

CENTRE FOR PEACE INITIATIVES IN AFRICA



CONFERENCE PROCEEDINGS REPORT

ZIMBABWE: TOWARDS A POLITICAL FRAMEWORK THAT GUARANTEES GOOD GOVERNANCE

MUTARE HOLIDAY INN, 26-28 MARCH 2007

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THE CENTRE FOR PEACE INITIATIVES IN AFRICA



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Introduction

The Centre for Peace Initiatives in Africa (CPIA) convened a National Conference on Zimbabwe: Towards a Political Framework that Guarantees Good Governance from the 26 – 28th of March 2007 at the Holiday Inn in Mutare. The Conference brought together 107 participants that included representatives from the Government of Zimbabwe, all political parties, Academia, representatives of the Church, Trade Unions, Civil Society, Women, Business, Farmers, War Veterans, the Youth, the Media, CPIA donors and diplomats as observers.

The Conference was a follow-up to the National Conference on Governance in the Zimbabwean Context which was held from the 14th – 16th of November 2006, at the Holiday Inn in Bulawayo. At the end of the Conference, a communiqué was adopted which mandated CPIA to convene a follow-up conference, to give shape and form to the observations and sentiments made during the conference.



From left: Rev. Max T. Chigwida (CPIA Director of Operations), Dr. Leonard T. Kapungu (CPIA Executive Director) and Mr. Etherton F. Mpisaunga (CPIA Projects Coordinator), during the conference, Zimbabwe: Towards a Political Framework that Guarantees Good Governance

26th March 2007

Welcome – Mr Etherton Mpisaunga

The CPIA Projects Coordinator Mr Etherton Mpisaunga welcomed all the participants to the conference, and invited the Director of Operations Reverend Max Chigwida to lead the conference in a song and prayer.

Reverend Chigwida announced that regrettably Professor Walter Kamba who was to chair this Conference had been taken ill and admitted into hospital. Accordingly he could not avail himself as planned. He advised that it would be therefore be in order for Professor Kamba to be remembered in prayer at this point.

Opening Remarks and Introductions – Dr Leonard Kapungu

CPIA Executive Director, Dr Kapungu gave the opening remarks. He informed the meeting that CPIA began its Governance Programme with Professor Walter Kamba in February 2004 and it was he (Professor Kamba) who guided CPIA on this Programme. Before, during and after the Bulawayo Conference, all papers on the programme were critiqued by Prof. Kamba, who also chaired all the meetings.

Dr. Kapungu pointed out that this Conference was a continuation of the one held in Bulawayo in November 2006 and underscored that Zimbabwe is currently at crossroads, and the destiny of the country is in its people's hands. Participants were therefore expected to seize this opportunity to determine the destiny.

See *Annex II* for the Executive Director's remarks on this day and that from the previous Conference held in Bulawayo in 2006.

Historical Background: Zimbabwe – Towards a Framework that Guarantees Good Governance – Mr Etherton Mpisunga

Mr Mpisaunga presented a briefing as detailed below.

Since 2003 CPIA has been talking about the vision and values for Zimbabwe. This resulted in the publication of the book "Zimbabwe : The Next 25 Years", with its name being based on achievements and challenges from the first 25 years of independence, which brought the question of what should be aimed at in the next 25 years. 8 topics were identified and each of these became a chapter on its own. The book was launched in Masvingo in October 2005.

Professor Kamba discussed the need for a Constitution that would contribute towards good governance at a conference in Mutare in 2005. This led to the publication of his booklet, "Constitutionalism in Zimbabwe", which led to the discussion on Governance. Accordingly CPIA convened the Conference on Governance in November 2006, after which a communiqué was issued on the deliberations. The Conference observed that there were more convergence than divergence regarding the need for a new dispensation.

This Conference today (26th – 28th March 2007) aims to deliberate and agree on something concrete to suggest to policy and decision makers. Participants should note that they were not being asked to write a Constitution, but to agree on a suitable political framework that guarantees good governance.

The purpose of the meeting was summarized as:-

- Outline and facilitate a suitable political framework for the country and identify who should initiate the process
- Identify the basic elements of an ideal Constitution
- Agree on the way forward

Chairperson's Remarks – Dr Leonard Kapungu

Dr Kapungu advised that at this stage Professor Kamba would have made his opening remarks. In the absence of his written speech he (Dr. Kapungu) would endeavour to paraphrase the Professor's thinking.

It was Professor Kamba's view as he chaired one of the preparatory meetings that " Our country is now on its knees and only Zimbabweans can rescue it. We need to look at national interests and time for speeches and conferences is gone."

