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Restore Constitutional Powers of Legislation to Parliament in Zimbabwe

President Mnangagwa rejected to assent the Mines and Minerals Amendment Bill (MMAB) in September 2018. The Deputy Attorney General pointed 10 clauses of the bill which the President said were weak and needed redrafting. In July 2020 Mr Nelson Diaz, the Deputy Attorney General Legal Drafting, appeared before the Parliamentary Portfolio Committee on Mines to explain reasons for the delay in drafting the bill. His appearance followed the failure by the Minister of Justice to meet the October 2019 deadline to present the bill in Parliament. Mr Diaz pleaded for 2 weeks to produce the final draft of the bill highlighting that his drafting team was understaffed. The bill has not seen the light of day in Parliament up to now. Information obtained by CRD indicate that plans by the Ministry of Mines to amend the Gold Trade Act (Chapter 21:03) together with the Precious Stones Act (Chapter 21:06) have stalled at the research stage because drafting of the main bill (MMAB) has not been completed.

The amendments were important to curb leakages in the trading of gold and precious stones. The constitutional Amendment Bill No 2 was processed into law at lightning speed because it intends to safeguard the interests of the executive. The views of the people of Zimbabwe on the bill that were expressed through Parliament were not adopted. Consultations on the MMAB have been extensively carried out over the years but rejected by the executive. The law making process in Zimbabwe has become a preserve for the executive. The hemorrhage that the country is experiencing in the gold sector is as a result of the decision by the executive to hold on to laws and practices that promote self-interests over public accountability.