



The SADC Facilitation and Democratic Transition in Zimbabwe

A Report

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Institute for Global Dialogue



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About the Institute for Global Dialogue

The Institute for Global Dialogue (IGD) is an independent foreign policy think tank dedicated to the analysis of and dialogue on the evolving international political and economic environment, and the role of Africa and South Africa. It advances a balanced, relevant and policy-oriented analysis, debate and documentation of South Africa's role in international relations and diplomacy.

The IGD was initially established in 1995 as the *Foundation for Global Dialogue* after several years of efforts led by the former South African president, Nelson Mandela, in his capacity as the president of the African National Congress. He and his team of leaders saw a need for a research organisation that would facilitate the new South Africa's engagement with the changing global order after 1994. This was a period in which three vectors of change coincided: the tectonic shifts in global power politics following the collapse of the Soviet Union; the wave of democratization that hit Africa and south America; and the near-miraculous transition from apartheid to democracy in South Africa. The initial funding came from the German government and went towards establishing the *Foundation's* competitive edge, a combination of policy-oriented research, catalytic dialogue, tailor-made publications and grant-making for NGOs interested in international relations.

The IGD's research agenda into three broad programmatic focuses: *Foreign policy analysis* with special reference to the making and management of foreign policy and diplomatic tools like economic, developmental, and public diplomacy; *African Studies* focuses on the role of regional and continental integration in African politics and development as well as the study of peace diplomacy; and *International Diplomacy Analysis* researches dynamics in international diplomacy that have a bearing on African peace and prosperity.

Mission: The IGD strives for a prosperous and peaceful Africa in a progressive global order through cutting edge policy research and analysis, catalytic dialogue and stakeholder interface on global dynamics that have impact on South Africa and Africa.

1. Introduction

This report synthesises the outcomes of a series of activities designed to get a better understanding of the role and impact of the SADC/SA mediation on the transition from crisis to democracy in Zimbabwe, especially since President Jacob Zuma of South Africa took over from President Mbeki who brokered the Global Political Agreement signed by the governing Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two MDC factions in September 2008. The Zimbabwe crisis deepened between 1999 when the MDC emerged as a major challenger to the ZANU-PF to 2008 notwithstanding various interventions including targeted sanctions by the EU and the USA, and various attempts by the SADC and the AU to find a political solution. The effect on the stability and image of South Africa and southern Africa were grave.

While the signing of the GPA in 2008 led to a dramatic decline in political violence, a rejuvenation of the devastated economy and resulted in the establishment of an inclusive government, the transition to stability and democracy remained tenuous. There has been a number of unresolved political problems between the two sides that have required the assistance of the SADC facilitator throughout the transition period. For this reason, while many are probing the internal dynamics in the inclusive government, which is an important thing to do, the Institute for Global Dialogue decided to investigate the role and effect of the facilitation by Zuma and his team in transition in Zimbabwe. The idea was to establish whether the facilitation had such a material effect on the process that it needed to be reinforced or it had failed and have to be rethought completely. Secondly, the hope was also that the insights gained from this research and dialogue processes would inform our view and policy recommendations regarding mediation and facilitation in similarly complex transition processes.

This was to be achieved through research and engagement with key actors in the process as well as a public dialogue in which think pieces were to be presented (copies of think pieces by Dr Muzondidya of Zimbabwe Institute and Mr Nyathi of JOMIC can be downloaded from the IGD website at www.igd.org.za). These pieces were to form a central plank for a roundtable dialogue designed to understanding government thinking on where things are at the moment and where they are headed. The dialogue was also planned to provide a platform for influencing government attitude on the Zimbabwe situation. This report will distill the consensus reached during the dialogue and outcomes of institutional research conducted as part of the Peace Diplomacy

and Democratic Transition in Zimbabwe Project for the benefit of policy actors and civil society in Southern Africa and Zimbabwe.

2. Key issues in the backdrop

The various dimensions of the peace process and transition in Zimbabwe have to be located in the backdrop of five factors: governance crisis; neo-colonial dimension; a complicated West-Africa Dichotomy; and economic meltdown.

