

CASE NO. CCZ.....

**IN THE CONSTITUTIONAL COURT OF ZIMBABWE
HELD AT HARARE**

.

In the matter between

MOREPRECISION MUZADZI

APPLICANT

And

PRESIDENT EMMERSON D MNANGAGWA

1ST RESPONDENT

And

SPEAKER OF PARLIAMENT

2ND RESPONDENT

And

MINISTER OF JUSTICE

3RD RESPONDENT

And

ZIMBABWE ELECTORAL COMMISSION

4TH RESPONDENT

AND

ZIMBABWE HUMAN RIGHTS COMMISSION

5TH RESPONDENT

AND

ATTORNEY GENERAL

6TH RESPONDENT

.

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DATED AT HARARE THIS 29th OF OCTOBER 2025

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6TH RESPONDENT

**COURT APPLICATION AS PROVIDED FOR IN SECTION 167(5a) OF THE
CONSTITUTION OF ZIMBABWE 2013 AND RULE 22(1) OF CCZ RULES 2016.**

**TAKE NOTICE THAT the Applicant intends to apply to the Constitutional Court for the
Order in terms of the Draft Order annexed to this notice and that the accompanying
Affidavits and documents will be used in support of the application.**

If you intend to oppose this application you will have to file a Notice of Opposition in form CCZ 2, together with one or more opposing affidavits with the Registrar of the Constitutional Court at HARARE within 10 days after the date on which this notice was served upon you. You will also have to serve a copy of the Notice of Opposition and Affidavits on the Applicant at the address for service specified below. Your affidavits may

have annexed to the documents verifying the facts set out in the affidavits.

If you do not file an opposing affidavit within the period specified above, this application will be set down for hearing at the Constitutional Court at Harare without further notice to you and will be dealt with as an unopposed application.

DATED at HARARE this 29th day of October 2025.

MOREPRECISION MUZADZI
APPLICANT
Yambukai Finance, Chiedza House
5th Floor, 144 Kwameh Krumah/1st
Harare

To The Registrar

Constitutional Court

Harare

AND TO: PRESIDENT EMMERSON D MNANGAGWA

Munhumutapa building, Cnr Samora Machel & Sam Nujoma Street

HARARE

AND TO: SPEAKER OF PARLIAMENT

New Parliament building, Mt Hampden

HARARE

AND TO: MINISTER OF JUSTICE

New Government Complex, Cnr Samora Machel & Simon V Muzenda Street

HARARE

AND TO: ZIMBABWE ELECTORAL COMMISSION

Mahachi Quantum Building, 1 Nelson Mandela Avenue

HARARE

AND TO: ZIMBABWE HUMAN RIGHTS COMMISSION

144 Samora Machel Avenue

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Mgandane Dlodlo building, Cnr Simon V Muzenda & Samora Machel Avenue

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6TH RESPONDENT

ADDRESS FOR SERVICE

TAKE NOTICE THAT the Applicants address for service is Yambukai Finance, Chiedza House, 5th floor, 144 Kwameh Nkrumah/ 1st street, Harare.

DATED at HARARE this 29th day of OCTOBER 2025



MOREPRECISION MUZADZI
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AND

ATTORNEY GENERAL

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APPLICANT'S AFFIDAVIT

**I, the undersigned, MOREPRECISION MUZADZI, do hereby make oath and swear that;-
I am the Applicant in this matter and the facts that I depose herein are to the best of my
knowledge and belief, both true and correct.**

PARTIES TO THE APPLICATION

1. The Applicant is MOREPRECISION MUZADZI, a male adult politician whose address for service is 5th Floor, Chiyedza House , 144 Kwame Nkrumah Avenue, Harare.

2. The 1st Respondent is PRESIDENT EMMERSON D MNANGAGWA. His address for service is Munhumutapa building, Cnr Samora Machel & Sam Nujoma Street , Harare.

3. The 2nd Respondent is SPEAKER OF PARLIAMENT. His address for service is New Parliament building, Mt Hampden, Harare

4. The 3rd Respondent is MINISTER OF JUSTICE. His address for service is New Government Complex, Cnr Samora Machel & Simon V Muzenda Street, HARARE

5. The 4th Respondent is ZIMBABWE ELECTORAL COMMISSION , whose address for service is Mahachi Quantum Building, 1 Nelson Mandela Avenue, HARARE

6. The 5th Respondent is ZIMBABWE HUMAN RIGHTS COMMISSION, whose address for service is 144 Samora Machel Avenue HARARE

7. The 6th Respondent is the ATTORNEY GENERAL, whose address for service is Mgandane Dlodlo building, Cnr Simon V Muzenda & Samora Machel Avenue HARARE

BACKGROUND TO THE CLAIM

8. In August 2023, the 1st Respondent took an Oath or affirmation of Office as the President of Zimbabwe. This was his second and final term as President of Zimbabwe. The Presidential term is 5 years according to the Constitution of Zimbabwe.

9. OATH OR AFFIRMATION OF PRESIDENT AND VICE-PRESIDENTS

I.....swear [or solemnly affirm] that as President [or Vice-President] of Zimbabwe I will be faithful to Zimbabwe and will obey, uphold and defend the Constitution and all other laws of Zimbabwe, and—

that I will promote whatever will advance, and oppose whatever may harm, Zimbabwe;

•that I will protect and promote the rights of the people of Zimbabwe;

•that I will discharge my duties with all my strength to the best of my knowledge and ability and true to the dictates of my conscience; and

•that I will devote myself to the wellbeing of Zimbabwe and its people. So help me God

10. Chapter 5, Section 95. Term of office of President and Vice-Presidents. (1)The term of office of the President or a Vice President commences on the day he or she is sworn in and assumes office in terms of section 94(1)(a) or 94(3)...and, except as otherwise provided in this Constitution, their terms of office are five years and coterminous with the life of Parliament.

