# Twitter Thread by HStvNews



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**Thread day after @MyMDC_T held its Ex congress @DrThoko_Khupe chaired an alleged National council, which arrived at the resolution of firing @DMwonzora recall him from parliament. The resolutions were supposed to be read by #Phugeni then party spokesperson but he refused ...**

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2020, year of worst circumstances: Gurira Page 11

Southern Eye

# MDC-T legal battle looms

BY RICHARD MUPONDE

A BRUTAL legal showdown is looming between two main claimants to the MDC-T throne, Thokozani Khupe *(right)* and Douglas Mwonzora *(left)* — who controversially won the party's presidency at a chaotic extraordinary congress held in Harare on Sunday — after the former instructed her lawyers to file an urgent court application seeking the annulment of the election results.





The two erstwhile protagonists teamed up to dislodge firebrand youthful politician Nelson Chamisa from the helm of the party after successfully challenging the constitutionality of his ascendency to its leadership at the Supreme Court in March.

However, no sooner had they succeeded than their paths crossed as they fought for the heart and soul of the opposition party.

Mwonzora trounced Khupe by 883 to 118 votes, but she has refused to recognise the result saying the election was rigged.

Khupe held a press conference to immediately "suspend" Mwonzora.

She also suspended the congress in the middle of voting, citing rigging by Mwonzora.

The congress was characterised by violence leading Khupe to abandon the process along with the other presidential aspirants, Elias Mudzuri and Morgen Komichi.

Mwonzora's victory was announced in the wee hours of Monday by the MDC-T's independent electoral management body.

Khupe, Komichi and Mudzuri disputed the process describing it as a sham.

Addressing a press conference at a local hotel in Harare yesterday, Khupe's spokesperson Kaliphani Phugeni confirmed that the matter was now being handled by lawyer Lovemore Madhuku, who has been tasked to prepare a legal challenge seeking an order nullifying the proceedings of the congress and Mwonzora's win.

"As I was coming here I was phoned by the party lawyer Lovemore Madhuku pertaining the issue. The matter is

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## US wasting millions on Zim election process: Report

BY GARIKAI MAFIRAMUREVA

THE United States (US) Senate has predicted Zanu PF leader, President Emmerson Mngangagwa, would win the 2023 presidential election despite Washington pouring in millions of dollars to democratise the country.

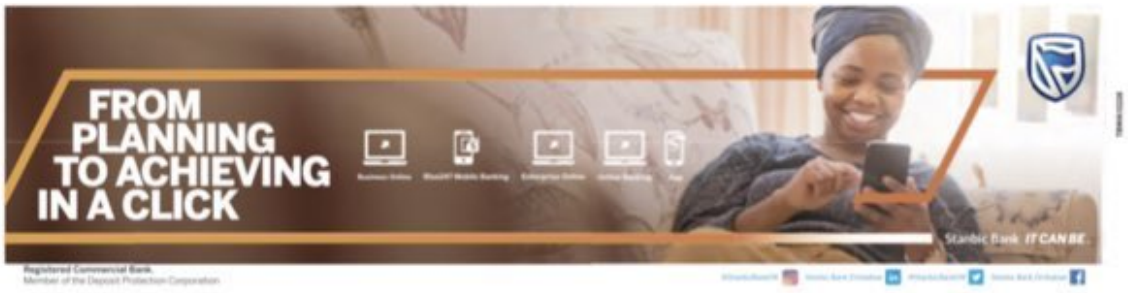
In a damning 2020 Festivus report, presented to the US Upper House, senator Rand Pau on Monday accused the US Agency for International Development (USAID) of spending US$10 million taxpayers' money on a futile attempt to help reform Zimbabwe's political processes, especially elections.

He described the process as a waste of funds as they would not help unseat Mnangagwa whom he tips to retain the presidency by "hook or crook" in 2023.

