya*, Mr. President, we have never heard that those people who are taking the drugs when they walk down the streets those who take drugs, most of them are young children. They take any drug that they can. Even if they are supposed to take some of the drugs, the way they take them is illegal. Most of the times when they take them, you realise that at the end of the day they will be doing anything. They will not be in a position to respect our elderly people especially mothers, because they can call them using vulgar language.

We got our independence and we should be proud of our culture as Africans. We know that there are certain things that are not allowed to be done as Africans. Hon. President Sir, my wish is that if only Parliament belonged to the Senate, we are united and things we contribute in this House are true and we should fix these things. Even

when you talk to a young child and you keep on saying one day I will beat you up, at the end of the day, the child will get confused and will not be in a position to know what you are saying. But, once you beat up that child, they will know what to do and what not to do.

Concerning the issue of drugs, most of those drugs are there in this country and they have been imported. Most of the things are caused by lack of employment. Most of the industries are closed. We should open the industries so that most of our children get occupied.. If we open industries, most of our children will be occupied and they will not have the time to take drugs and we will not be able to see all these people that are running around in the streets because of taking the drugs. You will realise that once you create employment, at the end of the day, we will not see anyone in the streets for everyone will be busy at work and in the evening they would want to go and rest.

What is happening now is that everyone will be in the streets being chased up and down by police. Most of them are degreed people and we did not send our children to school or to universities so that when they

get their degrees they will sell airtime or universal codes. Why we took them to universities is because we wanted them to create a better future and be able to work. When things are not going on well, we should look at the root cause of that problem and solve it.

I will give an example that a train cannot move without the main head. We should look at the root cause of every problem that we have. In my own view, I think we should walk the talk and talk the walk and implement what we are saying. Let us not write down all the policies that we are talking about and fail to implement them. With these few words, I thank you Mr. President.

+HON. SEN. ZIVIRA: Thank you Mr. President Sir. Today I was watching television and I saw children graduating at the University of Zimbabwe. I believe that they did not graduate so that they become thieves, drug dealers, being chased by the police or graduating so that at the end of the day, they do not respect their parents. I thank you.

HON. SEN. TIMVEOS: Thank you Mr. President, I move that the debate do now adjourn.

HON. SEN. NCUBE: I second.

Motion put and agreed to.

Debate to resume: Thursday, 11th October, 2018.

MOTION

SOLUTIONS TO PROBLEMS OF VENDING

Fourth Order read: Adjourned debate on motion on finding solutions to challenges associated with vending.

Question again proposed.

HON. SEN. SINAMPANDE: Thank you Mr. President for affording me this opportunity to debate on this motion which was introduced by Hon. Sen. Chabuka. Mr. President, could I kindly read my notes instead of debating. I am asking for permission so that you allow me to do that because all these languages which are being used here seem to be foreign to me.

THE HON. DEPUTY PRESIDENT OF THE SENATE: You can proceed.

HON. SEN. SINAMPANDE: Thank you Mr. President but before I proceed, are you in the near future going to allow us to debate in our mother languages or you still do not have that time to do that for us, because by so doing, you are depriving us of our rights.

THE HON. DEPUTY PRESIDENT OF THE SENATE: Hon. Sen., you are raising an issue which has been raised before and that issue has been responded to. Please proceed and debate.

HON. SEN. SINAMPANDE: Thank you Mr. President. There is nothing much that I can say about vendors. I am sincerely asking the current Government to prepare a suitable place for them to do their business without being disturbed by the police. I am saying this because these people live on vending and there is no other source of income. It will be good for the vendors if the Government will be in a position to create jobs for the population of this country. People cannot live on

vending only and I believe the responsible authorities will be in a position to solve this problem amicably. Thank you.

***HON. SEN. MURONZI:** Thank you Mr. President for giving me the opportunity to make my contribution on the motion raised by Hon. Chasbuka. Let me start by congratulating you for the elevation to that status. You were the Chairman in my Committee and you used to carry out your job without any partisan inclinations. Let me start by talking about the vendors. When we talk about vending on the *Order Paper*, I will start from where the MP started from. Thank you for giving me the opportunity to make my contribution. I also congratulate you for being elected to this position. People get into vending because of problems they face in their daily lives. I know you may trivialize this motion but it is an emotional motion.

