

CFU Calling

08 October 2010

EXECUTIVE NEWS

Firstly, please take that the **Open Farmers' Meeting** scheduled for next **Tuesday 12 October 2010** will be starting at **2pm** instead of the normal 3pm. This is because the meeting will be taken up entirely with Mr Rob Ward's independent fact finding workshop, which are currently being held around the country to canvass farmers' views on possible changes to our CFU Constitution and the way forward for the Union.

It is very important that we have a good attendance at the meetings as well as a good cross section of both farmers, who are farming, or who want to farm, and of ex-farmers who are no longer able or interested to farm. This is both the time and the place to air your views on your future so that they can be taken into consideration in our planning for the way forward. Please make every effort to attend this forum.

This week Rob has managed to tour the western half of the country meeting at centres in the Midlands, Matabeleland and Masvingo provinces and next week he will be covering the remaining centres as follows:

Monday 11 October 2010 – Marondera Greko Restaurant. Meeting to start at 10:00am

Tuesday 12 October 2010 – CFU Headquarters at 14:00pm

Wednesday 13 October 2010 – Mutare at Legions Club starting 10:00am

He will then be compiling a comprehensive report on his findings, which will be presented to Council in the latter part of October in order to complete the legal formalities in preparation for the proposed Emergency General Meeting at the end of November.

Also on Tuesday 12 October 2010 the regular monthly CFU Council meeting will be held at 8.30am.

Over the last two weeks or so there have been a few cases of jamba against a few farmers in attempts to evict them from their properties. In most of those cases the alleged beneficiaries have been fairly high up party officials who have obviously only recently been rewarded with gifts of productive farms or prime residences on farms.

In most cases though we can say that they have been generally unsuccessful but what has been of concern though is that the police have been once again accused of siding with the illegal person and not defending the law or the rights of the individual who is in lawful possession of the property.

We also note, with regret the sudden death of a former farmer in the Midlands province, which has been the subject of many rumours. However, at this stage all we can say is that police are investigating his unfortunate death and can only make comment once the facts are made available to us. He was not living on a farm at the time of his death.

Just reminders once again to everyone to please keep us fully updated on any disruptions, evictions or court cases. Reports should be sent to mashc@cfuzim.org and this includes any old reports or diaries of all events which have been recorded of events which have affected you personally since 2000, when the violent acquisition of property began.

We note the concerns of the Prime Minister which he has set out in his recent press statement in which he expresses his frustrations over the unilateral and unconstitutional appointments of provincial governors, judges, Attorney-General, etc.

In his statement he also expresses his frustrations over the failure to publish the report of the South African Generals, which is vital and important evidence in the exposure of many alleged heinous crimes carried out against the general population of Zimbabwe, including many of our farmers and farm workers during the 2008 election period.

Furthermore he expresses frustrations over the non-implementation of many parts of the GPA and in particular those points that were recently raised at the SADC Summit.

Nearly every point covered in his statement seriously affects us all and are grave impediments hindering the recovery of Zimbabwe as a whole, especially those of us who want to move forward, particularly with the proposals on our agricultural recovery – which includes compensation for those who no longer want to farm should the opportunity arise in the future.

This important statement has been published on our website www.cfuzim.org

We are constantly looking at our website and looking for ideas to make it more 'user friendly' and we are still picking up and repairing damage from the hit by the hacker a few months ago.

Probably the easiest way to find anything on the site is to hit the "Search" button. Click on it and write in what you are looking for and then press "Enter" on your keyboard. You are then given a full list of entries under the name which is being searched.

The site is being worked on every day and most of the information uploaded can be found under the "Newspaper Articles" section. At the bottom of the front page you will see the latest 12 articles which have been entered, which changes as new articles are entered, daily.

For those of you who are not regularly receiving our AgriZim magazine this has also been published on there. We have even beaten the publishers to it as our third edition is already on there before the hard copies have been printed and distributed! Click on "AgriZim Magazine".

For those interested in the weather we have a collection of sites, under "Weather", which give a selection of weather bulletins for Zimbabwe. We have also put the Harare one back on the front page of the website, which changes daily. If the reports are correct, which they usually are, it looks like we are heading for our normal hot weather which we experience each October.

Also on the website, under "Compensation" is our proposal as well as many interesting facts under "Land", which we hope will dispel the rhetoric about us owning 75% of the country and 41% of agricultural land etc.

If you have any suggestions on anything else you would like to see on there please let us know. It is your website and we need to know what you want on it.

There was a Wildlife Policy workshop scheduled for early this week and a huge amount of preparatory work has been done by conservation minded people. The very important workshop has now been postponed to the 15th and 16th November 2010. In the mean time, though the Permanent Secretaries of several related ministries were instead invited by government to attend a preliminary workshop.

The Union is in the process of emailing all licence fee statements to farmers who are on email and for those who are not on email we are posting them.

When you receive the statements the Union would appreciate your support. Remember, should any farmer out there who might experience difficulty in paying the subscriptions please contact the Union and discuss the matter with the Director in person.