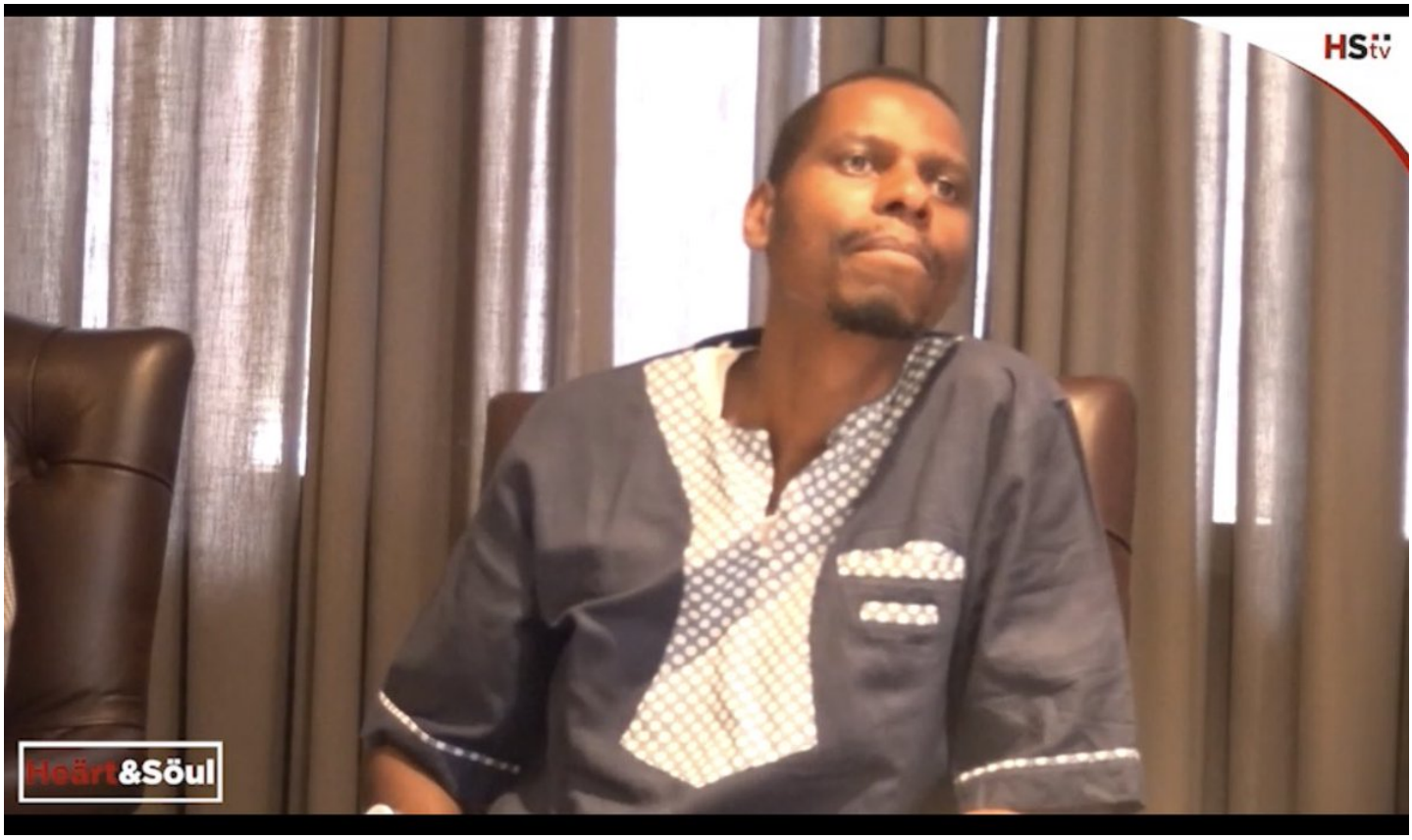
According to Paul's report, the Congressional Budget Office says the 2020 fiscal year deficit was an eye-watering US$3,1 trillion, with some expenditure traceable to COVID-19 related spending, but a lot of it was spent ostensibly without care on unnecessary progammes including "an already rigged 2023 forthcoming Zimbabwean election".

The report went on to say although Mnangagwa promised to be a reformer on his ascension to power after the military removed long-serving ruler Robert Mugabe from power in a November 2017

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We share with you the resolutions which were withheld last minute at a Press conference addressed yesterday on advice from @ProfMadhuku - below are the full resolutions.