I am very grateful to you Hon. Sen. Chabuka for this motion. When you arrive from Mutare to this place, if you move around and observe the cat and mouse game which happens between the Police and the vendors, it brings quite a shame to this country. I observed a scene

where the police were chasing the vendors. The vendors turned around and picked up stones and started attacking the police and the police retreated. It is a big shame to the country. I am saying let us look at the causes of some of these things. There is a reason why people turn to vending. When we grew up, we did not have this kind of living; there was no vending. I have also observed the police in running battles with the taxi operators and are even prepared to break the windows of these cars.

In conclusion, responsible authorities should engage in dialogue with vendors and their association in an effort to find a lasting solution to the problems of vending. I am looking at the main reason why these vendors are engaged in battles a war with the police. It is quite a shame; it is a disgrace to the country. I am saying we are the people's representatives and we should look for solutions to this vending problem. I will render my solution. We noticed that vendors were operating from the cities because they know that is where money is.

We know of people who migrated to Britain. Some of them went to Britain because their parents were vending in suburbs but the vendors have now invaded the cities. Most of these vendors were operating from the industrial sites because there were people who were operating in those areas, the workers. My husband was one of them, he was a driver for the ZUPCO bus company. He would ferry a lot of people to those areas. The vendors were selling food such as bread. They did not come into town.

In Harare, we had vendors in the Msasa Industrial sites. That is where the vendors were operating from and not the city centre. We also had buses which were moving from suburbs to Msasa and other industrial areas. However, we have noticed that we have kombis that are now plying those routes and we are fighting with them. What is happening with these wars with vendors? It is showing that there is no peace in the country. The solution to the vending problem is that we should open up industrial areas and create jobs so that people do not resort to vending.

***HON. SEN. CHIFAMBA:** Thank you Mr. President. Thank you for giving me this opportunity to make my contribution. I am so glad for your elevation to your present status because you were my chairperson in the Human Rights Thematic Committee and you were doing your job well. I will dwell on the motion on vending raised by Hon. Sen. Chabuka. It is very emotional. I feel like crying because when I look at these people, they are living a miserable life in the country of their birth. They are Zimbabweans and they should live in peace.

Last year, there is a police officer who fell off a moving vehicle when they were fighting vendors. I hoped that the Minister of Home Affairs would learn a lesson after the death of that officer who died fighting the vendors. I thought he would be getting ideas to fight vendor menace. We also have a Member of this august House who has urged Members to use their ways for creating jobs. People are failing to get one decent meal per day and that is why we have the escalation of vendors in the cities because there is no other way of earning a living.

These youngsters cannot afford a soft drink. It is a pity that they cannot afford such luxury.

There is also a recent phenomenon on the increase in prices of goods and services. When we are looking at this issue of vending, let us look at both cases of the poor and the rich. There was a year whereby there was a penalty fee of \$500 for losing a passport. There is a young man who lost his passport. When he was going to collect the other passport, he lost it in an accident. That young man was told to pay the \$500 penalty fee and yet he had a receipt for the passport he had just collected and destroyed in a fire. The officials at the Registrar's Office said he needs to pay for a new passport. The man went to a relative who was in the Registrar's Office. He talked to the officials and explained that the young man had lost his passport in an accident and therefore needed a new passport. A letter was written by the officials that the young man should benefit because he had lost his passport in a fire. I am saying because of corruption, those who do not know anybody in high places suffer.

Hon. Sen. Muronzi has said let us not fight the symptoms but the real causes of the problem. It is the case with us in our culture, when your children move houses, you need to supply them with utensils, otherwise they will live a poor life. Since we are suffering from high unemployment rate, these youngsters are now resorting to vending. Some of them are so daring that when they see you talking on your phone, they will approach you in broad day light and say after concluding your talk on your phone please give me that cellphone. Some even approach ladies and say mum, I am your son, you have in your bag some money, please give me that money. They are so daring and I am saying, we need to have the Ministers moving into the streets and observe the youngsters who will be suffering in those areas. I am urging Ministers to move into town and observe the cat and mouse game which is taking place I am sure that one of these days, some of the Members of Parliament will be attacked...

***THE HON. DEPUTY PRESIDENT OF THE SENATE:** Hon. Sen, may you please address the Chair and not members of the Cabinet.

***HON. SEN. CHIFAMBA:** I am pleading with the Ministers that they should not be driving round town but should walk around so that they come across the cat and mouse game between the vendors and the police. When you get into that situation, you will really feel like crying. It is emotional.

