

PARLIAMENT OF ZIMBABWE

Tuesday, 10th October, 2023

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

PRAYERS

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

THE HON. PRESIDENT OF SENATE: How are you Hon.

Members - [HON. SENATORS: *We are fine and how are you.*]-

ANNOUNCEMENTS BY THE HON. PRESIDENT OF SENATE

ISSUANCE OF ICT CREDENTIALS

THE HON. PRESIDENT OF SENATE: I am here to inform the Senate that the Information, Communication and Technology Department (ICT) will be issuing WiFi and e-mail credentials to Hon. Senators. In order to expedite this business, officials from the ICT Department will be stationed at the Members' Dining from 1400 hours every sitting day this week.

VACANCIES IN THE SENATE

THE HON. PRESIDENT OF SENATE: I wish to inform the House that on the 4th of October, I received a letter signed by Mr. W.

Sengezo Tshabangu, who signed off as the Interim Secretary-General of the Citizens Coalition for Change (CCC) political party notifying me that the following Members ceased to be Members of the Citizens Coalition for Change (CCC) political party with effect from 3rd of October, 2023:

NAME	PROVINCE
Helen Zivira	: Bulawayo
Gideon Shoko	: Bulawayo
Siphiwe Ncube	: Bulawayo
Felix Magalela	: Bulawayo
Tendai Sibanda	: Matabeleland North
Joel Gabuza Gabbuza	: Matabeleland North
Anastasia Moyo	: Matabeleland North
Mativenga Godfrey Madzikana	: Masvingo
David Antony Chimhini	: Manicaland

Accordingly, Section 129 (1) (k) of the Constitution of Zimbabwe applies. It provides:-

“That a seat of a Member of Parliament becomes vacant if the Member has ceased to belong to the political party of which he or she was a Member when elected to Parliament and the political party concerned, by written notice to the Speaker or the President of the Senate, as the case may be, has declared that the Member has ceased to belong to it”

The law as indicated in Section 129 (1) (k) and related previous court rulings on similar matters, do not require me to adjudicate but compels Parliament to only action notification upon receipt of a letter of the recall. Accordingly, the necessary administrative measures have been taken to inform His Excellency, the President of the Republic of Zimbabwe and the Zimbabwe Electoral Commission (ZEC), of the existence of the vacancies in line with Section 39 (1) of the Electoral Act [*Chapter 2:13*] as amended.

According to this announcement, if the Members are here, can they please leave the House.

Recalled Members left the Chamber.

MOTION

PRESIDENTIAL SPEECH: DEBATE ON ADDRESS

HON. SEN. KAMBIZI: I move the motion standing in my name; that a respectful address be presented to the President of Zimbabwe as follows: —

May it please you, your Excellency the President:

We, the Members of Parliament of Zimbabwe, desire to express our loyalty to Zimbabwe and beg leave to offer our respectful thanks for the speech which you have been pleased to address to Parliament.

HON. SEN. SHIRI: I second.

HON. SEN. KAMBIZI: Thank you Madam President for giving me this chance, a very rare chance to move this motion on the State of the Nation Address that was presented to Parliament by His Excellency, the President of the Republic of Zimbabwe Dr. E. D. Mnangagwa on the 3rd day of October, 2023. May I start by congratulating His Excellency, the President for being reelected as the President of the Republic of Zimbabwe. I would also like to congratulate you Madam President and your Deputy Hon. Sen. Nyambuya, for also being reelected into this esteemed office. That alone is a sign of confidence and capability of the

President to lead this country and for the two of you to lead this august House.

May I also congratulate Members of the Senate for being elected into office and hope that we will be able to execute our duties diligently and to the best of our knowledge for the betterment of the people who elected us into this office. Madam President, it is my singular honour and very rare privilege to move such an important motion on the State of the Nation Address by His Excellency. An address that came after we conducted free, fair, credible and very peaceful harmonised general elections. Allow me to congratulate the people of Zimbabwe for the manner in which they executed their constitutional right to select their leaders from the President up to the last councillor in a very peaceful manner.

Now that these elections are over and gone, I would like to urge all Senators to work together for the good of the nation and also remind Hon. Senators that we need to hit the road running because we have a lot of work ahead of us as laid out by His Excellency in the legislative agenda. Madam President, allow me to speak on some of the issues that

were highlighted in the SONA. His Excellency the President of Zimbabwe stated that our economy had grown on an upward trajectory, recording positive growth rates across sectors and of course, notwithstanding the draconian illegal sanctions imposed on Zimbabwe by our detractors.

