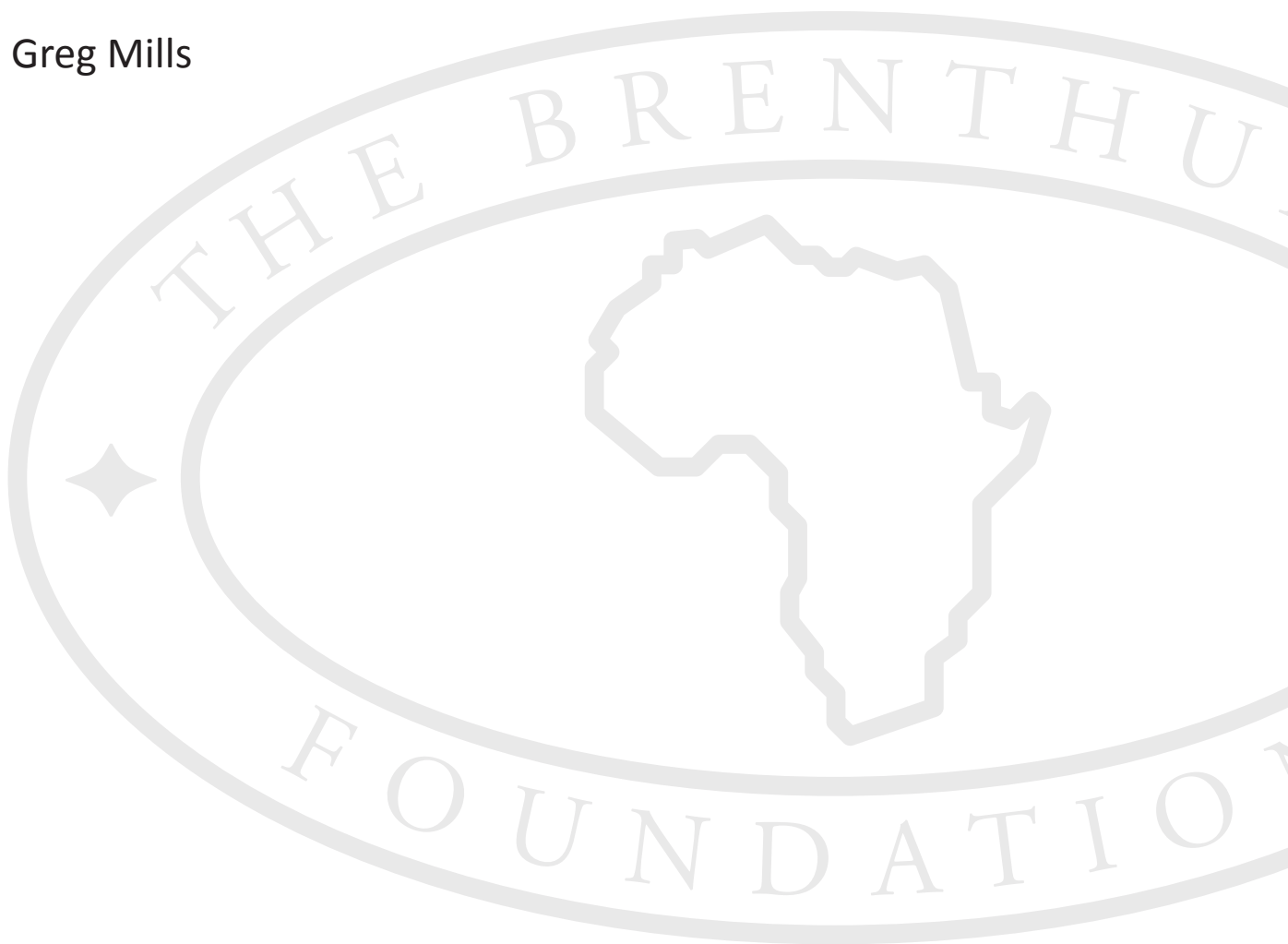


***Politics and Economics in Zimbabwe –  
War by other means?***

**FINDING A WAY OUT OF THE CRISIS**

Greg Mills



## Contents

<b>Executive Summary</b>	<b>3</b>
<b>The Zimbabwe Status Quo</b>	<b>5</b>
<b>Understanding Mugabe's Motives</b>	<b>11</b>
<b>The Outlook of the SADC Region and South Africa</b>	<b>14</b>
<b>Western Options</b>	<b>16</b>
<b>Options for the MDC</b>	<b>17</b>
<b>Mass Action as Another Choice?</b>	<b>19</b>
<b>Conclusion: MDC and Dealing with a Deeper Malaise</b>	<b>21</b>
<b>Endnotes</b>	<b>23</b>
<b>Annexure</b>	<b>25</b>

---

Dr Greg Mills heads the Brenthurst Foundation. This Paper is partly based on a presentation made at the Center for Strategic and International Studies (CSIS) in Washington earlier this year.

Published in May 2011 by:  
The Brenthurst Foundation  
E Oppenheimer & Son (Pty) Ltd  
PO Box 61631, Johannesburg 2000, South Africa  
Tel +27-(0)11 274-2096 · Fax +27-(0)11 274-2097  
[www.thebrenthurstfoundation.org](http://www.thebrenthurstfoundation.org)

All rights reserved. The material in this publication may not be reproduced, stored, or transmitted without the prior permission of the publisher. Short extracts may be quoted, provided the source is fully acknowledged.

Layout by Sheaf Publishing, Benoni

### **Executive summary**

For most of the past decade the economy of Zimbabwe, once one of Africa's largest agricultural producers, was in free-fall amidst unprecedented levels of hyperinflation. During this time ZANU-PF's governance failings became manifest in widespread human rights violations, illegitimate elections, rising poverty and the lack of basic service delivery for the bulk of Zimbabwean society.

The Global Political Agreement (GPA) signed between ZANU-PF and the two MDCs in opposition in 2008, which culminated in a Government of National Unity (GNU) in 2009, promised a way out of the abyss. Yet notwithstanding some positive results, such as the stabilisation of the acute fiscal crisis through dollarisation, the politics of Zimbabwe are still deeply flawed. Moreover, investor confidence has taken a beating with the government's apparent determination to nationalise much of the private sector, to say nothing of the growing corruption and cronyism.

This Paper considers the options available to the key actors, internal and external, to rescue the current political impasse and secure a brighter future for Zimbabwe. This will not be easy, owing in large part to the continuing intractability of President Robert Mugabe, who recently has taken aim not just at his domestic opponents but also important regional players, such as South Africa, who he accuses of complicity with Western powers in the 'neo-imperialist war' being waged in Libya. The Paper argues that the 'traditional' strategy followed by SADC and the AU, as embodied in the GPA, is no longer viable. Instead the paper proposes a way forward that does not rely solely on external intervention nor places undue expectation on the MDC, whose performance in the GNU has fallen well short on a number of levels. This new approach must comprise several elements, including renewed international pressure for reform, stronger regional leadership by South Africa, and a commitment by the opposition in Zimbabwe to become a credible, democratic and accountable alternative to ZANU-PF.

Zimbabwe's last  
decade 'reminds  
Africa that setback  
lurks just around  
the corner'

*'You have to wash with the crocodile in the river,  
you have to swim with the sharks in the sea,  
you have to live with the crooked politician,  
trust those things that you can never see.'*

Johnny Clegg, *Cruel, Crazy, Beautiful World*

*'There is another reason why many are celebrating [Laurent] Gbagbo's arrest; it is the fact that his capture is a big lesson for African leaders: that they are not going to steal an election and get away with it. We know that a political culture of sorts has been growing on the continent, whereby incumbent leaders, having suppressed the people's democratic expression at the ballot box, adamantly refused to hand over power to the winner in the comfortable belief that they would end up forming a government of national unity, as we have seen in Kenya and Zimbabwe, for example. This game must stop!'*

*The Citizen, Tanzania, 17 April 2011<sup>1</sup>*

CONSTANT FATIGUE OVER ZIMBABWE'S slow pace of political reform and economic recovery lends itself to debate around radical solutions. Two options are in vogue – one ancient, the other topical. The first concerns the state of President Robert Mugabe's health and the possible political consequences of his death. When this happens, will things change, will they remain just the same, or possibly will it result in a renewed radicalisation of the ruling ZANU-PF party's policies?

The second is more recent, concerning the use of Western force to support the rebels fighting Muammar Gaddafi in Libya. Mugabe has accused the Western 'vampires' of being after Libya's oil. 'Now the West is taking advantage of the fact that it has been given that support to let itself into a position in which tomorrow it would be masters of resources of Libya, especially the oil,' the Zimbabwean President has said.<sup>2</sup>

His regime has been highly critical, too, of those who supported this action, including South Africa's President Jacob Zuma, whose government voted for the humanitarian intervention via the March 2011 UN Security Council Resolution 1973. The pro-government *Sunday Mail* accused the South African president, the

Zimbabwe's recovery path also serves to remind that peace and political reform is inevitably a long-term process

southern African region's main Zimbabwe negotiator, of 'erratic behaviour', 'betraying Africa' and being 'a dishonest broker' by voting for a no-fly zone over Libya.<sup>3</sup> Even though the 87-year-old Zimbabwean ruler has said it was clear that the Arab and African countries 'would not have voted for the destruction of the Libyan lives' if they thought that might be the consequence, his state media has said in the same breath: 'On the Libyan conflict, Pretoria is tainted beyond measure.'<sup>4</sup>

Indeed, uncorroborated intelligence reports had Zimbabwe Defence Force elements, involving 1500 troops from the police and infamous 5th Brigade, propping up Gaddafi's regime in Libya. If true, this could have significantly changed the game less in Libya than Harare, placing President Robert Mugabe's ZANU-PF firmly on the wrong side of history. While running true to Mugabe's deep-rooted hostility towards the West and paying back one patron's support, such a move would however run counter to the octogenarian's political savvy. Indeed Mugabe has cleverly ensured the West's stake in Zimbabwe has never been high enough to commit more than rhetorical forces to his removal.

Zimbabwe's last decade 'reminds Africa', says Donald Kaberuka, president of the African Development Bank, 'that setback lurks just around the corner'.<sup>5</sup> Its difficult and painful recovery path also serves to remind that peace and political reform, like economic development, is inevitably a long-term process. Dramatic transformative events including death and invasion are, like claims of conspiracy and subterfuge, unlikely.

Against this background, this Discussion Paper examines some of the options before South Africa, Western actors and the opposition Movement for Democratic Change (MDC).

### **The Zimbabwe status quo**

The MDC, which has won every election it contested this century, wants Robert Mugabe's ruling ZANU-PF to stick by the terms of the 2009 Global Political Agreement, which created the so-called Inclusive Government (IG). The agreement was negotiated by the Southern African Development Community (SADC) region mandated by the African Union (AU) led by the African National Congress's (ANC) Thabo Mbeki in the face of Mugabe's refusal to go after losing the March 2008 elections.

Some progress has been made in Zimbabwe, especially on the economic situation. Stabilisation and the elimination of hyper-inflation have followed dollarisation, improving the business climate, revenue collection and the availability of goods.