Dr Kapungu informed the gathering that CPIA shall not again convene another conference to discuss Governance. The next meeting will focus on implementation. CPIA had many consultative meetings and conferences around Zimbabwe. CPIA and Professor Kamba came up with an 8 paged document to be tabled at the conference.

Distribution of the Background Paper – Dr Leonard Kapungu

(See Annex 1 for paper)

Dr Kapungu advised participants that the 8-paged document that was authored by CPIA would be distributed to participants at this point. He appealed to participants to study and digest the contents of the document in order to prepare for the next stage of the programme on the following day. After calling for questions and comments on the process the document was distributed.

Dr Kapungu concluded the programme for the day, and participants were informed that the conference would continue from 08:30 hrs the next day.

Tuesday, 27th March 2007

Opening Song and Prayer – Rev. Max Chigwida

Reverend Chigwida lead the conference in song and prayer followed by a short sermon based on Proverbs 29:18 – "Where there is no vision people perish".

Discussion



Some of the participants (From left: Mr. J. Olsson (UNDP), Prof. H. Patel (UZ), Dr. H. Sadza (Women's University in Africa) and Ms. M. Sikhosana (Zimrights)) during the conference, Zimbabwe: Towards a Political Framework that Guarantees Good Governance

Below are the salient points that emerged during the deliberations:-

- Participants congratulated CPIA on preparing a concise and simple background paper which provides impetus to preparing a suitable political framework.
- Participants advocated for a process which encouraged consensus and not violence.
- Constitution making in Zimbabwe should be comprehensive and a balance between interest groups should be a win-win situation.
- The Civil Society model was considered problematic due to the perception that some Civil Society organisations are not seen as credible.
- The Executive model was seen as partisan in support of the Incumbent.
- The Parliamentary model was considered not to be all inclusive.
- The fourth model (hybrid of the Civil Society, Executive and Parliamentary models) was therefore considered ideal.
- Participants underscored the need for a shared vision in the constitution making process.
- In view of possibilities of elections in either 2008 or 2010, participants felt that the timing and actioning of whatever is recommended was of the essence.
- Participants acknowledged that by and large the Lancaster House Constitution was a cease-fire document and that there was need for a home-grown, people-driven Constitution.
- Good governance, democracy and a good Constitution are inter-related.
- The Conference noted that the Constitutional making process is just as important as the end result i.e. the constitution itself
- The Conference reiterated the point made at the Bulawayo Governance Conference, namely that participants particularly those representing political parties should be at a senior level.
- The Conference urged Zimbabweans to be tolerant of each other and accept differing view points without resorting to violence.
- Participants emphasized the need for the constitution making process to be transparent and inclusive and pay special attention to the disabled.
- The Conference observed that there was so much mistrust in the country and that there was need for the various stakeholders to engage in confidence building exercises.
- The Conference felt that in the process of crafting a new constitution it will be prudent to revisit the Civil Society proposals and the draft document rejected at a referendum in 2000.
- In an effort to provide a conducive environment, the Conference noted the need to create and nurture the proposed social contract.

- The participants urged restraint and tolerance rather than confrontation in all social and political discourse.
- The Conference mandated CPIA to coordinate the implementation of all resolutions passed at the Conference.

At the end of the conference participants unanimously agreed that the fourth model, which is a mixture of the Civil Society, Executive and Parliamentary models was ideal for Zimbabweans.



Some of the participants during the conference, Zimbabwe: Towards a Political Framework that Guarantees Good Governance

Chairperson's Summary of Discussion

The Chairperson informed participants that he had been involved in organising Conferences on Governance for the past 3 years and that there had been a total agreement to move forward in peace so as to come up with a new political framework. To this end CPIA has consulted widely with different stakeholders including Government, ruling party, most opposition parties and civil society. The aforementioned Conference on Governance held in Bulawayo in November 2006, further endorses this consensus.