Governance crisis

The first is that the crisis in Zimbabwe is fundamentally about governance or management and use of political power through the state. Contestations over political and state power lie at the heart of this crisis in which the ruling party has been involved in competition for power with several alternative parties since the 1980s. The pursuit of political dominance by eliminating other parties through co-option (as in the case ZAPU) or harassment (as with the ZUM and later the MDC) lies at the core of the governance crisis. Over this period, the ruling party marginalised alternative voices and institutionalised political suppression and violence. The public discontent in the form of a series of workers' strikes from the early 1990s, students' protests and mass mobilisation by constitutionalists were mostly harshly suppressed by the police. The Central Intelligence Office was fingered in the harassment and disappearance of activists. The ZANU-PF was also blamed by some for militarising the state and the economy by elevating the joint military command over matters of state and by appointing military officers to run a number of state enterprises.¹

The crisis manifested itself most dramatically in the form of a clampdown on political opposition, a tendency that can be traced back to the late 1980s. Having successfully incorporated the Zimbabwe African People's Union (ZAPU), its oldest rival, in 1987 and having suppressed the Zimbabwe Unity Movement subsequently, Zimbabwe African National Union (ZANU) decided to respond harshly to the rise of a new worker-cum-middle class based party, the Movement for Democratic Change (MDC). After the MDC successfully led a vote against a ZANU-PF engineered new constitution in 2001, the ZANU-PF mobilised war veterans in a campaign of terror against the MDC and white farmers it blamed for sponsoring the MDC. The reign of terror will intensify in the run-up to several elections.²

Questions about the capacity of the alternative parties including the MDC to offer an alternative to ZANU-PF, one in which active citizenship thrives in a climate of freedom of expressions and political imagination. The relationship

between these alternative parties and regional governments was complicated by Africa-West tensions in which ruling parties were assumed to be authentic African voices, while opposition parties were presumed to be stooges of the West. The inability of the MDC to fully unite the forces of change that included the trade union movement and the constitutional reform forums helped weaken the regional legitimacy of the MDC. This would change when the MDC frequently mobilized African governments and societies, especially between 2007 and 2011.

Neo-colonial dimension

The second is that the colonial legacy both underpinned the conflict and was mobilised to further complicate the governance crisis. The Lancaster Agreement through which Southern Rhodesia became independent Zimbabwe was, like many other independent treaties designed by the colonial power to ensure a smooth and gradual reform of society and state, especially to protect colonial economic interests. In the Zimbabwe case, the agreement imposed limits on land reform in the first decade and helped kill the interest of the new political elite in a genuine land redistribution once the decade had lapsed. Of course, this elite overplayed this card to conceal its own failures to use state power to redistribute even unused land and land in state hands. The tensions between the British government and the Zimbabwe government, although triggered by specific disagreements on the governance crisis in Zimbabwe, were underpinned by unresolved questions of decolonisation. The neo-colonial protection of settler privileges long after independence went beyond the enforcement of independence agreements as it included the use of diplomatic power to ensure no deviation from the compromises reached at independence. Some argued strongly that Zimbabwe, for all its many sins, was being used to send a strong message to other former settler colonies, Namibia and South Africa, that former colonial powers would go to great lengths to protect neo-colonial privileges and economic interests. Disagreements over the perceived role of the former colonial power became an important part of the discourse of the crisis, a divisive factor in internal politics of Zimbabwe.

A West-Africa Dichotomy

The third factor is a complicated international environment following the collapse of the Cold War and a simultaneous growth in multilateralism and democratization in Africa, on the one hand, and the growing unilateralist tendencies on the part of the powerful. Africa would immensely benefit from the former as democracy spread through every part of Africa, but would suffer the harm of the former. This is the period when key African leaders championed

governance reforms and raised expectations among the population that this would translate into meaningful political reforms at state level. This also led to a growing scrutiny of Africa by the international community, which was positive. However, while both Africa and the West shared concerns about anti-democratic tendencies in Africa, their approaches to resolving them differed fundamentally. Zimbabwe became a case in point as Africa advocated a political solution through an inclusive dialogue, whereas Western powers pushed for a more interventionist set of actions including condemnation, isolation and sanctions against the regime of Robert Mugabe. Africans sought to cause change within the ambit of universally accepted, but hotly contested notions of national sovereignty, whereas the West embraced the idea of permeate sovereignty to push for regime change in Zimbabwe. This helped internationalise the matter, further complicating it. Weak dialogue between Africans and interested Western powers helped prevent a common approach to resolving a crisis that both sides recognized as terrible.

The decision of Western partners to withhold their support for a negotiated settlement between the MDC and ZANU-PF helped to prevent the building of a common push for full democratic transition in Zimbabwe. An impression was created that donor countries had worked themselves into a rigid position where they would not support any outcome that included President Mugabe and the ZANU-PF, a position that would be equated with regime change paradigm in African political circles. As a result, donor countries have excluded themselves from the evolution of the inclusive transitional government and, therefore, its aftermath. While this has also helped delink the MDC from a western agenda, it has also robbed it of the support it needed to make an effective use of the opportunities that came with its participation at the top of government.

