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Justin MacDermott

Breaking the Mould in Zimbabwe

Pragmatic Engagement at a Critical Juncture

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Sammanfattning

På uppdrag av Försvarsdepartementet arbetar FOI:s Afrikaprojekt med ett antal studier kring södra Afrika. Denna rapport fokuserar på politiska, humanitära och säkerhetssituationen i Zimbabwe. Den utforskar huruvida det internationella samfundet borde engagera sig i att stödja samlingsregeringens politiska process samt identifierar potentiella strategier för ett dylikt engagemang. Rapporten börjar med att identifiera potentiella utlösande faktorer som skulle kunna destabilisera säkerhetssituationen i landet. Därefter diskuteras kritiska säkerhetsfrågor som kommer att behöva åtgärdas för att bereda väg för en mer demokratisk och stabil utveckling i landet. Slutligen söker rapporten identifiera risker för internationella samfundet att engagera sig i några av dessa frågor, samt potentiella strategier för detta.

Nyckelord: Zimbabwe, södra Afrika, säkerhetssektor reform, post-konflikt transformation, rättvisa och försoning

Summary

On commission from the Ministry of Defence, the FOI Studies in African Security team is currently engaged in a number of studies relating to Southern Africa. This report is focused on the political, humanitarian and security-related situation in Zimbabwe. It examines whether the international community should engage the Government of National Unity in support of the political process as well as to identify potential strategies for such an engagement in the event that it takes place. It does so through first identifying key triggers for destabilising the security situation. It then identifies the critical security concerns that are likely to remain beyond the transition period, but which require attention during the transition phase in order to pave the way for a more democratic and stable development of the country. Finally, it seeks to identify risks of, and potential strategies for, the international community to engage in some of these issues.

Keywords: Zimbabwe, Southern Africa, security sector reform, post-conflict transformation, transitional justice and reconciliation

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Executive Summary

On commission from the Ministry of Defence, the FOI Studies in African Security team is currently engaged in a number of studies relating to Southern Africa. The report from which this excerpt is derived is focused on the political, humanitarian and security-related situation in Zimbabwe. It examines whether the international community should engage the GNU in support of the political process as well as to identify potential strategies for such an engagement in the event that it takes place. It does so through first identifying key triggers for destabilising the security situation. It then identifies the critical security concerns that are likely to remain beyond the transition period, but which require attention during the transition phase in order to pave the way for a more democratic and stable development of the country. Finally, it seeks to identify risks of, and potential strategies for, the international community to engage in some of these issues.

Background

In February 2009, the two factions of the long-time opposition Movement for Democratic Change (MDC) joined Zimbabwe African National Union-Patriotic Front (ZANU-PF) in an inclusive government, popularly referred to as Government of National Unity (GNU). While it remains to be seen what influence Morgan Tsvangirai, his MDC-T party as well as the other faction, MDC-Mutambara (MDC-M), will have, the formation of the GNU marks a shift in the political positions in Zimbabwe.

After a decade's standoff, most observers see it as a critical juncture in the Zimbabwean political landscape. This decade, Zimbabwe has been marred by one of the most rapid declines in socio-economic standards ever recorded in a non-war situation, with record levels of inflation, contraction of the economy, the world's lowest life expectancy, and most recently the worst cholera epidemic to have hit Africa in decades.

A key underlying factor to this development is bad governance, including economic mismanagement and corruption, nepotism, disrespect for property rights and an oppressive political climate, with an entrenchment of the governing party and the military across the civil service and widespread human rights abuses. Some observers would add that the restrictive measures and targeted sanctions by the international community have escalated the situation since it has reduced access to critical development assistance. Nevertheless, it should be noted that humanitarian assistance has continued to flow into the country in increasing amounts and beyond strict interpretations of humanitarian aid.

Should the GNU succeed in delivering a new constitution as set out in the Global Political Agreement (GPA), and pave the way for fresh elections, this negative trend could begin to be reversed. However, commitment to the process is highly questionable. ZANU-PF, as a party, is seen to be split between those who are reluctantly engaged in the process, but appreciate the possibility of using it to recover legitimacy before reclaiming power, and those who actively oppose it to maintain the status quo. The two factions of MDC on the other hand, are seen to be committed to achieving change, even if there are different views of how to go about this, and whether the GNU is the right vessel for change, within, and between, the two factions.

As these views and forces are played out, ZANU-PF, which has been in power since independence in 1980, is seen as the stronger party. Nevertheless, at the onset of the negotiations, neither ZANU-PF nor MDC – the only opposition party to speak of throughout the spiralling socioeconomic downturn – seem to have wanted to give in to the formation of a GNU. The outcome of the negotiations, with the formation of the GNU, therefore seems to suggest that neither party is monolithic.

Meanwhile the international community is divided, with the region and the continent opting for outright support for the GNU, while most of the major donors in the wider international community are adopting a more cautious approach and call for concrete improvements before engaging beyond an already stretched humanitarian mandate.

This poses serious challenges, primarily for MDC-T as it struggles to mobilise support for change within key sectors of society, and maintain its legitimacy, from a platform of a bankrupt government.

This highly volatile situation poses serious questions regarding the likely political developments and associated security threats. While the uncertainty of the sincerity of the efforts and developments would tempt outside governments to wait and see before committing to direct support, observers from academia and civil society are quick to point out the need for bold action to seize the window of opportunity that has opened in a political landscape that has been locked for large parts of the last decade.

Regardless of what routes are taken, a number of critical security issues are likely to remain in Zimbabwe. It is therefore critical to understand the nature of these remaining security issues as well as the risks involved in providing support during this transitional phase, in order to make informed decisions as to whether, and if so how, to reengage in the political development of Zimbabwe.

Triggers for Destabilising the Security Situation

When assessing the risks of a destabilisation of the security situation in light of the historical abuses by the security sector, one cannot exclude widespread atrocities or even crimes against humanity. Should tensions among the successor camps in ZANU-PF erupt into violence from within the party, they pose the most potent threat to the country's security situation. This could be caused by a tilting of powers in favour of one of either camp. A related and highly explosive matter is the potential for a leadership vacuum in ZANU-PF in the event that the, by now 85 year old, President were to pass away ahead of a settlement of the current political situation. Together these fears therefore increase the urgency of finding a political solution during the 18-24 months' transition period given to the GNU under the GPA, to enable the drafting of a new constitution and a smooth transition.

Another high risk-high impact scenario is hardliners from the security forces making way for consolidation of the ZANU-PF hold to power, by a coup or coup-like manoeuvre. According to some observers, this would be more likely in the event of either a breakup of the GNU, or direct challenges by the international community for e.g. indictments under the International Criminal Court. While the same hardliners are seen as the spoilers actively trying to break up the GNU, this therefore calls for efforts at maintaining the GNU, despite these spoiling tactics. Some would also hold that a failure of the GNU could lead more impatient factions of the MDC to draw the conclusion that political means are exhausted and therefore resort to violence. This equally puts emphasis on the importance of the GNU process to succeed.

At a lower level of intensity, violent riots could erupt as a result of a failure to deliver on rising expectations among the population. However, noting the extent to which the ZANU-PF regime has been willing to go in the past to pre-empt riots, and the risk of hardliners from within the security sector seizing power on a pretext of restoring public order, this could equally lead to widespread human rights abuses and high levels of violence inflicted upon the population. On the other hand, should the signs of frustration that are visible within the lower ranks of the security sector lead them to refuse to mobilise against the population, riots and protests might erupt without leading to the repressive reaction traditional to the responses by Zimbabwean security forces.

Critical reforms for Zimbabwe's Security

Regardless of the ongoing developments in Zimbabwe a number of security concerns are likely to remain. In order to offset some of the triggers for destabilising the security situation, and to pave the way for a more democratic and stable post-transition development of the country, critical attention will be

required to these remaining areas of *governance*, the *security sector reform* and *transitional justice and reconciliation*.

Since the multifaceted crisis in Zimbabwe is fundamentally rooted in *governance* failure, the situation calls for fundamental political change towards a more democratic, accountable and transparent government. Constitutional reform is key to this process and forms a crucial part of the GPA. It could lay the foundations for a reform of the political institutions, to come to terms with the party-state entrenchment of ZANU-PF across the spectrum of the public sector, and restoration of the rule of law. A constitutional reform also provides the basis for elections after the transitional period.

The trend of a partisan civil service is most worrying and can have most detrimental effect on human security when it infects the security sector. Coupled with the problem of turning the military on its own citizens, to ensure the sovereignty of the ZANU-PF party, Zimbabwe has developed a culture of impunity for human rights abuses committed by members of the security sector and its leadership. As such the security sector continues to pose serious threats to the security of the population and the likelihood of a democratic transition. Together these challenges point to the urgency for a *security sector reform* in Zimbabwe. Indeed it might be the most critical of a much needed de-politicisation of the public sector.

Zimbabwe has been plagued by human rights abuses since before its independence, suggesting a *transitional justice and reconciliation* process is inevitable for marking an end to human rights atrocities and a culture of impunity as well as paving the way for national healing. As with most such processes, balancing justice and peace, as well as timing and compromise will be essential. While encouraging patience, as the political process towards a new constitution proceeds, the groundwork of victim consultation and documentation should continue. A positive development in this regard is the formation of the Organ for National Healing and Reconciliation, with a Minister from each of the three parties, as it lends support to community reconciliatory work.

Risks of Reengaging the GNU and Possible Reengagement Strategy

The report shows that the situation in Zimbabwe is highly fragile and remains rife with challenges which could erupt into violence. Despite this, the current GNU, and the GPA that led to its formation, have presented a window of opportunity in the long-time stalemate in the country's political landscape. As such it has also presented the world with critical choices to make. While many local and regional actors have called for "reengagement" by the international community, traditional donors have remained cautious in their approach, opting

for a “wait and see” approach, during which humanitarian funding continues to be provided to Zimbabwe. This has been justified by a wish to see improvements in concrete action, in the areas below:

- Full and equal access to humanitarian assistance
- Commitment to macroeconomic stabilisation in accordance with guidance from relevant regional and international agencies
- Restoration of the rule of law, including enforcement of contracts, an independent judiciary, and respect for property rights
- Commitment to the democratic process and respect for internationally accepted human rights standards, including commitment to freedom of expression, freedom of print and broadcasting media, freedom of assembly, and freedom of association
- A commitment to timely elections held in accordance with international standards, and in the presence of international election observers.

However, the report suggests that avoiding a reengagement, at the pretext of first wanting to see progress, could condemn the fragile process to failure, and possible eruption of violence. At the same time, engaging in the political process is by no means a simple exercise. For international actors seeking to take a proactive role at this crucial moment, the path to normalising relations with the Government of Zimbabwe remains riddled with risks. These risks could land international actors in awkward positions of *losing taxpayers money, lending legitimacy to an abusive regime, or, in the worst case, finding themselves complicit in crimes committed by Zimbabwean actors*. Coupled to this is the risk of *eroding ones own legitimacy in the international arena*. Nevertheless, when faced with the option of losing the momentum presented by the current GNU and watching Zimbabwe tumble, yet again, into a downwards spiral with a possible escalation of violence, a concerned international community needs to urgently find entry points for tilting the power in favour of forces open to reform. At the same time, this must be done in a manner that does not upset local confidence building initiatives, but rather enhance those that are emerging, while simultaneously strengthening the confidence towards the international community. Drawing from the potential triggers for violence and the areas of remaining security threats requiring attention during the transition period (governance, security sector reform and transitional justice and reconciliation), some such options have been presented, as summarised below:

Governance:

- *Proactive engagement by SADC through assisting the parties to agree to benchmarks for the implementation of the GPA and deployment of a*

monitoring team to oversee and report on the progress against those benchmarks;

- *Enhance the ability of the Parliament to exercise democratic oversight through support for e.g. capacity building in security sector reform; and*
- *Support decentralisation by empowering local government to deliver key social services, such as water and sanitation;*

Security Sector Reform (SSR):

- *Adopt a low-key, flexible step-by-step approach to SSR anchored in local ownership;*
- *Enhance the capacity of CSOs and Parliamentarians to contribute to the SSR process;*
- *Let the SSR process be guided by human security, and plan for e.g. community policing;*
- *Offer training to the uniformed services in human rights, codes of conduct, HIV/AIDS as well as SGBV;*
- *Engage military and police elements of the security sector in peace support operations under SADC/AU or UN interventions; and*
- *Engage informal, paramilitary, elements in demobilisation and reintegration initiatives, through offering civilian livelihood options, psychosocial counselling and provision of awareness raising of HIV/AIDS and SGBV*

Public Grievances and Frustrations:

- *Support community initiatives for reconciliation and conflict transformation*
- *Provide resources to enable the Organ for National Healing and Reconciliation to engage in lessons-learned trips to countries which have undergone transitional justice and reconciliation processes as well as for holding consultations with civil society*
- *Expand the ongoing support for retention allowances to service providers in the health sector to civil servants in other critical services such as education; and*
- *Shift the food security assistance towards food production, through input promotion to small scale farmers and pre-financing loans to private companies*

1 Introduction

1.1 Background - a Window of Opportunity?

In February 2009, the two factions of the long-time opposition Movement for Democratic Change (MDC)¹ joined Zimbabwe African National Union-Patriotic Front (ZANU-PF) in an inclusive government, popularly referred to as Government of National Unity (GNU)². While it remains to be seen what influence Prime Minister Morgan Tsvangirai, his MDC-T party as well as the other faction, MDC-Mutambara (MDC-M), will have, the formation of the GNU marks a shift in the political positions in Zimbabwe.

After the March 2008 elections failed to produce an outright winner for the presidential post in Zimbabwe, a run-off presidential election followed in June 2008³. This was marred by unprecedented levels of election violence. Ultimately, it led to the withdrawal from the elections by Tsvangirai, leader of MDC-T, leaving Robert Mugabe, from ZANU-PF, as the sole candidate. The elections were condemned by Southern African Development Community (SADC) as well as African Union (AU) observers⁴. Despite claiming 85% of the votes, Mugabe therefore suffered a huge credibility and legitimacy deficit domestically as well as in the region and beyond. This led to intensified negotiations facilitated by the SADC, under the mediation of former President of South Africa, Thabo Mbeki. Despite the 15 September 2008 Global Political Agreement (GPA), which formed the basis of the GNU, the negotiations dragged into 2009.