As Zimbabweans, let us look for ways and means of these youngsters eking out a living. We now have women with loose morals targeting to earn a living. Young men are now approaching old ladies saying, give me your handbag or cellphone. Let us create wealth, jobs and investments. If we do not do that, as a parent what should I do? Should I take my children back into my womb, that is not possible. These are our children, we gave birth to them and whenever we are creating laws, let us look at both sides of the poor and the rich because there are some of us who create laws thinking that it will not affect you but then chaos reigns when your child is affected.

This morning in the city centre of Harare, a vendor was shot dead. What pained me was that the vendor was only indulging in car wash and

he was shot. Young people are suffering because of unemployment.

Who is chasing these youngsters? It is us, their parents yet we know that there are no jobs in the country. I am pleading with the powers that be that since you have not yet created employment or new vending sites, let them vend in areas which are safe where they can eke out a living because the unemployment rate is high. I thank you.

Hon. Sen. Zivira having stood up to debate before being recognised by the Hon. Deputy President of the Senate.

THE HON. DEPUTY PRESIDENT OF THE SENATE: Take your seat. Read Standing Rules and Orders of the Senate.

***HON. SEN. FEMAI:** I would like start by congratulating you for being elected into the Deputy President of the Senate's Chair. I would also like to congratulate members of your party who elected you to that position because they saw it fit for you to be in that position; even us the Opposition, feel that you are the right person for that job. I am very grateful for mother Chabuka.

***THE HON. DEPUTY PRESIDENT OF THE SENATE:** We do not have mothers in the Senate. We have Hon. Senators. May you proceed?

***HON. SEN. FEMAI:** My apologies Mr. President. It was a slip of the tongue. I am very grateful to Hon. Sen. Chabuka for introducing this motion which is very pertinent. She is an elderly mother who is aware of the problems faced by children, that is why she brought up this pertinent motion.

These happenings are being revealed now and yet it started a long time ago. These youngsters were loitering around especially in the rural areas and they had not thought of coming to seek employment in town. The problems were faced by the chiefs when these youngsters stole milk, chickens and goats. They have just migrated from the rural areas to the urban areas. There is a reason why there is this multiplicity of these vending youngsters. When we are at a particular place and there is rotten beef and there are maggots and flies around; we should not be surprised of the smell. It is because of the rotten beef. It would be out

of sync for us to go and buy some insecticide and spray these flies. That will not be solving the problem because rotten meat will still be there.

This problem can be solved by creating employment for these youngsters. Just like when we are in the home, we take an insecticide for example baygon if there are flies. If we create employment, we will never see vendors on the streets. We have observed that these vendors are not elderly people like me. They are youngsters who are degreed or have diplomas but because of the unemployment rate, they are turning to vending.

We know that in the country there is the prevalence of the HIV-AIDS menace. Everyone knows that there is this destructive disease. Most of the people who are affected are the 36 year olds. It is a pity because some of these youngsters leave behind orphaned children of three to four months and widows. Those who are left behind are unemployed. The widows with two or three children will then turn to vending so that she can take care of the family.

His Excellency the President even said that because of the prevalence of HIV, there is going to be free treatment of the affected. It shows that the President is aware that there is HIV prevalence in the country. Let us create a fund which will take care of those affected by HIV so that they are taken care of and not turn to vending.

Unfortunately, there is no money given to these orphans or widows. The only thing that is coming out are the policemen who are fighting these vendors. Please, let us look at the causes of vending.

The real cause of vending is lack of employment and investment in the country. If people are employed, there will be no vendors on the streets. There are people who are creating false jobs. We are looking for jobs which are created by genuine investors who come and plough in a lot of money because at the moment there is corruption. People are being cheated by these fly-by-night investors and this is destroying our nation because nobody is serious about opening up investments. We the elderly people know what is good and bad life because we have experienced both lives.

We knew what was bad during the colonial era and after Independence we also know the benefits we enjoyed and the reason behind vending. I am appealing to Government to engage the Opposition so that it can get ideas on eradicating vending. I thank you.

HON. SEN. CHABUKA: Mr. President, I move that the debate do now adjourn.

HON. SEN. TIMVEOS: I second.

Motion put and agreed to.

Debate to resume: Thursday, 11th October, 2018.