The economic meltdown

The fourth factor is the economic meltdown that began in the early 1990s and worsened as the structural adjustment programmes failed to rejuvenate the Zimbabwean economy. This is notwithstanding successful social policies in early independent Zimbabwe. As elsewhere in Africa, the austerity programmes simply helped to deepen the social crises with increased unemployment, decreased social spending and higher levels of poverty, leading to protests. The Zimbabwe government had not enthusiastically implemented the measures anyway and lacked an alternative economic vision and political will to act strongly to arrest the economic decline. In fact, it was the decision to pay war veterans millions of US dollars in the late 1990s that quickly sunk the economy and set off a series of developments that saw Zimbabwe's governance crisis get worse. A host of other public policies promulgated in a poisoned political climate

including those designed to promote black empowerment and inclusive growth which have led to disinvestment, bad media coverage and even more hardship for the Zimbabwean poor.

3. Peace diplomacy: a regional response

The government-sponsored violence would reach its peak when in March 2007 the police pounced on an MDC prayer meeting, physically beating its president, Morgan Tsangarai, and other leaders of the pro-democracy forces. This orgy of violence was shown on international media, and attracted international condemnation. Even the South African government known to have been reluctant to publicly condemn Zimbabwe came out with a strong statement decrying 'the abuses of human rights currently taking place in Zimbabwe.' The SA government spokesman reported cabinet concern that the level of violence had gone too far and the government intended to work with SADC and the AU to persuade the warring parties negotiate a political solution to the crisis. As a prominent Zimbabwe analyst, Brian Raftopolous, put it in a media interview in March 2007, "the brutal public attack on civic and leaders of the opposition leaders has forced the private rumblings of discontent over Zimbabwe to become public and break away from their traditional solidarity response."³ No wonder that Zambian President, Levy Mwanawasa, then deputy chair of SADC, publicly condemned violence as acts of a country that had become "a sinking titanic."⁴ He later remarked in a meeting in Namibia, "Zimbabwe is our neighbour. When people in Zimbabwe cough, Zambians also cough. We cannot sit back and watch when things are going wrong there."⁵ "I hear from some intelligence that President Mugabe is popular in his country," Mwanawasa continued, "But why should his government be ruling its people in such a fashion? Why should he be denying his people freedom of speech?"⁶

SADC chair, Lesotho, acted swiftly and convened a meeting with presidents of Tanzania (chair of the security organ) and Zambia to prepare for an emergency summit in Tanzania to work out a response to the escalation of the crisis in Zimbabwe. Tanzania's president Jakaya Kikwete had an emergency visit to President Mugabe of Zimbabwe to convey the collective concern of SADC and the world leaders whom he had visited about the political violence and suppression of the opposition. The emergency summit expressed its horror at the scale of political violence meted out on political opposition and decided to convene political talks between the governing party and the opposition to be facilitated by South Africa. The pressure on Mugabe before the summit worked partly because for once there was united stance in the region and

in the international community, making it very difficult for the Zimbabwean government to play into regional divisions as in the past.

Assisted by Sidney Mufamadi, Minister of Provincial and Local Government, and Frank Chikane, the cabinet secretary, President Mbeki facilitated a number of rounds of negotiations between parties in secret locations in the region. The SADC secretariat also participated on behalf of the regional organisation. The first signs of progress emerged when the parties agreed on a comprehensive negotiation agenda, which included constitutional reform, security, economic stabilisation and preparations for 2008 elections. The latter point came to dominate the talks as the need to resolve all political and economic problems before elections became a *de facto* timeline for the facilitation process. Four months later, there was an agreement on constitutional reforms to pave the way for elections, reforms codified in the constitutional amendment 18 approved by both parties in parliament in October 2007, which provided for the following:

- Presidential and parliamentary elections to take place at the same time;
- A new second house of parliament called the senate composed of 60 elected in all ten provinces, ten provincial governors, chair and deputy chair of Council of Chiefs, sixteen chiefs and five appointed by the President;
- The house of assembly of 210 elected members;
- Empowered the Zimbabwe Electoral Commission to issue new delimitation of voting constituencies and wards, a process that was made subject to parliamentary oversight
- New titles for heads of police, judicial officers;
- The appointment of a public protector and deputy by the president after consultant with the judicial services commission and the parliamentary committee on standing rules and orders; and
- The establishment of the Zimbabwe Human Rights Commission to work cooperatively with the Public Protector to promote human rights awareness and investigate human rights violations.⁷

This was followed by agreements on the amendments made on the contentious Public Order and Security Act, the Zimbabwe Electoral Act, the Access to Information and Protection of Privacy Act and the Broadcasting Act. All these milestones paved the way to the signing of the Global Political Agreement (GPA) on 17 September 2008 covering areas of economic reform, power-sharing, freedoms, national reconciliation, land reform, constitution-making process, depoliticisation of state institution and youth development.

