



**Glenview 29
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to celebrate'**



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Harare – AN emotional atmosphere gripped the High Court in sunny Harare as hugs and tears were exchanged to mark the acquittal of 21 activists in the Glenview 29 murder trial who walked scot-free after being pronounced not guilty by Judge Justice Chinembiri Bhunu at about midday on September 19.

But acquitted Solomon Madzore, the Movement for Democratic Change – Tsvangirai (MDC-T) Youth Assembly leader and the party's shadow Minister of Youth, Sport, Art and Culture, who spent 405 days in remand prison at Chikurubi Maximum Prison, said there was nothing to celebrate.

"I suppose this was supposed to be a moment of jubilation, moment where we celebrate our acquittal," Madzore said. "But there is nothing to celebrate given the fact that seven of us remain charged, they have all been placed on their defense."

"It's a scenario where this thing came a bit too late."

"I mean we spent in excess of a year and in the case of Simon Mapanzure, he was behind bars for more than two years."

Madzore said he was "disappointed" about his prison stint, but felt more disappointed about the fact that one of the accused Rebecca Mafukeni who died at Parirenyatwa Hospi-

tal under prison guard and after she had gone blind owing to her illness on the morning of August 12, 2013 did not have the opportunity to taste freedom, or witness the judgment being passed.



Solomon Madzore speaking to journalists after the Glenview 29 verdict

"Instead of being happy I am very disappointed that Rebecca did not make it outside," he said. "So for me whether I had spent a year, two years, or ten years behind bars, at least I got an opportunity to be outside."

"I am alive – what of Rebecca?"

The judge refrained from passing a judgment in the case of the late Mafukeni.

Cynthia Manjoro, the Zimbabwe Human Rights Association (Zimrights) Programs officer who was one of the accused persons and was detained in prison for over seven months, broke down clearly overcome with emotion as she hugged one of the lawyers Jeremiah Bhamu, who consoled her, as she left the High Court.

"I feel relieved it's been a painful two years, very difficult two years and I am glad it's finally over," Manjoro said. "It's overwhelming, it's just this freedom – it's overwhelming."

"Everything that comes with it, I will process in a month or two."



Cynthia Manjoro with Hopewell Gumbo after the High Court verdict

Passing the judgment, Justice Bhunu said that Madzore, accused 27, and Manjoro, accused 10, had suffered unnecessarily during their long incarceration because the prosecution team had failed to fault their alibis from the beginning of the legal proceedings in May 2011. During their legal battle to regain freedom, Crisis in Zimbabwe Coalition did documentaries of the two democracy activists where they expressed frustration at being unjustly incarcerated.

Leading defense lawyer, Beatrice Mtetwa, who had applied for discharge of the Glenview 29 said her hope had been that all the accused persons would be acquitted because the State's case "did not meet the required standard for persons to be put on their defense".

"The judge has determined that seven have a case to answer and the rest have been acquitted," she said. "We obviously had hoped that all of them would not be put on their defense."

"So when we resume we will deal with the case of those who have been put on their defense."

The seven who were put on their defense by Justice Bhunu are Tungamirai Madzokere, Yvonne Musarurwa, and Last Maengahama, Lazarus Maengahama, Phineas Nhatarikwa, and Edwin Muvingiri, and Paul Nganeropa Rukanda. Justice Bhunu stated that the prosecution team had proved that these 7 activists had been seen by one Inspector Nyararai and Constable Solomon Mushananga or otherwise had a prima facie case to answer. Their trial will continue on an unspecified date.

The Glenview 7 accused persons, who have been put on their defense, are being charged of murdering a Zimbabwe Republic Police (ZRP) inspector, Petros Mutedza, in Glenview 3 suburb where the activists were having a social braai in May 2011.

The High Court, Court A, was packed to the upper auditorium well before the scheduled time of the court session which was delayed by 51 minutes as the judges did not show up until 10.51 am.

Those who have been acquitted are: Solomon Madzore, Cynthia Fungai Manjoro, and Keria Gweshe Dehwa, Gabriel Shumba Banda, Stefani Takaidzwa, and Stanford Mangwiro, Oddrey Sydney Chirombe, Jephias Moyo, and Abina Rutsito, Memory Ncube, Tendai Maxwell Chinyama, and Lovemore Taruvinga Maguire, Linda Musiyamhanje, Tafadzwa Billiart, and Simon Mudimu, Simon Mapanzure, Zwelibanze Dube, and August Tengeniyika, Francis Vambayi, and Nyamadzawo Gapare,.