We are pleased to announce that the CFU is at a fairly advanced stage of helping to set up the "Zimbabwe Discount Club". The club will enable members to benefit from a wide range of goods and services: Gyms, Restaurants, Hair & Beauty Salons, Catering, Groceries, Retail, Spares & Hardware, and Manufacturing to name but a few.

All Members will be given a Complimentary Zimbabwe Discount Club Card which will also be on offer to the general public for a fee. In other words CFU members will be automatic members of the Zimbabwe Discount Club! This card will help you access great deals so watch this space for more information. The Zimbabwe Discount Club will be producing a Brochure of participating companies and we will also advertise over the CFU e mail network.

This week also saw two representatives from the Union attending the Zambia National Farmers' Union's Congress and the AgriSA Annual Congress. We await their return and we will report on the respective congresses next week.

We also have our very active WormMan, Eric Harrison threatening to go underground unless he can find another premises on which to produce and demonstrate his incredible vermiculture products to the public. Should anyone be in a position to assist please contact him directly.

ARAC UPDATE NO 31.....08/10/10

Dear Farmer,

If you would like your views for the CFU consultation included, please fill in and return the Questionnaire attached to the bottom of this update!

The Press statement below was issued by CFU on the 30th September when the Union was again in the Supreme Court on behalf of its members.

Press Statement

IN THE SUPREME COURT OF ZIMBABWE CASE NUMBER SC 81/2010

Today the Commercial Farmers' Union (CFU) and several of its members made application before five judges of the Constitutional Court in Harare to seek relief against a wide range of flagrant violations of their Constitutional rights.

The CFU considers the abuses complained of to be so serious and of such national importance that the highest court has been urged to grant a moratorium effectively preventing any further eviction of any white farmer in occupation of farm land and further preventing the acquisition of any farm equipment and material.

In essence the court is being asked to order that the moratorium remains in force until such time as the Minister of Lands and the other Respondents in the application, namely the Minister of Justice, The Commissioner General of the Zimbabwe Republic Police, The Auditor General, The Minister of Finance, The Attorney-General and the Chairman of the Compensation Committee can satisfy the court that the relevant laws that apply in the land reform exercise are being complied with and that the constitutional rights of the CFU's members are being respected.

The broad issues raised for determination by the court include:

- 1.1 The manner in which the First Respondent allocates farming land by way of offer letters, leading to forced evictions and prosecutions of only white farmers, is not done in terms of the law as there is no statutory authority for what the First Respondent is

doing, and therefore since February 2009 the implementation of land resettlement has been in contravention of section 18(1)(a) of the Constitution;

- 1.2 the continued prosecution of only white persons for contravening the Gazetted Land (Consequential Provisions) Act [*Chapter 20:28*] is racially motivated and contravenes sections 23 and 18 of the Constitution, and furthermore seeks to achieve not the punishment for breaching the law, but the eviction order which is a consequence of such a conviction;
- 1.3 the failure to afford equal treatment to existing (or previous) occupiers of commercial farming land in the issue of offer letters and other rights of occupation of commercial farming land contravenes sections 23 and 18(1)(a) of the Constitution;
- 1.4 the seizure of farm equipment and materials with the support of Government officials is not being dealt with by the Executive in terms of existing law and this breaches the rights under section 18 of the Constitution of those from whom such farm equipment and materials are taken;
- 1.5 the resettlement of persons on State land based purely on racial considerations contravenes sections 23 and 18(1)(a) of the Constitution.

Only the Minister of Lands opposed the relief sought but does not deny that numerous acts of lawlessness permeate and prevail in the acquisition exercise. Regrettably the Minister of Lands seeks to "wash his hands" of acts of illegality and unlawfulness perpetuated by persons involved or having an interest or purporting to have an interest in the exercise including "public officers" as defined in Section 18(1)(a) of the Constitution which came into force in February 2009.

Because the other Respondents have not opposed the application they must be seen to agree with the relief sought. But what is most damaging, disturbing and regrettable to CFU and its members is that they have all blatantly ignored their constitutional duty in terms of Section 18(1)(a) which they have "towards every person in Zimbabwe to exercise his or her functions as a public officer in accordance with the law and to observe and uphold the rule of law."

The CFU remains most hopeful that the Court will now intervene and safeguard its members' rights by ensuring in particular that all Respondents and any other person who is a public officer involved in land matters adheres to and fulfils that duty in terms of Section 18(1)(a) of the Constitution. If public officers wash their hands of unlawfulness – even though they may not in some instances be directly involved – any hope of a restoration of law and order and the rule of law will be lost.

Deon Theron

President

Commercial Farmers' Union

30th September 2010

Our Heads of Argument have been put on our website www.cfuzim.org

The Questionnaire and farmer consultation:

We would like to know your views and will forward any responses sent in by email to: arac@cfuzim.org by 15th October. See Below.

Commercial Farmers Union: Questionnaire – Working towards a new focus

No need for a name – *just essentials and opinions!*

Province farming/farmed:	AGE:	Country and nearest town to residence:
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Please tick a box – yes if you agree, no if you disagree and '?' if you have no idea or you feel uninformed.