By December  
2008, Zimbabwe's  
annual inflation was  
estimated at  
 $6.5 \times 10^{108}$  per cent

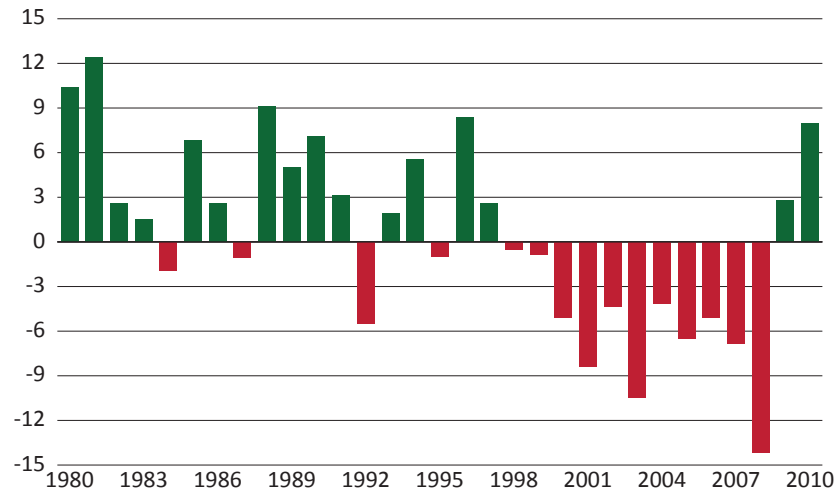
### Kindergarten GPA guide

In September 2008, the GPA was signed between ZANU-PF and the two MDC factions making up the opposition. At the heart of the GPA was a commitment that a revised Constitution should be agreed, followed – on no specified date – by new elections, the conclusion of which would complete Zimbabwe's transition to a democratic political dispensation.<sup>6</sup> The GPA also stipulates that all 'forms of measures and sanctions' should be lifted. On 30 January 2009 the MDC-T agreed to join a two-year unity government with ZANU-PF, finally paving the way for the implementation of the GPA. A maximum 18-month timetable for the coming into force of a new Constitution was set in motion from that date. On 11 February 2009, a Government of National Unity was formed with Morgan Tsvangirai as prime minister, and a new cabinet was sworn in on 13 February 2009. In addition to a failure to agree to a constitution, several other key milestones of the GPA have not been achieved including: The removal of Central Bank Governor Gideon Gono and Attorney-General Johannes Tomana, both ZANU-PF stalwarts, from their posts; a national audit on land ownership; agreement on ministerial powers and duties; the appointment of provincial governors; and media liberalisation. Under the GPA, Zimbabwe cannot hold elections until a new Constitution has been approved by a referendum.

Once second only to South Africa in southern Africa in terms of its level of development, and despite literacy at over 90 per cent, on the back of Mugabe's disastrous land reform policy, Zimbabwe's economy collapsed. It registered 12 years of shrinkage amidst conditions of hyperinflation (by December 2008, annual inflation was estimated at 6.5 *quindecillion novedecillion* per cent – or  $6.5 \times 10^{108}$  per cent) until 2009 when, principally as a result of dollarisation, the economy grew by at least 4 per cent. In April 2009, Finance Minister Tendai Biti abandoned the Zimbabwean dollar in favour of the SA Rand, US Dollar and UK Pound. Biti has also transformed the revenue collection service, bringing in a peak (so far) of \$200m per month to a cash-starved fiscus, and not least to the 250 000 civil servants who started, in 2009, on an allowance of \$150 a month – though the average is now about \$260 a month including allowances for transport and housing.

The average civil servant allowance is now about \$260 a month including allowances for transport and housing

Zimbabwe: GDP annual per cent change<sup>7</sup>



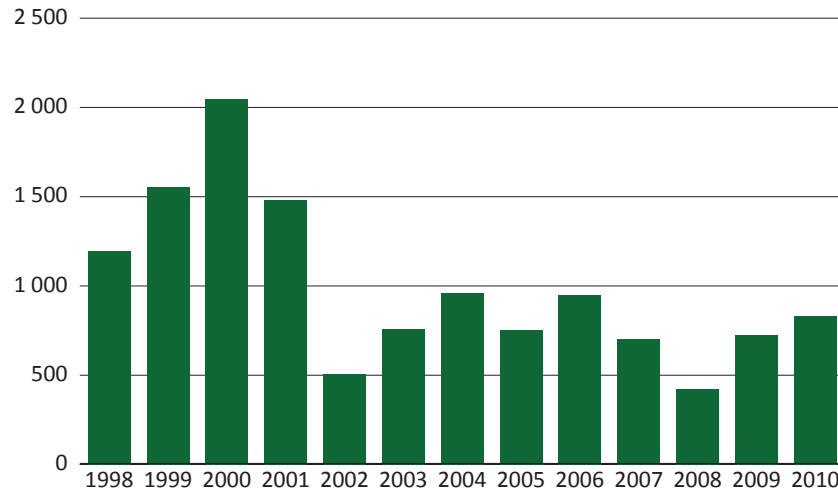
**Honey, who shrunk the cake?**

Between 1997 and 2008, according to the IMF, Zimbabwe’s real economic output more than halved from US\$8.7 billion to US\$4.2 billion. Agriculture shrunk by over 70 per cent, industry by 80 per cent, tourism by 80 per cent and mining approximately by 50 per cent. Employment consequently fell by 40 per cent. In 2008, half the population of 11 million received food aid. Today foreign aid is around \$800 million annually, the largest contributors being the much-maligned US (about one-third) and UK (around 15 per cent), though the exact scale of Chinese assistance is difficult to determine. Remittances from the diaspora contribute a further \$1.2 billion.

According to the World Bank, in 2010, real GDP growth is estimated to have been 7.5 per cent, up from 5.7 per cent in 2009. Agricultural output grew by 15 per cent in 2009 and 34 per cent in 2010. Smallholder maize production jumped from 0.57 million tons in 2007–8 to a reported 1.35 million tons in 2009–10. Even though this figure is well below the pre-crisis peak of over two million tons, it is disputed. Claims suggest that actual production was 850 000 tons and the balance was imported from South Africa and passed off as Zimbabwean production to help make the figures look better, but also to help political heavyweights make a few corrupt dollars. Zimbabwe’s Grain Marketing Board was reportedly instructed to buy the maize from these intermediaries for \$275 a ton, but they had first bought it for \$160–\$180 a ton from South Africa, with a net profit on 500 000 tons of an estimated \$25 million.<sup>8</sup>

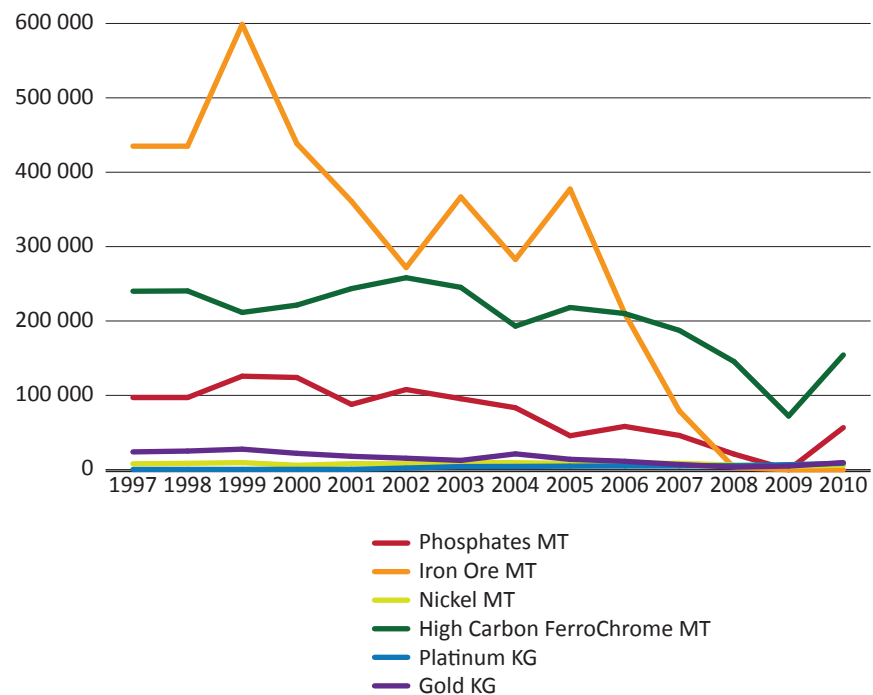
About 850 000 Zimbabweans are formally employed, which is the same number recorded in 1970

**Zimbabwe: Maize production, 1998–2010**



Tobacco production more than doubled between 2009–10, but again to only around half of its pre-land reform output. In mining, output (value) grew by 8.5 per cent in 2009 and 47 per cent in 2010, with production increasing notably in platinum (64 per cent increase between 2008 and 2010) and gold (125 per cent increase in two years). However, production had also not, by the start of 2011, yet returned to 2000 levels, with gold remaining at less than half this output.<sup>9</sup>

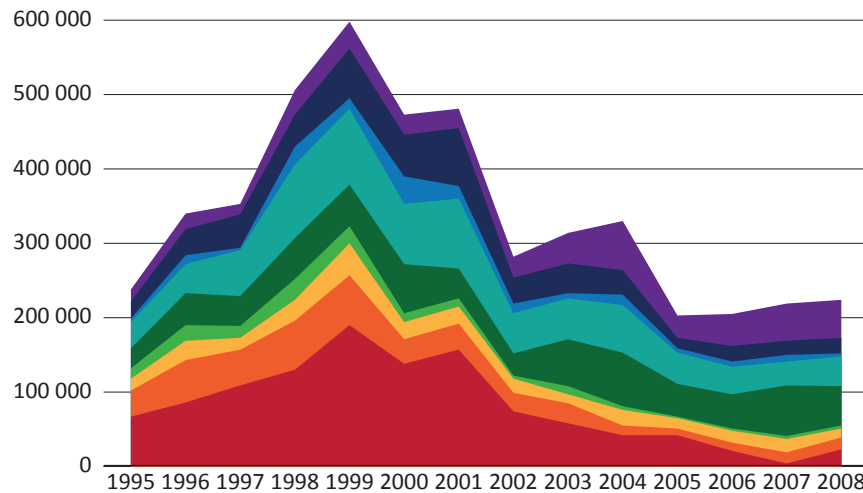
**Zimbabwe: Mining production**





Mugabe has been keen on staging elections without reforms

Overseas tourists to Zimbabwe: 1995–2008



In spite of the stabilisation Biti and the MDC have offered, unemployment remains high (over 70 per cent of those of working age and available), skilled Zimbabweans have left in droves (as many as three million are estimated to be in South Africa alone), poverty is endemic (eight out of ten Zimbabweans are destitute), wealth inequality has risen dramatically (with richest 10 per cent controlling more than 40 per cent of the economy), and foreign direct investment remains low (from a peak of \$444 million in 1998 to \$60 million in 2009).<sup>10</sup> About 850 000 Zimbabweans are formally employed, which is the same number recorded in 1970, though since

### Indigenisation: Mugabe’s Saviour?

In 2007 Zimbabwe’s Indigenisation and Economic Empowerment Act was passed. It stipulates that foreign-owned companies with an asset value of over US\$500 000 should give up 51 per cent of their shareholdings to locals within five years. Foreign mining companies have been given until 9 May 2011 to submit their plans on the share transfer. There have been calls to introduce a levy on businesses as a means of financing this process. The mining and banking sectors are being targeted by the supporters of indigenisation.<sup>11</sup> Zimbabwe’s Indigenisation and Empowerment minister, Saviour Kasukuwere, said in April 2011 that the government would not pay for mining shares taken under this scheme. The Minister said the government may consider the value of minerals to be equal to 51 per cent of the value of companies and would therefore pay them nothing. This would absolve government of the need to find the estimated \$1 billion to take up the 51 per cent stipulated equity.<sup>12</sup>

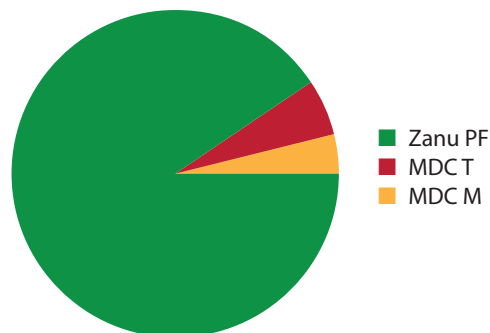
Mugabe’s political strategy is consistently militarised, and not only during the guerrilla struggle

then the population has more than doubled. Manufacturing, always dependent on agriculture, and tourism have reflected similar declines.