After a decade's standoff, most observers see it as a critical juncture in the Zimbabwean political landscape. This decade, Zimbabwe has been marred by one of the most rapid declines in socio-economic standards ever recorded in a non-war situation, with record levels of inflation⁵, contraction of the economy⁶,

¹ MDC split into two different factions in 2005/6, taking the names of their respective leaders. The larger faction, MDC-T, which received 100 seats in Parliament, is led by Prime Minister, Morgan Tsvangirai, and the substantially smaller faction, MDC-M, which has 10 seats in Parliament, is led by Deputy Prime Minister, Arthur Mutambara. Source: <http://news.bbc.co.uk/1/hi/world/africa/7580366.stm> (accessed on 21 April, 2009).

² Prime Minister Morgan Tsvangirai was sworn in on 11 February, 2009, followed by the swearing in of the Cabinet on 13 February, 2009.

³ The first round of elections held in March 2008, awarded Morgan Tsvangirai 47.9% and Robert Mugabe 43.2 % of the votes.

⁴ SADC, SEOM, Preliminary Statement, 29 June, 2008; and Report of the Pan African Parliament Election Observer Mission 2008.

⁵ The last official estimate, in October, 2008, put it at 231 million per cent. Source: Smith, R., 2008.

⁶ The IMF has estimated a fall in gross domestic product by 14 per cent in 2008 alone, adding to in excess of 40 per cent decline recorded between 2000 and 2007 (<http://www.imf.org/external/np/sec/pr/2009/pr0993.htm>).

the world's lowest life expectancy⁷, and most recently the worst cholera epidemic to have hit Africa in decades.

A key underlying factor to this development is bad governance, including economic mismanagement and corruption, nepotism, disrespect for property rights and an oppressive political climate, with an entrenchment of the governing party and the military across the civil service and widespread human rights abuses.⁸ Some observers would add that the restrictive measures and targeted sanctions by the international community have escalated the situation since it has reduced access to critical development assistance.⁹ Nevertheless, it should be noted that humanitarian assistance has continued to flow into the country in increasing amounts and beyond strict interpretations of humanitarian aid.

Should the GNU succeed in delivering a new constitution as set out in the GPA, and pave the way for fresh elections, this negative trend could begin to be reversed. However, commitment to the process is highly questionable. ZANU-PF, as a party, is seen to be split between those who are reluctantly engaged in the process, but appreciate the possibility of using it to recover legitimacy before reclaiming power, and those who actively oppose it to maintain the status quo. The two factions of MDC on the other hand, are seen to be committed to achieving change, even if there are different views of how to go about this, and whether the GNU is the right vessel for change, within, and between, the two factions.

As these views and forces are played out, ZANU-PF, which has been in power since independence in 1980, is seen as the stronger party. Nevertheless, at the onset of the negotiations, neither ZANU-PF nor MDC – the only opposition party to speak of throughout the spiralling socioeconomic downturn – seem to have wanted to give in to the formation of a GNU. The outcome of the negotiations, with the formation of the GNU, therefore seems to suggest that neither party is monolithic.¹⁰

Meanwhile the international community is divided, with the region and the continent opting for outright support for the GNU, while most of the major donors in the wider international community are adopting a more cautious

⁷ With a life-expectancy at birth of 37 years for males and 34 for females (http://www.afro.who.int/home/countries/fact_sheets/zimbabwe.pdf), this is probably the lowest in the world. According to the Population Department of the United Nations Department of Economic and Social Affairs, Zimbabwe's estimated average life expectancy between the years 2005-2010 of 44.1 years was second to lowest in the world, only after Afghanistan at 43.8 years (http://www.un.org/esa/population/publications/wpp2008/wpp2008_text_tables.pdf). It is therefore justified to assume, as many observers have done that Zimbabwe currently has the lowest life-expectancy in the world.

⁸ See e.g. Badza, S., 2008; Moss, T. 2007.

⁹ Badza, 2008.

¹⁰ Interview, SAIIA, Johannesburg: 19 February, 2009.

approach and call for concrete improvements before engaging beyond an already stretched humanitarian mandate.¹¹

This poses serious challenges, primarily for MDC-T as it struggles to mobilise support for change within key sectors of society, and maintain its legitimacy, from a platform of a bankrupt government.¹²

This highly volatile situation poses serious questions regarding the likely political developments and associated security threats. While the uncertainty of the sincerity of the efforts and developments would tempt outside governments to wait and see before committing to direct support¹³, observers from academia and civil society are quick to point out the need for bold action to seize the window of opportunity that has opened in a political landscape that has been locked for large parts of the last decade.¹⁴

Regardless of what routes are taken, a number of critical security issues are likely to remain in Zimbabwe. It is therefore critical to understand the nature of these remaining security issues as well as the risks involved in providing support during this transitional phase, in order to make informed decisions as to whether, and if so how, to reengage¹⁵ in the political development of Zimbabwe.

1.2 Aim and Method

Viewed from a security perspective, this paper seeks to answer whether the international community should engage the Government of Zimbabwe in support of the political process as well as to identify potential strategies for such an engagement in the event that it takes place. It does so through first identifying key triggers for destabilising the security situation. It then identifies the critical security concerns that are likely to remain beyond the transition period, but which require attention during the transition phase in order to pave the way for a more democratic and stable development of the country. Finally, it seeks to identify risks of, and potential strategies for, the international community to engage in some of these issues.

¹¹ Interviews with IDASA, Pretoria: 16 February, 2009; ISS, Pretoria, 17 February, 2009.

¹² Interview, Solidarity Peace Trust, Cape Town: 23 February, 2009.

¹³ ISS Seminar Report, 2009.

¹⁴ Interviews with Solidarity Peace Trust, Cape Town: 23 February, 2009; Centre for Peace Initiatives in Africa (CPIA), Harare: 27 February, 2009; Centre for Conflict Management and Transformation (CCMT), Harare: 27 February, 2009; Christian Alliance, Harare: 2 March, 2009.

¹⁵ Given the limitations in donors' engagement, listed in section 4, potential renewed support to the Government of Zimbabwe has popularly been termed "reengagement". In this paper, the terms "engagement" and "engage" are used interchangeably with "reengagement" and "reengage" respectively. It is given a broad meaning of engaging to support the political process embarked upon by the GNU, i.e. beyond humanitarian aid, and is not limited to balance of payment support.

To do so, the research for this report was conducted using a combination of academic articles, news reports as well as interviews. The interviews were carried out through a research trip to South Africa and Zimbabwe. During this trip, government representatives and political parties of South Africa were met as well as officials from embassies, representations, United Nations (UN) Agencies and inter-governmental organisations. The trip also included interviews with a large number of academic institutes, think tanks and other civil society organisations working on issues related to human rights, democratisation, security studies, conflict resolution, international affairs, reconciliation and migration as well as those with specific programmes in Zimbabwe. For a full list of interviews, please consult Annex A.

1.2.1 Scope

The report focuses on the security dimension of the situation in Zimbabwe. Its findings and recommendations are therefore limited to a broad security perspective, related to possible triggers of violence. In so doing, it is recognised that a number of other factors could speak for or against certain findings and recommendations in this report, e.g. issues of macroeconomic stability, setting precedence in terms of international human rights regimes etc. Nevertheless, being guided by a “peace before” rather than “peace instead of” approach, the author remains convinced that the report maintains validity not only for policymakers in the security field, but also for those engaged with the wider wellbeing and welfare of the people of Zimbabwe.

Noting the centrality of the land question, it might be expected that this should form part of the paper. However, as more weight is given to issues of governance and immediate security related matters, whereas the land question is perceived as an issue that could only be dealt with comprehensively post-transition, when conditions are in place for addressing the disputed nature of property rights, it does not form part of the current report.

With regard to international actors, the report is limited to regional actors on the one hand and the UN and traditional western donors on the other. Among regional actors, it is recognised that the AU is an important actor in relation to Zimbabwe. However, the tradition of respecting the principle of subsidiarity between the AU and its Regional Economic Communities (REC:s) means the position of SADC tends to take precedence, wherefore the report has limited the focus to SADC. The focus on traditional western donors to represent the wider international community, for the purpose of this report, derives from the aim of the study to establish whether, and if so, how they could reengage in the political development of the country. Despite this, some important actors and donors have been left out. While the importance of the United Kingdom (UK) cannot be denied in relation to Zimbabwe, both in its historical and contemporary

development, the report has given priority to the position of the European Union (EU), as it sets the limits of engagement for all its member states, UK included.

Regarding the reference material, it was not considered conducive to the political situation to approach political parties or government representatives in Zimbabwe at the time of carrying out the interviews. This naturally limited the inputs from these important actors and potential informants. Furthermore, due to conditionality of anonymity or sensitivity of information, of some interviews, the identities of the concerned interviewees have been withheld and given numbers as identifiers.

1.3 Outline of the Report

This paper opens with a situational analysis of the economic, humanitarian, political and security sectors, including regional security concerns (Chapter 2). This gives way to an elaboration of the key internal actors and triggers for destabilising the security situation in the country (Chapter 3), followed by international actors and their positions on reengagement with Zimbabwe (Chapter 4). It then presents critical sectors for Zimbabwe's security that are likely to remain, regardless of the ongoing developments in Zimbabwe (Chapter 5). This is followed by a discussion around the risks of reengaging the Government of Zimbabwe with reference to the international community's benchmarks for reengagement (Chapter 6). The paper thereafter elaborates a strategy for reengagement found in addressing some of the security threats (Chapter 7), before closing with concluding remarks (Chapter 8).

2 A Situational Overview

In order to understand the context in which the dynamics of the actors of Zimbabwe are played out, the possible triggers for violence and which security concerns are likely to remain past the transition period, an overview of the economic, humanitarian political and security situations follows below.

2.1 Economic Situation

The economy has reached an unprecedented crisis after over a decade of freefall. Fundamental aspects of the policy climate that led to the decline remain, with fiscal policy in need of further stabilisation, a need for transparency in the Reserve Bank of Zimbabwe (RBZ) and property rights continuously being breached¹⁶, scaring away potential investors. Nevertheless, a recent International Monetary Fund (IMF) mission to Zimbabwe has seen some improvements in the macroeconomic policy of the country, both as commitments in the Short-Term Emergency Recovery Programme (STERP) and as evidenced, e.g. in the dollarization of the economy, the removal of the Grain Marketing Board's (GMB) monopoly and price controls of agricultural inputs, which has brought to a halt the previously unparalleled hyperinflation.¹⁷ In fact, inflation has been recorded to be on the decline since the dollarization.¹⁸ Still, this has disrupted previous coping mechanisms and social behaviour.¹⁹ With formal unemployment at approx 94%²⁰, but large parts of the population employed in the informal sector, the formal economy is suffering serious shortfalls. As such, it is a bankrupt government that is facing the rising expectations borne out of the promise of the GNU. In this regard, a priority is to source financial resources to pay civil servants to resume service delivery.²¹

While economic mismanagement by the Government of Zimbabwe no doubt is at the heart of the economic crisis in Zimbabwe, recognition also needs to be made of the compounding effects of external factors, such as the suspension of balance

¹⁶ Renewed farm invasions after the formation of the GNU, despite the GPA stipulating a land audit to address the land question, has come at the expense of flouting property rights over again.

¹⁷ <http://www.imf.org/external/np/sec/pr/2009/pr0993.htm>

¹⁸ See e.g. <http://allafrica.com/stories/200903260033.html> and <http://www.time.com/time/world/article/0,8599,1887809,00.html>

¹⁹ It has e.g. been noted that people who were previously engaged in changing money on the black market have lost this livelihood option and that charging phone calls in forex means many people no longer afford communicating by phone. Source: Interview, IDASA, Pretoria: 16 February, 2009.

²⁰ Office for the Coordination of Humanitarian Affairs (OCHA), Zimbabwe 2009 Consolidated Appeal, see also <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VDUX-7NRMUT?OpenDocument>

²¹ <http://www.imf.org/external/np/sec/pr/2009/pr0993.htm>

of payment support by the World Bank and the IMF²² as well as more stringent forms of sanctions, such as those employed by the Government of the United States of America (USA).²³

Given the state of the economy, and the large numbers of Zimbabweans in the diaspora, it is believed that large portions of the population rely on remittances from friends and relatives abroad for accessing basic commodities and services, like food, education and health care.

2.2 Humanitarian Situation

The humanitarian situation is still acute. Before the harvest, the United Nations World Food Programme estimated approximately 7 million²⁴ to be in need of food aid and the cholera epidemic, which has claimed over 4,000 lives and infected more than 90,000 people²⁵, thereby reaching record levels, is only the most visible sign of the collapsing state functions and a breakdown in delivery of essential public services. Beyond this, a much larger HIV/AIDS pandemic is taking its toll, with AIDS-related diseases claiming approximately 2,700 lives per week.²⁶ Meanwhile, human rights abuses continue to be rife, with a reported increase since the formation of the GNU²⁷ and political detainees still being held, although a number have been released over the past couple of months. After a prolonged period of suspensions of field operations and humanitarian assistance by non-governmental organisations (NGOs), following instructions by the government around the time of the run-off elections²⁸, NGOs are back operating. However, restrictions remain, e.g. preventing them from carrying out necessary assessments, due to the government's reluctance to allow the real situation to be known.²⁹ Through a massive outflow of migrants, the country is being drained of critical, skilled labour force, e.g. health professionals, and the situation is spilling over into neighbouring countries, which are faced with the social challenges of large numbers of, largely undocumented, migrants. Nevertheless, the remittances sent back home help keep families afloat.

²² Badza, S., 2008.

²³ See section on external actors below.

²⁴ <http://www.wfp.org/countries/zimbabwe> (accessed 1 April, 2009).

²⁵ <http://www.irinnews.org/InDepthMain.aspx?InDepthId=71&ReportId=77476> (accessed 1 April, 2009).

²⁶ UNAIDS/WHO Working Group on Global HIV/AIDS and STI Surveillance, 2008.

²⁷ Zimbabwe Human Rights NGO Forum (ZHR Forum), Political violence Report: February 2009.

²⁸ On 4 June, 2008, the previous Minister of Public Service, Labour and Social Welfare issued a letter addressed to "All Private Voluntary Organizations (PVOs)/Non Governmental Organisations (NGOs)", instructing them to "suspend all field operations until further notice. Source: Zimbabwe Lawyers for Human Rights, 2008.

