

# CFU Calling

**19 NOVEMBER 2010**

## **FROM THE PRESIDENTS DESK**

Much is happening and our EGM is 11 days away.

I am amazed at the hype that this meeting seems to be generating. Let me assure you that we are not about to destroy or dismantle our Constitution or the Union. We are looking at strengthening both so that it can serve your expectations to best effect.

By next week we will be in a position to send out the proposed changes according to the input from you. It is not my intention to railroad anything through. The proposed changes are minimal, but will ensure that both farmers and ex farmers expectations are catered for.

We can no longer allow a few detractors to dictate divisive tactics upon us. For goodness sake, let us unite and move forward with a plan of action. Most of us find ourselves in a desperate situation. How productive are we if we keep on sending out emails about the past mistakes, injustices or stories of what we saw or experienced?

With the restructuring, Policy Document and changes to the Constitution, the staff, leadership and members of the Union will be held accountable.

It is no longer good enough to only report on meetings. (We had a good BCZ meeting that I chaired with PM Tsvangirai, Minister Biti and Minister Mashakada – see ARAC report).

It is no longer good enough to report on workshops attended. (The Director and I attended a SACAU Good Governance workshop which has been of huge benefit in getting our own governance structures right).

It is no longer good enough to report on lifts offered, or merely sharing your thoughts, or repeating what you read, or what someone else said or wrote. It is no longer good enough to shout from the rooftops and hope that those who hear you will do something to save you. We need to stop shouting, blaming, cussing, arguing, sending emails that break down instead of building up and get busy with action plans.

We may not be able to tell you about our strategies (camouflage – and not exposure - is one of the first things you put on in battle), but at least we should be able to tell you about actions taken, mistakes made, failures or victories. We should be able to tell you about what finance or discounts the Union has organised, or what actions are being undertaken on a weekly basis with compensation issues. We need to be specific and stop this trend of email waffling.

We need to be bold and set goals with target dates, and then be held accountable. Where do we want to be by February next year? What do we want to achieve by July next year? How do we measure it?

On a regular basis you should be informed of the progress, or lack thereof. There might be legitimate reasons for failure to meet the expected targets, and therefore the aim is not that you should cuss us if we fail to achieve them, but a reason for you to support us in our quest to rectify our mistakes so as to achieve the goals set on your behalf.

The past and what others did is the past. Let's focus on today and plan for tomorrow, and see if we are able to assist each other in achieving our goals.

See you at the EGM.

Deon Theron

## **EXECUTIVE NEWS**

Yesterday was the day that our weather forecasters say that traditionally our official rainy season starts. Let's see if they are correct as it has been very windy here in Harare for the past few days as well as lacking the normal heat, especially at night, which is normally experienced at this time of year.

We did see some incredible pictures of a hail storm experienced at Norton a couple of weeks ago, which were circulated on the Internet under the title of "Snow in Zimbabwe?" Although we saw those pictures we have not heard of what damage was done to any crops which may have been in the land at the time. At the same time there was also some hail experienced at Karoi but we believe there was little crop damage as it is still too early in the season.

Right now it is raining in the driest parts of the Lowveld with about 30 mm having been recorded by this morning and the gentle rain is still falling. For the sake of the remaining wildlife we certainly hope it is widespread and continues there as well as move northwards to herald the official start of the rainy season this year. Let us hear your news as well.

This week the situation has been relatively quiet although there have been a number of strikes reported on farms over new (unauthorised) wage schedules which were sent out by NEC (Agriculture) last week. Our Labour Consultant has been extremely busy assisting on these strikes this week, which are also possibly politically motivated.

There is no change in our position on labour as described in last week's CFU Calling bulletin and until the matter has been resolved at a higher level, or if necessary in the courts, we suggest that you continue to follow our advice therein.

We once again request that all incidents on farms or farmers being taken to court need to be reported to [mashc@cfuzim.org](mailto:mashc@cfuzim.org) so that it can be accurately recorded as well as assist us in dealing with the constant rumours that blight our situation on the ground.

Last week's press reported the arrest of a farmer in the Midlands who allegedly assaulted a settler on his property who had built a shack in the middle of his maize land. To our knowledge it was the other way around. Apparently he went to investigate a report from his staff and was attacked by the settler and a group of nearby settlers.

Unfortunately the poor victim went alone as he did not suspect any trouble and as a result it is his word against many others.

The official notice has been sent out to inform everyone about the **Extraordinary General Meeting** which will be held here at the Union on **30<sup>th</sup> November 2010**.

Please be advised of a "Special Congress" to be held at Agriculture House commencing at **09:00 hours**.