11. The 1st Respondent attended his political party (Zanu PF) Conference that was held in Mutare, from the 13th-18th of October 2025. A resolution was made on the 18th of October 2025 by the 1st Respondent's political party (Zanu PF) at the Conference, to direct the 2nd and 3rd Respondent to do everything to ensure the 1st Respondent stays in Office as President until 2030. That's 2 years beyond the Constitutional limit. According to the Constitution of Zimbabwe, the 1st Respondent's final term ends in 2028.

11.

12. The resolution to keep the 1st Respondent in Office as President until 2030 was read by the 3rd Respondent in the presence of both the 1st and the 2nd Respondent, who are the President and the Speaker of Parliament respectively. Note that the 3rd Respondent is the Minister of Justice.

13. The 1st, 2nd and 3rd Respondents all took an Oath of Office to obey, uphold, respect & defend the Constitution under the Third Schedule as President and Cabinet Ministers. The irony of it all is that, the reading of a resolution to violate the Constitution & the political rights of the Applicant & of citizens of Zimbabwe was done by the Minister of Justice, who is the 3rd Respondent.

14. The resolution means the President shall not call for general elections in 2028 as required by Chapter 5, Section 110(e) in collusion with 2nd Respondent. Effectively this means the Executive & Legislature are colluding not to have regular elections in 2028 as required by the Constitution.

15. Chapter 6, Section 143. Duration and dissolution of Parliament. (1) Parliament is elected for a five year term which runs from the date on which the President-elect is sworn in.

16. This resolution seeks to suspend Presidential, Parliamentary and Council elections that are supposed to be held in 2028 according to the Constitution.

17. This is not a minor infringement of the Constitution but a massacre of numerous chapters, Sections, clauses, rights, freedoms and obligations by the 1st Respondent with the collusion of the 2nd & 3rd Respondents.

18. If allowed to go through with their resolution, the Applicant, and all citizens of Zimbabwe and political parties will have been denied their political rights under Chapter 4, Section 67. 1st Respondent is acting ultravires the Constitution

19. Chapter 4, Section 67. Political rights. (1) Every Zimbabwean citizen has the right -- (a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and (b) to make political choices freely.

CAUSE OF ACTION

20. The President of Zimbabwe & his Party have just endorsed a resolution to extend his term in Office from 2028 to 2030 in violation of the Constitutional term limits. This extension means that there will not be Elections in 2028, violating several clauses of the Constitution, mainly the political rights of the Applicant, citizens & political parties to vote for President & Parliamentarians in regular elections .

21. They have assigned the Minister of Justice and the Speaker of Parliament to remove everything from the Constitution that hinders the President from staying in power, starting now until October 2026. They are going to destroy the new 2013 Constitution that was voted in by over 90% of Zimbabweans.

22. Section 67. Political rights

(1) Every Zimbabwean citizen has the right-

a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and

(b) to make political choices freely.

(2) Subject to this Constitution, every Zimbabwean citizen has the right—

(a) to form, to join and to participate in the activities of a political party or organisation of their choice; (b) to campaign freely and peacefully for a political party or cause; (c) to participate in peaceful political activity; and (d) to participate, individually or collectively, in gatherings or groups or in any other manner, in peaceful activities to influence, challenge or support the policies of the Government or any political or whatever cause.

(3) Subject to this Constitution, every Zimbabwean citizen who is of or over eighteen years of age has the right— a) to vote in all elections and referendums to which this Constitution or any other law applies, and to do so in secret; and (b) to stand for election for public office and, if elected, to hold such office. (4) For the purpose of promoting multiparty democracy.

23. The President of Zimbabwe & his party Zanu PF have just endorsed a Resolution to extend the President's term of Office from 2028 to 2030 by misconstruing Chapter 5, Section 91(2). They think they have a loophole in the clause to give the President 2 more years since the clause doesn't count anything under 3 years as a term.

24. Section 91(2) A person is disqualified for election as President or Vice-President if he or she has already held office as President under this Constitution for two terms, whether continuous or not, and for the purpose of this subsection three or more years' service is deemed to be a full term. As you can see, nothing in the clause remotely suggests that the mandatory 5 year term limit for the President can be violated by this clause. It's insanity!

25. So in 2028, instead of the President calling for elections under Chapter 5, Section 110(e), he will not do so with the collusion of a defunct Parliament. This is an egregious violation of the Constitution by the President. He is violating his oath of office, Political rights of citizens & political parties under Chapter 4, violating Presidential term limits under Chapter 5(Section 95), as well as the clause on amendments to the Constitution (Section 328).

26. Citizens & political parties have a right to regular elections (every 5 years) under Chapter 4 (Section 67), Chapter 5 (Section 95), & Chapter 7 (Section 155). The term of office of the President is 5 years and is coterminous with the life of Parliament- Chapter 5, Section 95.

27. Section 95 Term of office of President and Vice-Presidents (1) The term of office of the President or a Vice President commences on the day he or she is sworn in and assumes office in terms of section 94(1)(a) or 94(3)...and, except as otherwise provided in this Constitution, their terms of office are five years and coterminous with the life of Parliament.

28. According to the Constitution of Zimbabwe, the current President cannot go beyond 2028. Even an amendment of the Constitution forbids him from being a beneficiary of such an amendment.

29. Section 328 Amendment of Constitution. (1) In this section "Constitutional Bill" means a Bill that seeks to amend this Constitution; "term-limit provision" means a provision of this Constitution which limits the length of time that a person may hold or occupy a public office. (6) Where a Constitutional Bill seeks to amend any provision of Chapter 4...(5), it must be submitted to a national referendum.

30. Section 328(7) *Notwithstanding any other provision of this section, an amendment to a term limit provision, the effect of which is to extend the length of time that a person may hold or occupy any public office, does not apply in relation to any person who held or occupied that office, or an equivalent office, at anytime before the amendment.*

31. *The President is seeking to stay in Office until 2030 without a referendum or mandate from the people. Power to govern is derived the people*

32. Chapter 5, Section 88. *Executive authority*

(1) *Executive authority derive from the people of Zimbabwe and must be exercised in accordance with this Constitution.*

33 . *The President took an oath of office to protect & defend the Constitution & the rights of citizens.*

34. OATH OR AFFIRMATION OF PRESIDENT AND VICE-PRESIDENTS

I,.....swear [or solemnly affirm] that as President [or Vice-President] of Zimbabwe I will be faithful to Zimbabwe and will obey, uphold and defend the Constitution and all other laws of Zimbabwe, and—...

that I will protect and promote the rights of the people of Zimbabwe.