²⁹ MSF Press Statement, Johannesburg: 17 February, 2009.

2.3 Political Situation

The crisis seen in economic and humanitarian sections above are essentially symptoms of governance failure requiring fundamental political change. Maroleng highlights how key ingredients required to achieve good governance have been missing from the practice of politics in Zimbabwe for quite some time. These include institutions and political parties that guarantee the accountability of the leadership to the electorate, as well as respect for, and protection of, fundamental human rights, and respect for the constitution and rule of law.³⁰ He goes further to find the roots to these problems in the colonial, liberation and immediate post-independence experience, by quoting Ndlovu-Gatsheni: “Colonial authoritarianism [...] reproduced itself within the nationalist political movements. The war of liberation, too, reinforced [...] this authoritarian culture [as] every African was expected to embrace the liberation war and [...] had to toe the line. This, more than anything else, generated and institutionalised a culture of fear, conformity and unquestioning support.” In the post-independence period, Maroleng maintains, the leadership failed to transform the repressive state structure that it inherited into a democratic one, largely because the liberation movement has been unable to change itself into a democratic political movement.³¹

Nevertheless, a critical juncture in the political arena is presented by the formation of the GNU in February 2009, which followed the GPA³². After a decade’s standoff, it has been described as “a fragile but necessary situation” or “a last workable option”, presenting a window of opportunity that needs to be given a chance.³³ The GPA is a commitment of the parties to “work together to create a genuine, viable, permanent, sustainable and nationally acceptable solution to the Zimbabwe situation and [...] charting a new political direction for the country”.³⁴ While the GPA breaks this down into a number of commitments and agreements, the key aspects were the formation of an inclusive government on the one hand and drafting of a new constitution and submitting it to a national referendum prior to adoption, on the other. The inclusive government, or GNU, comprises ZANU-PF, MDC-T and MDC-M, with Robert Mugabe maintaining the position as President, Morgan Tsvangirai (MDC-T) as Prime Minister, and the leader of MDC-M, Arthur Mutambara, awarded the position of Deputy Prime Minister. For the constitution, the GPA sets out a timetable allowing for up to 20 months for its adoption (assuming it passes the referendum). For the appointment

³⁰ Maroleng, C., 2006.

³¹ Maroleng, C., 2005.

³² The GPA, available at: <http://www.zimbabweprimeminister.org/downloads/category/1-agreemants.html?download=4%3Agpa-september-2008>, was signed on 15 September, 2008.

³³ E.g. interviews with Solidarity Peace Trust, Cape Town: 23 February 2009, and IDASA, Pretoria: 16 February, 2009.

³⁴ GPA, p. 2.

of a new government post the transition period of the GNU, no timeframe is given. However, there is a general perception that the GNU should last 18-24 months, presumably expected to be long enough to allow for the adoption of the new constitution and call for elections.

2.3.1 Entrenchment of ZANU-PF across the Public Sector

After almost three decades in power, ZANU-PF has entrenched itself in all key aspects of the public sector and developed a mentality of a 'divine right' to rule.³⁵ This has come hand in hand with a securitisation of the state, in which military and security personnel have been placed in several top-level positions in civilian institutions.³⁶ Maroleng notes that this has come at the price of the military expanding their role from external threats to also safeguarding ZANU-PF's political dominance.³⁷ Badza concurs, noting that "there are no visible distinctions among the state, the incumbent party [ZANU-PF] and leader. Consequently most, if not all, institutions of government are perceived to be instruments at the service of the party-state".³⁸ He further emphasises that this entrenchment "compromises the fundamental democratic principle of separation of powers among the key arms of the state that include the executive, the judiciary and the legislature".³⁹ The GNU settlement is therefore an uneven battle over the state⁴⁰, where Mugabe carries the weight as seen e.g. in his last minute swearing in of additional ministers which allowed him to claim majority in Cabinet.⁴¹ Since the formation of the GNU, it has been most vividly manifested in the struggle over the management of the country's economy played out between the Minister of Finance, Tendai Biti, and the Reserve Bank Governor, Gideon Gono. As such, the battle is as much about acquiring legitimacy as it is about cutting old systems of patronage.⁴² While this could be crucial for turning the tables on Zimbabwe's political landscape, it is proving a difficult challenge for MDC-T given the limited funds that the bankrupt state has to offer. The fact that Tsvangirai has upped the expectations by promising civil servants United States Dollars (USD) payments⁴³ at a time when most international donors are still limiting assistance to humanitarian aid, could lead to an erosion of his

³⁵ See e.g. Badza, S., 2008; Moss, T. 2007.

³⁶ See e.g. Hanson, S. 2008.

³⁷ Maroleng, C., 2005.

³⁸ Badza, S., 2008.

³⁹ *Ibid.*

⁴⁰ Interview, Solidarity Peace Trust, Cape Town: 23 February, 2009.

⁴¹ Interview, IDASA, Pretoria: 16 February, 2009. While this is a worrisome tendency, the GPA sets out that the Cabinet shall take decisions by consensus, reducing the risk of majority rule by ZANU-PF.

⁴² Interview, Solidarity Peace Trust, Cape Town: 23 February, 2009.

⁴³ Tsvangirai, M. 2009.

legitimacy, wherefore a prolonged GNU process without visible progress risks working in Mugabe's favour.

2.4 Security Situation

With the signing of the GPA, a period of intensified violence targeted against people seen as supporting the MDC, was brought to less critical levels.⁴⁴ This period, which had stretched from the March elections till the June run-off in 2008, saw the reported political murder of 107 people⁴⁵, often at the hands of the youth militia, and displacement of 36,000 victims of political violence, many of whom had their homes burnt and suffered torture or other forms of violence.⁴⁶

Despite these abuses, the security situation in Zimbabwe remains "stable" in the sense that the state still wields monopoly of force. This power is firmly backed up by a security sector consisting of a mix between formal sectors and paramilitary elements as follows:

Formal elements

- The Zimbabwe National Army, estimated between 30,000 and 40,000 men and women⁴⁷;
- The Air Force of Zimbabwe, estimated at a total of 5,000 personnel⁴⁸;
- The Zimbabwe Republic Police, estimated at 20,000 officers⁴⁹;
- The Prisons Services;
- Central Intelligence Organisation (CIO) under the President's Office, thought to have "thousands of operatives", possibly with informers extending into the diaspora⁵⁰;

Paramilitary elements:

- A compulsory youth service giving rise to youth militias (also known as "green bombers"), estimated in the tens of thousands⁵¹, with 29,000 allegedly being on government payroll⁵²;
- War Veterans.

⁴⁴ It should be noted, however, that the ZHR Forum has reported an increase in the number of human rights abuses since the formation of the GNU.

⁴⁵ The 107 reported murders took place between April (after ZANU-PF lost majority in Parliament and Mugabe failed to secure a majority in the March 2008 elections) and August 2008 according to the ZHR Forum. After the signing of the GPA no further politically motivated murders were recorded in 2008. (Source: ZHR Forum, Political Violence Report, December 2008.

⁴⁶ OCHA, CAP, 2009.

⁴⁷ See e.g. Hanson, S. 2008, and Smith, R. 2008.

⁴⁸ Smith, R. 2008.

⁴⁹ *Ibid*

⁵⁰ Hanson, S. 2008.

⁵¹ Smith, R. 2008.

⁵² <http://allafrica.com/stories/200904030863.html>.

While some would argue that Zimbabwe is a failed state⁵³, others would claim that the fact that the state controls such monolithic, albeit highly partisan, force, distinguishes it from a traditional failed state⁵⁴. Nevertheless, as has been seen in the economic and humanitarian sections above, the erosion of government capacity over the last decade has meant it is failing catastrophically in key sectors of public service delivery and governance.

Despite this current stability of the security sector, signs are emerging that this is a fragile state of affairs. Reports of planned coups⁵⁵, succession struggles and internal ZANU-PF divisions⁵⁶, as well as last year's rioting by soldiers⁵⁷, all point to the volatility of the sector.

The service chiefs from the formal security elements⁵⁸ all form part of what has been known as the Joint Operations Command (JOC), which has remained a highly centralised structure, with limited democratic oversight. Reporting to the President and key members of ZANU-PF, it has always suffered from limited democratic oversight. In more recent years they were also seen as getting their financing straight from the RBZ, without transparency towards the Minister of Finance or the Parliament. However, the recent enactment of the National Security Council Act has provided scope for more democratic control over the security sector. This still has Mugabe as the chair, but now includes his two Vice Presidents, the Prime Minister and Deputy Prime Ministers, Ministers of Defence, Home Affairs and Finance as well as Minister of State Security, a Minister each from MDC-T and MDC-M as well as the service chiefs of the different security sector elements. Of significance in this development is, apart from bringing the Prime Minister and the two MDC factions into the supposed decision making body for security issues, also the fact that their decisions will be subject to scrutiny by the Minister of Finance, whose budget will have to be passed by Parliament. Should the security decisions be made in this newly formed council, this would therefore mark a positive first step towards bringing key security decisions of the country under civilian and democratic control. However, as elaborated in section 3.4 below, this attempt is being challenged by parallel structures including members from JOC.

⁵³ See e.g. The Fund for Peace – Failed States Index, which ranks Zimbabwe as number 3, after Somalia and Sudan, in terms of risks.

⁵⁴ Interview, IDASA, Pretoria: 16 February, 2009.

⁵⁵ Interview, ISS, Pretoria: 17 February, 2009.

⁵⁶ Interview, CSV, Cape Town: 20 February, 2009.

⁵⁷ Interview, ISS, Pretoria: 17 February, 2009.

⁵⁸ I.e. Zimbabwe National Army, Air Force of Zimbabwe, Zimbabwe National Police, Zimbabwe Prison Service and the CIO.

2.4.1 Historical Abuses by the Security Sector

While horrendous, the 2008 election's violence was by no means unique in Zimbabwe's troubled post-independence history. Zimbabwe has a history of the military and other elements from the security sector being used to clamp down and commit human rights abuses on the population. The most ferocious abuses took place between 1983 and 1987, i.e. commencing only three years into Zimbabwe's independence, during the Gukurahundi massacres. This period, also known as the Matabeleland massacres, saw the slaughter of approximately 20,000 people, at the hands of the Army's Fifth Brigade. The victims were mainly of the Ndebele minority population, seen as supportive of the then opposition party Zimbabwe African People's Union (ZAPU). This violence only came to an end with the Unity Accord, in which the leader of ZAPU agreed to enter into government with ZANU, which ultimately led to the absorption of ZAPU into ZANU-PF. Following this, a period of relative stability followed, which was only really upset in 1999-2000, when the hold of power by Robert Mugabe as well as ZANU-PF was challenged, first by the loss of a referendum to extend the powers of Mugabe through a constitutional amendment, and then by the success of the newly formed MDC in the elections later that year.⁵⁹ Needing to reconsolidate their support, ZANU-PF embarked on the Fast Track Land Reform Programme, relying largely on war veterans to carry out the violence to reposes farms owned by white commercial farm owners. Due to the violent nature of the farm invasions, a number of people were killed and an estimated 200,000 farm workers along with their families were displaced, making up approximately 1 million people losing their employment and accommodation.⁶⁰ The 2005 elections were, again, followed by an intensive displacement campaign – an urban “clean-up campaign” named Operation Murambatsvina – which resulted in over half a million people being displaced and almost 100,000 individuals losing their primary source of livelihood.⁶¹ This operation, which was largely carried out by the police, but with significant support from the Army, was formally embarked upon to address public health and crime concerns. However, it has largely been condemned as either a punishment of the urban voters, largely supportive of MDC, or as an effort to pre-empt urban riots or an outright uprising by disgruntled citizens.⁶² More recently, politically motivated

⁵⁹ Moss, T. 2007.

⁶⁰ Sachinkonye, 2003, in UNDP, 2008.

⁶¹ According to the 2005 “Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina” by the UN Special Envoy on Human Settlement Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka, a total of 569,685 individuals were estimated to have lost their homes, while 97,614 individuals were thought to have lost their primary source of livelihood, equalling an approximate total of 650,000 – 700,000 directly affected individuals.

Source: Tibaijuka, A.K., 2005.

⁶² Moss, T. 2007.

violence erupted, first in 2007⁶³, and then escalating during the run-off Presidential election in 2008. While the numbers were much smaller, the targeted nature of the crimes made it difficult for the government to deny culpability.

This history gives testimony to the partisan nature of the security forces, the brutality they are prepared to exercise as well as the tendency to turn on the citizens of the country to ensure the continued dominance of ZANU-PF.

2.4.2 Regional Security Concerns

Allegations are circulating of defection of armed and trained soldiers. The thought of these armed soldiers spilling over into neighbouring countries is raising concerns among these neighbours as it could contribute to organised, or other forms of violent crime.⁶⁴ In addition, the large influx of undocumented Zimbabweans into countries like South Africa and Botswana is posing challenges to the security in these neighbouring countries, as seen in last years xenophobic attacks across South Africa⁶⁵ and the spread of cholera across the border to Musina in South Africa. Meanwhile the same migration is functioning as a pressure valve in Zimbabwe, as the most dynamic leave the country to support their families through remittances. Some commentators suggest that a move by the South African authorities to restrict migration, could cause an increase in frustration led riot-type violence⁶⁶, as hardships would worsen in Zimbabwe and the more “mobilisable” would then remain in the country.⁶⁷

⁶³ *Ibid.*

⁶⁴ Interview 1.

⁶⁵ It should be noted, however, that while the attacks took place amidst a widespread perception that there was a large influx of Zimbabweans, some observers would not link the xenophobic violence in South Africa directly to this influx. While this concern is definitely there, many of the areas targeted were not those hosting the largest numbers of Zimbabweans. Moreover, other groups, like Mozambicans, seem to have been particularly badly affected. Source: Interview, Forced Migration Studies Programme, Johannesburg: 19 February, 2009.

⁶⁶ Interview, IDASA, Pretoria, 16 February, 2009.

⁶⁷ In this regard, it should be noted, however, that the Government of South Africa recently relaxed its immigration policy, by abolishing the visa requirement for Zimbabweans wanting to travel to South Africa.

3 Internal Actors and Key Triggers for Destabilising the Security Situation

Having noted the critical situation in Zimbabwe, the section below introduces some of the key internal actors involved in the current political struggle and in shaping the future development of the country as well as key triggers that could destabilise the country.