Implementation Committee

The Conference identified categories of organizations to be members of the Implementation Committee. These were listed as follows:

1. Political Parties

- Democratic Party (DP)
- Movement for Democratic Change (MDC)
- United People's Party (UPP)
- Zimbabwe African National Union (ZANU)
- Zimbabwe African People's Union Federal Party (ZAPU FP)
- Zimbabwe African National Union Patriotic Front (ZANU PF)

2. Labour

- Zimbabwe Congress of Trade Unions (ZCTU)
- Zimbabwe Federation of Trade Unions (ZFTU)

- Public Service Association (PSA)
- Zimbabwe Teachers Association (ZIMTA)
- Zimbabwe Progressive Teachers Union

3. Academia

4. Religious Organisations

5. Civil Society – CPIA to consult NANGO

6. Youths

- Zimbabwe National Student's Union (ZINASU)
- Zimbabwe Youth Council

7. Women – CPIA to consult Women's Coalition

8. Farmers

- Commercial Farmers Union (CFU)
- Zimbabwe Farmers Union (ZFU)
- Zimbabwe National Farmers Union (ZNFU)
- New Farmers

9. Business

- Confederation of Zimbabwe Industries (CZI)
- Zimbabwe National Chamber of Commerce (ZNCC)
- Employers Confederation of Zimbabwe (EMCOZ)
- Chamber of Mines
- Professional institutes e.g. Public Accountants and Auditor's Board

10. Chiefs Council

11. People with Disabilities

12. War Veterans

- Zimbabwe National Liberation War Veterans Association (ZNLWA)
- Zimbabwe Liberators Platform (ZLP)

13. Relevant Government Ministries

14. Military

15. Police

16. Intelligence Organisation

17. Prison Services

18. Media

19. Arts and Culture

20. Zimbabweans in the Diaspora

Committee's Terms of Reference

- To examine all the drafts prepared by various stakeholders in this process especially the 2000 Draft Constitution, the NCA Draft, the present Constitution as well as other relevant drafts.
- Draw up details on the fourth approach i.e. involving the Executive, Parliament and Civil Society as a machinery for Constitution making.
- To keep a watching brief of the entire process and come up with suggestions as the process gathers momentum.
- To ensure coordination of Zimbabweans wishes, hopes and aspirations in the Constitution making process.
- To ensure that the process begins immediately.

The Conference agreed that CPIA would chair the meetings of the Implementation Committee. It was further agreed that the Committee could add other terms of reference.

Conclusion – Dr. L. T. Kapungu

In conclusion the Chairperson stated that Constitution making can only succeed in a peaceful environment and that the CPIA process will continue to run parallel to other initiatives.

CLOSING REMARKS BY CHAIRPERSON

DR. LEONARD T. KAPUNGU
CPIA, EXECUTIVE DIRECTOR

**Excellencies,
CPIA Eminent Persons
Ladies and Gentlemen**

I want to thank you for the excellent discussions which we have had in Mutare for the past two days. What pleases me is the serious approach that we took in the discussions. We have considered the Preliminary Report of this Conference that has been distributed to you. We have made recommendations and we have set up an Implementation Committee to carry the process further.

I would like to present to you the initial steps that CPIA will take as we proceed. CPIA will convene a meeting of the Group of Eminent Persons. This is a group of twelve eminent Zimbabweans who have guided CPIA. I have always consulted this group in difficult times to seek advice and guidance. It is this group that assisted us in organizing this meeting. Some members of the group were assigned to be in contact with ZANU PF others were assigned to be in contact with the two wings of the MDC, at the highest level, others were assigned to be in contact with other parties; still others were assigned to be in contact with the civil society while CPIA itself was in touch with various Government departments. This approach enabled us to get effective participation that we needed for this Conference.

I want to thank all the members of the CPIA Group of Eminent Persons. We will meet on Friday, 30 March 2007 and on that day the Implementation Committee will be formally established. Letters of invitation to various sections which have been suggested for the Implementation Committee will go out shortly after the meeting of the Eminent Persons.



Dr. Leonard T. Kapungu, CPIA Executive Director, during the last session of the conference, Zimbabwe: Towards a Political Framework that Guarantees Good Governance

Those who are on email you may actually receive these letters by Friday evening. It is my intention to say for the record that the Implementation Committee was established before the 1st of April 2007.

The letter of invitation will request all groups to give their reply by 14th April 2007. Between the 1st of April and the 14th of April, CPIA will compile all the necessary documents that are needed to facilitate the work of the Implementation Committee and these include the Chidyausiku Report, the rejected Draft

Constitution, NCA Draft Constitution, the Lancaster House Constitution and its amendments, and other relevant documents.

The Group of Eminent Persons will decide when the first meeting of the Implementation Committee will take place. It will be my recommendation to the Eminent Persons that this committee should meet not later than the 21st of April 2007. Further, between the 1st and 21st of April, CPIA and its members of the Group of Eminent Persons and CPIA Senior Staff will seek to pay courtesy calls to all the leaders of the political parties, to the Speaker and Deputy Speakers of Parliament, to the leaders of the ruling party and opposition parties in Parliament, to the President of the Senate, Ministry of Justice, and to other leaders in Government as well as to other leaders of the opposition parties, and the Cabinet secretary.