The Inclusive Government was established after much difficulty and continued to be dogged by divisions and conflicts between the parties that required the facilitator to step in several times in the first six months. Some problems that cropped up in the early stages of the new government have not been resolved with a few months left in the term of this government. This includes the unilateral appointment by President Mugabe of provincial governors, the reserve back governor, the attorney general and his refusal to inaugurate an MDC member of parliament as a deputy minister as provided for in the GPA. By April 2011, the spirit of cooperation within this government had all but dissipated. The parties were more and more focused the elections whose date was still a point of heated contest with the ZANU-PF hoping for an election during 2011 and the MDC factions adamant that elections should await the conclusion of the constitution-drafting process, making it unlikely to take place in 2011. These difficulties overshadowed the inclusive government's ground breaking success in arresting the economic meltdown during a period when the world economy itself was in doldrums.

The road to post-GPA elections

President Jacob Zuma who took over the task of facilitating the peace process after President Mbeki's recall from government spent 2009-2010 helping the parties learn to co-govern the country and pushing them to implement their agreement. Then in 2011, he and his team of advisors – Mac Maharaj, Lindiwe Zulu and Charles Nqakula – worked hard on facilitating the development of a road map to elections in Zimbabwe.

The road map to democratic free and fair elections is not clear as the GPA has not been fully implemented and growing political violence on the ground. It was against this backdrop that the IGD project was designed to provide space for evidence-based dialogue with the view to strengthen the capacity of the regional organisation to complete the process through exchange of ideas on role and function of SADC facilitation team. It was also aimed at generating information that could inform the development of a road map that adequately addresses the Zimbabweans' concerns about prospects of violent and undemocratic elections.

To this end, the project focused on how the facilitation worked and its effect on the dynamics of the transition in Zimbabwe. The difficulties that dogged the inclusive government, leading a number of near-collapses, suggested that the transition would not mature to a level where it would self-propel on the basis of the legal and political framework set out in the GPA

and laws passed by the Inclusive Government as well as the political will of the parties to the agreement.

On 28 March 2011, the IGD hosted a roundtable under the theme: 'SADC Facilitation and the Future of Democratic Transition in Zimbabwe' to present and test its findings on above-mentioned question and to have an inclusive conversation on how the SADC facilitation could help ensure a smooth democratic transition in Zimbabwe come elections. To this end, the roundtable addressed by two prominent Zimbabwean opinion-makers sought to identify ingredients for such a transition and the specific role of SADC, AU and South Africa in that regard.

Facilitated by Professor Samba Mboup, head of Academy for African Languages at University of South Africa and a former Senegalese ambassador to South Africa, the dialogue revolved around a think piece by Dr James Muzondidya, the Research Manager at the Zimbabwe Institute focusing on key challenges and prospects for democratic transition in Zimbabwe and a presentation by Dr Joram Nyathi, the Communications Manager of the bipartisan Joint Monitoring and Implementation Committee and former deputy editor of the Zimbabwe Independent on the implementation of the agreement and the role of the SADC facilitation now and in the future. Professor Iqbal Jhazbhay, Associate Professor of Arabic Studies at the University of South Africa and a member of the ANC's International Task Force, also shared a perspective on South Africa's role.

4. Key tendencies in the run-up to new elections

Governance deficit: It emerged from presentations and during interactive discussions that the long-standing governance deficit has yet to be undone. This includes the denial of basic freedoms and rights to citizens, especially those seen as critical of the governing party and government. While violent suppression of meetings and summary arrest of opposition activists have decreased since the Inclusive Government was installed, incidents of police harassment of opposition forces have not completely ended. The MDC has not been able to get permission for a number of rallies and a few of its gatherings have been disrupted by security forces. The ZANU-PF also alleges that the MDC has started its own violent campaign, leading to the death of a policeman in the south of the country.

Contestations over land and property: While the seizure of farms, property and business belonging to those seen as opposed to government has subsided significantly in the past two years, the threats of take-over of business and private property by government have continued to strike fear amongst property

and business owners. Actually, after a lull of more than a year, there are fresh claims of farm invasions forcing farm owners to flee, leaving farms in the hands of suspected ZANU-PF's local leaders.

Political violence: Political bickering is the everyday norm with politicians using a violent language and other foul means to gain political advantage. With an inflammatory political rhetoric, a pre-election climate of intimidation and violence is re-emerging. The state judiciary and the NGO sector are being mobilised to take sides in this political conflict. In this context, the application of laws and provision of aid to the poor are fast being politicised.