The Agenda is as follows:

- |               |   |
|---------------|---|
| 08:00 – 09:00 | Registration of Delegates                                     |
| 09:00 – 09:15 | Opening of Special Congress with scripture reading and prayer |
| 09:15 – 09:30 | i) Directors welcome and notice to convene                    |
|               | ii) Welcome and opening statement by CFU President            |
| 09:30 – 13:00 | In house discussion points                                    |
|               | i) CFU Strategic planning and restructuring                   |
|               | ii) CFU Policy document                                       |
|               | iii) CFU Constitution   |
|               | iv) Way forward and debate                                    |
|               | v) Closure  |

13:00 -

Lunch

It is also very important that any delegates who wish to attend should inform our offices before the 19 November 2010 – or at least by next week please. This is particularly important with regard to registering official (voting) delegates which represent farmers associations and regional committees.

We thank all of those who have so promptly sent in their subscription fees and we encourage each member to locate at least one non-paying member and encourage him to renew his membership with your Union.

The Union has received payments for licence fees in its Standard Chartered account. However, there is no record from either the depositor or in respect of which farmer, company etc the amount is for.

May we kindly request that if anybody has made any deposits into the Unions account for the months of September and October 2010 to please do the following:

1. Send proof of payment via fax to the Accounts department on 309828 and if you battle on that number send it to 309810 or via email to [cfuaccounts@cfuzim.org](mailto:cfuaccounts@cfuzim.org)
2. Send an email to [cfuaccounts@cfuzim.org](mailto:cfuaccounts@cfuzim.org) stating date of payment, amount and in respect of whom payment was made

Your urgent attention to the above will be appreciated.

Whenever members come in to pay the subscription fees to the Union as either farmers or non-farmers they are now being requested to complete a pretty comprehensive and detailed form, whether it is for a new application or just a renewal. This is being done to keep our records fully updated and your cooperation is greatly appreciated.

#### **VICE PRESIDENT LOUIS FICK.**

After the success of Louis Fick in engaging the South African Embassy in keeping a Matabele farmer on his farm, and the positive effect of the Embassy visits to Somabhula and attending the court proceedings in Chiredzi, it was decided to organise an Embassy trip around the country. After many weeks of hard work and negotiations, Louis managed to persuade South African Embassy officials to meet with farmers (and ex farmers) in various areas, including Beatrice, Masvingo, Mwenezi, Bulawayo and Gweru.

The meetings were well attended and we thank Louis for unselfishly arranging and leading the tour, and the South African Ambassador and his team from the Embassy for giving us their time to meet with our members. We also thank everyone that supported us by attending and participating.

#### **CONSTITUTION**

You are probably wondering what we have been doing behind the scenes with regard to the proposed new Constitution. We have continued to lobby in your best interests as well as getting together with other interest groups, most of whom totally agree with our position, mainly on Law and Order and property Rights.

Below is an email sent out to Business Council of Zimbabwe members, of which we are part of and of which Deon Theron is the current rotating Chairman of:

You will recall that the *Business Council of Zimbabwe*, (BCZ) set up a working group on the National Constitution to which all the Constituent members of BCZ sent a Representative. Mr N Zhou chaired the Group with Mr G Mutendadzamera as Legal Advisor. Other legal people included Messrs JF Mdenda, C Kuhuni, and F Mushoriwa.

The working Group visited all the ten (10) Provinces in the country; as well as holding two plenary sessions facilitated by Constitutional experts from South Africa. The chairpersons of COPAC also attended some of these sessions. The draft emanating from these meetings and consultations was circulated to all members.

There will be a meeting on the National Constitution with COPAC where the business sector will present its views on the proposed new National Constitution. Members of the business community will be given an opportunity to air their views on the proposed submission during the meeting.

All BCZ members are therefore being requested to bring a limited number of members to the meeting to be held on **Tuesday 23 November 2010**. The meeting will take place at **Mojo's Restaurant, 10 East Road off Cork Road** – starting at **0900hours** and should go on for the next 2 hours or so.

May each BMO provide a list of people who will be able to attend, by **no later than** end of business on **Friday 19 November 2010** to facilitate catering arrangements. We are requesting all BMOs to bring the following number of members:

<b>ZCFU 20</b>	<b>CFU 20</b>	<b>ZFU 20</b>
<b>EMCOZ 15</b>	<b>CZI 30</b>	<b>ZNCC 30</b>
<b>COMZ 30</b>	<b>ZCT 15</b>	<b>BAZ 15</b>

Please treat this matter as *urgent*.

Should any of our members have any ideas of their own on the Constitution they are welcome to contact Marc Carrie-Wilson who will gladly forward your ideas to COPAC.

Our DVD on **The Way Forward** has been completed. It documents our plight as well as explaining our proposals for the resuscitation of Zimbabwe agriculture and compensation. If possible we hope to post it onto our website [www.cfuzim.org](http://www.cfuzim.org). This facility would probably be more suited for countries outside Zimbabwe where the downloading speeds are much faster than ours. Please contact us for more information.