35 . *The President has violated his Oath of Office by endorsing a resolution by his Party Zanu PF to make him stay in Office as President of Zimbabwe beyond his Constitutional limit & without a mandate from the people of Zimbabwe & without having a Referendum.*

36. *The Constitutional violations are ineffable & warrant his summoning by ZHRC under Chapter 12, Section 244(1a) & Section 243.*

37. Chapter 12, Section 244 *Reports to and by Zimbabwe Human Rights Commission*

(1) The Zimbabwe Human Rights Commission may require any person, institution or agency, whether belonging to or employed by the State or otherwise -

(a) to inform the Commission of measures they have taken to give effect to the human rights and freedoms set out in the Declaration of Rights; and

(b) to provide the Commission with information it needs to prepare any report required to be submitted to any regional or international body under any human rights convention, treaty or agreement to which Zimbabwe is a party.

38. Chapter 12, Section 243. Functions of Zimbabwe Human Rights Commission

1) The Zimbabwe Human Rights Commission has the following functions -

(a) to promote awareness of and respect for human rights and freedoms at all levels of society;

(b) to promote the protection, development and attainment of human rights and freedoms;

c) to monitor, assess and ensure observance of human rights and freedoms;

(d) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;

e) to protect the public against abuse of power and maladministration by State and public institutions and by officers of those institutions;

(f) to investigate the conduct of any authority or person, where it is alleged that any of the human rights and freedoms set out in the Declaration of Rights has been violated by that authority or person.

(g) to secure appropriate redress, including recommending the prosecution of offenders, where human rights or freedoms have been violated.

39. Zimbabwe's Parliament shall be used in the mutilation of the Constitution without a referendum. The Parliament is defunct right now. If we had a functional Parliament, the violations of the Constitution by the President warrant his removal under Section 97 of the

Constitution of Zimbabwe. My Draft Order will seek to convict the President of Constitutional violations and order Parliament to remove the President under Section 97.

40. Chapter 5, Section 97. Removal of President or Vice-President from office.

President should be removed from office for;

(a)serious misconduct; (b)failure to obey, uphold or defend this Constitution; (c)wilful violation of this Constitution;

41. Section 166 Constitutional Court

(3) Cases before the Constitutional Court—

(a) concerning alleged infringements of a fundamental human right or freedom enshrined in Chapter4,...must be heard by all the judges of the Court;

42. Section 167. Jurisdiction of Constitutional Court

(2) Subject to this Constitution, only the Constitutional Court may—

(d) determine whether Parliament or the President has failed to fulfil a constitutional obligation.

(3) The Constitutional Court makes the final decision whether an Act of Parliament or conduct of the President or Parliament is constitutional

REASONS FOR THE APPLICATION RELIEF SOUGHT

43. Chapter 4, Section 67. Political rights

(1) Every Zimbabwean citizen has the right-

a) to free,fair and regular elections for any elective public office established in terms of this

Constitution or any other law; and

(b) to make political choices freely.

44. The President of Zimbabwe & his party Zanu PF have just endorsed a Resolution to extend the President's term of Office from 2028 to 2030 by misconstruing Chapter 5, Section 91(2). They think they have a loophole in the clause to give the President 2 more years since the clause doesn't count anything under 3 years as a term.

45. Chapter 5, Section 91(2). A person is disqualified for election as President or Vice-President if he or she has already held office as President under this Constitution for two terms, whether continuous or not, and for the purpose of this subsection three or more years' service is deemed to be a full term.

46. As you can see, nothing in the clause remotely suggests that the mandatory 5 year term limit for the President can be violated by this clause. It's insanity!

47. Section 166 Constitutional Court. (3) Cases before the Constitutional Court—

(a) concerning alleged infringements of a fundamental human right or freedom enshrined in Chapter 4, ... must be heard by all the judges of the Court;

48. Section 167 Jurisdiction of Constitutional Court

(2) Subject to this Constitution, only the Constitutional Court may—

(d) determine whether Parliament or the President has failed to fulfil a constitutional obligation.

(3) The Constitutional Court makes the final decision whether an Act of Parliament or conduct of the President or Parliament is constitutional

GROUNDS FOR DIRECT ACCESS

49. I humbly aver that it is in the interest of justice for an order of direct access to be granted in this matter. This matter is about upholding the Bill of rights Chapter 4, Section 67 that are being undermined by the President of Zimbabwe .

CONCLUSION

50. This matter has High prospects of success given the clear and incontrovertible provisions of the Constitution on the Bill of rights. There's is no other remedy and it is in the interest of justice for an order of direct access to be granted.

Applicant prays that judgment may be entered according to the Draft Order.

THUS SWORN TO AT HARARE THIS.....OCTOBER 2025

SIGNED BY.....

MOREPRECISION MUZADZI

BEFORE ME.....

COMMISSIONER OF OATHS

Annexure A



Republic of Zimbabwe

VISION 2030

*"Towards a Prosperous & Empowered Upper
Middle Income Society by 2030"*

SEPTEMBER 2018

FOREWORD

The month of November 2017 saw the advent of a new era in Zimbabwe, with a new Dispensation.

The priorities of the new Dispensation are:

Re-orientation of the country towards democratisation;

Respect for human and property rights;

Freedom of expression and association;

Rule of law;

Redressing economic challenges;

Championing investment and business;

Improving the livelihoods of the ordinary citizenry; and

Re-engaging with the international community.

Under this new Dispensation, my Government is working towards building a new

Zimbabwe, a country with a thriving and open economy, capable of creating opportunities for investors and employment. In this regard, my Government will leave no stone unturned in transforming Zimbabwe into a knowledge driven and industrialising *Upper Middle Income Economy* by 2030.