NATIONAL COUNCIL MEETING RESOLUTIONS
28 Dec 2020

Upholding and Respecting the Supreme Court Judgment (SC56/2020) which ordered the holding of an EO C in terms of the party constitution to elect a substantive replacement for the late Party President Dr Morgan Richard Tsvangirai.



Acknowledging that the same Supreme Court judgement recognises the existence of the constitution of the MDC without any qualifications.
Affirming that the Supreme Court judgement doesn't entail deviating from the clear provisions of our constitution.



Realising that some members of the Party have left the party and joined or formed other political parties, and that by that fact alone, the said members have renounced their membership of the party.
Acknowledging the resolutions of the N Cof 9 May 2020, which meeting resolved to

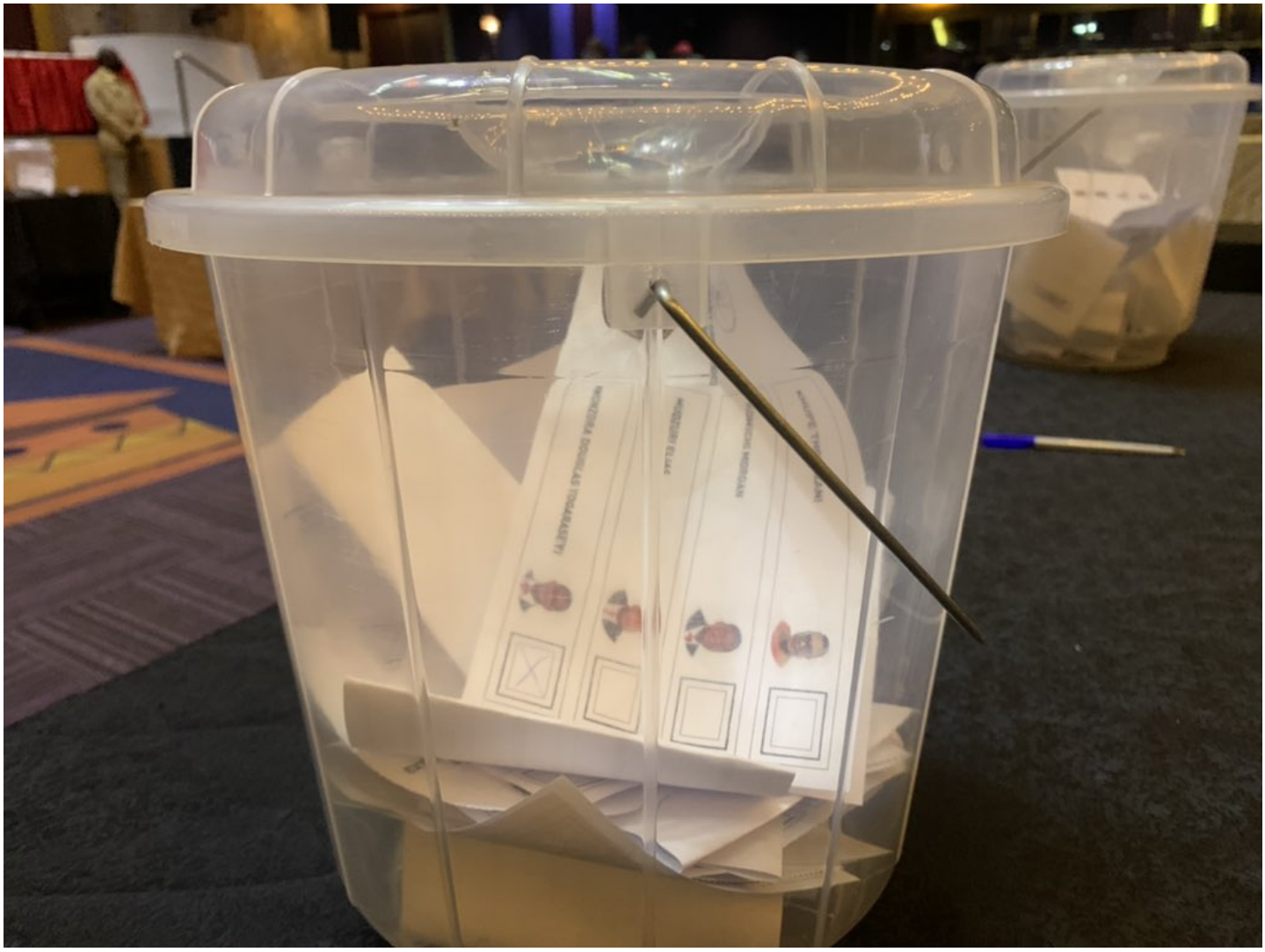


(i) acknowledge the 31st March 2020 Supreme Court judgment
(ii) . go for the ordered EO Congress in line with the party constitution
(iii) recall those elected members, in parliament and local government, who have chosen to join or support or form other political parties.



Recognising all National Standing Committee meetings held to date and decisions taken thereof and the latest Supreme Court judgment which extended the deadline to hold the Extraordinary Congress from 31st July 2020 to 31st December 2020

Reiterates its adherence to its



Founding Values and Principles of Constitutionalism, Transparency, Democracy, Accountability, Fairness as well Nondiscrimination among others.



Condemns increasing illdiscipline exhibited by some members of the party and is calling upon all to moderate behaviour to be in conformity with the founding values and principles of the party.



Acknowledging that the EOC was an MDC T constitutional exercise and not a Court congress, so whatever decisions we make as a party bind all the membership, that the EOC held in Harare on 27th December 2020 was a nullity and stands condemned with contempt.



Notes with disdain the deviant behaviour of the Secretary General in the run up and during the Extraordinary Congress