We go back to **Statutory Instrument 154/2010, Road Traffic (Construction Equipment and Use) Regulations**. You will recall that the implementation date for this regulation was 1 December 2010. However we are now informed by the Ministry of Transport and the Standards Association of Zimbabwe that the implementation date has been changed to June 2011. This has been caused by the huge logistical problems of catering for the requirements of 1.2 million vehicles currently on the roads in Zimbabwe.

As soon as the new Statutory Instrument amending the date is published we will copy it and make it available to you for display to any roadblock personnel who may not have been updated in the outlying Police Stations. We do suggest though that to save any delays that you should consider buying and carrying the reflective triangles which are currently available on the market, especially if you are taking a break and travelling long distances over the forthcoming holiday period.

We also remind our members that the **old licence plates** need to be replaced by 31 December 2010 in a Statutory Instrument which states that any vehicle entering the country with old number plates after the said date will be impounded at the border. The same is said to apply for vehicles with the old number plates being stopped on the roads within Zimbabwe.

We are following up for more confirmation on both the above and should there be any change we will notify you immediately.

We regret that the publication of our November copy of **AgriZim** has been delayed again at the printers due to breakdowns in the printing press. However, it is available on our website [www.cfuzim.org](http://www.cfuzim.org)

Next week will see the launch of **The Discounters Club** which we are currently advertising and making preparations for the adverts to go onto the website.

You can register today for your Discounters Club card and save as discounts of up to 20% are being offered for spares and machinery as well as at many other diverse outlets like restaurants, butcheries, gyms and supermarkets all over the country.

A comprehensive list of all discounts offered is currently being prepared and together with an application form will be attached to this issue of CFU Calling.

Otherwise you may order your discount card from The Discounters Club sales team by dropping an email to [discountersclub@cfuzim.org](mailto:discountersclub@cfuzim.org) or contact us on 04-309800/19 or 0772-434-925.

The more you participate the more companies will become involved, which will assist all parties by more business and more discounts as the competition mounts.

The Discounters Club card is just US\$ 60 for six months subscription or US\$ 100 for a 12 month subscription, which will soon be covered by the generous discounts being offered.

### **ARAC (from the desk of Ben Purcell Gilpin)**

Today as I headed along Harare drive and debated what I would write about, a gentleman waved me down seeking a lift. I asked how the day was ... he was firmly frank... it was less than satisfactory so far... He was unhappy that he was not able to meet the expectations that he had for his family. He was a trained telecom technician but now forced to work as a family's fix-it, facilitator or odd job man. Yes, he a qualified man reduced to this and unable to provide adequately for his ten year old son and six year old daughter. I suggested that things might soon improve... "Not for the next twenty years at least", he suggested, only by then would all the war vets and leaders of the revolution be dead, yes, only then could we expect people to start to live by rules again!

PM Tsvangirayi, and Ministers Biti and Mashakada spoke to us at the Business Council breakfast meeting last Friday, that seems already a very long time ago!

The PM spoke and he said enough to suggest that my more recent assessment of his leadership was not entirely fair, I came away feeling satisfied that this time at least the unilateralism of Mugabe would not prevail and that if MDC withheld its participation from any pretence at an election and any one sided rush to re-impose the will of the few on the people, there was hope. I felt indeed that the current bubble of lessened economic decline and marginal improvement since the death of the Zim dollar and the partial inclusion of MDC in the GNU was probably an acceptable move in the right direction. Whilst it had indeed given life to Mugabe ... it had in fact prevented death of the nation... any misinterpretation that this was weakness would be a mistake. The people needed respite and whilst it has come with great risk there was pragmatism that in time will I am sure render real dividends. SADC cannot again endorse the behaviour of 2008's presidential runoff and patience this time will show the value of solid endurance and non violent resistance.

Biti spoke with a broad depth and appreciation for the place where the people of Zimbabwe find themselves now thirty years on from independence. We have lost 40 years of development and twenty of technical advances. Once on a par with Angola Zim's GDP is now in the region, only greater than Lesotho and Swaziland, even Zambia is ahead. Still what remains evident here is the extent to which good faith and the confidence to do business in the light of day has been destroyed by successive bad policies and governance. In fact the economy is much larger than the GDP measures, but it hides from this classic evaluation. The country and its Minister of Finance live a frustrated, bound-up-and-prevented-from-doing-much kind of existence. Yes there is no money here, but we could get there if only there were the right policies in place and the end of the feudal paradigm that has so stealthily killed our capital and encumbered our land. Regarding land we must once again engage a market and allow an audit to expose the true situation regarding the land grab, we must de-racialise the access of farmers and make them again accountable for their finances and not dependent on the print-more philosophy of Gideon Gono!! Mashakada told of the difficulty in getting the Botswana BIPA endorsed by the other half of Government because of insistence that land investments be excluded from it... here Zimbabwe stands to lose much more...but everything must be done ensure no one foreign can own land!

