



CONFERENCE REPORT

ZIMBABWE: TOWARDS A POLITICAL FRAMEWORK THAT GUARANTEES GOOD GOVERNANCE, MUTARE HOLIDAY INN, 26-28 MARCH 2007

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.

The communiqué stated:

- The Conference highlighted widespread concerns within Zimbabwe about the state of governance in the country. These concerns have been brought to the surface as a result of the crises facing the country in the economic, social and political spheres.
- It was recognised that governance and development are intimately linked. Without good governance structures which operate effectively, and have widespread popular support, it will be impossible to address the development challenges facing the country.
- The economic melt down and social dislocations currently being experienced can be traced back directly to weaknesses and structural deficiencies in our governance system.
- It is clear, therefore, that there is a need on the part of all stakeholders to engage in urgent confidence building measures. A commitment to constitutional reform is absolutely vital in this context. In addition, it will be important for the government to move ahead speedily to amend or repeal legislation which inhibits political and social discourse such as POSA and AIPPA.

- In addition, making progress in opening up the airwaves -- so as to allow more players --- would have a major positive impact on creating a conducive environment for meaningful and ongoing dialogue.
- The central purpose of such a dialogue is to agree on a home-grown Constitution that reflects the needs, interests and aspirations of all Zimbabweans.
- In this regard, the Conference recognised that, there is more agreement among stakeholders than divergence. This should make it possible to secure agreement on basic elements of such a reform process.
- The Conference strongly felt that the challenges facing the country can and should be addressed and resolved by Zimbabweans themselves.

Finally, it was agreed that the dialogue started at this Conference should be followed up by CPIA who will focus on the specific recommendations made. It was recommended that CPIA convenes another conference at the earliest opportunity to continue with the process.

The Mutare Conference

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 I* 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

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.

Discussion

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.

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 afore-mentioned 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.