As a new Administration we were categorical from the onset that focus would be on putting in place policies and measures to regain investor confidence lost over the last two decades.

This, as I already alluded to, would be buttressed by upholding *Democratic Principles, Rule of Law and Property Rights*.

The international community responded positively to these developments, thereby opening prospects for new co-operation.

It is, therefore, critical that as a country, we position ourselves to maximise on the goodwill of our people and the rest of the world. This calls for us to break from the past and move along a commonly shared Vision to take forward the destiny of our Nation.

My Government has, therefore, developed Zimbabwe's **Vision** beyond the next decade. In this regard, I am pleased to unveil our **Zimbabwe Vision 2030**.

Vision 2030 reflects the collective aspirations and determination of the people of Zimbabwe towards a *Prosperous Upper Middle Income Nation by 2030*.

The objectives of **Vision 2030** align with those of **Agenda 2063**, which is the African Union's 50 year Vision, running from 2013 to 2063.

Vision 2030 also takes into cognisance the United Nations' Sustainable Development Goals covering the period 2016-2030.

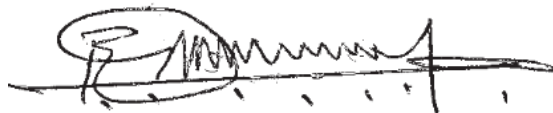
The realisation of **Vision 2030** will depend on the actions and measures that we undertake through *Short and Medium-Term National Development Plans* as Government, private sector, cooperating partners, civil society and as individuals.

Hence, **Vision 2030** will guide our Transitional Stabilisation Programme (2018-2020), and successive *Five-Year Medium-Term Development Strategies* (2021-2025) and (2026- 2030). These Development Strategies will outline policies, projects and programmes upon which long term objectives and targets will be realised.

Accordingly, I as President, will provide the necessary leadership and guidance for the realisation of this **Vision** towards a *Prosperous Upper Middle Income Nation by 2030*.

I, therefore, call upon all Zimbabweans, from all spheres of life not to be left behind and collectively take up this challenge and elevate this Nation to new prosperity.

God bless this great and peace-loving Nation.

A handwritten signature in black ink, featuring a large, stylized initial 'E' followed by a series of connected loops and a long horizontal stroke extending to the right.

Emmerson Dambudzo Mnangagwa

President of the Republic of Zimbabwe

September 2018

Annexure B



 **Zim Breaking News** · [Follow](#)

Zim Breaking News :The Zanu PF conference has directed the Minister of Justice Ziyambi Ziyambi, who is also the party's Legal Secretary, to begin legal processes to extend President Dr ED Mnangagwa's term by two years to 2030.

The party directed Ziyambi to implement the resolution by October 2026.

1.The 22nd ZANU PF National People's Conference unanimously resolved that the Presidential term of His Excellency, President Emmerson Dambudzo Mnangagwa, be extended beyond 2028. Delegates affirmed that President Mnangagwa's visionary leadership, marked by stability, economic recovery, and transformative national development, must continue to guide the nation beyond the current constitutional term limit.

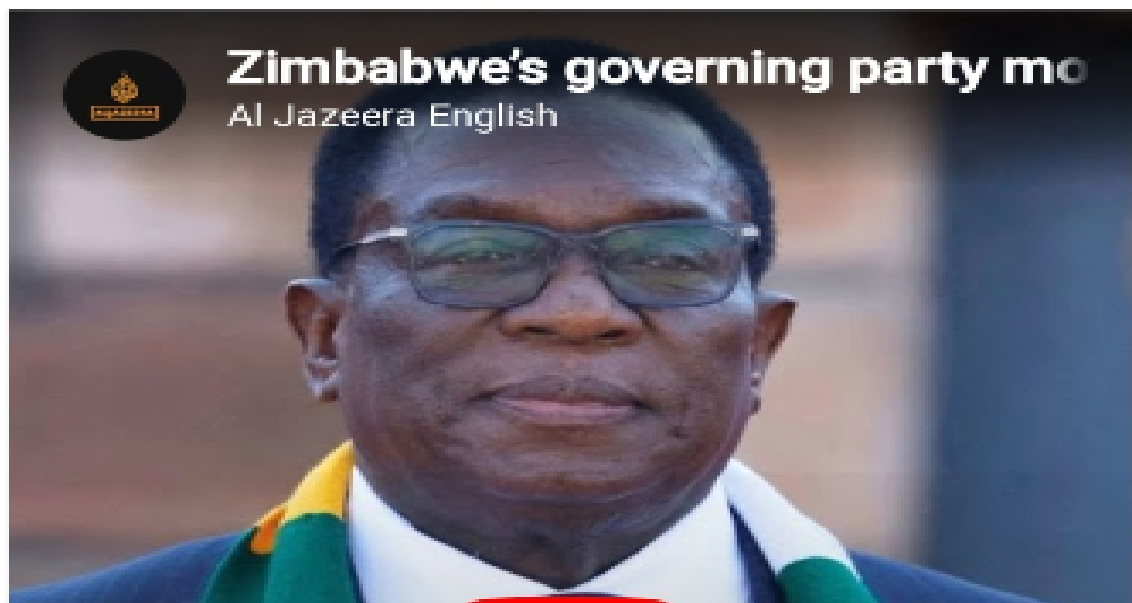
2.The Conference further directed that both the Party and Government put in place the necessary legal, constitutional, and administrative measures to ensure that this resolution is fully implemented and operationalised by the time of the next Conference.



Annexure C

18 its decision to support extending President Emmerson Mnangagwa's term in office until 2030.

"it is resolved that his term of office as President of the Republic of Zimbabwe be extended beyond 2028 to 2030," said Ziyambi Ziyambi, the party's secretary for legal affairs, during the ZANU-PF's 22nd Annual National People's Conference.



Annexure D

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6TH RESPONDENT

APPLICATION IN TERMS OF CHAPTER 4, SECTION 67 OF THE CONSTITUTION

TAKE NOTICE that the Applicant intends to apply to the Constitutional Court in terms of Section 67, of the Constitution for declaratory order that 1st Respondent's conduct violates the political rights of Applicant under Chapter 4, Section 67, 1(a&b).2(a-d), 3(a & b).