On the ripeness of the time for the GPA: The signing of the GPA and the establishment of the Inclusive Government has helped generate an air of hope and optimism about general politics in Zimbabwe. According to James Muzondidya, the agreement came at the opportune time as the country was teetering on the brink of collapse and the governing party had run out of options for avoiding the inevitable, namely a negotiated settlement. In this sense, it was virtually a cease-fire agreement.

The ZANU-PF feared completely losing regional legitimacy and stature at the time where internal party tensions over succession and control were high. The high-profile negotiations and the resultant agreement provided an opportunity for the party to focus itself energy on its strategy and on managing the political environment instead of internal ructions. The negotiations and the agreement presented the MDC factions with the only realistic option for achieving its mission for democratic change in Zimbabwe. There was a danger of fatigue in its constituencies in its circles including broad democratic forces after years of suppression and negotiations also shifted focus away from internal wranglings that began to appear in 2005.

Improved political situation: It has been suggested that the agreement and an Inclusive Government led to a decline in reported human rights abuses, especially the blatant abuse of power by the security agencies. In this climate, opposition politicians and critical civil society activists have been able to express themselves a lot more now than before the agreement.

Yet, it has emerged that the improvement in the political climate have to do with decline in flagrant abuses and blatant political violence of the pre-election period in 2007-8 rather than an improved protection and promotion of human rights and freedoms in Zimbabwe. The oversight institutions like the human rights, media, and implementation commission established, rather reluctantly, as part of the GPA implementation are yet to operate fully and effectively. There has been a delay in ensuring that they are fully capacitated

to do their work effectively. The tendency of the ZANU-PF to make unilateral appointments helps undermine these institutions as well.

Improved economic situation: Observers note the significant change in the economic climate following the dollarisation of the Zimbabwean economy by the inclusive government. Not only did the macro-economic indicators respond positively with the inflation declining rapidly, but even grocery items came back to the shop shelves and normal consumption resumed. There has been progress in building a sound basis for a long-term economic recovery with investments being put into transport and logistics and communications infrastructure. There has been a renewed attention to the construction and improvement of social infrastructure as well, especially health and schooling facilities. In this climate investor confidence has picked up again and the mining and agricultural sector have once again become major drivers of economic growth in Zimbabwe.

Intricate balance of power: Discussants and other observers have also underscored the successful efforts of moderate on both sides of the political divide, Muzondidya suggested that the balance has, however, favoured the ZANU-PF not only because of the advantage of incumbency, but also because the MDC (both factions) has failed to take advantage of all the opportunities that the Inclusive Government has made available to it. In fact, its bargaining power has shrunk in the two years since the signing of the agreement.

While the MDC has used its participation in this government to introduce noble changes and to make to the difficult government arrangements work, the ZANU-PF has, on the other hand, used the time to frustrate the MDC and to re-organise itself on the ground for election victory at the end of the transitional period. This is the reason why it is more interested in early elections than is the MDC.

Contestations over elections: While the ZANU-PF wants early elections after a two-year process of mobilising and strengthening its grassroots structure, the MDC wants full implementation of the agreement first before elections. Of course, the ZANU-PF is ready for elections and the MDC factions are not. The ZANU-PF wants the elections to be held while they are united and strong on the ground. The MDC wants free and fair elections and considers the full implementation of the GPA as a necessary condition for that. In this regard, the conclusion of the constitution-making process is seen as a critical step. Security sector reform and the reform of the electoral system would be fundamental in preventing contestation of the electoral outcomes. As a result, the elections have dominated the facilitation agenda in the latter part of 2010 and early 2011.

The sanctions issue: The sanctions are the most portent public relations tool for the ZANU-PF as it projects them as a ploy by the former colonial power to stifle the fight for complete decolonisation of Zimbabwe targeted by former colonial powers. The revelations on Wikileaks about the relationship between the MDC and western powers provided ammunition for the ZANU-PF hardliners to threaten the survival of the inclusive government.

Committed SADC/SA facilitation: The close involvement of the SADC facilitation team at both political and technical levels is seen in the positive light. This has helped to get political parties that particularly dislike and distrust each other due to a history of political tensions between them to work admirably with each other to resolve political differences in the GPA implementation process. The commitment by the facilitator to a full implementation of the GPA augurs well for the creation of an environment that is conducive for the holding of the elections that will bring the negotiated transition to an end. The new facilitation that took over from the Mbeki-led group in 2008 has conducted its business in more transparent manner. It has also been willing to act tough. It has been able to make a good use of information gathering and monitoring exercises to pressure the parties to implement the agreement. But the extent to which it engages regional players like Namibia and Angola or whether it ensures that the message that the parties get is that the whole of SADC is watching them is debatable.