According to the World Bank,<sup>13</sup> the economy remains hostage to seven factors: (i) political uncertainty and the effect of low business confidence; (ii) lack of domestic liquidity and very high real interest rates on short-term credit; (iii) high wage costs and unrealistic wage demands; (iv) ailing infrastructure and a related lack of resources to rehabilitate infrastructure; (v) low domestic demand; (vi) unreliable power supply; (vii) empowerment policies and the uncertainty engendered around their application. External finance is crucial to support the recovery, which means addressing the \$6 billion of external debt, but is dependent on the reduction of risk through political and policy accommodation.

Regardless, the political reforms key to dealing with all of this, have lagged. Under the GPA, new elections were supposed to be held within two years of a new constitution being drafted and agreed upon. Reforms should have included new media freedoms, sorting out the voter’s roll (inflated in ZANU’s favour) and other changes. There have been major breaches, too, on human rights and the continued harassment of MDC supporters and even cabinet ministers – mostly notably the alleged assassination attempts on Morgan Tsvangirai in March 2009 (in which his wife, Susan, was killed); Tendai Biti in March 2010 through car accidents; and the arrest in March 2011 of Energy Minister Elton Mangoma. Much violence reportedly occurs in the rural areas, which ZANU-PF believes is the battleground for electoral supremacy. In May 2009, 64 per cent of Zimbabweans felt free to choose who to vote for. By October 2010, this had declined to 47 per cent.<sup>14</sup> This much reflects the breaches of the GPA (by January 2011), as detailed below. This includes cases of ‘intimidation, hate speech and violence’ (27.6 per cent), ‘corruption, or efforts to entrench corrupt practices, and legal harassment’ (17.2 per cent of the total, each), restrictions to freedom of speech (13.8 per cent):<sup>15</sup>

**Cumulative share of breaches of Zimbabwe GPA: January 2011**



‘Agricultural output has collapsed to about 20 per cent of the levels that had prevailed in the era before the farm invasions’

Mugabe, in power since 1980, has of course little intention of cutting his own throat and undertaking such reforms. He may be cruel, but he’s not crazy.

Hence Mugabe’s apparent plan to stage elections without reforms, hoping that the preferred ZANU cocktail of gerrymandering and repression plus new diamond money will win the day – or at least win enough votes to convince the region to back him and cock a further snook at a red-faced West led by Washington and Brussels.

To avoid repeating the same mistakes and to clarify options available to the MDC, SADC and at least the Western chunk of the international community, it is first necessary to understand what until now has motivated Mugabe and, second, the southern African region.

### **Diamonds are ... whatever**

Zimbabwe’s diamond production in 2009 was officially nearly a million carats worth a little over \$20 million.<sup>16</sup> According to Zimbabwe’s Finance Minister Tendai Biti, official diamond production is expected to reach four million carats in 2011 up from three million in 2010, most of which is sourced from the Chiadzwa diamond mines in the Marange area.<sup>17</sup> Furthermore, these mines are a source of political controversy, allegedly involving deals with Chinese and Russian state companies. Historically, every major alluvial diamond mining operation in Africa has become entangled in violence and controversy – and Chiadzwa is no different. From a bruising fight over mining rights (now de facto held by South African and Chinese companies), to serious human rights abuses, opaque production and sales figures (few trust the official numbers), Zimbabwe’s diamond fields have become a microcosm of the nation’s plight. Of course, greed and political muscle (present and future) have become central to an increasingly sordid tale. Grace Mugabe and senior ZANU-PF figure (and possible successor to Robert Mugabe) Emmerson Mnangagwa, are reported to both be major beneficiaries of the Marange fields, lining their pockets and using the proceeds to position themselves for what is expected to be a vicious power struggle once Mugabe finally goes. The ease of these exports has led some to question the value of the Kimberley Process, though the certification scheme was essentially set up to handle illegal diamond exports from rebel movements not from rogue governments.<sup>18</sup>

### **Understanding Mugabe’s motives**

The octogenarian has consistently resorted to the same tried-and-tested twin-tactics in winning and ensuring power: violence and chaos. He used these forces to gain power in 1980 and to stay in power. Mugabe’s political strategy is consistently

Paralleling  
economic  
stabilisation  
initiatives has been  
a helter-skelter  
process of wealth  
accumulation

militarised, and not only during the guerrilla struggle. This explains *Operation Gukurahundi* ('The Rains that wash away the Chaff') killing 20 000 in Matabeleland in the early 1980s to break the back of rival Joshua Nkomo's ZAPU or, more recently, *Operation Murambatsvina* ('Clear out the Dirt') which cleared out informal traders and housing from the urban areas devastating the lives of three million people in the mid-2000s, and *Operation Ngatipedzenavo* ('Let us Finish them Off') around the 2008 elections.

Land redistribution has been just another version of this violence – both as a method of patronage and as a means to break the (overwhelmingly MDC) one million-strong farm-worker's voting bloc. MDC stalwart Eddie Cross, writing in his periodic newsletter in April 2011, captures this impact well:

In 2000 ... commercial farmers ... were made the target of a campaign that in the past ten years, has seen some 7 000 farms deliberately invaded and taken over by force. ... Since then the majority of these farms have become largely defunct, their homesteads and farm building derelict and their arable lands have returned to bush or been the subject of subsistence style agriculture. Although the land audit promised in the GPA has not been carried out because of ZANU opposition, it is known that perhaps as many as half these properties have been abandoned after their assets had been looted. As a consequence, agricultural output has collapsed to about 20 per cent of the levels that had prevailed in the era before the farm invasions. Zimbabwe, for the first time in half a century is now a net importer of all types of food and agricultural products. Cotton and tobacco being the sole exceptions. ... [T]hese farms were all large business ventures – some of them large even by world standards. We had individual companies that grew 150 000 tonnes of grain a year, the two sugar companies grew 500 000 tonnes sugar, individual tobacco growers grew on average 300 000 kilograms of tobacco, the largest tobacco growers in the world. As such they had to borrow significant sums of money each year to finance their crops and livestock activities. Many of the best farmers were engineers or accountants and relied on outside expertise for the rest. ... ZANU PF thought that by simply taking over these farms at no cost to themselves, that they would be able to make easy money. ... The fact that these highly successful enterprises simply collapsed under their new stewards came as a real surprise to many, but not to those who had sweated blood to create these business ventures out of the bush, living in mud huts for years while they built barns and cleared lands.

South Africa's  
policy could not  
have been led by a  
fear of the effects  
of Zimbabwe's  
economic collapse

The patronage behind such radicalism has fed – and feeds off – an entitlement culture ('it was our war, not theirs') that drives the view and justifies the actions of ZANU cadres, especially those in the military.

Paralleling economic stabilisation initiatives has been a helter-skelter process of wealth accumulation. Where land redistribution and indigenisation of white-owned farms and businesses once led, increasingly mining and finance are to the fore. ZANU-PF remains entrenched in power as the broker of these deals, supported both by foreign actors (state and private) and the avarice of local players. A lack of transparency on such deals is per se in the elite's best interest; it provides access to short-term cash, for instance. Hence a focus on cash (export) rather than food crops in the agriculture sector for example.<sup>19</sup> Inevitably this process of wealth accumulation has come at the expense of political change.

### **Zimbabwe's military – *plus ca change?***

The Zimbabwe armed forces have around 29 000 under arms, including 4 000 in the Zimbabwe air force. The police comprises a further 20 000 personnel. In March 2011 it was reported<sup>20</sup> that China was building a military training installation at Chitamba Farm in Mazowe, to be known as the Robert Mugabe National School of Intelligence. In April 2011 ZDF commander General Constantine Chiwenga, 55, was reportedly flown to China for medical treatment. Chiwenga is one of several members of the shadowy Joint Operations Command (JOC), a grouping of service chiefs including former (Fifth Brigade) *Gukurahundi* commander Air Marshal Perence Shiri, Central Intelligence Organisation (CIO) boss Happyton Bonyongwe, Commissioner of Prisons, Paradzai Zimondi, and Police Commissioner General Augustine Chihuri. The JOC is under the control of Defence Minister Emmerson Mnangagwa. In 2002, General Chiwenga and his wife Jocelyn seized control of a major producer of flowers and vegetables near Harare. Jocelyn informed the owner, Roger Staunton, that she had not tasted white blood since 1980 and that she needed just the slightest excuse to kill someone. Both the Chiwengas are barred from travelling to Europe and the United States.<sup>21</sup> EU sanctions were, by April 2011, on 163 people and 31 firms linked to rights abuses; US sanctions prohibiting travel there and allowing seizure of assets exist on some 200 ZANU-PF members. Other key former service personnel close to Mugabe include Air Vice-Marshal Henry Muchena and CIO director Sydney Nyanhongo. With many of the JOC's members sick, there are power struggles within the top echelons of the Zimbabwe military. Whether a new cohort of leadership changes the military manner in which ZANU-PF has, since the 1970s, prosecuted the political struggle is however moot.

Progress is fundamentally hampered by a lack of regional political will

This culture is not unique in southern Africa among Zimbabweans, even if Harare's lack of sophistication over the minutiae of distribution has been.

### **The outlook of the SADC region and South Africa**

Understanding southern Africa's current options demands, too, appreciating the outlook of the region. The public is regularly informed that policy has changed, that the South Africans have finally lost patience with Mugabe's obduracy, and that change is nigh. 'Zuma to toughen Zimbabwe stance' read one in May 2009.<sup>22</sup> 'Mugabe newspaper says Zuma a "liability"', referring to an article in the *Sunday Mail* in April 2011.<sup>23</sup> 'Beginning of the end: Zuma, Mugabe at war', *Sunday Times*, 3 April 2011. 'Zuma warns Mugabe of revolts, upheavals. Reforms must be implemented now, says damning report',<sup>24</sup> *Sunday Times*, 16 April 2011, referring to the report delivered by the South African President to the March 2011 meeting of the SADC Troika in Livingstone, Zambia.

For South Africa, Zimbabwe policy was initially shaped by a paralysing and sometimes deadly (for MDC supporters at least) combination of: personality, led by the over-intellectualising and hyper-sensitive Mbeki; race, which has consistently trumped human rights despite the fact that the MDC is 99 per cent black; and a fear of a liberation party being eclipsed by a union-based movement. It could not have been, despite official claims to the contrary, led by a fear of the effects of Zimbabwe's economic collapse, since that happened anyway.

Now Pretoria's policy has seemingly 'matured' to a set of concerns around immigration, hence the so far largely unsuccessful drive to register the Zimbabwean diaspora; and the related xenophobic blowback of the ANC's primary domestic constituents. Also at play is the self-interest of some ANC-linked businessmen, attempting to make money out of Zimbabwe's economic travails, notably from petrol sales and trucking; and the desire to keep onside with influential Zuma camp supporters' Angola and China. Whatever the exact motive make-up, questions of human rights have constantly been low on the agenda.