Allow me once again Madam President, to applaud His Excellency the President and the 2nd Republic for coming up with a robust measure to enhance and guarantee agricultural productivity, irrigation development and climate proofing which guaranteed national food security. I am quite thrilled that the Government has already embarked on drilling 35 000 boreholes and the establishment of village agro-based units meant to consolidate national agriculture productivity and food self-sufficiency. It is a fact that Zimbabwe has always experienced prolonged droughts. I am happy that the President highlighted the need for more investment in irrigation development as one of the key mitigation strategies against climate change.

Madam President, I come from a province where production of cereals and many other crops are very good, so as other provinces. I

however want to thank His Excellency the President for the dam construction programmes taking place throughout the country. A few examples are the construction of Dande Dam in Guruve, Mashonaland Central Province, construction of the Gwayi or Shangani in Matabeleland North Province, just to mention a few. These will provide water for both consumption and irrigation, thereby guaranteeing food security.

I would like to turn to the mining sector which has become an anchor of our economy. The State of the Nation Address, highlighted that the mining industry had become a USD12 billion economy and no doubt, creating employment and wealth through upstream and downstream industries. Zimbabwe is blessed with more than 40 minerals and almost every province in the country has one or more minerals. Some of the minerals in this country are on demand globally, for example, platinum, lithium and gold just to mention a few. I am sure Hon. Members in this House have all heard about lithium batteries and electric vehicles. Zimbabwe has commenced making batteries from lithium.

Madam President, our country Zimbabwe is in the world's top ten producers of lithium. So, it is important that as a country, we ensure that the lithium, platinum and gold sectors are well supported so that the country is able to generate more revenue and wealth. In addition, it is important that we value-add these minerals by, for example, setting up of the lithium battery manufacturing companies. This will go a long way in creating jobs and wealth for our people. I was pleased to hear His Excellency, the President talking about the Mines and Minerals Amendment Bill that will be introduced in the First Session of the 10th Parliament. This Bill is critical in addressing a lot of challenges faced by the mining industry such as double allocations of mining claims, mining disputes and environmental degradation among others.

It is important that we create a robust industry through a strong legal framework. This will, in turn, attract investors and sustainable mining practices. His Excellency touched on artisanal and small-scale miners. This is one of the most vulnerable sectors in the mining industry. Almost every year we hear of industries and deaths of artisanal miners who engage in unsustainable mining practices. A couple of weeks ago,

there was an accident in Chegutu District, Mashonaland West Province where artisanal miners were lost in Mashonaland West Province. Such mining disasters can be prevented if the artisanal miners were formalised and taught on sustainable mining practices.

I was also happy to hear His Excellency the President of the Republic of Zimbabwe, talking about establishment of the USD10 million mining industry loan fund and the rollout of more gold centers. I am quite hopeful Madam President, that the loan fund will be distributed to include women in mining and youth in mining who have often been forgotten. His Excellency spoke of increasing resources disbursed towards devolution and decentralisation programme, giving priority to projects which improve access and quality of education, health, roads, water and sanitation to our people, a clear sign that His Excellency the President has people at heart. He also stressed his administration's commitment to industrialising and modernising the economy and transforming infrastructure in order to improve incomes and the livelihoods of the citizens of this country, what a caring President.

I will now switch and talk about the issue of road infrastructure in this country. His Excellency, the President Dr. E. D. Mnangagwa talked about enhancing connectivity by upgrading the road networks across the country through domestic resources. His Excellency walks his talk and as I speak right now, Harare, Masvingo, Beitbridge highway is almost complete. Kanyemba, Mahuhwe, Harare Road in Guruve in Mashonaland Central is under construction. Emergency road rehabilitation phase one and two is currently going on. Improvement and widening of roads being done throughout the country; pothole patching, expansion and rehabilitation is taking place, for example, Bindura-Harare highway. Good road networks are critical because they promote business and enable our people to move from point A to B cheaply.

I happen to come from an agricultural province, Mashonaland Central, where there are farmers like all other agricultural provinces such as Mashonaland West, Mashonaland East, Midlands and Manicaland. The farmers rely on road infrastructure to market their farm produce. Without a good road network, it becomes difficult for

farmers to realise much from their produce due to high transport costs.