3.1 ZANU-PF

Despite the control of military power and the entrenchment of the party across the public sector, many observers see ZANU-PF's entering into a GNU as signs of its weakening grip of power.⁶⁸ Part of the weakness comes from the challenges of trying to govern a bankrupt state as well as the legitimacy deficit suffered, especially in the region, since the blatant use of state power to secure the run-off elections in June.

A related dynamic is the far reaching tensions within ZANU-PF, which have been growing for a long time. These can be seen as part of an ongoing succession battle⁶⁹, which according to some observers could result in an implosion of the party⁷⁰, as well as a struggle between reformists and hardliners. With the formation of the GNU, these tensions are on the one hand intensifying with hardliners trying to resist change, while, on the other hand, factional infighting, especially among hardliners, could come to be toned down in the face of the unifying threat of a transfer of power to the MDC.⁷¹ The muscling of force by the hardliners has led some observers to question Mugabe's hold of power, ranging from suggestions that a silent coup already took place following the March 29 election, with varying degrees of influence being awarded JOC in the subsequent events, to those who see spoiling acts by JOC and other hardliners more as part of a coordinated ZANU-PF strategy.⁷² Some sources mentioned that Mugabe is

⁶⁸ E.g. interviews with IDASA, Pretoria, 16 February, 2009; and SAIIA, Johannesburg: 19 February, 2009.

⁶⁹ Most observers put the current Minister of Defence, Emerson Mnangagwa as Mugabe's preferred candidate, but the Mujuru camp, with Retired General, Solomon Mujuru and his wife, Joyce Mujuru, who still holds the Vice President position, has long been seen as a main contender. Noting Mugabe's history of shifting preferences, others suggest he might still be grooming a third candidate, perhaps out of military ranks. Source: Interview, CSU.

⁷⁰ ISS Seminar Report, 2009.

⁷¹ Interview, SAIIA, Johannesburg: 19 February, 2009.

⁷² Interview, CSV, Cape Town: 20 February, 2009.

said to have confided during the negotiations that he had only just managed to steer off a coup.⁷³ However, this could also been a convenient negotiating trick, basically telling his opponents there are limits beyond which he cannot negotiate. The fact that Mugabe has been publically calling for continued farm invasions, in the midst of speculation that these are acts orchestrated by spoiling groups, makes it hard to brush them aside as spoiling agents out to upset the GNU without Mugabe's consent.

Nevertheless, these internal party-dynamics have played out in terms of who got to keep their cabinet posts in ZANU-PF, with the last minute swearing in of additional ministers by Mugabe seen as a reaction to the need to appease certain ZANU-PF high-ups.⁷⁴

Together with an erosion of the support-base among mid-level officials these issues make for signs a weakening of the party's unquestionable hold of power. However, with ZANU-PF winning more votes in local elections than Mugabe did for President in some constituencies, voters might have lost more faith in Mugabe than in the Party. Either way, entering into a GNU shows ZANU-PF's recognition of a need for some semblance of legitimacy internationally.⁷⁵

3.2 MDC-T and MDC-M

As the lead faction in the GNU, with most at stake, Morgan Tsvangirai and his MDC-T party are grappling with improving service delivery without funds. For them to succeed, they need to deliver to maintain legitimacy of the people and cut old systems of patronage to win over the loyalty of the middle ranking officers. Tsvangirai seems to have been painfully aware of the urgency of addressing this, as he, on the day of his swearing in, promised professionals in the civil service⁷⁶ USD payments.⁷⁷ However, increasing the expectations in this manner could prove problematic, as most international donors are still limiting assistance to humanitarian aid. The government has launched the STERP to try to reengage donors for budgetary support, but most traditional donors are still resistant to reengaging at this level. Faced with this challenge, some commentators have suggested the party leadership seems to be lacking alternative plans. While this could be a symptom of the real resource constraints they are facing, it has been suggested that the relative governance inexperience of both factions of MDC is posing additional challenges. After a decade of political standoff, MDC individuals have been systematically excluded from key

⁷³ Interview 2.

⁷⁴ Interview 8.

⁷⁵ Interviews, IDASA, Pretoria: 16 February, 2009; SAIIA, Johannesburg: 19 February, 2009.

⁷⁶ Including "every health worker, teacher, soldier and policeman", Source: Tsvangirai, M. 2009.

⁷⁷ Tsvangirai, M. 2009, Inaugural Speech of the Prime Minister, The Right Honourable Mr. Morgan Tsvangirai.

positions in all levels of government and civil service and therefore lack much of the expertise of running a country or its administration.⁷⁸ Meanwhile, concerns are raised that the MDC factions could be corrupted and adopt the nepotistic and authoritarian attitudes of ZANU-PF.⁷⁹ While some see MDC-M as more likely to play “king maker” and use its balancing position to acquire influence, others point out the authoritarian tendencies seen, especially in MDC-T.⁸⁰ Tsvangirai’s decision to go against the Party’s National Council vote on whether to participate in the Senatorial elections in 2006 is said to have sparked the final split of the party into its two current factions. Indeed, Maroleng notes, “in refusing to comply with the decision of the national council [of MDC] [...], the leader of the opposition seemed to turn his back on the founding democratic principles of the MDC, which expressed a desire for accountable political leadership.⁸¹ Moreover, MDC-T, just like ZANU-PF has its hardliners and those more willing to compromise. Agreeing to Mugabe’s negotiations for additional Ministers equally allowed Tsvangirai to accommodate some additional members of the MDC leadership. However, more recently, the Secretary General of the MDC-T, Minister of Finance, Mr Tendai Biti, is said to have issued an ultimatum that unless outstanding issues⁸² that have troubled the GNU since its formation were to be solved by 11 May 2009, the issue would be referred to the party’s national council showing how these tensions persist.⁸³

Should MDC-T assume power in the post-transition election, a key question will be the extent to which it handles the wide range of interest groups it has brought together under the overarching aim of removing Mugabe. It would be also be crucial that MDC-T does not imitate the authoritarian tendencies it has set out to remove at the pretext of overcoming the undemocratic rule of the previous government, as this would continue the reproduction of bad governance (noted in section 2.3) that has plagued the country since independence.

⁷⁸ Interview 3.

⁷⁹ Interview 4.

⁸⁰ Interview 5.

⁸¹ Maroleng 2006, pp. 64-65.

⁸² The outstanding issues said to be referred to include the reappointment of provincial governors, permanent secretaries, ambassadors, Reserve Bank Governor Gideon Gono and Attorney-General Johannes Tomana.

⁸³ <http://www.voanews.com/english/Africa/Zimbabwe/2009-05-06-voa30.cfm>, accessed on 7 May, 2009; and <http://www.thezimbabweindependent.com/index.php/local/22567-mdc-t-gives-gnu-ultimatum-over-outstanding-issues>.

3.3 Other Emerging Opposition Parties

Mavambo, the party⁸⁴ of last year's independent presidential candidate Simba Makoni, has been plagued by divisions and speculation. The co-founder, Ibo Mandaza, has left the party, as has another senior member, Dumiso Dabengwa, who has re-formed ZAPU.⁸⁵ This has also furthered speculation as to the sincerity of these efforts. While some count them in as serious contesters in the post-transition period, others see them as spoilers, part of a ZANU-PF strategy, orchestrated to divide the opposition vote.⁸⁶ Given ZAPU's historical support in Matabeleland and among the Ndebele population, ZAPU could prove to mobilise its support from Matabeleland where MDC has its stronghold. However, some suggest that ZAPU is too strongly linked to the experience of being victims of the Gukurahundi massacres, wherefore they discount any likelihood of them mobilising votes.⁸⁷ Among those who believe that Mavambo will survive these challenges, and that Simba Makoni will be contesting next election, signs of its consolidation given to look out for are formations of youth or women's leagues.⁸⁸

3.4 The Joint Operations Command (JOC)

The service chiefs of the formal security sectors, who make up the JOC, are seen as the ones with the most to lose from the current developments, as they would risk, not only their privileged positions of power, but also being prosecuted, and therefore as key spoilers of the process. Indeed, Badza notes it would be "naïve to expect these forces to ignore the threat of political change".⁸⁹ Reporting through the President's Office with funds from the RBZ it is clear that JOC wields some degree of power, but interpretations differ whether they act as spoiling agents on the orders/with the consent of Mugabe, or whether their acts of defiance are beyond the control of Mugabe. Nevertheless, there is a concern that the service chiefs of the JOC could succeed in bringing down the GNU through these acts or take over power by military means.⁹⁰ In this vein, there has been speculation that the JOC has been transformed into a group called the "Social Revolutionary Council", chaired by Minister of Defence, Emerson

⁸⁴ Mavambo was not formally presented as a party, but rather as a "Movement", however, for the purpose of this discussion, the term "party" has been used, as it is a likely evolution if it is going to consolidate its programme and support base ahead of a post-transition election.

⁸⁵ Interviews Olof Palme Centre representative at Swedish Ambassador's function, Pretoria: 16 February, 2009; Solidarity Peace Trust, Cape Town: 23 February, 2009.

⁸⁶ Interview 6.

⁸⁷ *Ibid.*

⁸⁸ Interview, IDASA, Pretoria, 16 February, 2009.

⁸⁹ Badza, S., 2008.

⁹⁰ Interviews, IDASA, Pretoria, 16 February, 2009; Maroleng, C. at Swedish Ambassador's function, Pretoria: 16 February, 2009.

Mnangagwa and including State Security Minister, Didymus Mutasa as well as Reserve Bank Governor, Gideon Gono.⁹¹ Whether this transformation has taken place or not, few would question the continued influence in politics and control over the security sector by the security chiefs and the aforementioned individuals. They are seen as having influence over the spoiling acts of defiance, such as holding detainees, the arrest of Roy Bennett before his swearing in as Deputy Minister of Agriculture under MDC-T, and the escalated land grabbing.⁹²

Questions remain, though, as to the commitment behind the security chief's hard-line-positions, among the rank and file in the security sector. There are indications that the mid- and low ranks would be less inclined to resist change than the top echelons.⁹³ Should this inclination be manifested, it could defuse the threat that the security sector pose and release the population from the fear that has gripped the country for large parts of its recent history. For Morgan Tsvangirai to succeed, he therefore needs to deliver to maintain legitimacy of the people and win over loyalty of the middle ranking officers.⁹⁴

3.5 Key Triggers for Destabilising the Security Situation

When assessing the risks of a destabilisation of the security situation in light of the historical abuses by the security sector, one cannot exclude widespread atrocities or even crimes against humanity.

Should the tensions, noted above, among the successor camps in ZANU-PF, erupt into violence from within the party, they pose the most potent threat to the country's security situation. This could be caused by a tilting of powers in favour of one of either camp. A related and highly explosive matter is the potential for a leadership vacuum in ZANU-PF in the event that the, by now 85 year old, President were to pass away ahead of a settlement of the current political situation.⁹⁵ Together these fears therefore increase the urgency of finding a political solution during the 18-24 months' transition period given to the GNU under the GPA, to enable the drafting of a new constitution and a smooth transition.

Another high risk-high impact scenario is hardliners from the security forces making way for consolidation of the ZANU-PF hold to power, by a coup or coup-like manoeuvre. According to some observers, this would be more likely in the event of either a breakup of the GNU, or direct challenges by the

⁹¹ <http://www.thezimbabwemail.com/zimbabwe/2161.html> (Accessed 20 April, 2009).

⁹² See e.g. ISS Seminar Report, 2009.

⁹³ Interviews, IDASA, Pretoria: 16 February, 2009; SAIIA, Johannesburg: 19 February, 2009.

⁹⁴ Interviews 6 and 7.

⁹⁵ Interview, IDASA, Pretoria, 16 February, 2009.

international community for e.g. indictments under the International Criminal Court.⁹⁶ While the same hardliners are seen as the spoilers actively trying to break up the GNU, this therefore calls for efforts at maintaining the GNU, despite these spoiling tactics. This equally puts emphasis on the importance of the GNU process to succeed.

At a lower level of intensity, some would also hold that a failure of the GNU could lead more impatient factions of the MDC to draw the conclusion that political means are exhausted and therefore resort to violence. Similarly, violent riots could erupt as a result of a failure to deliver on rising expectations among the population. However, noting the extent to which the ZANU-PF regime has been willing to go in the past to pre-empt riots or increasing political pressure, (as seen in e.g. Operation Murambatsvina), and the risk of hardliners from within the security sector seizing power on a pretext of restoring public order, this could equally lead to widespread human rights abuses and high levels of violence inflicted upon the population. On the other hand, should the signs of frustration that are visible within the lower ranks of the security sector lead them to refuse to mobilise against the population, riots and protests might erupt without leading to the repressive reaction traditional to the responses by Zimbabwean security forces.

⁹⁶ Interview, Solidarity Peace Trust, Cape Town: 23 February, 2009.

4 Key External Actors

In order to understand the possible role that international actors could play in the future development of Zimbabwe, this chapter gives an overview of some of the key actors and their position vis-à-vis Zimbabwe.

4.1 South Africa

South Africa is seen as Zimbabwe's most important partner, and is likewise heavily affected by, and engaged in, the developments in Zimbabwe. With Zimbabwean migrants to South Africa thought to number over a million, South Africa is grappling with some very concrete consequences, such as increasing pressure on public services and competition for employment. Some would draw a very direct link between the influx of Zimbabwean migrants and the xenophobic violence that spread across South Africa in 2008, whereas others who have analysed the situation maintain that the worst affected areas were not those where most Zimbabweans live and that Mozambicans who tend to live among South Africans in the townships were often worse affected. Either way, with the World Cup coming up in 2010, South Africa does not want to risk similar disturbances or to be seen as incapable of guaranteeing the security of its visitors to the World Cup. While this has led some South Africans to call for more stringent border controls⁹⁷, indications are that South Africa is loosening up its migration regime to allow Zimbabweans to enter on temporary residence and work permits rather than asylums – obviously with its own security risks in South Africa.⁹⁸

As the most influential nation in the region, if not on the continent, South Africa has also played a key role in the mediations related to Zimbabwe. Its former president, Thabo Mbeki, was mandated mediator by SADC in 2007⁹⁹, and after the June 2008 run-off election, the mediator was endorsed by the AU¹⁰⁰, with the explicit mandate of encouraging the formation of a GNU between the parties. In this role, South Africa has been accused of a flawed discourse of “shared responsibility” between MDC and ZANU-PF for the situation in the country.¹⁰¹ Many outsiders would have liked to see Mbeki and South Africa take a stronger stance on Mugabe and offer more support for Tsvangirai. However, mediation efforts are still seen to have succeeded initially in establishing conditions for somewhat free and fair elections in the March 2008 harmonised elections. Once the ZANU-PF regime resorted to extreme forms of targeted violence, it was

⁹⁷ Interviews Democratic Alliance, Cape Town: 20 February, 2009; Inkatha Freedom Party, Durban: 24 February, 2009; African National Congress, Johannesburg: 19 February, 2009.