Recognising the 'polarisation' of the political situation due to the 'non-resolution of the main outstanding issues' including the appointments of the Attorney-General, Reserve Bank Governor and Provincial Governors, the current thrust of South African government policy is to try and put together a plan to fulfil the GPA. This so-called SADC election *road-map*, which centres on finalising the constitution and setting the conditions for a free-and-fair election – which include media, human rights, parliamentary, electoral elements – likely sometime at the end of 2011 or start of 2012.<sup>25</sup>



South Africa, SADC and the AU are wedded to the GPA, not least since they are responsible for it

South African negotiators claim that the principal problem with this aim is a lack of resources, and divisions within the MDC hampering a concerted opposition workplan. Certainly, from an opposition vantage, lack of resources – along with state violence – has been among the reasons why the constitution consultative and drafting process has been so slow.



Progress, however, is fundamentally hampered by a lack of regional political will to hold Harare’s feet to the fire. This also reflects in the lack of formal mandate for the internal Joint Monitoring and Implementation Committee, the so-called JOMIC.

So Pretoria has a policy that could be described thus: we would like Harare to stick to the GPA, but they don’t want to, or can’t, and we don’t know what to do about it except to revert to our default: Rather than take personalities to task, to reinforce process over substance with our brand of tried-and-tested peacemaking *a la* KwaZulu-Natal in the 1990s or Burundi and the Congo in the 2000s.

To the Zuma camp’s credit, it has been ill-at-ease with Mugabe: While one could imagine the icicles linking the scholarly souls of Mbeki and Mugabe, not so the charming man-of-the-people Zuma. No doubt President Zuma would also like to put some distance between the obvious excesses of his Zimbabwean counterpart and what is happening at home, where he is faced with continuous media revelations on crony-capitalism and corruption. To *not* do so would risk publicly painting the ANC with the ZANU-PF brush.

Such niceties aside, the outcome is much the same. South Africa (and SADC and the AU) is wedded to the GPA, not least since they are responsible for it. Lacking the stomach for change, SADC will thus continue on its current path,

Action in the Security Council would have to parallel action by South Africa, SADC and the African Union

leading inevitably to another disputed election. The MDC has said that under the terms of Inclusive Government, either side could opt out and call for elections when the agreement expired on 11 February 2011.

It is not difficult to imagine an election scenario where Mugabe unilaterally announces an election date, which SADC accepts albeit on the premise that it would be better to manage the election and do damage control rather than have nothing to do with it and refuse to recognise it. In this scenario, Mugabe wins with or without MDC participation and SADC gives in and recognises the result. Zimbabwe fatigue in the international media will ensure only the highlights get covered rather than the sustained, behind-the-scenes manipulation and violence.

What might the West do in the circumstances?

### Western options

Here there is common interest with SADC and South Africa in that both should focus all its energy on the elections. To normalise the environment, it might contemplate two apparently contradictory actions:

- Suspend sanctions against Mugabe since they have become a *cause celebre* for ZANU, an excuse to explain Zimbabwe's misery by the actions of outsiders and not by their own
- At the same time, ratchet up multilateral action for a transparent and free-and-fair electoral process via the UN Security Council.

Action in the Security Council would have to parallel action by South Africa, SADC and the African Union. SADC, driven by Zuma, has to be the vanguard in putting together and guaranteeing an election roadmap. This should include forcing Mugabe into a number of real reforms, and a long-term, properly-mandated monitoring force. South Africa would like the West to assist 'with resources' in this road-map process. Nevertheless, this is not a question of resources. It is one of political will. The most useful role the West can play is to convince President Zuma and SADC into being tough enough on these issues, so that Mugabe cannot steal another election. A suspension, rather than removal, of sanctions would help to convince southern Africa of Western intentions.

But what else might the West offer that South Africa needs? There are sticks and carrots. In the latter category, US leadership on a renewed global trade regime or reform of the UN Security Council itself might do the trick. At a more tactical level, assistance in equipping the African stand-by peacekeeping force would be high on the list. The sticks could include a continuation of access to US markets



SADC, driven by Zuma, has to be the vanguard in putting together and guaranteeing an election roadmap

via the African Growth and Opportunity Act, and European consumers via the Regional Economic Partnership Agreements.

However, the possibility of a Security Council resolution on Zimbabwe is remote, even possibly a non-starter in view of the current challenges in North Africa. Action and leadership in the mediation process will therefore need to come from South Africa, supported by the AU and underpinned by support from the West. And until now there has been little likelihood of any Western power (or any other for that matter) putting the relationship with South Africa on the line over Zimbabwe.

Regardless, in policy terms, the West must think about what it will do after another brutal and bloody election. This is virtually guaranteed. Notions of a decent process leading to a reasonably fair election and a transition are no more than wishful thinking, and fly in the face of Zimbabwe's current trajectory and ZANU's track record, at this stage. If faced with another 2008 (or worse), then what? Will we see a diplomatic re-run, another two years of negotiations? And why should the international community care any more than actors in the southern African region – or for that matter, Zimbabwe's opposition MDC?

Ultimately, of course, it is the MDC that must make the decision to break out of the cycle and to get back to being a true opposition, to finish the job. If the last decade should teach anything, it is that the MDC is on its own.

### Options for the MDC

In the face of ZANU's anticipated obduracy, the MDC has three options: First, stick with the GPA and try and reform Mugabe from inside, prior to holding elections. This is currently the official MDC position. Party officials say this option is the only way to ensure a modicum of transparency and prevent the country from returning to chaos. In support of this view, it is felt that if the MDC pulled out of the IG it would almost certainly create difficulty and further division on Zimbabwe within the region. Also the MDC has been able to adopt a 'smarter' position in regional dialogue, which, as the statements of President Zuma indicate, has created increasing political complications for ZANU-PF in its relationship with the other regional liberation parties, particularly the ANC. But continued participation in the IG also legitimises the GPA/IG and Mugabe's actions and regional inaction.

The MDC's second alternative is to exit the GPA while preparing for elections. There are justifiable reasons for doing so, particularly if the international climate is more preferable via the international strategy outlined above. But the MDC fears this would marginalise them with regard to SADC. As one MDC supporter puts

This is not a question of resources. It is one of political will

### **Movements for Democratic Change**

The Movement for Democratic Change was formed in 1999 from members of the broad coalition of civic society groups and individuals that campaigned for a 'No' vote in the 2000 constitutional referendum. In 2005, the party split, with a faction headed each by trade union leader Morgan Tsvangirai and the other by academic Arthur Mutambara. In the March 2008 election, Tsvangirai ran for President while Mutambara backed the independent candidacy of former ZANU-PF finance minister Simba Makoni. According to the official results, Tsvangirai won 47.9 per cent of the vote to Mugabe's 43.2 per cent, necessitating a second-round run-off, though the MDC put the first-round at over 50 per cent. In the simultaneous parliamentary election, the Tsvangirai faction won 99 seats and Mutambara's 10, compared with 97 for ZANU-PF and one independent, with three vacancies due to the deaths of candidates. Tsvangirai withdrew from the run-off against Mugabe, due to be held on 27 June 2008, due to the level of violence. Mutambara, who became a deputy prime minister under the GPA, was toppled at the MDC-M party congress in January 2011 as leader by trade and industry minister (and long-time Pretoria favourite) Welshman Ncube. Mutambara then 'fired' Ncube from the party. President Mugabe refused to swear Ncube in as deputy prime minister. As a result, MDC-T has, in turn, expelled Mutambara and 'donated' the deputy prime minister's post to ZANU-PF.

it: 'If you look at the AU recently and how they have dealt with the crisis points you will see a clear pattern – Sudan GPA, Kenya GPA, Madagascar GPA. The commitment to the GPA by African leadership is deep and simply cannot be ignored or overridden – that is the big mistake that ZANU has made in the past two years. We could not bail out of the GPA even if we wanted,' he observes, as 'it would have severe repercussions for us in Africa and SA. But you must remember that the GPA is very much part of our road map to resolving the crisis, it's our game and our rules and the longer we hold ZANU to the line they are weakened and more divided. If we can avoid bloodshed and violence and get to a reasonable election we can go on from there.'<sup>26</sup> Or as another senior MDC official has observed, 'if we pulled out [of the IG] instead of ZANU-PF, SADC would have every excuse to say well you're on your own, [and it] would be a serious own goal.'<sup>27</sup>

This standpoint presumes that they are not on their own already. And it should not only be asked what the region wants of the MDC in this regard, but what ZANU-PF would least like the MDC to do? It suits its purposes for the MDC to be inside the IG, muting its voice of protest while legitimising the government. It also presumes that the 'GPA' as a solution has worked, whether this, as indicated above, be Kenya, Madagascar or Zimbabwe. If such an agreement 'worked' in Sudan it was

Until now there has been little likelihood of any Western power putting the relationship with South Africa on the line over Zimbabwe

because it facilitated a referendum and, ultimately, secession. Madagascar’s ongoing political dramas suggest it has not, while the Kenyan ‘solution’ remains moot in the face of considerable development and governance challenges.

•••

Perhaps the more interesting question is why a GPA in these cases and not in Côte d’Ivoire? The African diplomatic preference for a negotiated outcome sharing the political spoils between the election victor and the incumbent is apparently born out of a combination of factors: A loyalty to authority, a fear of conflict and its spillover effects, a safety net for other leaders, and powerlessness in the face of entrenched, militarised authority. Laurent Gbagbo was unseated in Abidjan not because he lost the election, but because Alassane Outtara’s army was a force to be reckoned with, especially when they were stiffened by French special forces and airpower and had the added legitimacy of UN blue-helmets working alongside.



**Mass action as another choice?**

This highlights the MDC’s final choice, if the election process and its regional and international support and pressure system as described above, is derailed or amounts to nothing.

Mass action remains the MDC’s final and perhaps most powerful political card. This option has, until now, been specifically ruled out by the MDC leadership, to the relief of regional leaders – whose officials paradoxically cite this as evidence of

In the face of ZANU's anticipated obduracy, the MDC has three options

the MDC's lack of organisation and spine. As Morgan Tsvangirai put it in March 2011,<sup>28</sup>

The march to freedom in Zimbabwe has a different history and a different pace to that of Libya, of Egypt, of Tunisia and other African and Arab countries. We have a process in place here, which is supposed to be guaranteed and supported by other countries of this region. Those who have been in power here for decades, and have repressed and stolen from the Zimbabwean people, have committed to change and have signed up to specific reforms and principles. Sadly, they continue to flout those obligations, and renege on those undertakings. They continue to use their more familiar tools of violence and intimidation. But I am not advocating giving up on that process. I still believe that, if fellow African countries and the international community show the right will and the right commitment to Zimbabwe, we can secure freedom here too, and do so peacefully. What is needed is no more and no less than the full respect and the full implementation of the Global Political Agreement.

For the MDC mass action in Zimbabwe should not infer an 'Egypt option', which amounts to a military junta taking over, which is probably what many in ZANU would prefer when the already ailing Mugabe departs. It may also not be as desperate as it first sounds. After all, how much worse could the Zimbabwe Defence Force be than Gaddafi's lot in bombing and killing its own people? And it's worth considering in this light whether Mugabe and ZANU would go even if they lost at the polls. History suggests they won't.

Assistance to the MDC from the region will, however, depend on perceptions of its strength. Whichever option the MDC chooses – staying in the IG, getting out or mass action – its success is going to reside in the development of a clear strategy to build the party as a viable regional party and powerbase in Zimbabwe. The establishment in 2011 of a MDC Global Awareness Campaign under Roy Bennett based in London in this regard takes a leaf out of the ANC's book by building up a party-funding and external lobby body.