On the other hand, road networks also promote tourism.

The SONA also outlined that the tourism sector was experiencing a boom, with an increase of 62% on international tourists' arrival. We have various tourist attraction centres such as Victoria Falls, Hwange National Parks, Vumba and Gonarezhou, just to mention a few. Hence, the need to upgrade the road networks so that the country generates more revenue.

I will now go to the legislative agenda as laid down by His Excellency, the President of the Republic of Zimbabwe, which must be the Parliamentary schedule during the First Session of the 10th Parliament. On this one, I would like to advise fellow Hon. Senators in this House to tighten their belts. His Excellency the President spoke about the need to conclude outstanding Bills from the Ninth Parliament. These are Mines and Minerals Amendment Bill, Public Finance Management Bill, Medical Services Amendment Bill, Insurance Bill and the Private Voluntary Organisations Bill. The President emphasised that

these need to be concluded during the First Session of the 10th Parliament, hence the need to tighten our belts.

The President, His Excellency, Hon. Dr. E. D. Mnangagwa also spoke of obsolete laws that should be repealed under the Repeal of Laws General Amendment Bill. These are Fred Clayton Act, Servicing of Documents Act, Settled Estate Leasing Act and War Marriages Validation Act. His Excellency also spoke of new Bills that would constitute the business of the First Session of the 10th Parliament. The Bills are quite many, they are up to about 60. I will mention just a few that were stressed by His Excellency. The Legal Practitioners Amendment Bill (2023), which seeks to streamline the registration process for foreign legal practitioners, Inheritance and Succession Laws Amendment Bill (2023), which aligns inheritance and succession laws to the Constitution and international best practices.

The President also called upon the 10th Parliament to review the Water Act, the Zimbabwe National Water Authority and Plant Bidders Act so as to give impetus to matters related to climate change adaptation and resilience. Other Bills are Climate Change Bill, seeking to regulate

greenhouse gas emissions and facilitate more carbon development technologies with a view of strengthening appropriate institutions and funding mechanisms.

The Parks and Wildlife Act....

Hon. Senators who had left the Chamber after the recall announcement returned to the House.

THE HON. PRESIDENT OF SENATE: Order, I am seeing Hon. Members who were on the list as having been recalled, walking into the House. I do not understand what is taking place. Hon. Members, can anyone shed light.

HON. SEN. MLOTSHWA: We as CCC, do not recognise the signature, so we are at a point where our leaders of CCC have not recalled anyone.

THE HON. PRESIDENT OF SENATE: It is not me personally, who is recalling you. That matter cannot be resolved here, *handiro dare racho*. What was done wrongly should be done outside and be corrected, then we are also given a letter that, it was not supposed to

have been done and I think the courts are there to do that. We do not know who is who in your party.

HON. SEN. TIMBA: You mentioned in your announcement that the person that has communicated to you claimed to be from CCC.

THE HON. PRESIDENT OF SENATE: Yes.

HON. SEN. TIMBA: Meaning that you do not know whether they were from CCC or not?

THE HON. PRESIDENT OF SENATE: We receive letters as usual.

HON. SEN. TIMBA: Meaning anyone from the street can write a letter and say that we are from CCC - [HON. SENATORS: *Inaudible interjections.*] – I seek your protection Hon. President.

THE HON. PRESIDENT: Can we have order Hon. Members.

HON. TIMBA: Meaning that anyone in the street can write a letter, you receive it and you come and announce it here that they can claim that they are from ZANU PF and that they are recalling the following Members of ZANU PF and you just read it out. Is that what you are suggesting?

THE HON. PRESIDENT OF SENATE: It is not our duty to verify who wrote this and that. We do not know your membership. Go to the courts and clear your names.

HON. TIMBA: Hon. President, with all due respect, we are not a banana republic. We have institutions, when we came into Parliament, names are given to you by the Zimbabwe Electoral Commission (ZEC) that these are the persons from ZANU PF, by name, province and that communication comes to this institution. We communicate with you as parties not just CCC, that the following persons are the leaders of the party in Parliament, whether it is a Chief Whip or Leader of the House. That communication comes from us as political parties. You cannot pretend that you do not know the people from ZANU PF or people from CCC.

THE HON. PRESIDENT OF SENATE: So, what are you saying?

HON. SEN. TIMBA: What I am saying is that it is important that when you receive a letter, you are not supposed to read a letter which

comes from the street without you verifying whether or not that letter is coming from a party represented here in Parliament.