⁹⁸ Interview 9.

⁹⁹ SADC Communiqué, 29 March, 2007.

¹⁰⁰ AU Summit Resolution on Zimbabwe, 1 July, 2008.

¹⁰¹ ISS Seminar Report, 2009.

obvious though, that regardless of the mediatory progress, ZANU-PF was not going to relinquish power. When this situation evolved, South Africa stood firm in its approach of bringing Mugabe into the warmth and trying to get the parties to find a common solution, in the face of an international outcry for harder measures including sanctions.¹⁰² For example, South Africa, during its position in the Security Council, voted against a draft resolution to impose sanctions on individuals in Zimbabwe. During the protracted negotiations between the three parties to the GPA, Mbeki, and thereby South Africa, has by some been characterised as bullying Tsvangirai into the GNU.¹⁰³

With its own preoccupation with elections and likely subsequent domestic issues, South Africa is feared to fail Zimbabwe in the country's most critical juncture. While the neutrality of South Africa has been questioned in the past¹⁰⁴, this would leave SADC with a leadership vacuum on Zimbabwe at a crucial period in history.¹⁰⁵

4.2 Botswana

Botswana has emerged as the most outspoken critic of Mugabe in the region. It is seen to base its position on a combination of three factors: a sincere concern for the democratic and SADC principles; an effort to avert a growing migration pressure from Zimbabwe¹⁰⁶; and settling non-related foreign policy scores with South Africa. Prior to the formation of the GNU, Botswana would have liked to see an increased international engagement in the political negotiations. However, now that the GNU has been formed, Botswana is supportive of a reengagement and has reportedly pledged USD 70 million in credit line to a rescue package for Zimbabwe.¹⁰⁷

¹⁰² Department of Foreign Affairs, Republic of South Africa, 2009.

¹⁰³ Interview 8.

¹⁰⁴ See e.g. Matyszak, D. (undated).

¹⁰⁵ Interview, SAIIA, Johannesburg: 19 February, 2009.

¹⁰⁶ Signs of the pressure Botswana is feeling can be read in increasing deportations from Botswana (Source: Interview 10). In addition, fears exist that livestock health could be jeopardised with a potential negative effect on its livestock exports to the EU (Interview, Botswana High Commission Official at Swedish Ambassador's function, Pretoria: 16 February, 2009).

¹⁰⁷ See: http://www.theglobeandmail.com/servlet/Page/document/v5/content/subscribe?user_URL=http://www.theglobeandmail.com%2Fservlet%2Fstory%2FLAC.20090417.RTICKERB17ART1937-5%2Fstory%2FBusiness&ord=16467009&brand=theglobeandmail&force_login=true.

4.3 SADC¹⁰⁸

The role of SADC, and its appointed mediator, Thabo Mbeki, was crucial in negotiating conditions that enabled relatively free and fair elections to be held in the first round of elections in March 2008¹⁰⁹. Following the presidential run-off election, however, the SADC Election Observer Mission concluded that “the process leading up to the presidential run-off elections held on 27 June 2008 did not conform to the SADC Principles and Guidelines Governing Democratic Elections” and that based on this the Mission was “of the view that the prevailing environment impinged on the credibility of the electoral process [, wherefore] the elections did not represent the will of the people of Zimbabwe”.¹¹⁰ Similarly the Pan-African Parliament’s observers of the AU concluded that the elections “did not give rise to the conduct of free, fair and credible elections”.¹¹¹ Despite these findings, both SADC and AU continued to accept of Mugabe as the legitimate representative of the country in its meetings during and after the run-off elections. Through this conduct, the regional body has proven its continued soft stance on unconstitutional *maintenance* of government, which could be seen as failing the yet to be ratified Charter on Democracy, Elections and Governance of the AU as well as SADC’s own Protocol on Principles and Guidelines Governing Democratic Elections^{112, 113}. Mugabe’s continued participation in these meetings limited the scope for critical voices to be heard. Nevertheless, immediately following the June 2008 run-off election, the AU supported the call for the formation of a GNU. SADC remained engaged in the negotiations and through its Communiqués issued decisions pertaining to the negotiations, such as the “forthwith” formation of an inclusive government, and for the Ministry of Home Affairs (MoHA) to be co-managed between the two parties.¹¹⁴ Meanwhile, as a guarantor, SADC is committed to continue to be “seized of the matter”, but has failed to establish a strong monitoring team with a mandate to document breaches of the GPA or to recommend actions against those responsible for breaches.¹¹⁵ Any engagement beyond diplomatic efforts remains unlikely, but strong arguments are in place for its engagement in the management of the post-

¹⁰⁸ Despite the delimitation mentioned in the scope to focus on SADC, rather than the AU due to the subsidiarity principle, examples of the AU are mentioned to give the context of SADC’s position.

¹⁰⁹ One important factor was the posting of results on each of the polling stations for the public to access, adding transparency in the process. It is worth noting in this regard, that MDC-T gained a majority over ZANU-PF in these parliamentary elections, while the presidential elections were subjected to a run-off election which was widely condemned.

¹¹⁰ SADC Electoral Observer Mission (SEOM), Preliminary Statement 29 June, 2008.

¹¹¹ Pan African Parliament, Report of the Pan African Parliament Observer Mission.

¹¹² In this regard, it is interesting to note that Zimbabwe was the first SADC Member State to incorporate these principles into its national law. Source:

<http://www.sadc.int/archives/read/news/396> (accessed on 12 May, 2009).

¹¹³ Badza, S., 2008.

¹¹⁴ SADC Communiqué, Sandton, Republic of South Africa, 29 November, 2008.

¹¹⁵ Interview, SAILA, Johannesburg: 19 February, 2009.

transition elections. Commentators remain sceptic that SADC would actually provide anything but monitors, though, noting that Mugabe/ZANU-PF would invoke principles of sovereignty and non-interference. Even in the event of an internal military take-over in Zimbabwe, SADC's willingness to intervene has been put into question, given the solidarity among liberation movements in the region¹¹⁶, SADC's strong respect for non-interference, and the perceived strength of the Zimbabwean Defence Forces.¹¹⁷ Most SADC members seem to prefer a multilateral approach to Zimbabwe, with SADC in the lead. For SADC, the GPA and GNU settlement provides a fresh break, after Zimbabwe exposed divisions in the regional body and drew its attention from other pressing issues for a protracted period. Botswana, Zambia, Lesotho and Tanzania (along with Kenya outside SADC, but in AU) have been more or less outspoken in their criticism, while South Africa, Democratic Republic of Congo (DRC), Namibia and Mozambique have remained firm, if not in support of, at least in their silent approach on the matter. Angola, which has strong historical ties to Zimbabwe, has been suggested to be moving away from an outright support of Mugabe. SADC is nevertheless still engaged in efforts to raise funds for the GNU and have issued calls to the international community to reengage and stop sanctions, arguing that this should be based on benchmarks devised and owned by the GNU itself. These calls have been matched by feelings in the wider international community that SADC should take the lead in reengaging under the conditions that they have negotiated.¹¹⁸

4.4 The Wider International Community

The international community, as represented by the traditional western donors, maintains targeted restrictions under a “wait and see” approach¹¹⁹, which is nevertheless characterised by generous and growing humanitarian assistance. In the meantime, donors are coordinating their positions and seeking to harmonise their principles for re-engagement, which include the following¹²⁰:

- Full and equal access to humanitarian assistance;
- Commitment to macroeconomic stabilisation in accordance with guidance from relevant regional and international agencies;
- Restoration of the rule of law, including enforcement of contracts, an independent judiciary, and respect for property rights;
- Commitment to the democratic process and respect for internationally accepted human rights standards, including commitment to freedom of

¹¹⁶ Adolfo, E. V., (forthcoming).

¹¹⁷ Interview, IDASA, February 16, 2009.

¹¹⁸ Interview 11.

¹¹⁹ ISS Seminar Report, 2009.

¹²⁰ Communication with the Swedish Embassy in Harare, 8 May, 2009.

expression, freedom of print and broadcasting media, freedom of assembly, and freedom of association; and

- A commitment to timely elections held in accordance with international standards, and in the presence of international election observers.

In the past, Mugabe has skilfully played out these restrictions as widespread “illegal sanctions”, to maintain his own legitimacy and create public pressure for their removal. Meanwhile, pressure for the international community to reengage is mounting, from the Zimbabwean Parliament, GNU, SADC and AU. However, from the international community, there is a preference for SADC, which mediated and stands as guarantor for the agreement, to take the lead.¹²¹ Nevertheless, many actors recognise the critical juncture politically and the urgent need for financial backing for Tsvangirai/MDC to carry the day or avoid a breakdown of the GNU and possible violence.

4.4.1 The United States of America

While the United States (US) Government recently renewed its sanctions under the Executive Order (EO) of the President¹²², and maintains other restrictions, as set out below, it remains one of the largest donors to Zimbabwe.

US Sanctions

The restrictions and sanctions from the Government of the USA appear to be of two different categories. The first, which dates back to 2001, is the Zimbabwe Democracy and Economic Recovery Act of 2001. This act instructs the United States executive director to each international financial institution to oppose and vote against any loan, credit or guarantee to, as well as any cancellation or reduction of indebtedness by, the Government of Zimbabwe from any international financial institute. As a condition for reengagement, the following conditions are set out:

- Restoration of the rule of law (respect for ownership and property rights, freedom of speech and association, an end to lawlessness, violence and intimidation, *sponsored, condoned or tolerated by the Government of Zimbabwe, the ruling party or their supporters or entities*);
- Free and fair presidential elections or establishment of pre-election conditions consistent with accepted international standards for security and freedom of movement and association;

¹²¹ Interview 11.

¹²² <http://allafrica.com/stories/200903050317.html> (accessed on 22 April, 2009).

- Commitment to equitable, legal and transparent land reform (consistent with the agreements reached at the International Donors' Conference on Land Reform and Resettlement in Zimbabwe, Sept. 1998);
- Fulfilment of the Lusaka Agreement on ending the war in DRC;
- Military and national police subordinated to civilian government.

Given the voting power of the USA in international financial institutions like the World Bank and the IMF, this restricts Zimbabwe's chances of accessing these mechanisms – regardless of whether it was to mobilise the funds to clear its arrears. A recent statement by the IMF African Department on its position on Zimbabwe clarifies the current situation, “the Fund cannot provide financial resources for Zimbabwe because there are still sanctions in the Fund with Zimbabwe, so to start that process, there will be a need to lift those sanctions and also for Zimbabwe to repay arrears to the Fund and other international financial institutions”.¹²³

The second is a series of EOs from the President, “Blocking Property of Persons Undermining Democratic Processes or Institutions in Zimbabwe” (EO 13 288, 10 March, 2003) and subsequent additions of persons (Blocking Property of Additional Persons Undermining Democratic Processes or Institutions in Zimbabwe” (EO 13 391, 25 November, 2005, and EO 13469, 25 July, 2008). Whereas the first two EO:s concern specific persons, those assisting them, their immediate family members and entities owned, controlled by or acting on behalf of the identified persons, the latter EO, which followed the June run-off elections, expands this to any person determined “to be a senior official of the Government of Zimbabwe” or “to be owned or controlled by [...] the Government of Zimbabwe or an official of the Government of Zimbabwe”. It would therefore appear as if the sanctions have been expanded from select individuals to encompass the Government of Zimbabwe as such. The formation of the GNU does not seem to have led to a revision of this latest EO, which extends to the Government of Zimbabwe and its officials.

4.4.2 The European Union

The conditions above are very similar to the guiding principles for reengagement by the EU, as set out below, which has suspended its wider partnership with Zimbabwe under Article 96 of the Cotonou Agreement. These restrictions entail a formal process with outlined benchmarks, listed below, requiring actual improvements before the suspension can be lifted.

¹²³ Transcript of a Conference Call with Civil Society Organizations (CSOs) on IMF Facilities Reform, Saul Lizondo, African Department, IMF, March 25, 2009, <http://www.imf.org/external/np/tr/2009/tr032509a.htm> (accessed on 16 April, 2009).

Six benchmarks for the EU lifting restrictions on Zimbabwe¹²⁴:

- An end to political intimidation and violence;
- Establish democracy and respect for human rights (incl. free and fair elections);
- Freedom of the media;
- Justice (incl. independence of the judiciary);
- Land reform (solving the land issue); and
- Food and humanitarian assistance (free access, etc).

Despite its restrictions, the EU continues its political dialogue under Article 8 of the same agreement. It also continues to be one of the largest donors to Zimbabwe and has been providing assistance in areas where other donors have had difficulties engaging due to their limited humanitarian focus. One innovative such example is the European Commission's support for the health system in Zimbabwe through, not only providing funding for essential drugs, but also paying "retention allowances" for health workers in Zimbabwe. Through this scheme, health sector staff are paid directly by the European Commission into their personal foreign currency accounts. Together with the Global Fund, the EC is thus supporting a minimum amount to retain health sector personnel at work. The Ministry of Health and Child Welfare (MoHCW) in turn has agreed that these allowances will be free from taxation and explicitly acknowledges that the long-term responsibility for its workers salaries remains with their employer. A joint monitoring system has also been put in place, where all lists of personnel are submitted monthly with the approval of the District Medical Officer, Provincial Medical Officer and the Director General of the MoHCW.¹²⁵

4.4.3 The United Nations

Beyond its humanitarian and developmental programmes in Zimbabwe, the political engagement by the UN became visible following Operation Murambatsvina, the urban clean-up campaign. The Operation took place between May and July 2005 and the UN sent a Special Envoy to Zimbabwe¹²⁶ in June 2005, who later briefed the UN Security Council. This was soon followed by a Mission by the Under Secretary General for Humanitarian Affairs¹²⁷ that same

¹²⁴ Interview, Delegation of the European Commission to Zimbabwe, Harare: 4 March, 2009.