Among those in the court was Irene Petras, the director of Zimbabwe Lawyers for Human Rights (ZLHR), several other civil society leaders such as Zimbabwe Coalition on Debt and Development's (ZIMCODD)'s Hopewell Gumbo, five MDC-T shadow ministers including Nelson Chamisa, Theresa Makone, Lucia Matibenga, and Paurina Mupariwa, journalists, relatives of the accused and members of the public.

Mayors could choke on double roles... while councils' success could hinge on Central Gvt

Harare – THE opposition Movement for Democratic Change – Tsvangirai (MDC-T) has said its earlier decision to have officials who were not councilors to be elected to the position of mayors was motivated by the idea of separation of powers for effective service delivery.

The party said double roles for mayors who are also freshly elected councilors could hamper service delivery.

Speaking at a public meeting organised by the Combined Harare Residents Association (CHRA) in Harare on Tuesday, September 17, MDC-T spokesperson, Douglas Mwonzora, said apart from the party's different understanding of the correct interpretation of the local government law from the Ministry of Local Government, it had not desired to have its mayors doubling as councilors as that will have an adverse effect on service delivery.

"The question we must answer is why the MDC was insisting on a mayor who is not a councilor,"
Mwonzora said. *"We wanted a mayor to stand as a mayor and be able to supervise everyone."*

"Now the situation is that we have a mayor who supervises everyone as well as represents his ward."

"We feared as the MDC that this could have potential problems of corporate governance."

Mwonzora said his party also feared that the mayor would have bias towards the ward for which he was elected in allocation of city council resources, among other challenges.

"Suppose a donation comes and inokwana one ward chete, mayor anoindesa kupi" (where do you think the mayor will prioritize if not his ward?)

"This is exactly what we wanted to avoid."

The MDC-T position, however, flopped after the Minister of Local Government Dr. Ignatius Chombo gave a directive, which was implemented that mayors be elected from incoming councilors in the cities across the country.



Douglas Mwonzora

Meanwhile, other speakers at the meeting said the performance of the incoming councils could not be separated from the policies that will be implemented by the Zimbabwe African National Union – Patriotic Front-led (Zanu-Pf-led) central government.

Job Sikhala, the President of MDC99, said people in some parts of Chitungwiza, a dormitory town about 30 minutes' drive east of Harare, had gone for four years without clean water. He reasoned that the solution to such challenges would not only depend on the performance of the local council, but even the policies of the central government, were vital in remedying the water woes.

"If the central government is not able to put policies to deliver water, there is no way we can expect the mayor of Chitungwiza to deliver water in the taps of Chitungwiza tomorrow," Sikhala said. *"So the responsibility for mayors to be able to deliver is for us to ask the question whether Robert Mugabe and his government have put policies that will facilitate the local authorities to be able to have service delivery in Harare, and any other council."*

The Crisis in Zimbabwe Coalition is a broad based civil society network of over 72 active members comprising churches, women's groups, social movements, residents associations, labour unions, human rights lawyers, and health professionals. It was formed in August of 2001 to focus on democracy, human rights, good governance and sustainable development issues – working locally, regionally and internationally.

Gabriel Chaibva, a political analyst who stressed that he was not aligned to Zanu-PF, claimed that the performance of the central government and hence that of the local authorities would be affected by poor economic performance caused by so-called sanctions.

“It doesn’t matter how knowledgeable you are in matters of local governance what matters at the end of the day is that are the ratepayers themselves able to pay their rates,” Chaibva said. *“How are our national economic indicators?*

“Are our people employed? Are our people therefore capable of paying their electricity, their refuse collection charges? Are they able to do that?”

Jeremiah Bhamu, a human rights lawyer said that it was critical for the performance of the new councils that the Ministry of Local Government should steer clear of unnecessarily interfering with their work.

“For councils or councilors to be able to effectively deliver on social services there must be limited interference from the central government,” Bhamu said. *“We have seen the deliberate attempt by the Zanu-Pf government to dilute powers of the local authorities.*

“We have [witnessed the appointment of] ministers of state responsible for each province.

“That move is only calculated to remove the power of the provincial councils that have been set up [according to the new Constitution].”



Jeremiah Bhamu

Bhamu said the appointment of *“the same minister who has been there for several years”*, Chombo, was done because *“he has shown that he can interfere”* with the business of the councils to render them ineffective especially those run by the MDC-T.