#	Question	Yes	No	?
1	Are you still farming?			
2	Have you attended a meeting with your CFU Regional/Commodity Chairperson in 2010?			
3	Are you registered with Valcon, the Valuation Consortium?			
4	Has the CFU met your expectations over the years?			
5	Have your expectations recently changed?			
6	Is the CFU meeting your current expectations?			
7	Does the CFU have the right goals, policies and strategies?			
8	Does the CFU have the best structure to serve members?			
9	Is the CFU leadership accountable and transparent?			
10	Does the CFU have the right people running the Union?			
11	Is the CFU membership fee good value for money?			
12	Should the CFU shrink considerably to match revenue to costs?			
13	Do you believe being a member of CFU will help you receive compensation?			
14	Do you believe the CFU will assist you in conflict resolution?			
15	Do you believe the CFU can assist you with alternative livelihood options?			
16	Should Zimbabwe have one Union to represent all farmers?			
17	Do you want to farm/continue farming in Zimbabwe?			
18	Do you think you will still be a member of the CFU beyond 2012?			
19	Do you think CFU should rebrand?			

Quick Comments

<i>Expectations - -please list your current expectations for service from the CFU in order of importance</i>	<i>CFU Strategic Focus – please list three areas you think the CFU should focus on over the next 3 years to get momentum in the right direction</i>

NATIONAL ASSOCIATION OF DAIRY FARMERS

I am back in the office after my absence due to my wife, Pam’s sudden, tragic death and endeavour to pick up the pieces again. Thank you to everyone for all the love and support you have shown me and my family during this very sad time.

I also sadly note the sudden passing of Charlie Willmans – one of our Gweru farmers and pass our condolences to his family.

Debbie Mylroie is having an operation next week and will not be in the office until approximately 15th November 2010. Marilyn Taylor will be assisting during this time.

STABEX '95 MARKETING PROGRAMME

Farmer training in; Artificial Insemination, Introduction to the Accounting Bureau System, Managing Illnesses common in HIV/AIDS patients, Calf Rearing and Preparation for Demonstration Plots. These workshops continue in Sangano, Guruve and Marirangwe this week. The turn-out has been very positive so far and we hope the trend continues.

Judging in Sangano was completed on Monday 4th October. Unfortunately judging was not done at Guruve nor Marirangwe, as both have been disqualified from the competition due to non-compliance. The Winners' Dinner is set for Saturday 23rd October in Harare and once again, we appeal to stakeholders for donations of prizes for this competition.

STABEX '95 VACCINATION PROGRAMME

Farai Tinarwo is doing mass vaccinations in the Hwange area this week and next week.

Vaccine applications continue to be processed and Fivet have received a large consignment of Quarter Evil, so remember to fill out your application form for your 2010 requirements as this program is ongoing until December 2010.

CATTLE PRODUCERS ASSOCIATION

All cattle sales in Bulawayo have been cancelled due to the Foot and Mouth outbreak and will probably only resume in January 2011! CC Sales are testing the waters this week by holding a "slaughter sale only" in Plumtree.

GRADE	AVERAGES PER KG/LIVE WEIGHT PRICES		
	HARARE	GWERU	BULAWAYO
SUPER	-	-	-
COMMERCIAL	1.58	1.78	-
CHOICE	1.72	1.69	-
ECONOMY	1.38	1.61	-
COMMERCIAL ECONOMY	-	-	-
MANUFACTURING	0.98	1.32	-
BULLS	1.41	-	-
WEANER HEIFERS	1.70	1.91	-
BULLING HEIFERS	1.83	1.77	-
LONG WEANER HEIFERS	1.67	1.92	-
COW & CALF	1.11	1.54	-
WEANER STEERS	1.54	1.36	-
LONG WEANER STEERS	1.56	1.46	-
FEEDER STEERS	1.57	1.74	-
COMMERCIAL WEANER STEERS	1.01	-	-
COMMERCIAL WEANER HEIFERS	1.31	-	-

COMMENTS AND VIEWS

Please let us know your comments and views on items contained within this issue or any other issues of CFU Calling by sending an email to us on dir@cfuzim.org Disclaimer: This email and files transmitted with it contain confidential and privileged information and are intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please -- do not read, disseminate, distribute, copy or take action in reliance on this email and delete it immediately and arrange for the deletion thereof on your server, and- notify the administrator immediately. Any unauthorised, use duplication or interception of this e-mail or any files transmitted with it is expressly and strictly prohibited. No representation, guarantee or undertaking (expressed or implied) is made or given- As to the confidentiality or security of the e-mail system' or as to the accuracy of the information in this email and any files transmitted with it is virus-free. No responsibility or liability is accepted for: the proper, complete transmission of the information contained in this email or any files transmitted with it or any delay in its receipt; or rising from or as a result of the use of or reliance on the content of this email or any files transmitted with it. Any views expressed in this email or any files transmitted with it are not necessarily the views of the Commercial Farmers' Union. Queries regarding this email or any files transmitted with it should be directed to dir@cfuzim.org. This disclaimer forms part of the content of this e-mail for purposes of section 11 of the Electronic Communications and Transactions Act 2002 (Act No. 25 of 2002).