MOTION

DEVOLUTION OF POWER

HON. SEN. MWONZORA: Mr. President, I move the motion standing in my name;

That this House –

RECALLING that during the historic Constitution making process and the subsequent constitutional Referendum in 2013, the people of

Zimbabwe unequivocally endorsed the principle of devolution of power and the transformation of the Zimbabwean State from a two tier to a three tier State;

NOTING that our Constitution makes provision for the election of Provincial Councils as well as the specific manner of the election of the Provincial Council leadership;

ACKNOWLEDGING that the current Government has stated at least on paper that it is committed to implementing devolution in the current dispensation;

RECOGNISING the fundamental constitutional principle of the sovereignty of the people and the important fact that devolution is widely regarded by Zimbabweans as the answer to uneven regional development in the country;

ALSO RECOGNISING that the people of Zimbabwe elected their Members of Provincial Councils on the 30th of July, 2018, which members are yet to be sworn into office:

NOW, THEREFORE, calls upon the Government to –

- (a) urgently bring a Bill to provide for the devolution, *inter alia* to provide for the key administrative and other processes in the provincial councils including the election for the heads of those councils within two months;
- (b) abolish the post of Minister of State for Provincial Affairs as they compromise the full implementation of devolution of power;
- (c) swear into office all the members of the provincial councils immediately and define their conditions of service and other mechanisms to make them more functionally efficient; and
- (d) provide budgetary support to the provincial councils.

HON. SEN. SHOKO: I second.

HON. SEN. MWONZORA: Thank you very much Mr.

President. May I take this opportunity to congratulate you for your election as the Deputy President of the Senate.

Mr. President, since the attainment of independence in 1980, Zimbabwe has experienced uneven development in its regions. This uneven development has been blamed on the tribal discrimination by the people in the top echelons of power against some sections of our society. This has been viewed as some form of black apartheid by the people in power against other Zimbabweans. – [HON. SENATORS: *Hear, hear.*]

– Resultantly, this perceived discrimination has become a great source of resentment, suspicion and disunity among our people. It has therefore, become a source of great consternation, potential conflict which could lead to bloody civil war the same as what happened in Biafra in Nigeria and in the Katanga Province in the Democratic of Congo sometime ago. It can therefore, be argued that ever since independence, Zimbabwe has been sitting on this dangerous time bomb.

Yet history and religion have taught us that Zimbabwe has been ordained as a truly rainbow nation of people of diverse colours and ethnicity, it is the home of black, white and Asiatic Zimbabweans. It is a home of black communities comprising the Tonga, Nambya, Fingo,

Ndau, Zezuru, Manyika, Karanga, Kalanga, Sotho, Venda, Chewa, Tswana, Khoisan, Zimbabweans. These communities have equal rights including the rights of self-determination and equal access to opportunity – [HON. SENATORS: *Hear, hear.*] - In particular, each of these communities should have the right to decide the development priorities of their areas.

On the 29th March, 2008 Harmonised Elections, the MDC led by the then President Tsvangirai won the elections no doubt – [HON. SENATORS: *Hear, hear.*] - However, after that election, Zimbabwe was plunged into unnecessary tragedy by the dictatorship that governed it. In the presidential election runoff of that year, Zimbabwe found itself at war with itself. – [HON. SENATORS: *Hear, hear.*] - Innocent Zimbabweans were murdered in cold blood, women were raped, homes were destroyed and pillaged and livestock was forcibly expropriated from the poor all in defence of the dictatorship – [HON. SENATORS: *Hear, hear.*] -

At the end of the madness, Zimbabwe was forced by the

international community to negotiate with itself. This culminated in the signing of the Global Political Agreement (GPA) which in turn led to the erection of the Government of National Unity (GNU). One of the by-products of the GPA was the promulgation of a people-driven democratic Constitution.

We can therefore state it as a historic truism that just like independence, the Constitution of Zimbabwe came about against a backdrop of much suffering of our people. Tenacious and resilient in the face of adversity as they have always been known to be, the people of Zimbabwe made key constitutional demands to the Government. One of these demands was for devolution. – [HON. SENATORS: *Hear, hear.*] -

In the minds of the people of Zimbabwe, devolution is seen as the answer to uneven development and tribal domination. – [HON. SENATORS: *Hear, hear.*] -

There was however, massive resistance to devolution from the powers that were. Many hours were devoted to negotiating the devolution provisions in the Constitution. Much airtime and acres of

space in both the electronic and print media, were devoted by the Government in fighting devolution. Fortunately, in the end, devolution and the people of Zimbabwe won. It can therefore, be argued with much justification that, just like independence and the Constitution, devolution came about after a lot of suffering and tenacity on the part of our people.