What is urgently needed?: Amongst a number of conditions that must prevail in Zimbabwe for successful transition to sustainable democracy is a new constitution. The need to finalise the constitution is seen as crucial as this goes into the heart of problems, i.e. the definition of the parameters by which state power ought to be managed in service of the entire population. Secondly, the matter of leadership is important in as far as it relates to parties making difficult compromises in order to ensure a smooth end to the transitional period. In his closing remarks to the dialogue session, Prof. Samba Mboup, underlined the fact that the facilitation was an attempt to provide an African solution to an African problem. To this end, the milestones reached during negotiations, the agreement and an Inclusive Government all represent successes attained. But to the extent that there is uncertainty about the future direction of Zimbabwe is a testament to the fact that not all has been done by the Zimbabwean parties, especially the ZANU-PF, to fully implement this African solution. The danger then is that if parties discredit this approach to African problems, they help justify the alternative solutions being touted by external powers.

5. Conclusion

Although much has been achieved by the SADC facilitation team in Zimbabwe, a lot is yet to be done. Nothing can be guaranteed as the ultimate outcome as disagreement between the parties over which clauses of the GPA to prioritise continue to haunt the implementation of the GPA and, therefore, the elections. It is for this reason that the Institute for Global Dialogue has been requested to provide more platforms for discussion between the facilitating team and the civil society in and out of Zimbabwe to ensure that the necessary reforms take place sooner.

6. Post-script

Since the discussions were held, there have been two major SADC meetings on Zimbabwe, which have added some new dynamics to the situation. On 31 March 2011, the troika of the SADC Organ on Politics, Defence and Security Cooperation comprising Mozambique, Namibia and Zambia met in Livingstone, Zambia, to receive a report from South Africa regarding the road map to elections in Zimbabwe. It was expected to use the report to put pressure on the Zimbabwean parties to fast-track the already long-delayed process of GPA implementation, especially the unfinished process of constitution-making. The push by the ZANU-PF for an early election, even if on the basis of the old constitution, made the road map all the more universally necessary. Regional leaders were reported to be unhappy with the rush to elections as without a political agreement on election there would most probably be election-related conflict. The reports of re-emergence of political violence, which the MDC made a major talking point at the Summit, seemed to confirm this fear. So, by the time leaders met, they had been conditioned to push for an orderly move towards election on the basis of counsel by the SADC facilitator, President Jacob Zuma of South Africa.

Yet, observers did not expect that the meeting would publicly take a dim view of the rush to elections, the resurgence of political violence, the delay in the GPA implementation and the country's state of readiness for elections. According to the communique released, the facilitator presented a 'frank' report on the GPA implementation and the readiness of Zimbabwe for elections. The meeting expressed 'disappointment' with 'insufficient progress' and dismay at the polarisation of the political environment and the reported violence. It called for an immediate end to violence and asked the parties to the GPA to implement all of its provisions. Importantly, the meeting asked the Inclusive Government to complete all steps that need to be taken before elections are held, including

the promulgation of the new constitution after the holding a referendum on it, effectively rejecting the push for early elections. It asked SADC to help draw up electoral guidelines for Zimbabwe and to appoint three officials to join the facilitation team in monitoring and evaluating the GPA implementation.

The Livingstone Communique was deemed a major departure from SADC's cautious style in resolving the issues of Zimbabwe. Its open disapproval of implementation delays and the resurgence of violence was seen as a shift of stance towards a more robust guaranteeing of the GPA agreement. The MDC welcomed this, but the ZANU-PF was dismayed, if irritated by what it saw as interference in the domestic affairs of Zimbabwe. There was a barrage of criticism of Zuma from individuals associated with the ZANU-PF for causing the SADC to 'meddle' in Zimbabwe's domestic affairs instead of mediating. A clearly infuriated President Mugabe is reported as having issued a warning against SADC interference in Zimbabwe.

But in the run-up to the extra-ordinary SADC Summit in Sandton, South Africa, held on 11-12 June 2011 where the decisions of the Organ Troika were to be canvassed with the rest of SADC, ZANU-PF aligned forces started seeking the undoing of the Livingstone outcomes. Realising that antagonising the facilitator and a major regional power hurt its interest, the ZANU-PF distanced itself from criticism of Zuma and South Africa. Going to Sandton. The MDC was confident that the Summit would endorse the report fully and campaigned hard for this specific outcome, while the ZANU-PF lobbied strongly for a rejection of the Livingstone position on the basis of factual errors and because it hoped governing parties in the region with whom it had good relations would realise that it was, as it saw it, impolitic for its counterparts to publicly censure and embarrass it if they still wanted it to play along in the process of peaceful transition in Zimbabwe. Both sides lobbied SADC member states, governing parties and the facilitator strongly to produce these outcomes.