Condemns with contempt, the conduct of the Mr. @DMwonzora of sabotaging the party, through creation of a fraudulent Voters Roll, Embezzlement of party funds as well as organising and coordinating violence targeting other candidates in the EOC.



Endorse and uphold the move made by the Acting President, Dr. Thokozani Khupe to immediately call off the Shame EOC and the Suspension of Secretary General Douglas Mwonzora.
Pursuant to the Supreme Court Judgement SC56/2020 this National Council resolves the following;



1. Unanimously agree to expel the Secretary General Mr. @DMwonzora, institute criminal charges as well as recall from the senate together with those leaders who worked in cahoots with him both in their various capacities, including some as Members of Parliament, and Councillors.




2. Pursue all legal avenues and any means necessary to recover the funds that were fraudulently withdrawn from @MyMDC_T coffers by @DMwonzora

3. That the party's legal teams look into the issue of the 31st Dec deadline imposed by the S C variation in view of the 27 Dec charade.

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29 December, 2020

**The Standing Committee**

Movement for Democratic Change (Tsvangirai)

Harvest House

44 Nelson Mandela Avenue

Harare

**RE: LEGAL OPINION re EXTRAORDINARY CONGRESS (27 DECEMBER, 2020)**

As head of the legal team that has been representing the MDC-T in various legal challenges that arose from the implications of the Supreme Court judgment in **SC 56/20**, I believe it is my professional duty to offer the legal opinion below in the light of differences that appear to be emerging among the leaders of your party.

Whatever differences may be emerging, it is important that you make your decisions on the basis of an informed legal position. Given the seriousness of the issues arising, you may require more than one legal opinion.

I am aware of the following facts:

1. At some point in time on 27 December 2020, the extraordinary Congress was duly called to order and opened at the Rainbow Towers in Harare.