To the utter chagrin, heartbreak and mortification of our people, the Government of former President Robert Mugabe refused to implement devolution. – [HON. SENATORS: *Hear, hear.*] - “despite having won an overwhelming majority in 2013”, and “overwhelming majority”, as I say in inverted quotes. Sadistically, although members of the Provincial Councils were elected into those councils, they were never sworn into office until the expiration of their term. – [HON. SENATORS: *Hear, hear.*] - Instead, the Provincial Councils were replaced by Resident Ministers appointed by the President, thus at the stroke of the pen scores of elected individuals were replaced by less than a dozen handpicked people by the President – that was a disrespect to the people of Zimbabwe and an affront to the principle of the sovereignty of our

people. – [HON. SENATORS: *Hear, hear.*] -

When the military intervention took place in November last year, there was much hope of return to constitutionalism. However, no devolution was implemented by the new Government led by President Mnangagwa. Recently, members of the Provincial Councils were elected but have not been sworn into office up to now. Instead, just like his predecessor President Robert Mugabe, President Mnangagwa infamously appointed Resident Ministers to the provinces. – [HON. SENATORS: *Hear, hear.*] -

Mr. President Sir, I am aware that both the membership and leadership of the Provincial Councils are provided for in the Constitution. A person who must lead a province, as part of the Provincial Councils must be elected by the Provincial Councillors at their first meeting which has not taken place. – [HON. SENATORS: *Hear, hear.*] - In the minds of most Zimbabweans, this is a case of *dejavu*. Ignoring the fundamental issue that the Constitution first and foremost is a law, the Minister of Justice, Legal and Parliamentary

Affairs argued that the non implementation of the devolution provisions was because of absence of the legal framework providing for devolution.

It must be stated upfront that if something is in the Constitution, it makes no sense to say that thing is not in the law – [HON. SENATORS: *Hear, hear.*] - for the Constitution is the law - [HON. MEMBERS: *Hear, hear.*] - Zimbabweans refuse Mr. President Sir, that Ministers, including the Minister of Justice - and I have tremendous respect for him but as a Zimbabwean I refuse, together with my compatriots that Ministers become suddenly incompetent when it comes to implementation of devolution– [HON. MEMBERS: *Hear, hear.*] -

Devolution of power is provided for in Chapter 14 of the Constitution of Zimbabwe. With this devolution, Zimbabwe has been automatically transformed from a two tier state to a three tier state. The Chapter makes it clear that devolution is not secession. When the people of Matebeleland, for example ask for devolution, they are not asking to be a sub-province of South Africa. They want to be Zimbabweans with

the same rights as other Zimbabweans, including the right of self determination.

The objectives of devolution as given in the Constitution include; to allow people to participate in making decisions that affect them, to promote democracy, effectiveness, accountability and transparency in governance. Those who oppose devolution do not want democracy – [HON. MEMBERS: *Hear, hear.*] – They do not want effectiveness, efficiency and accountability in governance. The other objective of devolution is to foster peace and national unity in the country.

Now, if there is domination, communities become resentful of those communities that they think dominate them and as a result of that resentment there will be no true peace in Zimbabwe and the ideals of the liberation struggle – the liberation struggle that I know. Mr. President, you were an active member of, will not be achieved without devolution. Another objective of devolution is to give local communities the independence to manage their own affairs and further their development, and to ensure equitable distribution of both local and national resources.

Devolution therefore, Mr. President Sir, presents the greatest opportunity for the advancement of democracy by ensuring the participation of our people in governance. The fact that members of the Provincial Councils are elected means that it is a democratic institution. The functions of the Provincial Councils are well spelt out in the Constitution; and include the planning and implementation of development activities, the coordination and implementation of Government activities, the promotion of tourism, the monitoring and evaluation of the use of natural resources in each region. Those who resist devolution effectively are compromising the sovereignty of the people of Zimbabwe, especially as demanded by the people of Zimbabwe in the Constitution making process.