Finally, what of the death of Mugabe? Along with a combination of other internal pressures within ZANU-PF, this event could also create confusion and discourse within the party: The reformists and the securocrats are already both attempting to position themselves in a favourable position, post-Mugabe, with the former likely to want to see an extension of the IG, possibly pushing elections further to the right. This could be an advantage to the MDC as it seeks a stable and transparent election environment.

Laurent Gbagbo  
was unseated in  
Abidjan not because  
he lost the election,  
but because  
Alassane Outtara's  
army was a force to  
be reckoned with

### Conclusion: MDC and dealing with a deeper malaise

ZANU-PF has ruled Zimbabwe since independence in much the same manner and meanness of spirit as it pursued the liberation struggle: Where power and distribution of its spoils have been organised and prosecuted as a military campaign; and where any concerns about casualties or other consequences have been subverted and justified by these goals. While the MDC's origins and personalities suggest a different tone and method, will the substance of its policy prove that different? Will Zimbabwe under the MDC not just be less brutal but less corrupt, too?

The MDC has suffered from extraordinary and continuous bouts of schizophrenia, as befits an umbrella liberation movement. It has participated in talks while calling for mass action, and been a member of a government while whispering the need to maintain sanctions and keep the pressure on. And such a Janus impression has worsened as some of its members have tasted the relative affluence of parliamentary political life. In a statement for the 31st independence anniversary on 18 April 2011, Tsvangirai dismissed the drive by Mugabe's ZANU-PF party to force foreign companies to transfer majority shareholding to local blacks as 'empty rhetoric'. He said that Mugabe's seizures of white-owned commercial farms about a decade ago under the banner of correcting colonial injustices had ruined the economy and benefited 'avaricious politicians'. He added, 'Now thirty years after independence, we are being told by multi-millionaires and multiple farm owners that indigenisation will set us free. By this, they are not referring to broad-based empowerment of the ordinary man and woman, but the looting and plunder of national resources by a small, parasitic elite.'<sup>29</sup> A month earlier, Finance Minister Biti, commented that 'ZANU-PF has been at the forefront of blocking locals from gaining control of the economy and its current indigenisation crusade is desperate electioneering.'<sup>30</sup>

These messages are apparently directed as much at elements of the MDC as ZANU-PF. The string of such indiscretions on the MDC side is much worse than is publicly known and 'it's already longer than your arm – and the party hasn't even experienced unfettered power yet' according to inside sources.<sup>31</sup> Of course ZANU-PF has aimed to compromise such individuals; but their own greed and entitlement has made this easy. For example, Zimbabwe's *The Standard* reported on 16 August 2009 that the newly-installed non-executive mayor of Harare, Muchadeyi 'Much' Masunda, had scoffed at residents who were accusing him of riding on the gravy train by accepting the purchase of a \$152 000 Mercedes Benz. The anger of residents had been fuelled by the letters of 'final demand' that the council had issued to water-bill defaulters. Some of the defaulters included residents who had

Mass action  
remains the MDC's  
final and perhaps  
most powerful  
political card

not had water for nearly three years. The mayor, who had insisted on disconnecting water supplies to defaulters, said it was proper for the council to buy the expensive Mercedes Benz for him. Masunda said he had made many sacrifices since coming into office, and the outcry over the top-of-the range vehicle was misplaced. 'That car is not my personal car. It's an official car', Masunda said. 'I have my own things. I have a Mercedes Benz E240 and a Jaguar. My wife has a Toyota Double Cab and an Audi Curio Double Cab. My children use a Ford Bantam and a Ford Courier.' The proposed car was a Mercedes Benz ML320cdi.

The chairman of the local procurement board, Councillor Masiye Kapare of Ward 7, admitted that there was concern over the price of the vehicle, but said it was not 'unanimous'. He however dismissed any debate on the need for a car for the mayor. 'Do these rabble-rousers feel it is alright for the mayor, who is actually the face of Zimbabwe by virtue of heading the country's capital, to be seen around in a small cheap car which may make him a laughing stock to ambassadors and other partners?' Speaking at Masunda's installation as mayor, the then Minister of Local Government and Urban Development Ignatious Chombo supported the proposal, saying: 'The mayor deserves a nice car, preferably a Mercedes Benz. Not necessarily an ML. I would prefer an S Class 350.' Masunda was widely respected as a captain of industry and reportedly had been encouraged by the MDC, among others, to take up the mayoral post.<sup>32</sup>

Zimbabwe's *Sunday Mail* has reported the formation of the Zimbabwe Economic Development Trust Company (ZIMEDC) by the MDC in August 2010 in response to fears that party members were losing out on empowerment pickings.<sup>33</sup> This seems most likely to be disinformation from ZANU-PF, presumably an attempt to sow discord among MDC ranks over access to contracts, and to show that both parties are cut from the same cloth. To emphasise its split rhetorical personality, in May 2011, at the World Economic Forum, Prime Minister Tsvangirai voiced his support for indigenisation. 'Indigenisation is not about appropriation or nationalisation ... it's about setting fair value,' he said at the Cape Town event. He added, 'Across the political divide we agree on the principle of citizenship empowerment ... we have been consistent in the area of indigenisation.'<sup>34</sup> Crossbench support for empowerment suggests that Zimbabwe will not only find it politically difficult to turn back the clock on land redistribution, but that the country's future economic policy dispensation will be driven in part by the drive for sharing the spoils of enrichment. In this policy regard, there may not be that much to choose from between ZANU and elements of the MDC. This will, therefore, require firm leadership on the MDC's part to keep its own *partyaratchiks* from engaging in such



robber-*barony*. Increased scrutiny via media reform and foreign investment will thus be key to Zimbabwe's success going forward.

This once more highlights the most important question regarding Zimbabwe's development options and likely trajectory, no matter the government in power. Is the system of patronage which has evolved to outright plunder under ZANU-PF an aberration? Or does it reflect the way in which Zimbabwe 'works' today and in the future?

## Endnotes

- 1 At <http://thecitizen.co.tz/sunday-citizen/43-sunday-citizen-opinion-editorial/10044-gbagbos-capture-big-lesson-for-african-electoral-thieves.html>.
- 2 Cited in the *Zimbabwe Telegraph*, 23 March 2011 at <http://www.zimtelegraph.com/?p=1080>.
- 3 At <http://www.trust.org/alertnet/news/zimbabwe-attacks-erratic-zuma-over-mugabe-libya/>.
- 4 *Daily News*, 11 April 2011 at <http://www.dailynews.co.zw/news/34-news/2061-mugabe-backs-zuma-on-libya.html>.
- 5 Comments made at the event hosted by the African Center for Economic Transformation, Bellagio, 27 April 2011.
- 6 For a good summary of these and other issues, go to <http://www.parliament.uk/briefingpapers/commons/lib/research/briefings/snia-05793.pdf>.
- 7 Data in tables is kindly supplied by John Robertson
- 8 Private correspondence, April 2011.
- 9 The World Bank's *Zimbabwe Country Brief* at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/ZIMBABWEEXTN/0,,menuPK:375746-pagePK:141132-piPK:141107-theSitePK:375736,00.html>.
- 10 See [http://www.unctad.org/sections/dite\\_fdistat/docs/wid\\_ib\\_zw\\_en.pdf](http://www.unctad.org/sections/dite_fdistat/docs/wid_ib_zw_en.pdf); and <http://www.zimonline.co.za/Article.aspx?ArticleId=6230>.
- 11 At <http://www.parliament.uk/briefingpapers/commons/lib/research/briefings/snia-05793.pdf>.
- 12 At <http://www.newzimbabwe.com/news-4928-Govt+won+per+centE2+per+cent80+per+cent99t+pay+for+mining+shares/news.aspx>.
- 13 The World Bank's *Zimbabwe Country Brief* at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/ZIMBABWEEXTN/0,,menuPK:375746-pagePK:141132-piPK:141107-theSitePK:375736,00.html>.
- 14 At <http://www.africafocus.org/docs11/zim1101b.php>.
- 15 At <http://www.sokwanele.com/taxonomy/term/150>.

- 16 See <http://www.diamondne.ws/2010/07/25/zimbabwe-diamond-production-in-2009-nearly-a-million-carats-of-diamonds-worth-over-20-million/>.
- 17 At <http://www.bestdiamondengagementring.com/zimbabwean-minister-diamond-production-to-reach-4-million-carats-in-2011/>.
- 18 See 'A multi-faceted business', *Africa Confidential*, 19 November 2010.
- 19 For a discussion of this point, see Moneyweb's October 2010 analysis 'Zimbabwe is currently a de facto military state under the guise of the GNU' at <http://moneyweb.co.za/mw/view/mw/en/page501877?oid=510221&sn=2009+Detail&pid=287226>.
- 20 At <http://nehandaradio.com/2011/03/03/chinese-building-military-base-in-zimbabwe/>.
- 21 At <http://allafrica.com/stories/201104160063.html>.
- 22 *Huffington Post*, 4 May 2009 at [http://www.huffingtonpost.com/2009/05/04/zuma-to-toughen-zimbabwe-\\_n\\_195565.html](http://www.huffingtonpost.com/2009/05/04/zuma-to-toughen-zimbabwe-_n_195565.html).
- 23 At [http://zimbabwenewsonline.com/top\\_news/2051.html](http://zimbabwenewsonline.com/top_news/2051.html).
- 24 At <http://www.timeslive.co.za/sundaytimes/article1024182.ece/Zuma-warns-Mugabe-of-revolts-upheavals>.
- 25 This is based on several discussions with SA government officials during March 2011.
- 26 Correspondence, 16 April 2011.
- 27 Correspondence, 3 March 2011.
- 28 Statement by Rt Hon Morgan R Tsvangirai, President of the Movement for Democratic Change and Prime Minister of the Republic of Zimbabwe. 'Africa's March to Freedom'. Undated, but distributed March 2011.
- 29 At <http://www.bulawayo24.com/index-id-news-sc-national-byo-2896-article-Tsvangira-i+dismisses+Mugabe's+indigenisation.html>.
- 30 At <http://newsdzezimbabwe.wordpress.com/2011/03/13/indigenisation-is-political-rubbish-says-biti/>.
- 31 Correspondence, 21 April 2011.
- 32 At [http://en.wikipedia.org/wiki/Muchadeyi\\_Masunda](http://en.wikipedia.org/wiki/Muchadeyi_Masunda).
- 33 At <http://www.talkzimbabwe.com/mdc-t-finds-life-in-indigenisation-policy-cms-858>.
- 34 As quoted in *Business Day*, 6 May 2011.



## ANNEXURE

AGREEMENT BETWEEN  
THE ZIMBABWE AFRICAN NATIONAL UNION-PATRIOTIC FRONT (ZANU-PF)  
AND THE MOVEMENT FOR DEMOCRATIC CHANGE (MDC) FORMATIONS,  
ON RESOLVING THE CHALLENGES FACING ZIMBABWE

### **Preamble**

We, the Parties to this Agreement;

CONCERNED about the recent challenges that we have faced as a country and the multiple threats to the wellbeing

of our people and, therefore, determined to resolve these permanently.

CONSIDERING our shared determination to uphold, defend and sustain Zimbabwe's sovereignty,

independence, territorial integrity and national unity, as a respected member of the international community, a

nation where all citizens respect and, therefore, enjoy equal protection of the law and have equal opportunity to

compete and prosper in all spheres of life.

ACKNOWLEDGING the sacrifices made by thousands of Zimbabwe's gallant sons and daughters in the fight

against colonialism and racial discrimination and determined to accept, cherish and recognise the significance of

the Liberation Struggle as the foundation of our sovereign independence, freedoms and human rights.