Section 67. Political rights

(1) Every Zimbabwean citizen has the right-

a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and

(b) to make political choices freely.

(2) Subject to this Constitution, every Zimbabwean citizen has the right—

(a) to form, to join and to participate in the activities of a political party or organisation of their choice; (b) to campaign freely and peacefully for a political party or cause; (c) to participate in peaceful political activity; and (d) to participate, individually or collectively, in gatherings or groups or in any other manner, in peaceful activities to influence, challenge or support the policies of the Government or any political or whatever cause.

(3) Subject to this Constitution, every Zimbabwean citizen who is of or over eighteen years of age has the right— a) to vote in all elections and referendums to which this Constitution or any other law applies, and to do so in secret; and (b) to stand for election for public office and, if elected, to hold such office. (4) For the purpose of promoting multiparty democracy.

TAKE notice that the Applicant intends to apply to the Constitutional Court for the Order in terms of the draft order annexed to this notice and the accompanying affidavits and documents will be used in support of the application.

If you intend to oppose this application you will have to file a Notice of Opposition in form CCZ 2, together with one or more opposing affidavits, with the Registrar of the Constitutional Court at Harare within 10 days after the date on which this notice was served upon you.

You will also have to serve a copy of the Notice of Opposition and Affidavits on the Applicant at the address for service specified below. Your affidavits may have annexed to the documents verifying the facts set out in the affidavits.

Leave to apply granted on the.....day of2025

DATED AT HARARE THIS.....DAY OF2025



MOREPRECISION MUZADZI

APPLICANT

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5th Floor, 144 Kwameh Krumah/1st
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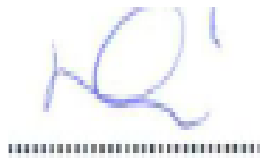
ATTORNEY GENERAL

6TH RESPONDENT

ADDRESS FOR SERVICE

TAKE NOTICE THAT the Applicants address for service is Yambukai Finance, Chiedza House, 5th floor, 144 Kwameh Nkrumah/ 1st street, Harare.

DATED at HARARE this 29th day of OCTOBER 2025



MOREPRECISION MUZADZI

APPLICANT

**Yambukai Financ??, Chiedza House
5th Floor, 144 Kwameh Krumah/1st
Harare**

To The Registrar

Constitutional Court

Harare

AND TO: PRESIDENT EMMERSON D MNANGAGWA

Munhumutapa building, Cnr Samora Machel & Sam Nujoma Street

HARARE

AND TO: SPEAKER OF PARLIAMENT

New Parliament building, Mt Hampden

HARARE

AND TO: MINISTER OF JUSTICE

New Government Complex, Cnr Samora Machel & Simon V Muzenda Street

HARARE

AND TO: ZIMBABWE ELECTORAL COMMISSION

Mahachi Quantum Building, 1 Nelson Mandela Avenue

HARARE

AND TO ZIMBABWE HUMAN RIGHTS COMMISSION

144 Samora Machel Avenue

HARARE

AND TO ATTORNEY GENERAL

Mgandane Dlodlo building, Cnr Simon V Muzenda & Samora Machel Avenue

HARARE

Annexure F

CASE NO. CCZ.....

IN THE CONSTITUTIONAL COURT OF ZIMBABWE

HELD AT HARARE

.

In the matter between

MOREPRECISION MUZADZI

APPLICANT

And

PRESIDENT EMMERSON D MNANGAGWA

1ST RESPONDENT

And

SPEAKER OF PARLIAMENT

2ND RESPONDENT

And

MINISTER OF JUSTICE

3RD RESPONDENT

And

ZIMBABWE ELECTORAL COMMISSION

4TH RESPONDENT

AND

ZIMBABWE HUMAN RIGHTS COMMISSION

5TH RESPONDENT

AND

ATTORNEY GENERAL

6TH RESPONDENT

APPLICANT'S AFFIDAVIT

**I, the undersigned, MOREPRECISION MUZADZI, do hereby make oath and swear that;-
I am the Applicant in this matter and the facts that I depose herein are to the best of my
knowledge and belief, both true and correct.**

PARTIES TO THE APPLICATION

1. The Applicant is MOREPRECISION MUZADZI, a male adult politician whose address for service is 5th Floor, Chiyedza House , 144 Kwame Nkrumah Avenue, Harare.

2. The 1st Respondent is PRESIDENT EMMERSON D MNANGAGWA

. His address for service is Munhumutapa building, Samora Machel Avenue, Harare.

3.The 2nd Respondent is SPEAKER OF PARLIAMENT. His address for service is New Parliament building, Mt Hampden, Harare

4.The 3rd Respondent is MINISTER OF JUSTICE. His address for service is New Government Complex, Samora Machel Avenue, Harare

5. The 4th Respondent is ZIMBABWE ELECTORAL COMMISSION , whose address for service is Mahachi Quantum Building, Rotten Row Road HARARE.

BACKGROUND TO THE CLAIM

6. In August 2023, the 1st Respondent took an Oath or affirmation of Office as the President of Zimbabwe. This was his second and final term as President of Zimbabwe. The Presidential term is 5 years according to the Constitution of Zimbabwe.

7. OATH OR AFFIRMATION OF PRESIDENT AND VICE-PRESIDENTS

I,.....swear [or solemnly affirm] that as President [or Vice-President] of Zimbabwe I will be faithful to Zimbabwe and will obey, uphold and defend the Constitution and all other laws of Zimbabwe, and—

that I will promote whatever will advance, and oppose whatever may harm, Zimbabwe;

•that I will protect and promote the rights of the people of Zimbabwe;
 •that I will discharge my duties with all my strength to the best of my knowledge and ability and true to the dictates of my conscience; and •that I will devote myself to the wellbeing of Zimbabwe and its people. So help me God

8. Chapter 5, Section 95. Term of office of President and Vice-Presidents. (1)The term of office of the President or a Vice President commences on the day he or she is sworn in and assumes office in terms of section 94(1)(a) or 94(3)...and, except as otherwise provided in this Constitution, their terms of office are five years and coterminous with the life of Parliament.