Sovereignty Mr. President, when we talk of the concept of the sovereignty of the people, we mean the right of the people to make decisions that affect them without being forced by anyone – [HON. MEMBERS: *Hear, hear.*] – The people of Zimbabwe demanded devolution. We must give them devolution. Allow me to quote the Bible

Mr. President Sir, and I will do it in Shona. I must apologise Mr. President at this moment that I do not know where this verse is found. Whether it is in Genesis, Mathew, Mark or in the Revelation, I do not know but *Bhaibheri rinoti “Ko mwana wako akakumbira chingwa ungamupa dombo here?”* So the same question we raise to our Government is, our people demanded devolution in a peaceful manner, in a constitutional referendum voted by 95% of the voters - they demanded in unequivocal terms devolution. Why are we giving them something else which is not devolution?

There are a number of false arguments raised against devolution, Mr. President. First is that devolution leads to wars. They argue that if there is devolution, there is likely to be civil war. Well, Zimbabwe had four major wars that happened; the First and Second Chimurenga, the Gukurahundi conflict as well as the conflict during the 2008 Presidential Run-off Elections. Those were serious periods of conflict, armed conflict. There was no devolution and therefore, it does not make sense

that devolution generates wars. Wars are generated when there is no devolution.

The second is that devolution leads to secession. The unlawful claim of independence by a region, for example some of us from Manicaland seceding and saying Manicaland is now the Republic of Manicaland, or that we are joining Mozambique instead. That is called secession and the argument is that devolution leads to secession. That argument Mr. President is false and a-historical. Those countries where wars of secession have been fought include the Katanga in the Congo, Biafra in Nigeria; the Eritrea-Ethiopian war was about secession. In all these wars, the Constitution of those countries did not provide for devolution.

Therefore it does not make sense to say devolution leads to secession. Actually, the lessons learnt from the countries that I have quoted above Mr. President is that devolution can provide the much needed safety valve to conflict that is generated by resentment and

hatred caused by humiliation and domination of one community by another.

The third argument which is false is that devolution gobbles up national resources. To the contrary, properly implemented devolution creates wealth by ensuring efficient exploitation of natural resources. The Zimbabwean Government anyway is notorious, Mr. Speaker Sir, with due respect for overspending –

THE HON. DEPUTY PRESIDENT OF THE SENATE: Order!

HON. SEN. MWONZORA: My apologies Mr. President. The Zimbabwean Government is notorious for overspending. Year-in, year-out, our Minister of Finance comes with a supplementary budget every time. We are known for overspending. We are overspending but there is no devolution. So, why should we blame overspending on devolution which is not there? Devolution will lead to the creation of wealth.

Fourth and last argument that is false is that devolution cannot be implemented in the absence of an enabling legislation. We have already argued that the Constitution is a law itself and can be implemented.

However, in this argument the Government of Zimbabwe is relying on its own inefficiency and sluggishness. How can it take a country like Zimbabwe five years to craft a law as simple as devolution law?

In conclusion Mr. President, it is difficult to truly unite Zimbabweans without devolution. Devolution is the answer to the resentment and hatred generated by tribal domination. Why is the Chiadzwa area which is arguably one of the richest pieces of land in the world the home of the world's most poor and miserable people? Why is Lupane sitting on huge gas deposits among the poorest and most deprived communities on earth? Why are the people of Mutoko whose granite is exported to many a capital in Europe among the people in the world? Why are the Tonga people in the Zambezi Basin who over the centuries traversed that Zambezi Basin denied fishing rights in the Zambezi and are instead treated as common criminals and poachers in their own land? Why are the people of Midlands wallowing in poverty with all the great deposits of gold, chrome, iron ore, asbestos and diamonds? I see my leader Hon. Josiah Hungwe is there and I pose this

question through you Mr. President rhetorically to him. Why do Masvingo communities live in poverty with so many minerals and other resources in that province? The answer Mr. President to these sad questions is devolution; we must have devolution of power.

HON. SEN. TIMVEOS: Thank you Mr. President. I want to thank the mover of the motion Hon. Sen. Mwonzora. I hope I will do justice to the wonderful motion and debate that he has just done. I just want to add my little voice to this very important motion. Mr. President provincial councils or devolutions are responsible for the social-economic development of their provinces. They plan, implement social and economic development activities in their provinces as Hon. Sen. Mwonzora said. They manage resources Mr. President, they manage even tourism and it is them that know the places of interest than can actually make money for the fiscus.