DEDICATING ourselves to putting an end to the polarisation, divisions, conflict and intolerance that has

characterised Zimbabwean politics and society in recent times.

COMMITTING ourselves to putting our people and our country first by arresting the fall in living standards and

reversing the decline of our economy.

EMPHASISING our shared commitment to re-orient our attitudes towards respect for the Constitution and all

national laws, the rule of law, observance of Zimbabwe's national institutions, symbols and national events.

RESPECTING the rights of all Zimbabweans regardless of political affiliation to benefit from and participate in

all national programmes and events freely without let or hindrance.

RECOGNISING, accepting and acknowledging that the values of justice, fairness, openness, tolerance, equality,

non-discrimination and respect of all persons without regard to race, class, gender, ethnicity, language, religion,

political opinion, place of origin or birth are the bedrock of our democracy and good governance.

DETERMINED to build a society free of violence, fear, intimidation, hatred, patronage, corruption and founded

on justice, fairness, openness, transparency, dignity and equality.

RECOGNISING and accepting that the Land Question has been at the core of the contestation in Zimbabwe and

acknowledging the centrality of issues relating to the rule of law, respect for human rights, democracy and

governance.

COMMITTED to act in a manner that demonstrates loyalty to Zimbabwe, patriotism and commitment to

Zimbabwe's national purpose, core values, interests and aspirations.

DETERMINED to act in a manner that demonstrates respect for the democratic values of justice, fairness,

openness, tolerance, equality, respect of all persons and human rights.

SUBMITTING ourselves to the mandate of the Extraordinary Summit of the Southern African Development

Community (SADC) held in Dar-es-Salaam, United Republic of Tanzania, on 29th March 2007 and endorsed in

Lusaka on 12th April 2008 and in the AU Summit held in Sharm El-Sheikh, Egypt from 30th June to 1 July

2008.

RECOGNISING the centrality and importance of African institutions in dealing with African problems, we

agreed to seek solutions to our differences, challenges and problems through dialogue.

ACKNOWLEDGING that pursuant to the Dar-es-Salaam SADC resolution, the Parties negotiated and agreed

on a draft Constitution, initialed by the Parties on 30 September 2007, and further agreed and co-sponsored the

enactment of the Constitution of Zimbabwe Amendment Number 18 Act, amendments to the Electoral Act, the

Zimbabwe Electoral Commission Act, Public Order and Security Act, Access to Information and Protection of

Privacy Act and Broadcasting Services Act.

APPRECIATING the historical obligation and need to reach a solution that will allow us to put Zimbabwe first

and give the people a genuine chance of rebuilding and reconstructing their livelihoods.

PURSUANT to the common desire of working together, the Parties agreed to and executed a Memorandum of

Understanding on 21 July 2008, attached hereto as Annexure 'A'.

Now therefore agree as follows:

**ARTICLE I – DEFINITIONS**

1. Definitions The 'Agreement' shall mean this written Agreement signed by the representatives of ZANU-PF

and the MDC, in its two formations ('the Parties') in fulfillment of the material mandate handed down by the

SADC Extraordinary Summit on 29th March 2007 and endorsed by SADC in Lusaka, Zambia and adopted by

the African Union Summit in Sharm El- Sheikh, Egypt. The 'Parties' shall mean ZANU-PF, the two MDC

formations led by Morgan Tsvangirai and Arthur Mutambara respectively. The 'Government' or 'New

Government' means the new Government to be set up in terms of this Agreement.

#### **ARTICLE II DECLARATION OF COMMITMENT**

2. Declaration of Commitment The Parties hereby declare and agree to work together to create a genuine, viable,

permanent, sustainable and nationally acceptable solution to the Zimbabwe situation and in particular to

implement the following agreement with the aims of resolving once and for all the current political and

economic situations and charting a new political direction for the country.

#### **ARTICLE III RESTORATION OF ECONOMIC STABILITY AND GROWTH**

3. Economic recovery

3.1 The Parties agree:

(a) to give priority to the restoration of economic stability and growth in Zimbabwe. The Government

will lead the process of developing and implementing an economic recovery strategy and plan. To

that end, the parties are committed to working together on a full and comprehensive economic

programme to resuscitate Zimbabwe's economy, which will urgently address the issues of production, food security, poverty and unemployment and the challenges of high inflation, interest

rates and the exchange rate.

(b) to create conditions that would ensure that the 2008/2009 agricultural season is productive.

(c) to establish a National Economic Council, composed of representatives of the Parties and of the

following sectors:

(i) Manufacturing

(ii) Agriculture

(iii) Mining

(iv) Tourism

(v) Commerce

(vi) Financial

(vii) Labour

(viii) Academia; and

(ix) Other relevant sectors

(d) that the terms of reference of the Council shall include giving advice to Government, formulating

economic plans and programmes for approval by government and such other functions as are assigned

to the Council by the Government.

(e) to endorse the SADC resolution on the economy.

#### **ARTICLE IV SANCTIONS AND MEASURES**

##### **4. Sanctions and Measures**

4.1 Recognising and acknowledging that some sections of the international community have since 2000 imposed

various sanctions and measures against Zimbabwe, which have included targeted sanctions.

4.2 The Parties note the present economic and political isolation of Zimbabwe by the United Kingdom,

European Union, United States of America and other sections of the International Community over and around

issues of disputed elections, governance and differences over the land reform programme.

4.3 Noting and acknowledging the following sanctions and measures imposed on Zimbabwe:-

(a) enactment of the Zimbabwe Democracy and Economic Recovery Act by the United States of

America Congress which outlaws Zimbabwe's right to access credit from International Financial

Institutions in which the United States Government is represented or has a stake;

(b) suspension of Zimbabwe's voting and related rights, suspension of balance of payment support,

declaration of ineligibility to borrow Fund resources and suspension of technical assistance to

Zimbabwe by the International Monetary Fund;

(c) suspension of grants and infrastructural development support to Zimbabwe by The World Bank; and

(d) imposition of targeted travel bans against current Government and some business leaders.

4.4 Noting that this international isolation has over the years created a negative international perception of

Zimbabwe and thereby resulting in the further isolation of the country by the non-availing of lines of credit to

Zimbabwe by some sections of the international community.

4.5 Recognising the consequent contribution of this isolation to the further decline of the economy.

4.6 Desirous and committed to bringing to an end the fall in the standards of living of our people, the Parties

hereby agree:-

(a) to endorse the SADC resolution on sanctions concerning Zimbabwe;

(b) that all forms of measures and sanctions against Zimbabwe be lifted in order to facilitate a

sustainable solution to the challenges that are currently facing Zimbabwe; and

(c) commit themselves to working together in re-engaging the international community with a view to

bringing to an end the country's international isolation.

#### **ARTICLE V LAND QUESTION**

##### 5. Land Question

5.1 Recognising that colonial racist land ownership patterns established during the colonial conquest of

Zimbabwe and largely maintained in the post independence period were not only unsustainable, but against the

national interest, equity and justice.

5.2 Noting that in addition to the primary objective of the liberation struggle to win one man one vote

democracy and justice, the land question, namely the need for the re-distribution of land to the majority

indigenous people of Zimbabwe was at the core of the liberation struggle.

5.3 Accepting the inevitability and desirability of a comprehensive land reform programme in Zimbabwe that

redresses the issues of historical imbalances and injustices in order to address the issues of equity, productivity,

and justice.

5.4 While differing on the methodology of acquisition and redistribution the parties acknowledge that

compulsory acquisition and redistribution of land has taken place under a land reform programme undertaken

since 2000.

5.5 Accepting the irreversibility of the said land acquisitions and redistribution.

5.6 Noting that in the current Constitution of Zimbabwe and further in the Draft Constitution agreed to by the

parties the primary obligation of compensating former land owners for land acquired rests on the former

colonial power.

5.7 Further recognising the need to ensure that all land is used productively in the interests of all the people of

Zimbabwe.

5.8 Recognising the need for women's access and control over land in their own right as equal citizens.

5.9 The Parties hereby agree to:

(a) conduct a comprehensive, transparent and non-partisan land audit, during the tenure of the Seventh

Parliament of Zimbabwe, for the purpose of establishing accountability and eliminating multiple farm

ownerships.

(b) ensure that all Zimbabweans who are eligible to be allocated land and who apply for it shall be

considered for allocation of land irrespective of race, gender, religion, ethnicity or political affiliation;

(c) ensure security of tenure to all land holders.

(d) call upon the United Kingdom government to accept the primary responsibility to pay compensation for land acquired from former land owners for resettlement;

(e) work together to secure international support and finance for the land reform programme in terms of

compensation for the former land owners and support for new farmers; and

(f) work together for the restoration of full productivity on all agricultural land.



**ARTICLE VI CONSTITUTION**

6. Constitution

Acknowledging that it is the fundamental right and duty of the Zimbabwean people to make a constitution by

themselves and for themselves; Aware that the process of making this constitution must be owned and driven by

the people and must be inclusive and democratic; Recognising that the current Constitution of Zimbabwe made

at the Lancaster House Conference, London (1979) was primarily to transfer power from the colonial authority

to the people of Zimbabwe; Acknowledging the draft Constitution that the Parties signed and agreed to in

Kariba on the 30th of September 2007, annexed hereto as Annexure 'B'; Determined to create conditions for

our people to write a constitution for themselves; and Mindful of the need to ensure that the new Constitution

deepens our democratic values and principles and the protection of the equality of all citizens, particularly the

enhancement of full citizenship and equality of women.

6.1 The Parties hereby agree:

(a) that they shall set up a Select Committee of Parliament composed of representatives of the Parties

whose terms of reference shall be as follows:

(i) to set up such subcommittees chaired by a member of Parliament and composed of members of Parliament and representatives of Civil Society as may be necessary to assist the

Select Committee in performing its mandate herein;

(ii) to hold such public hearings and such consultations as it may deem necessary in the

process of public consultation over the making of a new constitution for Zimbabwe;

(iii) to convene an All Stakeholders Conference to consult stakeholders on their representation

in the sub-committees referred to above and such related matters as may assist the committee

in its work;

(iv) to table its draft Constitution to a 2nd All Stakeholders Conference; and

(v) to report to Parliament on its recommendations over the content of a New Constitution for

Zimbabwe

(b) That the draft Constitution recommended by the Select Committee shall be submitted to a

referendum;

(c) that, in implementing the above, the following time frames shall apply:

(i) the Select Committee shall be set up within two months of inception of a new government;

(ii) the convening of the first All Stakeholders Conference shall be within 3 months of the date

of the appointment of the Select Committee;

(iii) the public consultation process shall be completed no later than

4 months of the date of the first All Stakeholders Conference;

(iv) the draft Constitution shall be tabled within 3 months of completion of the public consultation process to a second All Stakeholders Conference;

(v) the draft Constitution and the accompanying Report shall be tabled before Parliament

within 1 month of the second All Stakeholders Conference;

(vi) the draft Constitution and the accompanying Report shall be debated in Parliament and the

debate concluded within one month;

(vii) the draft Constitution emerging from Parliament shall be gazetted before the holding of a

referendum;

(viii) a referendum on the new draft Constitution shall be held within

3 months of the conclusion of the debate;

(ix) in the event of the draft Constitution being approved in the referendum it shall be gazetted

within 1 month of the date of the referendum; and

(x) the draft Constitution shall be introduced in Parliament no later than 1 month after the

expiration of the period of 30 days from the date of its gazetting.