In the end, the Sandton Summit noted the Livingstone report, thus disappointing both parties. Much debate has ensued over what 'noted' politically mean. Both sides have drastically different interpretation of the concept, appropriating it to mean what they had expected the Summit would decide. For ZANU-PF, 'noted' means rejection and for the MDC, it means endorsement. On the basis of this, the MDC accepted the Summit outcomes, while the ZANU-PF indicated that it would study them carefully suggesting that they felt that they may have not got what they wanted. Of course, the MDC knows that while it did not get what it wanted out of Sandton, it had made significant gains in regional politics and diplomacy in the past two years. The ZANU-PF which had used its sole incumbency of government in Zimbabwe had enjoyed an

advantage of privileged access to shape the opinion of regional governments and the fact that it now shares that space is seen as a decline in its political position, and it is not liking it.

In a fight for perceptions of regional governments and observers, and to control the perception of respective domestic constituencies, the two parties have invested a lot of energy on the interpretation of the word 'endorsed.' This acrimonious debate over the word 'noted' signifies the basic challenge for the facilitator, namely: in trying to remain a honest and trusted broker the facilitator's choice to remain strictly objective in his report on the GPA implementation guided by facts gathered in interaction with key parties to the agreement and observations on the ground leads to a situation where from time to time either side will be disgruntled about the facilitator's reports to the SADC. This is because both parties see it as strategic for them to be projected positively or to avoid being projected negatively in the eyes of SADC in respect of the GPA implementation..

Since, the MDC realised the importance of winning the support and goodwill of the SADC, ZANU-PF has battled to significantly influence the thinking among governments of the region as it might have done in the past, especially by helping to divide the opinions of regional governments by drawing the governments of Angola, Namibia and Swaziland away from a push by South Africa and Mozambique to have a negotiated settlement in Zimbabwe. Because the story of Zimbabwe raises issues of injustice more than just the failure by the parties to implement fully the SADC-endorsed agreements, it is not in the interests of either parties to be found to have shown less commitment to the SADC and AU-endorsed process than the other. It is expected to leave both parties unable to claim outright victory in order to cause them to compete for influencing the facilitator, thus making the facilitator a sort of a kingmaker in the power struggle between the ZANU-PF and the MDC factions.

7. Recommendations

This report recommends that:

- (a) The parties to the GPA should put more focus on the necessary reforms (electoral, constitutional, and economic) to create a conducive environment for elections.
- (b) The robust stance adopted by SADC recently needs to be maintained, without alienating the ZANU-PF, in order to give Zimbabweans confidence in the efficacy of the regional facilitator to help them decide their fate freely.

- (c) A road map on elections should not deviate from the spirit and letter of the GPA including the need for a new constitution, a referendum and an independent electoral authority.

Endnotes:

- 1 Alois Mlambo, "The Ambiguities of Independence, Zimbabwe 1980-1990," in *Unfinished Business: the Land Crisis in Southern Africa*, ed. Margaret Lee and Karen Colvard (Pretoria: Africa Institute of South Africa, 2003): 195-222.
- 2 L. Sachikonye, "Between Authoritarianism and Democracy: Politics in Zimbabwe since 1990," in *Unfinished Business* (see note 5), 97-132.
- 3 'Zimbabwe: SADC Intervention "Long Time Coming"', at <http://allafrica.com/stories/200703230677.html> (accessed 24 March 2007).
- 4 'Zimbabwe: Mugabe Pressed to Quit', at <http://allafrica.com/stories/200703160388.html> (accessed on 30 March 2007).
- 5 'Zambia: I Don't Regret My Position On Zimbabwe – Mwanawasa,' at <http://allafrica.com/stories/200703270721.html> (accessed on 28 March 2007).
- 6 *ibid.*
- 7 Act No. 11 of 2007 Published in a Government Gazette Extraordinary on 30th October, 2007.

8. ANNEXURE I: Programme for SADC Mediation in Zimbabwe Roundtable



10h30 – 11h00 Arrivals and Registration

Chair: Iqbal Jazbhay

IGD Board Member and UNISA Professor

Speakers:

11h00 – 11h20 Joram Nyathi

Communications Manager, JOMIC

11h20 – 11h40 Dr. James Muzondidya

Research Manager, Zimbabwe Institute

11h40 – 12h40 Interactive Discussion

Closing Remarks:

12h40 – 13h00 Prof. Samba Mboup, *UNISA*

9. ANNEXURE II: Participants' Profiles

Prof. Iqbal Jhazbhay

Iqbal Jhazbhay is a Professor at the University of South Africa and author of *Somaliland: An African Struggle for Nationhood and International Recognition*. This book has been hailed "a major scholarly success" and "highly original". His research work focuses on the Horn of Africa. He serves on the ANC's NEC Sub-Committee of International Relations and its International Relations Rapid Response Task Team. He is also a member of the Board of Directors of the Institute of Global Dialogue.