THE HON. PRESIDENT OF SENATE: No, excuse me Hon. Member, it is not the duty of the Presiding Officers to check validity. That is the work of the courts. Can you please go and make clarifications with the courts? What I want is to have Members of Parliament who have been allowed to come here and sit. I just enjoy a full House; it is not that I enjoy your being recalled. For me to know who is writing and who is not writing, please let it be clarified by the courts. I would not be able to let you in this House when you are not cleared, I cannot do that.

HON. SEN. TIMBA: I understand Hon. President. My point is, surely when you have received a letter, you do not know who has written that letter, you have our leaders who are known to you and introduced to you. Is it not fair for you to come to us and say we have received this letter coming from your party, please can you confirm whether or not it is coming from your party?

THE HON. PRESIDENT OF THE SENATE: The matter is not for debate.

HON. SEN. TIMBA: Madam President, can I confirm that you have also received letters from our own president? Can you also read the same letters to this House?

THE HON. PRESIDENT OF THE SENATE: Section 129 (k) of the Constitution says, ‘If the Member has ceased to belong to the political party of which he or she was a member when elected to Parliament and the political party concerned, by written notice to the Speaker of the National Assembly or the President of the Senate as the case may be, has declared that the Member has ceased to belong to it;’ So, this matter is not for debate here, it is not on the agenda of this House – [HON. TIMBA: *But you brought it Madam President.*] – that was an announcement. It was not on the agenda.

Can I please explain to you that this matter is not for debate in this House [HON. TIMBA: *Madam President...*] – you can go to the courts and clarify this and after that everything will be okay – [HON.

SENATORS: *Inaudible interjections.*] – Order, order! You are allowed to talk only when given the floor and not just to shout.

HON. SEN. TIMBA: Madam President, I would just like to make one point before I sit, that you are taking responsibility of collapsing Parliament of Zimbabwe.

THE HON. PRESIDENT OF SENATE: Ah no! why collapsing the House? We were busy when you were outside, so please bear with me, that is not my duty. May you please take your seat. I do not want to call anyone to eject you. We are mature people especially in this Upper House. Hon. Sen. Timba, we have to learn to respect each other, I do not want to debate this because it is not on today's *Order Paper*.

HON. SEN. M. SIBANDA: I want to get clarification, with all due respect...

THE HON. PRESIDENT OF SENATE: Order, order! How can you get clarification from me as though I am the one who is recalling you? – HON. SENATORS: *Inaudible interjections.*] – Order, order! Can you please go and clarify this matter at the courts? We are not resolving

anything in this House. Serjeant-at-Arms, may you please escort these Members out of this House.

HON. SEN. SHOKO: Madam President, allow us to speak about this issue. You see, let me just explain.

THE HON. PRESIDENT OF SENATE: I am not allowing you.

HON. SEN. TOME: I have not been recalled, so I thought maybe I could explain something.

THE HON. PRESIDENT OF SENATE: You cannot explain anything concerning this matter, in this House. Do you understand me? We can talk to each other outside there, but not in this House.

HON. SEN. SHOKO: *Saka handeyi panze. Handeyi panze monotaura nesu then mozodzoka moenda nebase renyu mberi because pane tsamba yakanyorwa musi wa 3 October.* However, a letter which was written before is the one that is being read. Let us go outside and discuss and resolve the issue. Let us go and discuss with the people that you are evicting from this House, because if you do not do that, then we are not leaving this House, this is discrimination despite the fact that an

official letter was written, but then you go ahead and read a letter which was written before.

HON. SEN. TOME: Our President wrote a letter to the Speaker of Parliament explaining that Tshabangu is not one of us. I insist that I need to explain.

THE HON. PRESIDENT OF SENATE: No.

HON. SEN. TOME: With all due respect Madam President, may I be allowed to say a few words?

An Hon. Senator having tried to sing.

THE HON. PRESIDENT OF SENATE: Who is that one singing? Singing in the Chamber is not allowed. Can we have order in the House? Were you not at the Induction Workshop? Singing is not allowed.

Business was suspended for fifteen minutes at 3:14 p.m. and resumed at 3.00 o'clock p.m.

THE HON. PRESIDENT OF THE SENATE *adjourned the Senate at Twenty-Five Minutes to Four O'clock p.m. in accordance with the provisions of Standing Order No. 121.*