#### **ARTICLE VII PROMOTION OF EQUALITY, NATIONAL HEALING, COHESION AND UNITY**

##### **7. Equality, National Healing, Cohesion and Unity**

7.1 The Parties hereby agree that the new Government:

a) will ensure equal treatment of all regardless of gender, race, ethnicity, place of origin and will work

towards equal access to development for all;

b) will ensure equal and fair development of all regions of the country and in particular to correct

historical imbalances in the development of regions;

c) shall give consideration to the setting up of a mechanism to properly 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 political conflicts; and

d) will strive to create an environment of tolerance and respect among Zimbabweans and that all citizens

are treated with dignity and decency irrespective of age, gender, race, ethnicity, place of origin or

political affiliation.

e) will formulate policies and put measures in place to attract the return and repatriation of all

Zimbabweans in the Diaspora and in particular will work towards the return of all skilled personnel.

#### **ARTICLE VIII RESPECT FOR NATIONAL INSTITUTIONS AND EVENTS**

##### **8. Respect for National Institutions and Events**

8.1 In the interests of forging a common vision for our country, the Parties hereby agree:-

(a) on the necessity of all Zimbabweans regardless of race, ethnicity, gender, political affiliation and

religion to respect and observe Zimbabwe's national institutions, symbols, national programmes and

events; and

(b) that all Zimbabweans regardless of race, ethnicity, gender, political affiliation and religion have the

right to benefit from and participate in all national programmes and events without let or hindrance.

#### **ARTICLE IX EXTERNAL INTERFERENCE**

##### **9. External Interference**

9.1 The Parties reaffirm the principle of the United Nations Charter on non-interference in the internal affairs of

member countries.

9.2 The Parties hereby agree:-

(a) that the responsibility of effecting change of government in Zimbabwe vests exclusively on and is

the sole prerogative of the people of Zimbabwe through peaceful, democratic and constitutional means;

(b) to reject any unlawful, violent, undemocratic and unconstitutional means of changing governments;

and

(c) that no outsiders have a right to call or campaign for regime change in Zimbabwe.

**ARTICLE X FREE POLITICAL ACTIVITY**

10. Free political activity

Recognising that the right to canvass and freely mobilise for political support is the cornerstone of any multiparty

democratic system, the Parties have agreed that there should be free political activity throughout

Zimbabwe within the ambit of the law in which all political parties are able to propagate their views and canvass

for support, free of harassment and intimidation.

**ARTICLE XI RULE OF LAW, RESPECT FOR THE CONSTITUTION AND OTHER LAWS**

11. Rule of law, respect for the Constitution and other laws

11.1 The Parties hereby agree that it is the duty of all political parties and individuals to:

(a) respect and uphold the Constitution and other laws of the land;

(b) adhere to the principles of the Rule of Law.

**ARTICLE XII FREEDOM OF ASSEMBLY AND ASSOCIATION**

12. Freedoms of Assembly and Association

12.1 Recognising the importance of the freedoms of assembly and association in a multi-party democracy and

noting that public meetings have to be conducted in a free, peaceful and democratic manner in accordance with

the law, the Parties have agreed:-

(a) to work together in a manner which guarantees the full implementation and realisation of the right

to freedom of association and assembly; and

(b) that the Government shall undertake training programmes, workshops and meetings for the police

and other enforcement agencies directed at the appreciation of the right of freedom of assembly and

association and the proper interpretation, understanding and application of the provisions of security

legislation.

**ARTICLE XIII STATE ORGANS AND INSTITUTIONS**

13. State organs and institutions

13.1 State organs and institutions do not belong to any political party and should be impartial in the discharge of

their duties.

13.2 For the purposes of ensuring that all state organs and institutions perform their duties ethically and

professionally in conformity with the principles and requirements of a multi-party democratic system in which

all parties are treated equally, the Parties have agreed that the following steps be taken:-

(a) that there be inclusion in the training curriculum of members of the uniformed forces of the subjects

on human rights, international humanitarian law and statute law so that there is greater understanding

and full appreciation of their roles and duties in a multi-party democratic system;

(b) ensuring that all state organs and institutions strictly observe the principles of the Rule of Law and

remain non-partisan and impartial;

(c) laws and regulations governing state organs and institutions are strictly adhered to and those

violating them be penalised without fear or favour; and

(d) recruitment policies and practices be conducted in a manner that ensures that no political or other

form of favouritism is practised.

**ARTICLE XIV TRADITIONAL LEADERS**

14. Traditional Leaders

14.1 Recognising and acknowledging that traditional leaders are community leaders with equal responsibilities

and obligations to all members of their communities regardless of age, gender, ethnicity, race, religion and

political affiliation, the Parties hereby agree to:-

(a) commit themselves to ensuring the political neutrality of traditional leaders; and

(b) call upon traditional leaders not to engage in partisan political activities at national level as well as

in their communities.

**ARTICLE XV NATIONAL YOUTH TRAINING PROGRAMME**

15. National Youth Training Programme

Recognising the desirability of a national youth training programme which inculcates the values of patriotism,

discipline, tolerance, non- violence, openness, democracy, equality, justice and respect. Determined to ensure

that the National Youth Training Programme raises awareness of the HIV and AIDS pandemic, engenders a

spirit of community service, skills development and a commitment to the development of Zimbabwe

15.1 The Parties hereby agree that:-

(a) all youths regardless of race, ethnicity, gender, religion and political affiliation are eligible to

participate in national youth training programmes;

(b) the National Youth Training Programme must be run in a non- partisan manner and shall not

include partisan political material advancing the cause of any political party; and

(c) while recognising that youths undergoing training at national youth training centres have a right to

hold political opinions, they shall not, during the period of their training, collectively and as part of a

scheme of the training centre be used or deployed for partisan political work.

**ARTICLE XVI HUMANITARIAN AND FOOD ASSISTANCE**

16. Humanitarian and food assistance

16.1 In times of need, every Zimbabwean regardless of race, ethnicity, gender, political affiliation and religion is

entitled to request and receive humanitarian and food assistance from the State.

16.2 It is the primary responsibility of the State to ensure that every Zimbabwean who needs humanitarian and

food assistance receives it.

16.3 Non-Governmental Organisations involved in giving humanitarian and food assistance shall do so without

discrimination on the grounds of race, ethnicity, gender, political affiliation and religion and in doing so, shall

not promote or advance the interests of any political party or cause.

16.4 In this regard the Parties hereby agree:

(a) that in the fulfillment of its obligations above, the Government and all State Institutions and quasi



State Institutions shall render humanitarian and food assistance without discrimination on the grounds

of race, ethnicity, gender, political affiliation or religion;

(b) that humanitarian interventions rendered by Non-Governmental Organisations, shall be provided

without discrimination on the grounds of race, ethnicity, gender, political affiliation and religion.

(c) that all displaced persons shall be entitled to humanitarian and food assistance to enable them to

return and settle in their original homes and that social welfare organisations shall be allowed to render

such assistance as might be required.

(d) that all NGO's rendering humanitarian and food assistance must operate within the confines of the

laws of Zimbabwe.

**ARTICLE XVII LEGISLATIVE AGENDA PRIORITIES**

17. Legislative agenda

17.1 The Parties hereby agree that:

(a) the legislative agenda will be prioritised in order to reflect the letter and spirit of this agreement;

(b) the Government will discuss and agree on further legislative measures which may become

necessary to implement the Government's agreed policies and in particular, with a view to entrenching

democratic values and practices.

**ARTICLE XVIII SECURITY OF PERSONS AND PREVENTION OF VIOLENCE**

18. Security of persons and prevention of violence

18.1 Noting the easy resort to violence by political parties, State actors, Non-State actors and others in order to

resolve political differences and achieve political ends.

18.2 Gravely concerned by the displacement of scores of people after the election of March 29, 2008 as a result

of politically motivated violence.

18.3 Recognising that violence dehumanises and engenders feelings of hatred and polarisation within the

country.

18.4 Further recognising that violence undermines our collective independence as a people and our capacity to

exercise our free will in making political choices.

18.5 The Parties hereby agree:

(a) to promote the values and practices of tolerance, respect, non- violence and dialogue as means of

resolving political differences;

(b) to renounce and desist from the promotion and use of violence, under whatever name called, as a

means of attaining political ends;

(c) that the Government shall apply the laws of the country fully and impartially in bringing all

perpetrators of politically motivated violence to book;

(d) that all political parties, other organisations and their leaders shall commit themselves to do

everything to stop and prevent all forms of political violence, including by non-State actors and shall

consistently appeal to their members to desist from violence;

(e) to take all measures necessary to ensure that the structures and institutions they control are not

engaged in the perpetration of violence.

(f) that all civil society organisations of whatever description whether affiliated to a political party or

not shall not promote or advocate for or use violence or any other form of intimidation or coercion to

canvass or mobilise for or oppose any political party or to achieve any political end;

(g) to work together to ensure the security of all persons and property;

(h) to work together to ensure the safety of any displaced persons, their safe return home and their

enjoyment of the full protection of the law.

(i) to refrain from using abusive language that may incite hostility, political intolerance and ethnic

hatred or unfairly undermine each other.

(j) that while having due regard to the Constitution of Zimbabwe and the principles of the rule of law,

the prosecuting authorities will expedite the determination as to whether or not there is sufficient

evidence to warrant the prosecution or keeping on remand of all persons accused of politically related

offences arising out of or connected with the March and June 2008 elections.

**ARTICLE XIX FREEDOM OF EXPRESSION AND COMMUNICATION**

19. Freedom of Expression and Communication

Recognising the importance of the right to freedom of expression and the role of the media in a multi-party

democracy. Noting that while the provisions of the Broadcasting Services Act permit the issuance of licences,

no licences other than to the public broadcaster have been issued. Aware of the emergence of foreign based

radio stations broadcasting into Zimbabwe, some of which are funded by foreign governments. Concerned that

the failure to issue licences under the Broadcasting Services Act to alternative broadcasters might have given

rise to external radio stations broadcasting into Zimbabwe. Further concerned that foreign government funded

external radio stations broadcasting into Zimbabwe are not in Zimbabwe's national interest. Desirous of ensuring

the opening up of the air waves and ensuring the operation of as many media houses as possible.

19.1 The Parties hereby agree:-

(a) that the government shall ensure the immediate processing by the appropriate authorities of all

applications for re-registration and registration in terms of both the Broadcasting Services Act as well

as the Access to Information and Protection of Privacy Act;

(b) all Zimbabwean nationals including those currently working for or running external radio stations

be encouraged to make applications for broadcasting licences, in Zimbabwe, in terms of the law;

(c) that in recognition of the open media environment anticipated by this Agreement, the Parties

hereby:-

(i) call upon the governments that are hosting and/or funding external radio stations broadcasting into Zimbabwe to cease such hosting and funding; and

(ii) encourage the Zimbabweans running or working for external radio stations broadcasting

into Zimbabwe to return to Zimbabwe; and

(d) that steps be taken to ensure that the public media provides balanced and fair coverage to all

political parties for their legitimate political activities.

(e) that the public and private media shall refrain from using abusive language that may incite hostility,

political intolerance and ethnic hatred or that unfairly undermines political parties and other

organisations. To this end, the inclusive government shall ensure that appropriate measures are taken to

achieve this objective.

#### **ARTICLE XX FRAMEWORK FOR A NEW GOVERNMENT**

##### 20. Framework for a new Government

Acknowledging that we have an obligation to establish a framework of working together in an inclusive

government;

Accepting that the formation of such a government will have to be approached with great sensitivity, flexibility

and willingness to compromise;

Recognising that the formation of such a Government would demonstrate the respect of the Parties for the

deeply-felt and immediate hopes and aspirations of the millions of our people.