¹²⁵ Ministry of Health and Child Welfare, 2008; and personal communication with the European Commission, 20 April, 2009.

¹²⁶ UNSG's Special Envoy on Human Settlement Issues in Zimbabwe, Under Secretary General, Ms. Anna. K. Tibaijuka.

¹²⁷ Under Secretary General for Humanitarian Affairs, Mr. Jan Egeland.

year, adding the high profile attention given to the country by the UN Secretariat.¹²⁸

More recently, starting with the delay in the release of the results from the March 2008 elections, members of the Security Council expressed their concern in the Council over the situation in the country and called for the release of the results in April that year. The Secretary General of the UN also met with the, then, opposition leader, Tsvangirai, over the protracted post-election crisis. As the run-off election approached, and the violence intensified, the Security Council was briefed by the Under Secretary General for Political Affairs, held discussions on the situation and finally adopted a Presidential Statement in which it condemned the violence against the opposition, called on the government to stop the violence, and concluded that it would be impossible to hold free and fair elections, and instead called for the March elections to be respected.¹²⁹ The Government of Zimbabwe nevertheless went ahead with the elections, which were immediately followed by a statement by the Secretary General saying that the outcome neither reflected the will of the people nor produced a legitimate result. He also encouraged the two sides to negotiate a political solution that would end the violence and lent his support to the efforts by the AU and SADC to promote an agreement acceptable to the people of Zimbabwe.¹³⁰

The decision to go ahead with the elections also led a number of countries¹³¹ to opt for a Sanctions Resolution against certain individuals identified as responsible for political violence. However, this was voted down, including votes against by China, Russia and, notably given its position in the region and leading the negotiations, South Africa.¹³²

On a more programmatic level, the UN has been a long-term advocate for more early-recovery type interventions, as seen e.g. in the Consolidated Appeals Process (CAP). Beyond this the United Nations Development Programme (UNDP) also commissioned a Comprehensive Economic Recovery Discussion Document for Zimbabwe.¹³³

¹²⁸ Security Council Report, http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.2850633/k.2F78/Zimbabwebr_Historical_Chronology.htm (accessed on 7 May, 2009).

¹²⁹ *Ibid.*

¹³⁰ <http://www.un.org/apps/sg/sgstats.asp?nid=3259> (accessed on 7 May, 2009).

¹³¹ The submitting countries were: Belgium, Croatia, France, Italy, Netherlands, the UK and USA. Source: Security Council Report, http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.2850633/k.2F78/Zimbabwebr_Historical_Chronology.htm (accessed on 7 May, 2009).

¹³² Vietnam and Libya also voted against the Resolution, while those voting in favour of the resolution were Belgium, Burkina Faso, Costa Rica, Croatia, France, Italy, Panama, UK and USA. Source: Security Council Report, http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.2850633/k.2F78/Zimbabwebr_Historical_Chronology.htm (accessed on 7 May, 2009).

¹³³ http://www.humansecuritygateway.info/documents/UNDP_Zimbabwe_ComprehensiveEconomicRecovery.pdf, (accessed on 7 May, 2009).

5 Critical Reforms for Zimbabwe's Security

Given the history of Zimbabwe and the situation as set out above, a number of areas emerge as critical for establishing the foundation for a secure environment in Zimbabwe. While macroeconomic stabilisation is critically needed given the severity of the economic crisis in Zimbabwe, the section below focuses on political issues under the headings *Governance*, *Security Sector Reform (SSR)* and *Transitional Justice and Reconciliation*, as they are seen as linked to the triggers for destabilising the security situation on the one hand and to require attention during the transition phase in order to pave the way for a more democratic and stable development of the country on the other.

5.1 Governance

Since the multifaceted crisis in Zimbabwe is fundamentally rooted in governance failure, the situation calls for fundamental political change towards a more democratic, accountable and transparent government. From a governance perspective the entrenchment of ZANU-PF and the military across the public sector, as elaborated in the political section above, is a very negative development that jeopardises the independent role that the civil service is supposed to play in a functioning democracy. Instead the state apparatus has long been equated with keeping the interests of the party rather than the party serving the interests of the country.

Constitutional reform is therefore key to addressing the governance problems inherent in the crisis in Zimbabwe. As seen, such a reform forms part of the GPA, and it could lay the foundations for a reform of the political institutions and restoration of the rule of law. A constitutional reform also provides the basis for elections after the transitional period as well as a more systematic approach to much of what needs to be done in terms of e.g. SSR and transitional justice – issues which are outlined in the sections below. Crucial to this process is coming to terms with the party-state entrenchment of ZANU-PF across the spectrum of public sector.¹³⁴ However, with appointments continuing to be made to key sectors singlehandedly by Mugabe after the signing of the GPA, and a refusal to reconsider the critical positions of the Governor of the RBZ and the Attorney General, there is cause for scepticism as to the commitment to this process.¹³⁵ In the meantime, many observers have suggested that the protracted negotiations

¹³⁴ Interview, ZHR Forum, Harare: 2 March, 2009. See also Badza, S., 2008; Moss, T. 2007; and ISS Seminar Report, 2009.

¹³⁵ Interview, ZHR Forum, Harare: 2 March, 2009.

ahead of the formation of the GNU over the Ministerial post for MoHA was related to its importance in managing forthcoming elections, showing lack of faith in, or commitment to, running free and fair elections after the transition period. Civil society is also raising concerns over lacking provisions for their input to the constitutional reform process, which should be crucial to gain national confidence.¹³⁶

5.2 Security Sector Reform

The trend of a partisan civil service is most worrying and can have most detrimental effect on human security when it infects the security sector. This sector is supposed to manage the monopoly of power in the interest of the sovereignty of the state, and apply law and order in a neutral manner in order to ensure the realisation of fundamental human rights. Only then can human security be obtained at the individual level. Instead, in Zimbabwe, the security sector has been employed to ensure the sovereignty of the ZANU-PF party at the detriment of human rights and wider human security. The partisan stance of the service chiefs has been seen in e.g. their refusal to salute anyone without “liberation credentials” which has led them to oppose any such person to take the Presidential Office.¹³⁷

In post-independence Zimbabwe, another trend has been the deployment of soldiers and paramilitary units to address domestic issues, ranging from the Gukurahundi massacres in the 1980s till the post 29 March run-off election. Coupled with this problem of turning the military on its own citizens, Zimbabwe has developed a culture of impunity for human rights abuses committed by members of the security sector and its leadership.

Together these challenges point to the urgency for a SSR in Zimbabwe. Indeed it might be the most critical of a much needed de-politicisation of the public sector. In his article “The Crisis in Zimbabwe: A Case for ‘root and branch’ Security Sector Reform?”, Martin Rupiya¹³⁸ states, “in a post-crisis Zimbabwe, the deployment of the military must be constitutionally mandated and limited in order to protect citizens from the use and abuse of this institution by political leaders”.¹³⁹ In this regard, the enactment of the National Security Council Act can be seen as a first positive step towards SSR. As noted in the security situation section above, it opens up for brining it in under civilian control, including the Prime Minister, members of the Cabinet and a budget that goes through Minister

¹³⁶ Interview, Christian Alliance, Harare: 2 March, 2009.

¹³⁷ See e.g. Rupiya, M. 2009.

¹³⁸ Martin Rupiya, who previously served as Programme Director at Institute of Security Studies (ISS), and is a former Lieutenant Colonel in the Zimbabwe National Army, is currently serving as security advisor of MDC-T.

¹³⁹ Rupiya, M. 2009, p. 1.

of Finance instead of funding directly through the Presidents' Office with money from the RBZ.¹⁴⁰ In this regard, Rupiya highlights the, until recent, marginalisation of parliament leading to it having stopped playing its function as the popular representation of the public, undertaking the important role of allocating resources and oversight of the security sector. Most observers, however, remain more sceptical saying that this is façade to hide the parallel power structures remaining in the JOC. As was elaborated in section 3.4 above, there is little question that the members of JOC are still engaged in a parallel structure. As such the security sector continues to pose serious threats to the security of the population and the likelihood of a democratic transition.

5.3 Transitional Justice and Reconciliation

As seen in section 2.4.1, Zimbabwe's historical abuses by the security sector emphasise the need for a transitional justice and reconciliation process to enable a democratic and peaceful development. The country has been plagued by human rights abuses since before its independence. In fact, it might not be unreasonable to suggest that the abusiveness of the minority-rule regime that preceded independence and its reluctance to yield power to the majority, could have contributed to the legitimacy that the post-independence regime enjoyed, regardless of performance.¹⁴¹ Nevertheless, limiting the view to the period of independence, victims have included the Ndebele minority population during the Gukurahundi massacre (early 1980s), white commercial farmers and black Zimbabwean farm workers from rural commercial farming areas during the Fast Track Land Reform Programme (2000 onwards), rural dwellers seen as supportive of MDC during Operation Murambatsvina (2005), and later those seen as opposition supporters mainly in rural areas (2008).

Any of the above mentioned atrocities would have been sufficient to justify a transitional justice process of some sort on their own. Together they make such a process inevitable for marking an end to human rights atrocities and a culture of impunity as well as paving the way for national healing.

As with most such processes, balancing justice and peace, as well as timing and compromise will be essential. Academics recognise the need for granting some form of conditional amnesty.¹⁴² CSOs and human rights groups on the other hand emphasise the need to revoke a culture of impunity and to hear the victims' calls for justice over peace. Recognising that Zimbabwe needs both justice and peace, this calls for encouraging patience, while the political process towards a new constitution proceeds. In the meantime, the groundwork of victim consultation

¹⁴⁰ Interview, Christian Alliance, Harare: 2 March, 2009.

¹⁴¹ Maroleng, C., 2005.

¹⁴² Interview, Institute for Justice and Reconciliation, Cape Town: 23 February, 2009.

and documentation should continue in a non-threatening manner in order not to trigger a violent reaction from the hawks in power. A positive development in this regard is the formation of the Organ for National Healing and Reconciliation, with a Minister from each of the three parties, as it lends support to community reconciliatory work. However, scepticism remains as to the sincerity behind this committee as well as its capacity. Transitional justice and reconciliation efforts need to be sensitive to the particularly strong grievances felt by the Ndebele since the Gukurahundi massacres, but at the same time, history shows that most segments of groups of society have suffered abuses at the hands of the state since Zimbabwe's independence. This spread of victimisation across society could create a unity in experience beneficial to reconciliation efforts.¹⁴³

¹⁴³ Interview, Christian Alliance, Harare, 2 March, 2009.

6 Risks of Reengaging the GNU

While the Zimbabwean Parliament, the GNU, South Africa and SADC have all called for “reengagement” by the international community and urged the traditional donors to come forward to provide financing for a rescue package, these donor countries have remained cautious in their approach, opting for a “wait and see” approach, during which humanitarian funding continues to be provided to Zimbabwe.

As has been seen above, this has often been justified by a wish to see improvements in concrete action, over and above mere policy statements. Beyond continuing the pressure for improvements in key governance areas, this can also be related to some real risks of reengagement with the Government of Zimbabwe under current conditions. Listed below are therefore some identified risks that draw from the benchmarks for reengagement set by international donors as well as relate to the areas of critical reform.

6.1 Macroeconomic Stability

Starting with economic logic, donors have been reluctant to engage in recovery, in view of the fact that many of the economic factors that have contributed to the collapse of the economy are still in place. Indeed, commitment to macroeconomic stabilisation in accordance with guidance from relevant regional and international agencies has been set out as a requirement for donor reengagement.

The recent attack on property rights seen in renewed farm invasions, despite the GPA setting out a land audit to address the land question, and the siphoning off of foreign currency bank accounts by the Reserve Bank Governor are but a couple of examples.¹⁴⁴ One could argue that these are part of acts of sabotage by spoiling agents rather than part of the official macro economic policy of the country.¹⁴⁵ Nevertheless, they fall far from the positive concrete steps in the right direction sought by the international community and rather make the STERP policy appear as little more than a policy on paper.

From a short-term economic perspective then, would seem to make sense to practice caution, despite the positive steps recorded by the IMF Chapter IV

¹⁴⁴ See e.g. <http://www.radionetherlands.nl/currentaffairs/region/africa/090422-zimbabwe-bank-stole-money> (accessed on 24 April, 2009).

¹⁴⁵ Reports that Ministers of all parties recently received Mercedes-Benz vehicles give a particularly distasteful touch to the recent disclosure that the Reserve Bank Governor has been taking money from private accounts for supposed government expenditure. See e.g. <http://www.timesonline.co.uk/tol/news/world/africa/article6024469.ece> (accessed on 7 May, 2009).

Mission, which recently led it to open up for targeted technical assistance.¹⁴⁶ Until and unless macroeconomic management is restored, financial resources put into the Zimbabwe economy are likely to be unsustainable and perhaps even siphoned off by corruption. Nevertheless, observers have emphasised the importance of seizing the opening provided by the political agreement to try to tilt the political forces in favour of those open to reform. Under these circumstances investing in a bad economic deal might mean winning a good political one and could even prove to make economic sense in a longer term.

6.2 Governance, Human Rights and the Rule of Law

As with the macroeconomic situation, donors would expect to see concrete steps for improvement in the overall political governance of the country. However this area is riddled with challenges, which could be harder to predict.

6.2.1 Human Rights

The Government of Zimbabwe, or elements thereof, still engages in condoning, carrying out or turning a blind eye to acts of human rights violations and abuse. Some sections of society were therefore angered by Morgan Tsvangirai agreeing to be sworn in as Prime Minister without human rights activists first being released, claiming that the formation of the GNU has legitimised a travesty of justice. For the international community which is seeking signs of commitment to the democratic process and respect for human rights, reengaging under these conditions could be seen as feeding a culture of impunity and lending further legitimacy to this abuse of human rights. However, regardless of whether funds are provided directly to the perpetrators or not, as with all types of funding, the fungibility of aid can easily make donors accused of being complicit.