That said we might feel rather ambivalent. We welcome the Southern African Litigation Centre report on the Tribunal and hope that pressure on SADC will restore a critical component in the region's judicial system. Those who receive CFU calling will have seen their statement. For the rest I have added it:

### ***SADC LEADERS UNLAWFULLY UNDERMINE REGIONAL TRIBUNAL, SAY LEGAL GROUPS*** ***Johannesburg:***

Heads of State from the Southern African Development Community (SADC) have unlawfully sabotaged the SADC Tribunal and undermined the right of citizens to access justice, according to a legal opinion submitted on Friday by a group of respected legal and human rights organisations.

The opinion contends that SADC leaders – particularly at the last Heads of State Summit in Windhoek – have deliberately undermined the Tribunal by violating regional laws and acting unconstitutionally.

"SADC leaders have unlawfully ensured that the Tribunal – a critical legal institution – can no longer function, leaving citizens without legal remedy at the regional level," said Nicole Fritz, Director of the

Southern Africa Litigation Centre. "Instead of abiding by SADC laws, our leaders have willingly and unanimously violated them – and violated our right to access justice as well."

According to the legal opinion, SADC leaders have acted unlawfully by effectively suspending the Tribunal – by making sure that it is not properly constituted and so cannot operate. SADC laws require that the Tribunal be comprised of no fewer than ten judges but the leaders have violated these laws – by failing to renew the terms of those judges eligible for reappointment or to appoint new judges to fill any vacancies so that the Tribunal no longer has enough judges to hear new cases.

The seven national, regional and international legal organisations that endorsed the opinion also believe that SADC leaders have acted beyond their constitutionally given powers and violated judicial independence and the right to effective legal remedy.

"We are also very concerned that the decision to sabotage the Tribunal was taken in bad faith – to appease Zimbabwe and to ensure that it did not have to comply with a series of rulings related to land seizures," said Fritz. "Once again, our leaders have shown that they do not take decisions based on what's good for their people – but what's best for them and the elites in power across the region."

However, the legal NGOs argue that SADC's leaders can remedy the illegality of their recent decisions and resuscitate the Tribunal by:

- Calling for an immediate extraordinary Summit to review and remedy the decisions taken in Windhoek;
- Renewing the terms of those Tribunal judges eligible for reappointment or appointing sufficient new judges to ensure the proper functioning of the Tribunal;
- Respecting – in accordance with international law – the independence of the judiciary by upholding the right of Tribunal members to security of tenure and independence; and,
- Ensuring SADC citizens have access to justice and an effective remedy at regional level.

"Even outside the legal context, the repercussions of this decision are grave", said Fritz. "SADC asks that its regional integration project be taken seriously and yet at so critical a point in time effectively disbands an institution which is vital to this project."

For more details view the following web site: [www.southernafricalitigationcentre.org](http://www.southernafricalitigationcentre.org)

Next week we will bring you an update on the CFU Review and details for the EGM on 30<sup>th</sup> November.

## COMMODITY UPDATE

### NATIONAL ASSOCIATION OF DAIRY FARMERS (from the desk of Rob Van Vuuren)

#### *DAIRY FORUMS*

Veneka Bwerinofa and Dr Rachel Stewart held very successful and well attended regional meetings and dairy forums were held in Chipinge, Matabeleland and Midlands. Thanks to the Chairmen of those areas and their support groups for sterling organization. Mutare, Mash B and Mash A meetings were postponed and new meeting dates will be discussed at the Executive Meeting on Thursday.

## CATTLE PRODUCERS ASSOCIATION

### *WEEKLY CATTLE PRICES*

GRADE	AVERAGES PER KG/LIVE WEIGHT PRICES		
	HARARE	GWERU	PLUMTREE
SUPER	1.96	-	2.00
COMMERCIAL	1.88	1.88	1.76
CHOICE	1.94	2.11	1.90
ECONOMY	1.47	1.73	1.45
COMMERCIAL ECONOMY	-	-	1.60
MANUFACTURING	1.42	1.57	1.34
BULLS	1.48	-	1.70
WEANER HEIFERS	1.58	2.45	-
BULLING HEIFERS	1.56	-	-

LONG WEANER HEIFERS	1.63	1.71	-
COW & CALF	-	-	-
WEANER STEERS	1.80	1.95	-
LONG WEANER STEERS	1.81	2.15	-
FEEDER STEERS	1.74	2.01	-
COMMERCIAL WEANER STEERS	-	-	-
COMMERCIAL WEANER HEIFERS	1.35	-	-
STANDARD MUTTON	3.45	-	-

## **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](mailto: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 arising 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](mailto: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).