Mr. President, they also monitor and evaluate, like I said the resources in their provinces. If we had already, since the Constitution came into effect in 2013, if we had already implemented this devolution

and provincial councils, we would not be complaining of being poor. It is because provinces are the ones that know where the resources are. It is also them that know that this road is damaged and needs to be fixed. It is also them that know that this clinic needs attention, it needs to be built. It is them that know that their children are travelling 10 kms, 20kms away from the schools that they attend.

Mr. President, I want to give you an example, when I hear the country saying that we do not have money, my heart bleeds. I come from the Midlands like alluded by Hon. Sen. Mwonzora. In the Midlands, Mapanzura area where the President of the day comes from, we have these Chinese people that are actually mining chrome in that area. The community there has benefited nothing, zero from these Chinese – [HON. MEMBERS: *Hear, hear.*] – All they have benefited are big holes and when the community called them that is the Chiefs, Headman from that area to say why are you doing this? The Chinese then felt ashamed and actually bought exercises books and donated to

Mapanzure Primary School. So, the community in that area, only the school benefited exercise books.

Mr. President, the Constitution is clear that the resources from that area must benefit mostly the people that live in that area – [HON.

MEMBERS: *Hear, hear.*] – So, how can we benefit if there is no devolution and there is no implementation of these provincial councils? There is no where the Government can really know what is happening on the ground unless they are told by the team that sits in the devolution. Yes, every time we go to the election since 2013, we have members who sit in these councils and they are never considered. We are shortchanging ourselves Mr. President. What I am realizing is that the outside nationals are actually the ones that are benefiting. It is painful to see big bags full of chrome which is being put into eroplanes going to China. China is building big buildings at our expense, using our raw materials, what are we getting in return? – [HON. MEMBERS: *Hear, hear.*] – The only thing that we are getting is T-shirts that go to the ruling party, that is the only thing that we are getting.

Mr. President, it is time we negotiate deals that benefit our people, it is time we negotiate deals...

THE HON. DEPUTY PRESIDENT OF THE SENATE: Order, you have freedom to debate Hon. Senator, but do not say things which cast aspersions on other people's integrity. You can continue.

HON. SEN. TIMVEOS: Sorry Mr. President. What I am saying is that this country is one of the richest country in the world. We have got raw materials, we have got educated people, we have got over 4 to 5 million people that are outside the country that can actually come back and make use of the raw materials. I actually think the Chinese nationals are taking advantage of us but if we are to implement the devolution provincial councils, these things would not be happening as they are happening.

I am giving you an example of reality about the Chinese people, I stay in Zvishavane; they do not even pay workers well. The workers that are working in these chrome mines get US\$5 a day, 7 days a week and they do not even have off days. If we had these provincial councils,

the Government would actually be aware of how our people are being abused. They even beat up workers, they do not look after us well but you must know that as Zimbabweans we actually respect foreigners more than we respect our own people – [HON. MEMBERS: *Hear, hear.*] –

When we go outside the country, they laugh at us saying ooh those poor people they are here looking for this and that. When they come here we handle them with kid gloves, we give them attention. Yes, let us give them attention, they must come and invest in this country but the first thing we should ask them is what our people are benefiting. If we are benefiting nothing then they must not get the deal.

Mr. President, I really need to support the motion and I really need the Government to really look at this, every Senator should look at this, this is the Constitution. The Constitution is clear and what I mentioned here, I actually took it from the Constitution which means that we actually agreed in 2013 to do this. So, why is it so complicated and why must we even debate about this because it should have been done way

back. So, we are hoping that as Hon. Senators let us agree that this has to be done as soon as yesterday. I thank you Mr. Speaker Sir.

***HON. SEN. CHABUKA:** Thank you Mr. President. I am very grateful to Hon. Sen. Mwonzora for introducing this motion and Hon. Sen. Timveos for seconding this motion. This motion is very important and it has really touched me. Mr. President, I come from Manicaland. When we talk of devolution, when we talk of provincial council, this is a very painful exercise, we need to implement this. When there is devolution, the residents of that particular province should benefit from their natural resources. Like we have some quill birds which are trapped in Nyanyadzi and they are sold by people of Nyanyadzi for their benefit. We also have to look at the function of the Provincial Councils; we need to look at what is happening at the Provincial Court of Manicaland. In Manicaland, we had lots of diamonds, many miners and mining companies came to mine those diamonds. We believe that if they were used properly, Zimbabwe as a whole would have developed but all this was trashed.

