

MDM/ 13



**IN THE CONSTITUTIONAL COURT OF ZIMBABWE**

Civil Application No. CCZ 30/13

MUTUMWA DZIVA MAWERE APPLICANT

AND

REGISTRAR GENERAL 1<sup>ST</sup> RESPONDENT

ZIMBABWE ELECTORAL COMMISSION 2<sup>ND</sup> RESPONDENT

PRESIDENT OF ZIMBABWE 3<sup>RD</sup> RESPONDENT

ATTORNEY GENERAL 4<sup>TH</sup> RESPONDENT

SUPREME COURT OF ZIMBABWE  
PO BOX CY 870 CAUSEWAY  
27 JUN 2013  
TIME 09:36  
SIGN

HARARE: Wednesday the 26<sup>th</sup> day of June 2013

Before the Honourable Mr Justice Chidyausiku, Chief Justice  
the Honourable Mr Justice Malaba, Deputy Chief Justice  
the Honourable Mrs Justice Ziyambi, Judge of Appeal  
the Honourable Mr Justice Gwaunza, Judge of Appeal  
the Honourable Mr Justice Garwe, Judge of Appeal  
the Honourable Mrs Justice Gowora, Judge of Appeal  
the Honourable Mr Justice Patel, Judge of Appeal  
the Honourable Mr Justice Hlatshwayo, Judge of Appeal  
and the Honourable Mr Justice Chiweshe, Acting Judge of Appeal

F. Mahere, for the applicant  
T. Thondlanga, for the 1<sup>st</sup> respondent  
T.M Kanengoni, with C. Nyika for the 2<sup>nd</sup> respondent  
No appearance for 3<sup>rd</sup> respondent  
No appearance for 4<sup>th</sup> respondent

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WHEREUPON, after reading documents filed of record and hearing counsel,

IT IS ORDERED THAT:

1. The applicant Mutumwa Dziva Mawere born 11 January 1960 is a citizen of Zimbabwe by birth in terms of Section 36(1) of the Constitution of Zimbabwe Amendment (No. 20).
2. The 1<sup>st</sup> respondent is interdicted from demanding the applicant to first renounce his foreign-acquired citizenship before he can be issued with a national identity document.
3. The 1<sup>st</sup> respondent is directed to issue the applicant with a national registration document forthwith and in any event before the voter registration process being conducted by the 2<sup>nd</sup> respondent in terms of Section 6 (3) of the sixth schedule to the constitution is concluded.
4. 1<sup>st</sup> respondent pay costs.

BY THE COURT

  
REGISTRAR

nk

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