6.2.2 Free and Fair Elections

Noting the insincerity by some segments of ZANU-PF towards the GPA, there is reason to believe that there is a lacking commitment to running free and fair elections after the transition period. This has been noted, e.g. in relation to the reluctance of either party to relinquish power over MoHA, which is responsible for running elections. As donors, there is therefore reason to minimise the risk of lending legitimacy to a future election process, if it is not going to be conducted in accordance with international standards and in the presence of international election observers. The question remains, though, whether waiting and seeing

¹⁴⁶ <http://www.imf.org/external/np/sec/pr/2009/pr09152.htm>

won't increase the risks of an illegitimate election than by strategic engagement. Moreover, this concern would probably become more relevant as elections approach, wherefore a decision on restricting funding based on this fear would be more accurate closer to the elections.

6.2.3 Personal Impunity and Upholding the Impartiality of the Civil Service

There are strong reservations against reengaging with a government that maintains individuals who have been instrumental in past and ongoing abuses as well as disastrous economic governance and corruption. In the absence of sincere efforts to show that they have fundamentally changed their position to embrace and work for positive reform and accountability to the people, neither trust nor legitimacy can be obtained for reengaging with these individuals. While no exhaustive list could be given, some need to be mentioned. Most notably, there were great expectations from the international community that Robert Mugabe, the President himself, would step down from power before any reengagement, because of his ultimate responsibility for the country's management during periods of severe human rights abuses and economic mismanagement. Similar reservations remain for the Governor of the Reserve Bank, Gideon Gono, who is seen as both pursuing disastrous economic policy and bankrolling the JOC, and The Attorney General, Johannes Tomana, who is seen as a Mugabe loyalist and therefore undermining the impartiality and independence of the judiciary. Needless to say, the maintenance of the Service Chiefs, who have been in power and responsible for large parts of past and ongoing atrocities, is a far cry from the GPA's call for "brining all perpetrators of politically motivated violence to book".¹⁴⁷ However, as noted under the section on transitional justice and reconciliation, brining the political process forward may in certain situations call for patience and compromise when it comes to justice.

6.2.4 Politicisation of Assistance

International donors have requested that full and equal access is ensured to humanitarian aid before engaging further with the Government of Zimbabwe. Over the last few years, there have been numerous reports of restrictions of humanitarian actors, as well of politicisation of aid. This is a serious breach of the principles of humanitarian aid. Should donors engage further, in more recovery type interventions, these often require more reliance on government structures, and therefore get exposed to further risks of government abuse. This therefore calls for strict monitoring mechanisms as well as cautious choice of partners and implementation structures for any assistance that might be

¹⁴⁷ GPA, p. 8.

forthcoming. The question is, therefore, if the large traditional donors, based on their long experience, would not have a better capacity to design monitoring mechanisms and implementation structures, than e.g. the countries in the region which the GNU has been relying on for bilateral support. Waiting and seeing, while other countries take the first initiatives could therefore, unintentionally set the GNU up for failure.

6.2.5 Rule of Law and Security Sector Reform

Above it has been argued that establishing rule of law would require a comprehensive SSR, including the military, police and judiciary. Again, international donors have identified the restoration of law among its conditions for reengagement. To name a few, the unilateral appointment of Attorney General, Johannes Tomana, baseless detention of human rights activists and farm invasions, testify to the continued partisan nature of the justice system and the overall absence of rule of law and respect for human as well as property rights. Apart from running the risk of having resources siphoned off through disrespect for property rights as mentioned above, the real concern here comes from lending legitimacy to a regime that continues to engage in such abuses.

Engaging the security sector, e.g. through provision of salaries or training for the professionalisation of the sector under an SSR initiative, or in a “disarmament, demobilisation and reintegration (DDR) programme, more than lending legitimacy to potential abuses, actually exposes donors to the risks of being caught actively supporting groups that are engaged in atrocities committed against innocent citizens. Related to this is the risk that external support of this sector, instead of diffusing a potential implosion in the security sector and releasing them from the chains of clientelism, maintains an oppressive apparatus that would otherwise have disintegrated or paved the way for a “peaceful” revolution, whereby the security forces refuse to turn on its own population in a popular uprising.

It should be noted, however, that Martin Rupiya partially puts the blame on the imperfect execution of the DDR of ex-combatants following independence, for war veterans being available to be mobilised in the Governing party’s interests.¹⁴⁸ Also, this risk is not unique to the situation in Zimbabwe, but often present when the international community decides to engage in DDR-type interventions. Furthermore, with regard to a popular uprising, the fact that the people of Zimbabwe have gone through the most rapid decline in a number of socioeconomic indicators, including attaining the lowest life expectancy in the world, means waiting for their rising to the streets might risk even more lives.

¹⁴⁸ Chitiyo, K. and A. Johnson, 2008, Zimbabwe: Crisis, Reconstruction and Security, RUSI Conference, 7 February, 2008.

6.3 Political Considerations

Beyond risks directly related to the international donors' restrictions or the critical reforms for Zimbabwe's security a couple of political considerations have been identified below.

6.3.1 Violent Reaction from those Resisting Reform

Noting that one of the main triggers identified for destabilising the security situation is hardliners from the security forces carrying out a coup or a coup-like manoeuvre, one cannot exclude that international engagement in areas that would tilt the power in favour of those more open to change, would trigger such a response. Similarly, one cannot exclude that such tilting of power would also negatively affect a successor candidate with influence to mobilise the military for such a move. Nevertheless, as noted above, some observers have suggested that a coup-like move by the security sector would be more likely in the event that the GNU were to fail.

6.3.2 Undermining the Political Capital of the West

Retracting on an almost decade long hard and fast position of isolating Mugabe and ZANU-PF out of power, would risk not only losing face in the particular case of Zimbabwe but also undermining the effectiveness of similar tactics at an international scale – signalling that if one has the patience and hold out, eventually the West will back down. Some would argue, however, that the GPA and current GNU presents exactly the kind of situation that the West would need to justify a changed position on Zimbabwe.

6.4 Risks Concluded

As can be seen then, even beyond the need to keep the political pressure for positive change, there are strong reservations against reengaging with the GNU, based on risks of losing funds, causing more suffering on the population of Zimbabwe, lending legitimacy to non-democratic forces or eroding one's own legitimacy in the international arena. However, just as there are two sides to a coin, there are often two sides to these arguments and it has been shown that avoiding actively engaging the current situation could equally facilitate the continuation of the above mentioned ills. This would suggest that the political opportunity offered by the GPA and the formation of the GNU should be critically examined for pragmatic entry points for supporting the political process. The section that follows therefore elaborates a non-exhaustive reengagement strategy.

7 Strategy for Reengagement

As has been noted above, the failure of the GNU and the GPA to deliver a positive transition in Zimbabwe could lead to escalating violence. Consequently, a security analysis leads to suggest a need for the international community to find creative ways in which to engage beyond humanitarian assistance to support the political process. This therefore speaks against adopting or maintaining a “wait and see” approach and instead finding pragmatic areas of reengagement in this critical juncture in the Zimbabwean political and security landscape.

Even then, the international community would not be expected to drop all restrictions and provide blanket balance of payment support. While the government’s STERP policy would provide a good basis for entering into discussions around reengagement, the international community would still need to put in place plans and strategies for how to engage different sectors. Potentially, this could be done without exposing funding to the risks of channelling it through the RBZ.

Writing on strategies for democracy assistance, Carothers emphasises the importance of not ignoring power relations that determine a country’s political life, and stresses the need to make reference to social, political and economic forces that shape the institutional sectors that are sought to be supported.¹⁴⁹ This requires asking why e.g. the judiciary is in such a lamentable state, whose interests it serves and, therefore, whose interests would be threatened by reforms to the system. In this report, some of those actors and interests have been discussed, but more importantly, it points out the importance of breaking the current structure of interests and powers. Ultimately, the report has identified that the current GNU is a battle over the state. In the short term, focus therefore needs to be more on how to tilt the balance of power in favour of those open to reform without upsetting confidence building efforts, than on all-encompassing, comprehensive strategies.

With reference to the historical abuses by the security sector, covered in section 2.4.1, and the identified triggers for destabilising the security situation, in section 3.5, the strategies for possible entry points below can be divided into a) governance issues, which would contribute to enabling a democratic transition; b) security sector reform and c) addressing public grievances and easing the public frustrations and the risks for violent riots and subsequent repercussions. As will be seen, there is no clear-cut distinction between these categories, with e.g. interventions related to council-level governance reducing public frustrations; and interventions listed under SSR also paving way for better

¹⁴⁹ Carothers, T., 1997.

chances of improving governance through enhancing the chances of running of free and fair elections.

Further, drawing on the reluctance to move beyond humanitarian assistance, interventions aimed at easing public frustrations have been identified that would link closely to sectors of critical importance from a humanitarian perspective (such as protection, health, education, water, sanitation and food security), but with a design that would re-establish government or private structures for delivering these services rather than solely relying on parallel structures.

7.1 Governance

While the GPA has set out the revision of the constitution, and initial steps have been taken to move this forward¹⁵⁰, some immediate support could be designed to ensure independent monitoring and reporting on this process, as well as to engage critical governance institutions which could contribute to moving the influence towards those more in favour of reform.

7.1.1 Proactive Engagement by SADC

Regionally, a reengagement has been argued from the point that the parties have reached an agreement and that it therefore needs to be respected. In the same vein, one could argue that reengagement should be based on benchmarks coming out of the GPA and the GNU¹⁵¹. Noting that SADC and the countries in the region have been issuing calls for a reengagement by the wider international community, and that SADC stands as the guarantor for the GPA, it should not be unreasonable to expect SADC to take a proactive role in facilitating, monitoring and reporting on such benchmarks. However, by not having a strong monitoring team in Zimbabwe to document breaches of the agreement with a mandate to put forward recommended actions, it has been noted that SADC has failed to develop a capacity to uphold its mandate as the as the guarantor of the GPA. As part of a reengagement strategy, SADC should therefore take a more proactive role, in terms of facilitating the development of benchmarks/indicators for the implementation of the GPA – agreeable to all parties – as well as to ensure the deployment of such a monitoring team, again based on its role as the guarantor. While Adolfo has suggested that SADC's position on Zimbabwe is influenced in favour of Mugabe and ZANU-PF by a shared liberation movement history¹⁵², such a process would still add transparency to the progress made by the GNU

¹⁵⁰ E.g. through the announcement of a 25-member parliamentary committee comprising legislators from MDC-T, ZANU-PF and MDC-M.

¹⁵¹ Idea inspired by views shared during interview with Solidarity Peace Trust, Cape Town: 23 February, 2009.

¹⁵² Adolfo, E. V., (forthcoming).

and to SADC's handling of the matter. Elsewhere, Hull and Derblom have highlighted the stretched capacity of SADC monitoring, especially with the seven elections in the region in 2009.¹⁵³ Should SADC engage in such monitoring in Zimbabwe, the wider international community would presumably be required to provide resources for such a monitoring body to carry out its mandate. Should the international community do so, it could consider making the deployment of the monitoring team a condition for further reengagement in Zimbabwe.

Most likely such an engagement would enhance SADC's ability and capacity to lend more active support to Zimbabwe during the referendum on the constitution and the post-transition elections.

7.1.2 Parliamentarians

There is an urgent need for an increase in democratic oversight over the legislative and budgetary process in Zimbabwe. In functioning democratic societies, the parliament holds the key in such a process, with civil society providing the checks and balances. While civil society is facing severe challenges and restrictions, they have continued to enjoy support from the international community. In view of the limited capacity of the parliament, this is an institution that could benefit from additional support for enhancing their ability to exercise oversight in e.g. areas such as public sector and SSR.¹⁵⁴ Noting that the March 2008 elections passed with fewer reservations against their free and fair conduct than the subsequent presidential run-off elections in June, the parliament also maintains some level of democratically derived legitimacy.

7.1.3 Council-level Reengagement

Beyond the parliament, there has long been more scope for exercising democratic influence at the local government level in Zimbabwe. Even before the last election, the second largest city, Bulawayo was controlled by the MDC. Support could therefore be provided towards achieving greater decentralisation. Local government also plays a key role in addressing social grievances and expectations. Support could therefore be envisioned to empower local governments to deliver key social services, such as water and sanitation. Given the opportunity, their service delivery, can affect people's lives in a very direct manner, especially in a country struck by cholera. As with parliamentary support, engaging the local government could be found legitimate, given the relatively stronger manifestation of democracy at the local level. With a vast majority of

¹⁵³ Hull, C. and Derblom, M. (forthcoming).

¹⁵⁴ On the need to train parliamentarians to oversee the military, see e.g. Moss, T. and Stewart, P., 2006.

councillors being held by the MDC formations, this shows that there is little reason to believe that the March elections were substantially manipulated towards ZANU-PF at this level.

7.2 Security Sector Reform (SSR)

In section 5.2 above, the need for a SSR is argued based on a combination of abusive and partisan application of violence, followed by similarly partisan treatment by the judiciary, leading to impunity for perpetrators and lack of access to the law by victims. When engaging in SSR, theory opts for a coordinated and comprehensive approach, including defence, police and judiciary, but equally important is local confidence and ownership. Indeed, Bendix and Stanley state “given that security reforms go to the heart of sovereignty, local ownership of such reforms seems even more compelling”.¹⁵⁵ In a country like Zimbabwe, where there is almost a paranoia against external influence, a sensitive area like the security sector is therefore unlikely to easily open up to external actors. In view of this, confidence-building strategies would have to be key to the process. Furthermore, a step-by-step approach, in which each step builds on previous achievements, needs to be adopted, as and when the opportunities arise for engaging the actors. Experience from other countries also shows that it often happens piecemeal, if not for lack of planning and coordination, because of the sensitivity of the sector.¹⁵⁶ Needless to say, this would not exclude founding such gradual approach in a more coordinated and comprehensive strategy. However, it would have to be flexible and highly adaptable to accommodate the step-by-step approach and local ownership. In addition, any engagement in SSR is likely to benefit from a more low key profile, coordinated by a perceived neutral body or country, which is not seen as exposing local actors to external pressure. Key to this process will be the confidence building strategy of the coordinating body among all parties.

Bendix and Stanley add that “‘local ownership’ is not synonymous with ‘local executive ownership’ and that the legislature and civil society actors are among the groups that need to be included in the SSR process in order to ensure genuine local ownership”. Noting the general lack of capacity in this sector among Parliamentarians and Civil Society in Zimbabwe, capacity building in the area of civilian oversight of this sector among these actors could prove a valuable contribution.¹⁵⁷

Taking into account the state-centric approach to security of Zimbabwe, and the party-state entrenchment, it would be desirable to build a reform of the security

¹⁵⁵ Bendix, D. and R. Stanley, 2008.