In Manicaland, when we look at our town, Mutare, we do not have robots at road intersections, we have problems with water and we wonder why we have such problems yet we have natural wealth in that province. Why should we be so poor when we have the diamonds in Chiadzwa and that is the mineral which should be developing Manicaland? Mr. President, the road from Mutare to Chiadzwa is a impassable road, yet it is an area which is rich in diamonds which could have financed roads. So, devolution is very important for development of constituencies.

When we elected members of the provincial councils, we took part as a district, where each district elected a member to be included in the provincial council. Mr. President, it is quite bad to see potholes on our roads and I am challenging you to visit Manicaland and observe for yourself. You need to see for yourself the destruction which is in Manicaland and also the backwardness in Manicaland. The provincial councils were aimed at developing their particular provinces using their

own resources. Yes, the resources would be shared by the whole nation but the owners of the resources should also be developed.

If we were to work at production in Manicaland like the boarder and mills paper or the other organisations such as plantations; Manicaland would develop faster than many provinces. The problem is that we are failing to implement what we agreed on. We are disadvantaging the people who are supposed to be benefiting from what has been said and written down in the Constitution. The people at the grassroots are suffering and as Members of Parliament, we are being castigated by the electorate because they feel we are letting them down by not enacting anything to improve their lives. We are not saying there should be no sharing of the natural resources; they should be shared and as leaders we should tell the President the truth.

The problem we have is that we lie to the President. We have an Hon. Member who suggested that Members of Parliament or other officials should move around and make their own observations as to what is going on in the country. The nation is in problems; the nation is

in dire straits. Let us implement what we agreed upon, especially the devolution of power. People are not happy and we have other people who are making people suffer. We said flats in Mutare, Sakubva should to be refurbished and renovated so that people will live a decent life. At the moment we have a family of six, including father and mother living in one room. What happens is that we end up having children indulging in early sex because they would have observed what is happening when they are sleeping in the same room with their parents. My apologies to the traditional leaders for the language I have used.

Zimbabwe is endowed with minerals, we should be living good but why is it that Botswana is better than us in terms of living conditions yet we have a whole lot of minerals. We are pleading with the Government to incorporate the Leader of MDC, Chamisa because he is knowledgeable and he can help with ideas of developing the country...

THE HON. DEPUTY PRESIDENT OF THE SENATE: Order, order Hon. Member. We are debating at this present time and moment

the issue on devolution and not about individuals with brains or otherwise. Stick to the motion.

***HON. SEN. CHABUKA:** Thank you Mr. President. The reason why I say all this is I am emotional and when you are emotional, you may say some things which you are not supposed to say. In conclusion, we need to have people who benefit from our natural resources. I have two children, who have university degrees but they are sitting at home, they are not employed. That is why I am speaking with such an emotion. Thank you Mr. President.

***HON. SEN. ZIVIRA:** Thank you Mr. President. Since 2002 when I was in this august House, we heard people talking about devolution. Unfortunately there is no implementation of the devolution. We also talked about national healing because without national healing, there will not be any progress because when we talk about devolution, we are talking about the past years which befell the country such as *Gukurahundi*. We have some people who suffered during the *Gukurahundi* era and they have no identity papers...

THE HON. DEPUTY PRESIDENT OF THE SENATE: Hon. Senator, the motion which is being debated in this House is on devolution and not on healing. Let us stick to the motion.

***HON. SEN. ZIVIRA:** When we look at natural resources, Matabeleland North has timber, Matabeleland South has gold but the wealth which is generated from there is not used for the development of those provinces but other provinces. So, we are asking our Government that when there is wealth generated from a certain province, that money should be used in that province and not to develop other provinces. Thank you.

HON. SEN. MWONZORA: I move that the debate do now adjourn.

HON. TIMVEOS: I second.

Motion put and agreed to.

Debate to resume: Thursday, 11th October, 2018.

THE MINISTER OF STATE FOR MASHONALAND EAST PROVINCE (HON MUNZVERENGWI): I move that the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Thursday, 11th October, 2018.

On the motion of **THE MINISTER OF STATE FOR MASHONALAND EAST PROVINCE (HON. MUNZVERENGWI),**
the Senate adjourned at Twenty One minutes past Four o'clock p.m.