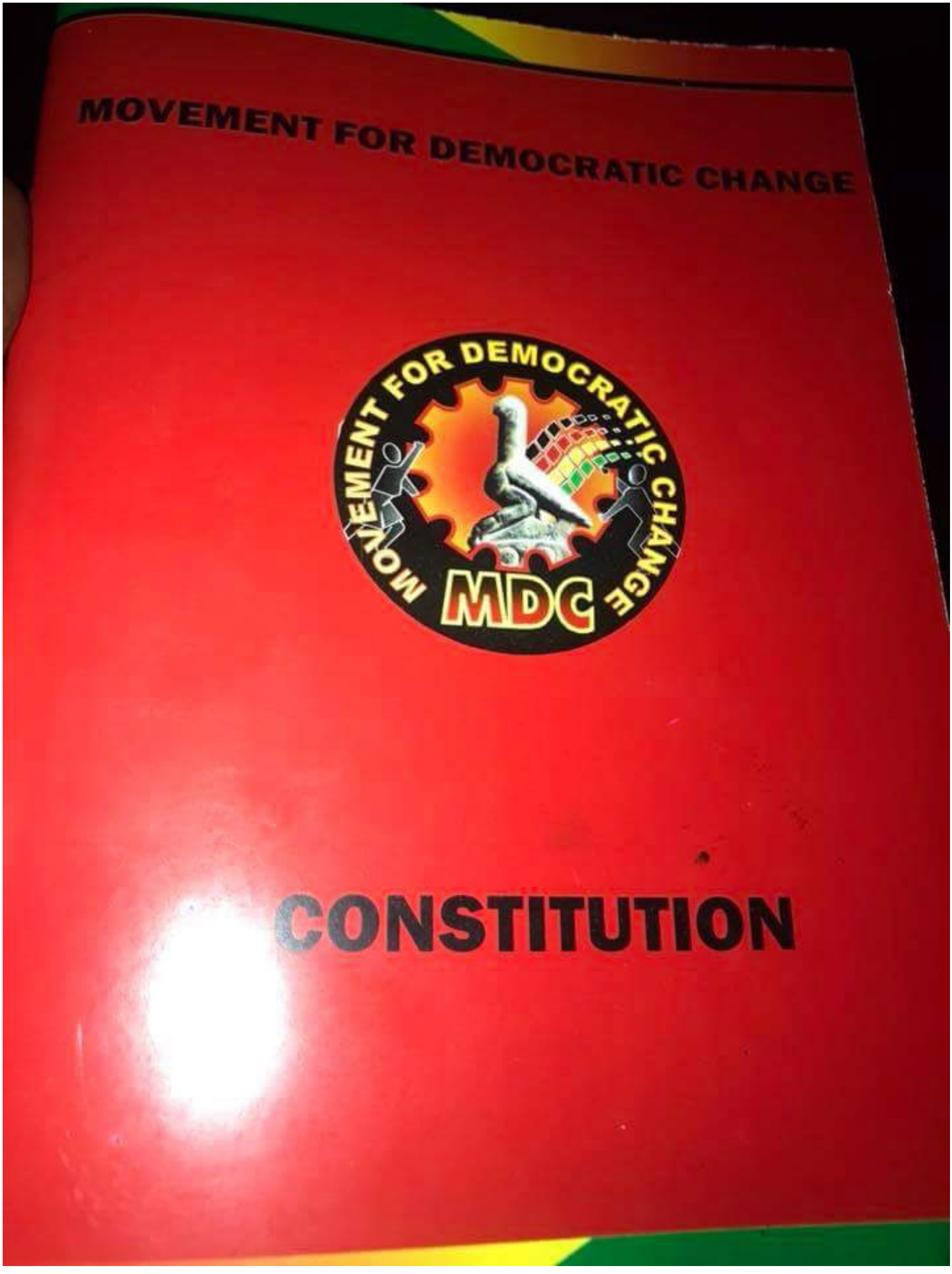
2. The delegates constituting the extraordinary Congress were advised of the sole purpose of the meeting, namely "to elect a President of the party to replace the late Dr. Morgan Richard Tsvangirai".

3. The four candidates who had been duly nominated were introduced to the delagates. The four candidates were Dr. Thokozani Khupe, Morgan Komichi, Elias Mudzuri and Douglas T. Mwonzora.

4. Denounce the so called EOC resolutions circulating on Social Media and accordingly dismiss them as a nullity with no effect on whatsoever discussions and resolutions made by this council.




5. Pursuant to article 18 of the MDC T cons, the current Standing committee members have positions affirmed until next EOC at a date that shall be determined considering the readiness of the electoral register of 2014 structures, resources to support the electoral process.




6. Pursuant to the previous resolutions of this council, the members of the standing committee to continue to engage other national stakeholders towards finding a national solution that will make the lives of ordinary Zimbabweans better than what

they are today.



7. Pursuant to our values and mission, the party organs to continue to build and consolidate influence in a positive and non-violent manner.