9. The 1st Respondent attended his political party (Zanu PF) Conference that was held in Mutare, from the 13th-18th of October 2025.

10. A resolution was made by the 1st Respondent's political party (Zanu PF) at the Conference, to direct the 2nd and 3rd Respondent that they do everything to ensure the 1st Respondent stays in Office as President until 2030, that's 2 years beyond the Constitutional limit. According to the Constitution of Zimbabwe, the 1st Respondent's final term ends in 2028.

11. The resolution to keep the 1st Respondent in Office as President until 2030 was read by the 3rd Respondent in the presence of both the 1st and the 2nd Respondent, who are the President and the Speaker of Parliament respectively. Note that the 3rd Respondent is the Minister of Justice.

12. The 1st, 2nd and 3rd Respondents all took an Oath of Office to obey, uphold, respect & defend the Constitution under the Third Schedule as President and Cabinet Ministers.

13. The irony of the reading of a resolution to violate the Constitution & the political rights of the Applicant was done by the Minister of Justice, who is the 3rd Respondent.

14. The resolution means the President shall not call for general elections in 2028 as required by Chapter 5, Section 110(e) in collusion with 2nd Respondent. Effectively this means the Executive & Legislature are colluding not to have regular elections in 2028 as required by the Constitution.

15. Chapter 6, Section 143. Duration and dissolution of Parliament. (1) Parliament is elected for a five year term which runs from the date on which the President-elect is sworn in.

16. This resolution seeks to suspend both Presidential, Parliamentary and Council elections that are supposed to be held in 2028 according to the Constitution.

17. This is not a minor infringement of the Constitution but a massacre of numerous chapters, Sections, clauses, rights, freedoms and obligations by the 1st Respondent with the collusion of the 2nd & 3rd Respondents.

18. If allowed to go through with their resolution, the Applicant, and all citizens of Zimbabwe and political parties will have been denied their political rights under Chapter 4, Section 67

19. Chapter 4, Section 67. Political rights. (1) Every Zimbabwean citizen has the right -- (a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and (b) to make political choices freely.

CAUSE OF ACTION

20. The President of Zimbabwe & his Party have just endorsed a resolution to extend his term in Office from 2028 to 2030 in violation of the Constitutional term limits. This extension means that there will not be Elections in 2028, violating several clauses of the Constitution, mainly the political rights of Citizens & political parties to vote for President & Parliamentarians in regular elections .

21. They have assigned the Minister of Justice and the Speaker of Parliament to remove everything from the Constitution that hinders the President from staying in power, starting now until October 2026. They are going to destroy the new 2013 Constitution that was voted in by over 90% of Zimbabweans.

22. Section 67. Political rights

(1) Every Zimbabwean citizen has the right-

a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and

(b) to make political choices freely.

(2) Subject to this Constitution, every Zimbabwean citizen has the right—

(a) to form, to join and to participate in the activities of a political party or organisation of their choice; (b) to campaign freely and peacefully for a political party or cause; (c) to participate in peaceful political activity; and (d) to participate, individually or collectively, in gatherings or groups or in any other manner, in peaceful activities to influence, challenge or support the policies of the Government or any political or whatever cause.

(3) Subject to this Constitution, every Zimbabwean citizen who is of or over eighteen years of age has the right— a) to vote in all elections and referendums to which this Constitution or any other law applies, and to do so in secret; and (b) to stand for election for public office and, if elected, to hold such office. (4) For the purpose of promoting multiparty democracy.

23. The President of Zimbabwe & his party Zanu PF have just endorsed a Resolution to extend the President's term of Office from 2028 to 2030 by misconstruing Chapter 5, Section 91(2). They think they have a loophole in the clause to give the President 2 more years since the clause doesn't count anything under 3 years as a term.

24. Section 91(2) A person is disqualified for election as President or Vice-President if he or she has already held office as President under this Constitution for two terms, whether continuous or not, and for the purpose of this subsection three or more years' service is deemed to be a full term. As you can see, nothing in the clause remotely suggests that the mandatory 5 year term limit for the President can be violated by this clause. It's insanity!

25. So in 2028, instead of the President calling for elections under Chapter 5, Section 110(e), he will not do so with the collusion of a defunct Parliament. This is an egregious violation of the Constitution by the President. He is violating his oath of office, Political rights of citizens & political parties under Chapter 4, violating Presidential term limits under Chapter 5(Section 95), as well as the clause on amendments to the Constitution (Section 328).

26. *Citizens & political parties have a right to regular elections (every 5 years) under Chapter 4 (Section 67), Chapter 5 (Section 95), & Chapter 7 (Section 155). The term of office of the President is 5 years and is coterminous with the life of Parliament- Chapter 5, Section 95.*

27. *Section 95 Term of office of President and Vice-Presidents (1) The term of office of the President or a Vice President commences on the day he or she is sworn in and assumes office in terms of section 94(1)(a) or 94(3)...and, except as otherwise provided in this Constitution, their terms of office are five years and coterminous with the life of Parliament.*

28. *According to the Constitution of Zimbabwe, the current President cannot go beyond 2028. Even an amendment of the Constitution forbids him from being a beneficiary of such an amendment.*

29. *Section 328 Amendment of Constitution. (1) In this section "Constitutional Bill" means a Bill that seeks to amend this Constitution; "term-limit provision" means a provision of this Constitution which limits the length of time that a person may hold or occupy a public office. (6) Where a Constitutional Bill seeks to amend any provision of Chapter 4... (5), it must be submitted to a national referendum.*

30. *Section 328(7) Notwithstanding any other provision of this section, an amendment to a term limit provision, the effect of which is to extend the length of time that a person may hold or occupy any public office, does not apply in relation to any person who held or occupied that office, or an equivalent office, at any time before the amendment.*

31. *The President is seeking to stay in Office until 2030 without a referendum or mandate from the people. Power to govern is derived from the people*

32. *Chapter 5, Section 88. Executive authority*

(1) Executive authority derives from the people of Zimbabwe and must be exercised in accordance with this Constitution.