Dr James Muzondidya

James Muzondidya is a Research Manager at the Zimbabwe Institute- a policy advocacy organisation based in Harare. He is a former Senior Research Specialist in the Democracy and Governance unit of the Human Sciences Research Council (SA) and lecturer in the History Department of the University of Zimbabwe (Harare). He has researched and written extensively on various aspects of the political economy of contemporary Zimbabwe, including the politics of the current Global Political Agreement government in the country. His latest publication on Zimbabwe is a co-edited book with Sabelo ndlovu-Gatsheni entitled 'Redemptive or Grotesque Nationalism? Rethinking Politics in Contemporary Zimbabwe (Peter Lang, 2011).

Joram Nyathi

Joram Nyathi is communications manager for Joint Monitoring and Implementation Committee (JOMIC) since August 2009. Prior to that he had worked for the Zimbabwe Independent newspaper since its formation in 1996. He was deputy editor of the paper from 2004 to the time he left to join (JOMIC). He is a keen follower of political developments in the region and has runs a personal blog in which he has written about events in Zimbabwe and South Africa. Joram holds BA (general) degree and an Honors degree in English both from the University of Zimbabwe. Also has a PR diploma from the Zimbabwe Institute of Public Relations. Loves debate on political developments in Zimbabwe. Has travelled extensively to Europe, US and Africa and still believes home is best.

Prof. Samba Buri Mboup

Prof. Mboup is currently an Associate Professor at the University of South Africa (UNISA), attached to the Institute for African Renaissance Studies. He is also the Manager of UNISA's Strategic Project for the creation of an Academy

of African Languages and Science as well as the Managing Director of the New Edge Consulting (Senegal and South Africa). Prof Mboup was the Ambassador of Senegal to South Africa and in this capacity was a member of the NEPAD Steering Committee and a resource person for the NEPAD Secretariat. Prof. Mboup has worked as a senior researcher-lecturer in anthropology and linguistics and has acted as a senior expert and consultant. He has conducted several missions for the UN General Secretariat and other UN agencies, including UNDP, UNFPA, UNHCHR, UNICEF, and UNESCO, in countries such as Mozambique, Benin, Equatorial Guinea, Cameroon, Mali, Cape Verde, Senegal, Central African Republic, Angola and Botswana.

10. ANNEXURE III: Attendance Register – 28 March 2011

Name and Surname	Organization	Contact Details
1. Xuehua Li		071 588 4633
2. Tiseke Kasambala	HRW	079 220 5254
3. Siphokazi Mthathi	HRW	011 484 2640 082 777 1319
4. DAUD Mohd Yani	Malaysian High Commission	073 529 0201
5. Yvonne M. Gonzales	US Embassy	
6. Judy Smith-Höhn	ISS	071 391 3969
7. Rebone Ramphomane	SA-Liasion Office	076 453 7484
8. Mr Javier Fernandez	Embassy of the Argentinean Republic	072 881 6211
9. Georgina Roberts	New Zealand High Commission	083 227 2843 Georgina.roberts@mfat.gov.nz
10. John Vilakazi	DIRCO	vilakazimj@dirco.gov.za
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12. Fernando Slawers	DIRCO	slawersf@dirco.gov.za
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14. Rui Nozes	EU	
15. Victor Mdlalose	DOD	012 315 0315
16. Gideon Komane	Dept. of Defense	017 315 0380
17. Kentaro Yamane	Embassy of Japan	Kentaro.yamane@mofa.gov.jp
18. Prof. Samba Mboup	UNISA	
19. Prof. Iqbal Jhazbhay	IGD/UNISA	
20. Zandile Bhengu	IGD	Zandile@igd.org.za

21. Lyndsey Duff	IGD	lyndseyd@igd.org.za
22. Penelope Masenamela	IGD	Penelope@igd.org.za
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27. John Kudjoe	Eagle Valley	082 943 8107
28. Hlengiwe Nhlabathi	SAPA	084 708 4214
29. Kinganbo Hunguette	UNISA	072 647 5860
30. Julie Tenenbawn	ICRC	jtenenbawn@icrc.org
31. Bongani Nxumalo	Freelancer	Bongani.nx@gmail.com
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34. Joram Nyathi	JOMIC	Joram@jomic.co.zw
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40. Hongyan Li	Sei Tech Daily	
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42. Joan Brickhill	SALO	jbrickhill@new.co.za
43. Zikhona Miso	SABC	miso@z@sabc.co.za