¹⁵⁶ *Ibid.*

¹⁵⁷ Interview, Centre for the Study of Violence and Reconciliation, Cape Town, 20 February, 2009.

sector on a more people-centred approach to security – in the spirit of human security. In other countries, community policing initiatives have been used to come to terms with these issues. While this might be premature at this stage, once more democratic control has been established, it could reduce the risk of arbitrary violence in the name of “national stability” or “national security”.¹⁵⁸ Prison reform is another area that could contribute to reduce the risk of such violence as well enhance human security.¹⁵⁹

In efforts to engage in divorcing the party and the state, reference can be made to the GPA, which highlights that “state organs and institutions do not belong to any political party and should be impartial in the discharge of their duties”, followed by calls for inclusion of human rights training in the curricula for all uniformed forces.¹⁶⁰ Apart from engaging in training on human rights and codes of conduct pertaining to the impartiality of the sector, other important aspects, such as HIV/AIDS awareness, and prevention of sexual and gender-based violence (SGBV) could be of importance, given earlier abuses and the widespread prevalence of HIV/AIDS in society.

While recognising the need to move cautiously, one strategy that has been suggested for promoting reform of the armed forces is by engaging them under SADC initiatives. This could be expanded to other elements of the security sector as well, such as the police as well as to peace support operations led by the AU or the UN. This would show those whose livelihoods are in the sector that there is hope/life after a partisan service, reduce the burden on the local budget, and contribute to much needed troop and civilian contributions to peace support operations on the continent.¹⁶¹

7.2.1 (Disarmament), Demobilisation and Reintegration – (D)DR

As noted above, the GPA provides for a constitutional reform which should be followed by elections to restore a democratically elected government. Given the timeframe of 18-24 months, this leaves little time to establish conditions which would allow for a free and fair election at the close of this period. Recalling that the 2008 election was marred by unprecedented levels of electoral violence, any engagement by the international community should therefore make efforts at demobilising elements that carried out last year’s violence, in order to avoid that they are mobilised again after the transition period is over. In this regard, demobilising and reintegrating the informal “paramilitary” elements of the security sector, i.e. the youth militias and the war veterans, should be a priority

¹⁵⁸ For a discussion around experiences of this, see e.g. Bendix, D. and R. Stanley, 2008.

¹⁵⁹ Idea inspired by interview with Christian Alliance, Harare: 2 March, 2009.

¹⁶⁰ GPA, p. 6.

¹⁶¹ Idea inspired by views shared in interview 12.

where one needs to “rush cautiously” with support. In this sense, DDR of these groups could be seen as a first step towards – to pave the way for – SSR. In view of these groups’ limited access to firearms, and their reliance on other weapons such as machetes and clubs, any “disarmament” aspect would be more symbolic than in traditional DDR programmes. This approach finds support in Hanson, who lists the youth militias and war veterans for demobilisation in her appeal to assistance in demilitarizing government functions.¹⁶² Similarly, Bendix and Stanley note that informal structures that form part of the security arrangements need to be fully incorporated in SSR programmes.¹⁶³ Should efforts be made to demobilise and reintegrate these groups, one can make reference to the GPA, which recognises the “desirability of a national youth training programme which includes the values of [...] tolerance, non-violence, openness, democracy, equality, justice and respect” and sets out that it “must be run in a non-partisan manner and shall not include partisan political material advancing the cause of any political party [...] or [be] deployed for partisan political work”. With a further commitment to community service, skills development and the development of Zimbabwe, the GPA provides those seeking to engage this sector with scope for reintegration support of enlisted youth into productive civilian society. Similar to the formal sector, such efforts could also include HIV/AIDS and SGBV awareness raising, but should expand to include psychosocial counselling in view of the trauma many of these individuals have gone through in imparting violence.¹⁶⁴

7.3 Public Grievances and Frustrations

7.3.1 Transitional Justice and Reconciliation

While there are widespread calls for justice, this report, along with many academics, has argued that premature or retributive/punitive justice would risk derailing the political situation and lead to political instability. Instead, recognising the legitimate calls for justice on the one hand and the ongoing acts of vengeance on the other, community initiatives for reconciliation and conflict transformation, which are often conducted by local human rights groups, should continue. At a national level, the Organ for National Healing and Reconciliation should provide an entry point for dialogue which may well justify support. Given that the GPA states that this healing mechanism shall “advise on what measures might be necessary and practicable to achieve national healing, cohesion and unity in respect of victims of pre-and post independence”¹⁶⁵, support could be

¹⁶² Hanson, S. 2008.

¹⁶³ Bendix, D. and R. Stanley, 2008.

¹⁶⁴ Interview, CSU, Harare: 27 February, 2009.

¹⁶⁵ GPA, p. 5.

envisioned for civil society consultations with this Committee, as well as for the Committee to gain experience from other countries that have gone through reconciliation processes. If designed strategically, such experience sharing could generate confidence among the three parties that justice can be dealt with, without jeopardising the political process. As such, support for this initiative could prove to be an instrumental confidence building strategy for enabling progress in the other areas of reform.

7.3.2 Relieving Basic Needs and Addressing Public Frustrations

Beyond hopes for justice, it has been noted that the GNU has given rise to rising expectations among the population in Zimbabwe. As this could easily lead to an erosion of the legitimacy of the GNU and the political process towards a new constitution and fresh elections, those expectations need to be met, at least at a minimum. Since the issues of water and sanitation have been touched upon above, health and education as well as food security are covered respectively below.

Health and Education

Noting the abject state of many key social services, such as health and education, there is a critical need to ensure these services can continue operating. As noted above in the section on the EU, the European Commission recently started paying health workers retention allowances for going to work. Since this allows the provision of critical social services without the establishing parallel systems, this could be expanded through support by other donors as well as expanded into other sectors, such as education, which could reduce the risk of the low intensity insecurity which could be brought about by public riots as well as the higher intensity insecurity which could follow, either from a pre-emptive move from the security sector, or their assumption of power on the pretext of re-establishing public order in the event of a break-up of the GNU.

Food Security

Recognising the progress made by the GNU in terms of abolishing the monopoly of the GMB and controlled prices for seeds and fertilizers, the food insecurity experienced throughout the crisis could potentially be addressed through input promotion to small scale farmers and pre-financing loans to private companies. Analysts¹⁶⁶ suggest this could have significant impact on food production and

¹⁶⁶ Interview, Moyo, S., African Institute for Agrarian Studies, Harare: 2 May, 2009.

thereby relieve the pressure on yearly food aid. Moreover, with agriculture being seen as the key to Zimbabwe's economic recovery¹⁶⁷, engaging small scale farmers could start that process before getting bogged down in the more controversial issue of large scale commercial farms that were acquired during the Fast Track Land Reform Programme. This would equally find support in the Early Recovery/Livelihood strategies promoted many years by the UN and other humanitarian actors through the CAP.¹⁶⁸

¹⁶⁷ Chitiyo, K. and A. Johnson, 2008.

¹⁶⁸ See e.g. <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=12415&Page=1715> (accessed on 1 April, 2009).

8 Concluding Remarks

As has been seen, the situation in Zimbabwe is highly fragile and remains rife with challenges, which could erupt into violence. Despite this, the current GNU, and the GPA that led to its formation, have presented a window of opportunity in the long-time stalemate in the country's political landscape. As such it has also presented the world with critical choices to make. It has been suggested that avoiding a reengagement at the pretext of first wanting to see progress, could condemn the fragile process to failure, and possible eruption of violence. At the same time, engaging in the political process is by no means a simple exercise. For international actors seeking to take a proactive role at this crucial moment, the path to normalising relations with the Government of Zimbabwe remains riddled with risks. These risks could land international actors in awkward positions, lending legitimacy to an abusive regime, or, in the worst case, finding themselves complicit in crimes committed by Zimbabwean actors. Nevertheless, when faced with the option of losing the momentum presented by the current GNU and watching Zimbabwe tumble, yet again, into a downwards spiral with a possible escalation of violence, a concerned international community needs to urgently find entry points for tilting the power in favour of forces open to reform. At the same time, this must be done in a manner that does not upset local confidence building initiatives, but rather enhance those that are emerging, while simultaneously strengthening the confidence towards the international community. As this is pursued, it would seem more plausible to reach success in building confidence with the parties to the GNU if donors from the international community were to engage key formal structures for service delivery to the people of Zimbabwe, beyond the parallel channels supported under humanitarian assistance programmes. Such a confidence building strategy could possibly enable international actors to engage also in the critical areas requiring reform for Zimbabwe's future security.

Drawing from the potential triggers for violence and the areas of governance, SSR and transitional justice and reconciliation, some such options have been presented, as summarised below:

Governance

- *Proactive engagement by SADC through assisting the parties to agree to benchmarks for the implementation of the GPA and deployment of a monitoring team to oversee and report on the progress against those benchmarks;*
- *Enhance the ability of the Parliament to exercise democratic oversight through support for e.g. capacity building in SSR; and*

- *Support decentralisation by empowering local government to deliver key social services, such as water and sanitation*

Security Sector Reform (SSR)

- *Adopt a low-key, flexible step-by-step approach to SSR anchored in local confidence and ownership;*
- *Enhance the capacity of CSOs and Parliamentarians to contribute to the SSR process;*
- *Let the SSR process be guided by human security, and plan for e.g. community policing;*
- *Offer training to the uniformed services in human rights, codes of conduct, HIV/AIDS as well as SGBV;*
- *Engage military and police elements of the security sector in peace support operations under SADC/AU or UN interventions; and*
- *Engage informal, paramilitary, elements in demobilisation and reintegration initiatives, through offering civilian livelihood options, psychosocial counselling and provision of awareness raising of HIV/AIDS and SGBV*

Public Grievances and Frustrations

- *Support community initiatives for reconciliation and conflict transformation;*
- *Provide resources to enable the Organ for National Healing and Reconciliation to engage in lessons-learned trips to countries which have undergone transitional justice and reconciliation processes as well as for holding consultations with civil society;*
- *Expand the ongoing support for retention allowances to service providers in the health sector to civil servants in other critical services such as education; and*
- *Shift the food security assistance towards food production, through input promotion to small scale farmers and pre-financing loans to private companies*

Acronyms

AU	African Union
CAP	Consolidated Appeals Process
CCMT	Centre for Conflict Management and Transformation
CIO	Central Intelligence Office
CPIA	Centre for Peace Initiatives in Africa
CSU	Counselling Service Unit
CSVR	Centre for the Study of Violence and Reconciliation
DDR	Disarmament, Demobilisation and Reintegration
DRC	Democratic Republic of Congo
EO	Executive Order
EU	European Union
GMB	Grain Marketing Board
GNU	Government of National Unity
GPA	Global Political Agreement
IMF	International Monetary Fund
ISS	Institute for Security Studies
JOC	Joint Operations Command
MDC	Movement for Democratic Change
MDC-M	Movement for Democratic Change-Mutambara
MDC-T	Movement for Democratic Change-Tsvangirai
MoHA	Ministry of Home Affairs
MoHCW	Ministry of Health and Child Welfare
MSF	Médecines Sans Frontières
NGOs	Non-Governmental Organisations
RBZ	Reserve Bank of Zimbabwe
RECs	Regional Economic Communities
SADC	Southern African Development Community
SAIIA	South African Institute of International Affairs

SGBV	Sexual and Gender-Based Violence
SSR	Security Sector Reform
STERP	Short-Term Economic Recovery Programme
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNRISD	United Nations Research Institute for Social Development
US	United States
USA	United States of America
USD	United States Dollars
ZANU	Zimbabwe African National Union
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZAPU	Zimbabwe African People's Union
ZHR Forum	Zimbabwe Human Rights NGO Forum

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Institute for Justice and Reconciliation, Cape Town: 23 February, 2009.
ISS, Pretoria: 17 February, 2009.
Maroleng, C. at Swedish Ambassador's function, Pretoria: 16 February, 2009.
Moyo, S., African Institute for Agrarian Studies, Harare: 2 May, 2009.
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Olof Palme Centre representative at Swedish Ambassador's function, Pretoria:
16 February, 2009
Solidarity Peace Trust, Cape Town: 23 February, 2009.
South African Institute International Affairs (SAIIA), Johannesburg: 19
February, 2009.
Swedish Embassy in Harare, 8 May, 2009. (Email communication)
Zimbabwe Human Rights NGO Forum (ZHR Forum), Harare: 2 March, 2009.
Interview 1.
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Annex A, Institutes Interviewed (15 February – 4 March, 2009)

	Date
South Africa	
Swedish Embassy in Pretoria	16-February
IDASA	16-February
International Organization for Migration (IOM) Southern Africa	16-February
Institute for Security Studies (ISS)	17-February
Medicines Sans Frontiers (MSF) Press Statement	17-February
South African Department of Defence	17-February
Social Event at the Ambassador's Residence	17-February
South African Department of Foreign Affairs	18-February
South African Institute of International Affairs (SAIIA)	19-February
Forced Migration Studies Programme, University of Witwatersrand	19-February
African National Congress (ANC)	19-February
Swedish Radio	19-February
Centre for the Study of Violence and Reconciliation (CSVr)	20-February
University of Capetown (UCT), Department of Law	20-February
UCT, Department of Psychology	20-February
Democratic Alliance (DA)	20-February
Congress of the People (COPE)	21-February
Solidarity Peace Trust	23-February
Centre for Conflict Resolution (CCR)	23-February
Institute for Justice and Reconciliation	23-February
African Centre for Conflict Resolution and Dialogue (ACCORD)	24-February
Inkatha Freedom Party (IFP)	24-February

Zimbabwe	
Swedish Embassy	26-February
Anglican Diocese	26-February
Counselling Services Unit (CSU)	27-February
Centre for Conflict Management and Transformation (CCMT)	27-February
Centre for Peace Initiatives in Africa (CPIA)	27-February
Office for the Coordination of Humanitarian Affairs (OCHA)	02-March
Christian Alliance (CA)	02-March
Zimbabwe Human Rights NGO Forum (ZHR Forum)	02-March
IOM Harare	03-March
British Embassy (Ministry of Defence)	03-March
Dutch Embassy	03-March
European Commission	04-March