33 . *The President took an oath of office to protect & defend the Constitution & the rights of citizens.*

34. OATH OR AFFIRMATION OF PRESIDENT AND VICE-PRESIDENTS

I,.....swear [or solemnly affirm] that as President [or Vice-President] of Zimbabwe I will be faithful to Zimbabwe and will obey, uphold and defend the Constitution and all other laws of Zimbabwe, and—...

that I will protect and promote the rights of the people of Zimbabwe.

35 . *The President has violated his Oath of Office by endorsing a resolution by his Party Zanu PF to make him stay in Office as President of Zimbabwe beyond his Constitutional limit & without a mandate from the people of Zimbabwe & without having a Referendum.*

36. *The Constitutional violations are ineffable & warrant his summoning by ZHRC under Chapter 12, Section 244(1a) & Section 243.*

37. Chapter 12, Section 244 Reports to and by Zimbabwe Human Rights Commission

(1) The Zimbabwe Human Rights Commission may require any person, institution or agency, whether belonging to or employed by the State or otherwise -

(a) to inform the Commission of measures they have taken to give effect to the human rights and freedoms set out in the Declaration of Rights; and

(b) to provide the Commission with information it needs to prepare any report required to be submitted to any regional or international body under any human rights convention, treaty or agreement to which Zimbabwe is a party.

38. Chapter 12, Section 243. Functions of Zimbabwe Human Rights Commission

1) The Zimbabwe Human Rights Commission has the following functions -

(a) to promote awareness of and respect for human rights and freedoms at all levels of society;

(b) to promote the protection, development and attainment of human rights and freedoms;

- c) to monitor, assess and ensure observance of human rights and freedoms;*
- (d) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;*
- e) to protect the public against abuse of power and maladministration by State and public institutions and by officers of those institutions;*
- (f) to investigate the conduct of any authority or person, where it is alleged that any of the human rights and freedoms set out in the Declaration of Rights has been violated by that authority or person.*
- (g) to secure appropriate redress, including recommending the prosecution of offenders, where human rights or freedoms have been violated.*

39. Zimbabwe's Parliament shall be used in the mutilation of the Constitution without a referendum. The Parliament is defunct right now. If we had a functional Parliament, the violations of the Constitution by the President warrant his removal under Section 97 of the Constitution of Zimbabwe. My Draft Order will seek to convict the President of Constitutional violations and order Parliament to remove the President under Section 97.

40. Chapter 5, Section 97. Removal of President or Vice-President from office.

President should be removed from office for;

(a)serious misconduct; (b)failure to obey, uphold or defend this Constitution; (c)wilful violation of this Constitution;

41. Section 166 Constitutional Court

(3) Cases before the Constitutional Court—

(a) concerning alleged infringements of a fundamental human right or freedom enshrined in

Chapter 4, ... must be heard by all the judges of the Court;

42. Section 167. Jurisdiction of Constitutional Court

(2) Subject to this Constitution, only the Constitutional Court may— (d) determine whether Parliament or the President has failed to fulfil a constitutional obligation.

(3) The Constitutional Court makes the final decision whether an Act of Parliament or conduct of the President or Parliament is constitutional

REASONS FOR THE APPLICATION & RELIEF SOUGHT

43. Chapter 4, Section 67. Political rights

(1) Every Zimbabwean citizen has the right-

a) to free, fair and regular elections for any elective public office established in terms of this Constitution or any other law; and (b) to make political choices freely.

44. The President of Zimbabwe & his party Zanu PF have just endorsed a Resolution to extend the President's term of Office from 2028 to 2030 by misconstruing Chapter 5, Section 91(2).

They think they have a loophole in the clause to give the President 2 more years since the clause doesn't count anything under 3 years as a term.

45. Chapter 5, Section 91(2). *A person is disqualified for election as President or Vice-President if he or she has already held office as President under this Constitution for two terms, whether continuous or not, and for the purpose of this subsection three or more years' service is deemed to be a full term.*

46. As you can see, nothing in the clause remotely suggests that the mandatory 5 year term limit for the President can be violated by this clause. It's insanity!

47. Section 166 Constitutional Court

(3) Cases before the Constitutional Court— (a) concerning alleged infringements of a fundamental human right or freedom enshrined in Chapter 4,...must be heard by all the judges of the Court;

48. Section 167 Jurisdiction of Constitutional Court

(2) Subject to this Constitution, only the Constitutional Court may— (d) determine whether Parliament or the President has failed to fulfil a constitutional obligation.

(3) The Constitutional Court makes the final decision whether an Act of Parliament or conduct of the President or Parliament is constitutional

49. The Applicant hereby applies that; -

(a) 1st Respondent having endorsed a resolution to stay in Office beyond his Constitutional Presidential term limit on the 18th of October 2025

(b) The endorsement of a resolution seeking to suspend 2028 Presidential & Parliamentary elections, violated 1st Respondent's Oath of Office, his duties as President, Applicant & citizens rights under Chapter 4, Section 67

Applicant prays that judgment may be entered according to the Draft Order.

THUS SWORN TO AT HARARE THIS.....OCTOBER 2025

SIGNED BY.....

MOREPRECISION MUZADZI

BEFORE ME.....

COMMISSIONER OF OATHS



 **Zim Breaking News** · [Follow](#)

Zim Breaking News :The Zanu PF conference has directed the Minister of Justice Ziyambi Ziyambi, who is also the party's Legal Secretary, to begin legal processes to extend President Dr ED Mnangagwa's term by two years to 2030.

The party directed Ziyambi to implement the resolution by October 2026.

1.The 22nd ZANU PF National People's Conference unanimously resolved that the Presidential term of His Excellency, President Emmerson Dambudzo Mnangagwa, be extended beyond 2028. Delegates affirmed that President Mnangagwa's visionary leadership, marked by stability, economic recovery, and transformative national development, must continue to guide the nation beyond the current constitutional term limit.