We hope that by the 21st of April sufficient ground will have been covered to enable us to have a successful meeting of the Implementation Committee. You may wish to ask how long will the entire process take, some may say the 2008 elections are already here. It is my view that let us concentrate on what needs to be done and the rest will take care of its self. It is my hope that by 21 September, 2007 on the International Day of Peace, Cease-fire and Non-violence we shall be in a position to come back to this body to give our report. We will ascertain the realities of the situation in the implementation process. However, time is not on our side, while we wait, the economic melt down continues. We must have a process that halts this meltdown. We have to link the political process to the economic process. This will need a holistic approach. We shall consult with economic experts, governments and other people in the economic sphere to determine how the economic process can be linked to political process.

In order for the process we are launching to succeed, there are certain ingredients that must prevail. The first ingredient is the willingness of all Zimbabweans to go forward, to be patriotic, to want to be counted among those who truly want to serve their nation when in need. The second ingredient is to have trust among ourselves as Zimbabweans. The third ingredient is to remove the element of fear among Zimbabweans. In this regard, I want to appeal to all Zimbabweans to assist in creating an environment of peace and calmness. I want to appeal to all members of political parties and workers' movement not to provoke one another. I want to appeal to the government of Zimbabwe to respect rights and lives of the citizens of Zimbabwe and to defend the lives of all Zimbabweans. Our people are the precious resources of our country, they are the engine that makes our country succeed or fail. They must be protected. Let us once more go to the spirit of the 22 of December 1987 when our leaders announced that never again will a Zimbabwean gun be turned against a Zimbabwean. The days ahead are going to be trying times. Both the government and the citizens must not be tempted to exercise power in a destructive manner.

I appeal to the International community to give Zimbabwe time and space to deal with their affairs. We are a nation which guards sovereignty jealously for it was born out of blood of young men and young women. We tend to see hidden hands even where there are none. That is the result of the experiences we went through in liberating our country.

All of us must go and report to our various organizations of what we have done in these last two days and appeal to them to develop the willingness and the trust that will allow this process to succeed. If you report correctly, by the time we come to pay a courtesy call at your offices, your leaders will have an understanding of what we are trying to do.

Thank you, Excellencies, Ladies and Gentlemen

Leonard T. Kapungu
CPIA, Executive Director

PROGRAMME

Chairperson – Dr. Leonard T. Kapungu

Monday 26 March 2007	
09:30am	Depart Harare for Mutare (from Harare Monomotapa Crown Plaza)
12:00pm – 2:00pm	LUNCH
2:00pm – 3:15pm	Registration
3:15pm – 3:30pm	TEA BREAK
3:30pm – 3:45pm	Opening Remarks and Introductions – Dr. Leonard T. Kapungu, CPIA Executive Director
3:45pm – 4:30pm	Historical Background: Zimbabwe – Towards a Framework that Guarantees Good Governance– Mr. Etherton Mpisaunga, CPIA Projects Coordinator
4:30pm – 4:45pm	Chairperson's Remarks
4:45pm – 5:00pm	Distribution of the Background Paper to participants
7:00pm	DINNER
Tuesday 27 March 2007	
7:00am – 8:00am	BREAKFAST
8:30am – 8:45am	Opening Song and Prayer - Rev. Max T. Chigwida, CPIA Director of Operations
8:45am – 9:00am	Background Paper: Zimbabwe - Towards a Political Framework that Guarantees Good Governance – Dr. Leonard T. Kapungu - Chairperson
9:00am – 10:00am	Discussion
10:00am – 10:30	TEA BREAK
10:30am – 1:00pm	Discussion
1:00pm – 2:00pm	LUNCH BREAK
2:00pm – 3:00pm	Discussion
3:00pm – 3:30pm	TEA BREAK
3:30pm – 4:30pm	Drafting Committee
7: 00pm	DINNER

Wednesday 28 March 2007	
7:00am – 8:00am	BREAKFAST
8:30am – 8:45am	Opening Song and Prayer - Rev. Max T. Chigwida, CPIA Director of Operations
8:45am – 10:00am	Adoption of the Drafting Committee's Recommendations
10:00am – 10:15am	Closing Remarks – Dr. Leonard T. Kapungu, CPIA Executive Director
10:15am	TEA AND DEPARTURE

All participants/observers are invited to the General Emmanuel Erskine Research and Documentation Centre (GERDC) – **FUNDRAISING DINNER DANCE** at the Brackenridge Resort, Vumba, on the 27th of March 2007, from 8:00pm till late.