Determined to carry out sustained work to create the conditions for returning our country to stability and

prosperity;

Acknowledging the need for gender parity, particularly the need to appoint women to strategic Cabinet posts;

20.1 The Parties hereby agree that:

20.1.1 Executive Powers and Authority

The Executive Authority of the Inclusive Government shall vest in, and be shared among the President, the

Prime Minister and the Cabinet, as provided for in this Constitution and legislation.

The President of the Republic shall exercise executive authority subject to the Constitution and the law.

The Prime Minister of the Republic shall exercise executive authority subject to the Constitution and the law.

The Cabinet of the Republic shall exercise executive authority subject to the Constitution and the law.

In the exercise of executive authority, the President, Vice Presidents, the Prime Minister, the Deputy Prime

Ministers, Ministers and Deputy Ministers must have regard to the principles and spirit underlying the formation

of the Inclusive Government and accordingly act in a manner that seeks to promote cohesion both inside and

outside government.

20.1.2 The Cabinet

(a) shall have the responsibility to evaluate and adopt all government policies and the consequential

programmes;

(b) shall, subject to approval by Parliament, allocate the financial resources for the implementation of

such policies and programmes;

(c) shall have the responsibility to prepare and present to Parliament, all such legislation and other

instruments as may be necessary to implement the policies and programmes of the National Executive;

(d) shall, except where the Constitution requires ratification by Parliament, or action by the President,

approve all international agreements;

(e) shall ensure that the state organs, including the Ministries and Departments, have sufficient

financial and other resources and appropriate operational capacity to carry out their functions

effectively; and

(f) shall take decisions by consensus, and take collective responsibility for all Cabinet decisions,

including those originally initiated individually by any member of Cabinet.

(g) The President and the Prime Minister will agree on the allocation of Ministries between them for

the purpose of day-to-day supervision.

#### 20.1.3 The President

(a) chairs Cabinet;

(b) exercises executive authority;

(c) shall exercise his/her powers subject to the provisions of the Constitution;

(d) can, subject to the Constitution, declare war and make peace;

(e) can, subject to the Constitution, proclaim and terminate martial law;

(f) confers honours and precedence, on the advice of Cabinet;

(g) grants pardons, respites, substitutes less severe punishment and suspends or remits sentences, on the

advice of Cabinet;

(h) chairs the National Security Council;

(i) formally appoints the Vice Presidents;

(j) shall, pursuant to this Agreement, appoint the Prime Minister pending the enactment of the

Constitution of Zimbabwe Amendment no.19 as agreed by the Parties;

(k) formally appoints Deputy Prime Ministers, Ministers and Deputy Ministers in accordance with this

agreement;

(l) after consultation with the Vice Presidents, the Prime Minister and the Deputy Prime Ministers,

allocates Ministerial portfolios in accordance with this Agreement;

(m) accredits, receives and recognises diplomatic agents and consular officers;

(n) appoints independent Constitutional Commissions in terms of the Constitution;

(o) appoints service/executive Commissions in terms of the Constitution and in consultation with the

Prime Minister;

(p) in consultation with the Prime Minister, makes key appointments the President is required to make

under and in terms of the Constitution or any Act of Parliament;

(q) may, acting in consultation with the Prime Minister, dissolve Parliament;

(r) must be kept fully informed by the Prime Minister on the general conduct of the government

business and;

(s) shall be furnished with such information as he/she may request in respect of any particular matter

relating to the government, and may advise the Prime Minister and Cabinet in this regard.

#### 20.1.4 The Prime Minister

(a) chairs the Council of Ministers and is the Deputy Chairperson of Cabinet;

(b) exercises executive authority;



- (c) shall oversee the formulation of government policies by the Cabinet;
- (d) shall ensure that the policies so formulated are implemented by the entirety of government;
- (e) shall ensure that the Ministers develop appropriate implementation plans to give effect to the policies decided by Cabinet: in this regard, the Ministers will report to the Prime Minister on all issues relating to the implementation of such policies and plans;
- (f) shall ensure that the legislation necessary to enable the government to carry out its functions is in place: in this regard, he/ she shall have the responsibility to discharge the functions of the Leader of Government Business in Parliament;
- (g) shall be a member of the National Security Council;
- (h) may be assigned such additional functions as are necessary further to enhance the work of the Inclusive Government;
- (i) shall, to ensure the effective execution of these tasks, be assisted by Deputy Prime Ministers; and
- (j) shall report regularly to the President and Parliament.

#### 20.1.5 Council of Ministers

To ensure that the Prime Minister properly discharges his responsibility to oversee the implementation of the

work of government, there shall be a Council of Ministers consisting of all the Cabinet Ministers, chaired by the

Prime Minister, whose functions shall be:

- (a) to assess the implementation of Cabinet decisions;
- (b) to assist the Prime Minister to attend to matters of coordination in the government;

- (c) to enable the Prime Minister to receive briefings from the Cabinet Committees;
- (d) to make progress reports to Cabinet on matters of implementation of Cabinet decisions;
- (e) to receive and consider reports from the Committee responsible for the periodic review mechanism;

and

- (f) to make progress reports to Cabinet on matters related to the periodic review mechanism.

#### 20.1.6 Composition of the Executive

(1) There shall be a President, which Office shall continue to be occupied by President Robert Gabriel Mugabe.

(2) There shall be two (2) Vice Presidents, who will be nominated by the President and/or Zanu-PF.

(3) There shall be a Prime Minister, which Office shall be occupied by Mr Morgan Tsvangirai.

(4) There shall be two (2) Deputy Prime Ministers, one (1) from MDC-T and one (1) from the MDC-M.

(5) There shall be thirty-one (31) Ministers, with fifteen (15) nominated by ZANU PF, thirteen (13) by MDC-T

and three (3) by MDC-M. Of the 31 Ministers, three (3) one each per Party, may be appointed from outside the

members of Parliament. The three (3) Ministers so appointed shall become members of the House of Assembly

and shall have the right to sit, speak and debate in Parliament, but shall not be entitled to vote.

(6) There shall be fifteen (15) Deputy Ministers, with (eight) 8 nominated by ZANU PF, six (6) by MDC-T and

one (1) by MDC-M.

(7) Ministers and Deputy Ministers may be relieved of their duties only after consultation among the leaders of

all the political parties participating in the Inclusive Government.

20.1.7 Senate

(a) The President shall, in his discretion, appoint five (5) persons to the existing positions of Presidential

senatorial appointments.

(b) There shall be created an additional nine (9) appointed senatorial posts, which shall be filled by persons

appointed by the President, of whom, 3 will be nominated by ZANU-PF, 3 by MDC-T and 3 by MDC-M.

20.1.8 Filling of vacancies

(a) In the event of any vacancy arising in respect of posts referred to in clauses 20.1.6 and 20.1.7(b) above, such

vacancy shall be filled by a nominee of the Party which held that position prior to the vacancy arising.

**ARTICLE XXI ELECTORAL VACANCIES**

21. Electoral Vacancies

Aware of the divisive and often times confrontational nature of elections and by elections;  
Noting the need to

allow this agreement to take root amongst the parties and people of Zimbabwe; and Cognisant of the need to

give our people some breathing space and a healing period;

21.1 The Parties hereby agree that for a period of 12 months from the date of signing of this agreement, should

any electoral vacancy arise in respect of a local authority or parliamentary seat, for whatever reason, only the

party holding that seat prior to the vacancy occurring shall be entitled to nominate and field a candidate to fill

the seat subject to that party complying with the rules governing its internal democracy.

**ARTICLE XXII IMPLEMENTATION MECHANISMS**

22. Implementation mechanisms

22.1 To ensure full and proper implementation of the letter and spirit of this Agreement, the Parties hereby

constitute a Joint Monitoring and Implementation Committee ('JOMIC') to be composed of four senior

members from ZANU-PF and four senior members from each of the two MDC Formations. Gender

consideration must be taken into account in relation to the composition of JOMIC.

22.2 The committee shall be co-chaired by persons from the Parties.

22.3 The committee shall have the following functions:-

(a) to ensure the implementation in letter and spirit of this Agreement;

(b) to assess the implementation of this Agreement from time to time and consider steps which might

need to be taken to ensure the speedy and full implementation of this Agreement in its entirety;

(c) to receive reports and complaints in respect of any issue related to the implementation, enforcement

and execution of this Agreement;

(d) to serve as catalyst in creating and promoting an atmosphere of mutual trust and understanding

between the parties; and

(e) to promote continuing dialogue between the Parties.

22.4 JOMIC shall be the principal body dealing with the issues of compliance and monitoring of this Agreement

and to that end, the Parties hereby undertake to channel all complaints, grievances, concerns and issues relating

to compliance with this Agreement through JOMIC and to refrain from any conduct which might undermine the

spirit of co-operation necessary for the fulfillment of this Agreement.

22.5 The new Government shall ensure that steps are taken to make the security forces conversant with the

Constitution of Zimbabwe and other laws of Zimbabwe including laws relating to public order and security.

22.6 The implementation of this agreement shall be guaranteed and underwritten by the Facilitator, SADC and

the AU.

22.7 The Parties and the new Government shall seek the support and assistance of SADC and the AU in

mobilizing the international community to support the new Government's economic recovery plans and

programmes together with the lifting of sanctions taken against Zimbabwe and some of its leaders.

22.8 The Parties agree that they shall cause Parliament to amend any legislation to the extent necessary to bring

this agreement into full force.

**ARTICLE XXIII PERIODIC REVIEW MECHANISM**

23. Periodic review mechanism

23.1 Having regard to the Objectives and Priorities of the New Government as set out in this Agreement, the

Parties hereby agree that:

(a) they shall constitute a committee composed of 2 representatives each to review on an annual basis

progress on the implementation and achievement of the priorities and objectives set out in this

Agreement, namely: Economic (restoration of economic stability and growth, sanctions, land question)

Political (new constitution, promotion of equality, national healing and cohesion and unity, external

interference, free political activity, rule of law, state organs and institutions, legislative agenda and

priorities) Security (security of persons and prevention of violence) and Communication (media and external radio stations); and

(b) the committee shall make recommendations to the Parties and the new government on any matters

relating to this Agreement, more particularly on measures and programmes that may be necessary to

take and make to realise full implementation of this Agreement.

(c) this Agreement and the relationship agreed to hereunder will be reviewed at the conclusion of the

constitution-making process.

23.2 The Parties will continually review the effectiveness and any other matter relating to the functioning of the

Inclusive Government established by the Constitution in consultation with the Guarantors.

#### **ARTICLE XXIV INTERIM CONSTITUTIONAL AMENDMENTS**

##### 24. Interim Constitutional amendments

The Parties hereby agree:

24.1 that the constitutional amendments which are necessary for the implementation of this agreement shall be

passed by parliament and assented to by the President as Constitution of Zimbabwe Amendment Act No 19. The

Parties undertake to unconditionally support the enactment of the said Constitution of Zimbabwe Amendment

No 19;

24.2 to include in Constitutional Amendment No19 the provisions contained in Chapters 4 and 13, and section

121 of the draft Constitution that the Parties executed at Kariba on 30 September 2007 (Kariba draft).

**ARTICLE XXV COMMENCEMENT**

25. Commencement This Agreement shall enter into force upon its signature by the Parties.

In WITNESS WHEREOF the Parties have signed this Agreement in the English language, in six identical

copies, all texts being equally authentic:

Done at Harare on this 15 day of September, 2008

ROBERT G MUGABE PRESIDENT, ZANU-PF

MORGAN R TSVANGIRAI PRESIDENT, MDC

ARTHUR G O MUTAMBARA PRESIDENT, MDC

In WITNESS THEREOF the Facilitator: THABO MBEKI SADC FACILITATOR