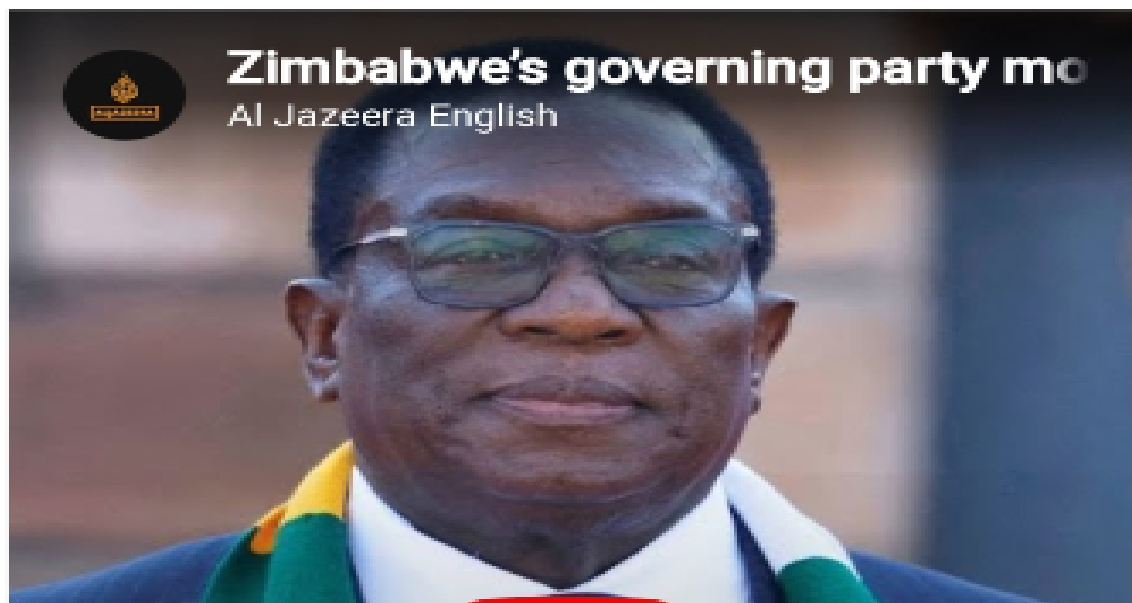
2.The Conference further directed that both the Party and Government put in place the necessary legal, constitutional, and administrative measures to ensure that this resolution is fully implemented and operationalised by the time of the next Conference.



Annexure H

18 its decision to support extending President Emmerson Mnangagwa's term in office until 2030.

"it is resolved that his term of office as President of the Republic of Zimbabwe be extended beyond 2028 to 2030," said Ziyambi Ziyambi, the party's secretary for legal affairs, during the ZANU-PF's 22nd Annual National People's Conference.



Annexure I

CASE NO. CCZ.....

IN THE CONSTITUTIONAL COURT OF ZIMBABWE

HELD AT HARARE

.

In the matter between

MOREPRECISION MUZADZI

APPLICANT

And

PRESIDENT EMMERSON D MNANGAGWA

1ST RESPONDENT

And

SPEAKER OF PARLIAMENT

2ND RESPONDENT

And

MINISTER OF JUSTICE

3RD RESPONDENT

And

ZIMBABWE ELECTORAL COMMISSION

4TH RESPONDENT

AND

ZIMBABWE HUMAN RIGHTS COMMISSION

5TH RESPONDENT

AND

ATTORNEY GENERAL

6TH RESPONDENT

DRAFT ORDER

Harare: The.....day of.....2025

Before the Honorable.....

Wherefore after reading the documents file of record:

It is ordered that:-

- (1). The conduct of 1st, 2nd, & 3rd Respondents is unconstitutional.**
- (2). 1st Respondent has failed to discharge his duties as President under Chapter 5, Section 90, which are to uphold, defend, obey and respect this Constitution as the supreme law of the nation and to ensure that this Constitution and all the other laws are faithfully observed.**
- (3). 2nd Respondent must put in motion the process of removal of the President in accordance with Chapter 5, Section 97.**
- (4). 1st Respondent has been found to be wilfully violating the Constitution.**
- (5). Applicant's political rights under Chapter 4, Section 67 are upheld & general elections will be held in 2028.**
- (6). 4th Respondent is ordered to prepare for 2028 General elections.**
- (7). 1st - 4th Respondents are ordered to stop all unprocedural amendments of the Constitution.**
- (8). Any amendment that seeks to amend the Presidential term limits shall be subjected to a national referendum & the incumbent President shall not benefit.**
- (9). 1st Respondent's second and final term as President of Zimbabwe ends in 2028. He shall not extend his time or term of Office beyond 2028.**
- (10). 5th Respondent shall summon 1st-4th Respondents over the issue Human Rights observance and shall make a report to Parliament in accordance with Section 244**

BY THE JUDGE

BY THE REGISTRAR

CASE NO. CCZ.....

IN THE CONSTITUTIONAL COURT OF ZIMBABWE

HELD AT HARARE

.

In the matter between

MOREPRECISION MUZADZI

APPLICANT

And

PRESIDENT EMMERSON D MNANGAGWA

1ST RESPONDENT

And

SPEAKER OF PARLIAMENT

2ND RESPONDENT

And

MINISTER OF JUSTICE

3RD RESPONDENT

And

ZIMBABWE ELECTORAL COMMISSION

4TH RESPONDENT

AND

ZIMBABWE HUMAN RIGHTS COMMISSION

5TH RESPONDENT

AND

ATTORNEY GENERAL

6TH RESPONDENT

DRAFT ORDER

Harare: The.....day of.....2025

Before the Honorable.....

Wherefore after reading the documents file of record:

It is ordered that:

1).Applicant has been granted direct access in terms of Chapter 4, Section 167(5) of the Constitution of Zimbabwe on right of access.

BY THE JUDGE

BY THE REGISTRAR